§1542-A. Appointment

(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)

1. Duty to take fingerprints. The law enforcement agency designated in subsection 3 shall take the fingerprints of any person:

A. Charged with the commission of a criminal offense except a violation of Title 12 or 29-A that is a Class D or E crime other than an alcohol-related or drug-related offense, as defined in section 1541, subsection 4-A, paragraph A; [PL 1999, c. 260, Pt. B, §3 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

B. Arrested as a fugitive from justice or taken into custody for a juvenile crime pursuant to a uniform interstate compact on juveniles; [PL 1999, c. 260, Pt. B, §4 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

C. Named on a search warrant which directs that such person's fingerprints be taken; [PL 1987, c. 512, §3 (NEW).]

D. Named in a Maine Rules of Unified Criminal Procedure 16A order that directs that such person's fingerprints be taken; [PL 2015, c. 431, §45 (AMD).]

E. Who dies under circumstances of death constituting a medical examiner case under Title 22, section 3025, if sought pursuant to Title 22, section 3028, subsection 3 or at the request of the Chief Medical Examiner or the Attorney General; [PL 1999, c. 790, Pt. A, §30 (RPR).]

F. Whose fingerprints have been ordered by a court; [PL 1999, c. 260, Pt. B, §6 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

G. Who is a teacher or educational personnel applicant subject to Title 20-A, section 6103; [PL 2001, c. 52, §4 (AMD).]

H. Charged with the commission of a juvenile crime; [PL 2013, c. 546, §1 (AMD).]

I. Who is a prospective adoptive parent not the biological parent as required under Title 18-C, section 9-304, subsection 1; [PL 2017, c. 402, Pt. C, §77 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

J. Who is an affected person, as defined in Title 36, section 194-D, subsection 1, paragraph A, and whose fingerprints have been required by the State Tax Assessor pursuant to Title 36, section 194-D; [PL 2019, c. 343, Pt. G, §1 (AMD).]

K. [PL 2019, c. 343, Pt. G, §2 (RP).]

L. [PL 2019, c. 343, Pt. G, §3 (RP).]

M. Who has applied for a guide license under Title 12, section 12853; [PL 2017, c. 457, §11 (RPR).]

N. **(TEXT EFFECTIVE UNTIL 1/01/27)** Who is licensed under Title 32, chapter 48 and has applied for an expedited license under Title 32, section 18506; [PL 2017, c. 457, §12 (AMD).]

N. **(TEXT EFFECTIVE 1/01/27)** Who is licensed under Title 32, chapter 153 and has applied for an expedited license under Title 32, section 18506; [PL 2025, c. 738, Pt. C, §30 (AMD); PL 2025, c. 738, Pt. C, §54 (AFF).]

O. Who is required to submit to a criminal history record check pursuant to Title 28-B, section 204. [PL 2017, c. 409, Pt. B, §11 (NEW).]

P. **(TEXT EFFECTIVE UNTIL 1/01/27)** Who is licensed under Title 32, chapter 36 and has applied for an expedited license under Title 32, section 18506; [PL 2019, c. 399, §2 (RPR); PL 2019, c. 402, §2 (RPR).]

REVISOR'S NOTE: (Paragraph P as enacted by PL 2017, c. 452, §25 is REALLOCATED TO TITLE 25, SECTION 1542-A, SUBSECTION 1, PARAGRAPH S)

P. **(TEXT REPEALED 1/01/27)** [PL 2025, c. 738, Pt. C, §31 (RP); PL 2025, c. 738, Pt. C, §54 (AFF).]

REVISOR'S NOTE: (Paragraph P as enacted by PL 2017, c. 452, §25 is REALLOCATED TO TITLE 25, SECTION 1542-A, SUBSECTION 1, PARAGRAPH S)

Q. Who is an applicant for licensure with the State Board of Nursing as required under Title 32, section 2111, subsection 1; [PL 2019, c. 343, Pt. G, §5 (AMD); PL 2019, c. 399, §3 (AMD); PL 2019, c. 402, §3 (AMD); PL 2019, c. 416, §3 (AMD).]

