

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

S.P. 157 - L.D. 492

**An Act To Extend from 6 Months to One Year the Notice Period Required
under the Maine Tort Claims Act****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 14 MRSA §8107, sub-§1, as amended by PL 1989, c. 327, is further amended to read:

1. Notice requirements for filing. Within ~~180~~ 365 days after any claim or cause of action permitted by this chapter accrues, or at a later time within the limits of section 8110, when a claimant shows good cause why notice could not have reasonably been filed within the ~~180-day~~ 365-day limit, a claimant or a claimant's personal representative or attorney shall file a written notice containing:

- A. The name and address of the claimant, and the name and address of the claimant's attorney or other representative, if any;
- B. A concise statement of the basis of the claim, including the date, time, place and circumstances of the act, omission or occurrence complained of;
- C. The name and address of any governmental employee involved, if known;
- D. A concise statement of the nature and extent of the injury claimed to have been suffered; and
- E. A statement of the amount of monetary damages claimed.

Sec. 2. 14 MRSA §8107, sub-§2, as amended by PL 2001, c. 249, §1, is further amended to read:

2. Incapacity. If the claimant is incapacitated and thereby prevented from presenting and filing the claim within the time prescribed or if the claimant is a minor, the claim may be presented and filed on behalf of the claimant by any relative, attorney or agent representing the claimant. If the claimant is a minor when the cause of action accrues, the notice may be presented within ~~180~~ 365 days of the minor's attaining 18 years of age.

Sec. 3. Application. This Act applies only to causes of action that accrue on or after January 1, 2020.