

**§19204-B. Restrictions on requiring tests or results of tests**

**1. Employee testing.** An employee or applicant for employment may not be required to submit to an HIV test or reveal whether the employee or applicant for employment has obtained an HIV test as a condition of employment or to maintain employment, except when based on a bona fide occupational qualification. The Maine Human Rights Commission shall enforce this subsection.

[PL 1995, c. 404, §16 (AMD).]

**2. Employee rights.** The employment status of any employee may not be affected or changed:

A. If the employee declines to be tested; [PL 2007, c. 93, §4 (AMD).]

B. If the employee testifies or assists in any proceeding under this chapter; [PL 1987, c. 811, §9 (NEW).]

C. If the employee asserts any other rights exercised in good faith pursuant to this chapter; or [PL 1987, c. 811, §9 (NEW).]

D. Because of the result of any test taken pursuant to this chapter. [PL 1987, c. 811, §9 (NEW).]  
[PL 2007, c. 93, §4 (AMD).]

**SECTION HISTORY**

PL 1987, c. 811, §9 (NEW). PL 1989, c. 161 (AMD). PL 1995, c. 404, §16 (AMD). PL 2007, c. 93, §4 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.