R. Who is required to have a criminal background check under Title 22, section 8302-A or 8302-B. [PL 2021, c. 293, Pt. A, §30 (RPR).]

S. **(REALLOCATED FROM T. 25, §1542-A, sub-§1, ¶P)** Who is required to have a criminal history record check under Title 22, section 2425-B. [PL 2025, c. 611, §10 (AMD).]

T. Who is required to have a criminal history record check under Title 22, section 8110. [PL 2021, c. 293, Pt. A, §32 (RPR).]

U. Who is an affected person, as defined in Title 26, section 1085, subsection 1, paragraph A, whose fingerprints have been required by the department pursuant to Title 26, section 1085. [PL 2019, c. 644, §1 (NEW).]

REVISOR'S NOTE: (Paragraph U as enacted by PL 2019, c. 616, Pt. S, §2 is REALLOCATED TO TITLE 25, SECTION 1542-A, SUBSECTION 1, PARAGRAPH X)

V. Who is employed or may be offered employment by the Office of the State Auditor as required under Title 5, section 247. [PL 2021, c. 293, Pt. A, §34 (NEW).]

REVISOR'S NOTE: (Paragraph V as enacted by PL 2021, c. 400, §2 is REALLOCATED TO TITLE 25, SECTION 1542-A, SUBSECTION 1, PARAGRAPH Y)

W. Who is required to have a criminal history record check under Title 19-A, section 2111. [PL 2021, c. 293, Pt. A, §35 (NEW).]

X. **(REALLOCATED FROM T. 25, §1542-A, sub-§1, ¶U)** Who is required to have a criminal history record check under Title 5, section 1986. [PL 2019, c. 616, Pt. S, §2 (NEW); PL 2021, c. 293, Pt. A, §33 (RAL).]

Y. **(REALLOCATED FROM T. 25, §1542-A, sub-§1, ¶V)** Who is required to have a criminal history record check under Title 22, section 5307. [PL 2021, c. 400, §2 (NEW); RR 2021, c. 1, Pt. A, §24 (RAL).]

Z. Who is required to have a criminal history record check under Title 8, section 1204. [PL 2021, c. 681, Pt. J, §8 (NEW).]

AA. Who is an applicant for licensure as a psychologist with the State Board of Examiners of Psychologists as required under Title 32, section 3833-B. [PL 2023, c. 506, §1 (NEW).]

BB. Who is an applicant for licensure as a physical therapist or a physical therapist assistant with the Board of Examiners in Physical Therapy as required under Title 32, section 3114-D. [PL 2023, c. 506, §2 (NEW).]

CC. Who is an applicant for licensure as an occupational therapist or an occupational therapy assistant with the Board of Occupational Therapy Practice, or who is a licensed occupational therapist or a licensed occupational therapy assistant seeking a compact privilege, as required under Title 32, section 2279-A. [PL 2025, c. 366, §1 (NEW).]

REVISOR'S NOTE: (Paragraph CC as enacted by PL 2025, c. 538, §7 is REALLOCATED TO TITLE 25, SECTION 1542-A, SUBSECTION 1, PARAGRAPH JJ)

DD. **(TEXT EFFECTIVE UNTIL 1/01/27)** Who is an applicant for licensure as a physician associate with the Board of Osteopathic Licensure, or who is a licensed physician associate seeking a compact privilege, as required under Title 32, section 2594-G. [PL 2025, c. 366, §2 (NEW); PL 2025, c. 316, §3 (REV).]

DD. **(TEXT EFFECTIVE 1/01/27)** Who is an applicant for licensure as a physician associate with the Maine Board of Medicine, or who is a licensed physician associate seeking a compact privilege, as required under Title 32, section 20126. [PL 2025, c. 738, Pt. C, §32 (AMD); PL 2025, c. 738, Pt. C, §54 (AFF).]

