

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Extend Employment Reference Immunity to School Administrative Units**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 20-A MRSA §4010** is enacted to read:

### **§ 4010. Employment reference immunity**

An employee of a school administrative unit who discloses information about a former employee's job performance or work record to a prospective employer of the former employee is presumed to be acting in good faith and, unless lack of good faith is shown by clear and convincing evidence, is immune from civil liability for such disclosure or its consequences. "Clear and convincing evidence of lack of good faith" means evidence that clearly shows the knowing disclosure, with malicious intent, of false or deliberately misleading information. This section is supplemental to and not in derogation of any claims available to the former employee that exist under state law and any protections that are already afforded employers under state law.

Effective 90 days following adjournment of the 125th  
Legislature, First Regular Session, unless otherwise indicated.