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Legislative Document

No. 224

H.P. 147

House of Representatives, January 21, 2025

An Act to Expand the Definition of "Terrorism" in the Laws Governing the Maine Emergency Management Agency

Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in black ink, reading "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HASENFUS of Readfield.

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

Sec. 1. 1 MRSA §402, sub-§3, ¶L, as amended by PL 2003, c. 614, §1, is further amended to read:

L. Records describing security plans, security procedures or risk assessments prepared specifically for the purpose of preventing or preparing for acts of terrorism, but only to the extent that release of information contained in the record could reasonably be expected to jeopardize the physical safety of government personnel or the public. Information contained in records covered by this paragraph may be disclosed to the Legislature or, in the case of a political or administrative subdivision, to municipal officials or board members under conditions that protect the information from further disclosure. For purposes of this paragraph, "terrorism" means conduct that is designed to cause serious bodily injury or substantial risk of bodily injury to multiple persons, substantial damage to multiple structures whether occupied or unoccupied or substantial physical damage sufficient to disrupt the normal functioning of a critical infrastructure has the same meaning as in Title 37-B, section 703, subsection 8;

Sec. 2. 37-B MRSA §703, sub-§1-A is enacted to read:

1-A. Cyberattack. "Cyberattack" means activity targeting the State's information and telecommunications technology infrastructure, systems or services or critical infrastructure, whether physical or non-physical, for the purpose of disrupting, disabling, destroying or maliciously controlling such infrastructure, systems or services or destroying the integrity of the data or stealing the information residing thereon.

Sec. 3. 37-B MRSA §703, sub-§8, as enacted by PL 2013, c. 146, §6, is amended to read:

8. Terrorism. "Terrorism" means the unlawful use of force or violence against persons or property to intimidate or coerce a government or civilian population in furtherance of political or social objectives. "Terrorism" includes conduct that is designed to cause serious bodily injury or substantial risk of bodily injury to multiple persons, substantial damage to multiple structures whether occupied or unoccupied or substantial physical damage sufficient to disrupt the normal functioning of a critical infrastructure; or conduct that constitutes a cyberattack on the State's information and telecommunications technology infrastructure, systems or services or critical infrastructure, whether physical or non-physical.

SUMMARY

This bill updates the definition of "terrorism" in the laws governing the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency to include acts against non-physical infrastructure, including, but not limited to, information and telecommunications technology infrastructure, systems or services or critical infrastructure. The bill also defines the term "cyberattack."