EE. **(TEXT EFFECTIVE UNTIL 1/01/27)** Who is an applicant for licensure as a physician associate with the Board of Licensure in Medicine, or who is a licensed physician associate seeking a compact privilege, as required under Title 32, section 3270-H. [PL 2025, c. 366, §3 (NEW); PL 2025, c. 316, §3 (REV).]

EE. **(TEXT REPEALED 1/01/27)** [PL 2025, c. 738, Pt. C, §33 (RP); PL 2025, c. 738, Pt. C, §54 (AFF).]

FF. Who is an applicant for a multistate license with the State Board of Social Worker Licensure, as required under Title 32, section 7052-A. [PL 2025, c. 366, §4 (NEW).]

GG. Who is an applicant for licensure as a clinical professional counselor or a marriage and family therapist with the Board of Counseling Professionals Licensure, or who is a licensed clinical professional counselor or licensed marriage and family therapist seeking a compact privilege, as required under Title 32, section 13858-A. [PL 2025, c. 366, §5 (NEW).]

HH. Who is an applicant for licensure as an audiologist or a speech-language pathologist with the Board of Speech, Audiology and Hearing, or who is a licensed audiologist or licensed speech-language pathologist seeking a compact privilege, as required under Title 32, section 17301-A. [PL 2025, c. 366, §6 (NEW).]

II. Who is an applicant for licensure as a dentist or a dental hygienist with the Board of Dental Practice, or who is a licensed dentist or licensed dental hygienist seeking a compact privilege, as required under Title 32, section 18341-A. [PL 2025, c. 366, §7 (NEW).]

JJ. **(REALLOCATED FROM T. 25, §1542-A, sub-§1, ¶CC)** Who is required to have a criminal history record check under Title 8, section 1404. [PL 2025, c. 538, §7 (NEW); RR 2025, c. 2, Pt. A, §123 (RAL).]

[RR 2025, c. 2, Pt. A, §123 (COR).]

2. Palm prints, footprints and photographs. Whenever fingerprints are to be taken pursuant to subsection 1, paragraph A, B or G, palm prints, footprints and photographs may also be taken. Whenever palm prints, footprints or photographs are ordered to be obtained pursuant to subsection 1, paragraph C, D or F or are sought pursuant to paragraph E, the palm prints, footprints or photographs must be taken.

[PL 1999, c. 260, Pt. B, §9 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

3. Duty to take fingerprints. The duty to take fingerprints is imposed as follows.

A. The law enforcement agency having primary responsibility for the criminal investigation and prosecution shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph A. If the offender is subjected to a custodial arrest, fingerprints must be taken prior to that person's being released from custody. If the offender is summonsed to appear or, relative to a Class D or Class E crime, released at the scene by a law enforcement officer who has taken the personal recognizance of any such person for the person's appearance, fingerprints must be taken

within 5 days at a time and place specified by the responsible agency. The offender shall appear at the specified time and place and shall submit to the process. To the extent possible, the fingerprinting must occur prior to arraignment. At the time of arraignment, the state court or tribal court shall inquire as to whether fingerprints have been taken or as to whether arrangements have been made for fingerprinting. If this has not occurred, the state court or tribal court shall instruct both the responsible law enforcement agency and the person charged as to their respective obligations in this regard. [PL 2019, c. 621, Pt. E, §3 (AMD).]

B. The law enforcement agency that arrests a fugitive from justice or takes a person into custody for a juvenile crime pursuant to a uniform interstate compact on juveniles shall take or cause to be taken the fingerprints of that person. [PL 1999, c. 260, Pt. B, §10 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

C. The law enforcement agency having primary responsibility for the criminal investigation and prosecution shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph D. [PL 1987, c. 512, §3 (NEW).]

D. The law enforcement agency or individual identified in the warrant or order shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph C or F. [PL 1987, c. 512, §3 (NEW).]

E. The law enforcement agency of which the request is made shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph E. [PL 1987, c. 512, §3 (NEW).]

F. The Maine State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph G, at the request of that person and upon payment of the expenses specified under Title 20-A, section 6103, subsection 3-A. [PL 2005, c. 457, Pt. CC, §5 (AMD).]

G. The law enforcement agency that has primary responsibility for the investigation and prosecution of the juvenile offense shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph H. If the juvenile is arrested, fingerprints must be taken prior to that person's being released from custody. If a juvenile court proceeding is commenced against a person without a juvenile arrest having been made, fingerprints must be taken within 5 days of the filing of the petition at a time and place specified by the responsible agency after consulting with the juvenile community corrections officer. The juvenile shall appear at the specified time and place and shall submit to the process. [PL 2001, c. 667, Pt. A, §44 (AMD).]

H. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph I, at the request of that person and upon payment of the expenses specified under Title 18-C, section 9-304, subsection 1, paragraph B, subparagraph (3). [PL 2017, c. 402, Pt. C, §78 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

I. Trained personnel of the Department of Public Safety, Gambling Control Board shall take fingerprints of a person seeking licensure under Title 8, chapter 31. [PL 2005, c. 663, §14 (NEW).]

J. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph J, at the request of that person and upon payment of the expenses by the Department of Administrative and Financial Services, Bureau of Revenue Services as specified under Title 36, section 194-D, subsection 3. [PL 2019, c. 343, Pt. G, §6 (AMD).]

K. [PL 2019, c. 343, Pt. G, §7 (RP).]

L. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph M at the request of that person and upon payment of the expenses by that person as required by Title 12, section 12853, subsection 4-A, paragraph B. [PL 2017, c. 457, §14 (RPR).]

M. **(TEXT EFFECTIVE UNTIL 1/01/27)** The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph N at the request of that person and upon payment of the expenses by that person as required by Title 32, section 3275-A. [PL 2017, c. 253, §3 (NEW).]

M. **(TEXT EFFECTIVE 1/01/27)** The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph N at the request of that person and upon payment of the expenses by that person as required by Title 32, section 20129. [PL 2025, c. 738, Pt. C, §34 (AMD); PL 2025, c. 738, Pt. C, §54 (AFF).]

N. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph O at the request of that person and upon payment of the expenses by that person as provided under Title 28-B, section 204. [PL 2017, c. 409, Pt. B, §12 (NEW).]

O. **(TEXT EFFECTIVE UNTIL 1/01/27)** The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph P at the request of that person and upon payment of the expenses by that person as required by Title 32, section 2571-A. [PL 2021, c. 293, Pt. A, §36 (RPR).]

O. **(TEXT REPEALED 1/01/27)** [PL 2025, c. 738, Pt. C, §35 (RP); PL 2025, c. 738, Pt. C, §54 (AFF).]

P. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph Q at the request of that person and upon payment by the person of the fee established in Title 32, section 2111, subsection 1. [PL 2017, c. 457, §15 (NEW).]

Q. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph R at the request of that person or the Department of Health and Human Services under Title 22, section 8302-A or 8302-B. [PL 2017, c. 457, §15 (NEW).]

R. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph S at the request of that person or the Department of Administrative and Financial Services under Title 22, section 2425-B. [PL 2025, c. 611, §11 (AMD).]

S. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph T at the request of that person or the Department of Health and Human Services pursuant to Title 22, section 8110. [PL 2021, c. 293, Pt. A, §37 (RPR).]

T. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph U at the request of that person and upon payment of the expenses by the Department of Labor, Bureau of Unemployment Compensation as specified under Title 26, section 1085, subsection 3. [PL 2021, c. 293, Pt. A, §38 (RPR).]

U. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph V at the request of that person or the Office of the State Auditor and upon payment by the Office of the State Auditor of the fee established in Title 5, section 247, subsection 3. [PL 2021, c. 293, Pt. A, §39 (NEW).]

REVISOR'S NOTE: (Paragraph U as enacted by PL 2021, c. 400, §3 is REALLOCATED TO TITLE 25, SECTION 1542-A, SUBSECTION 3, PARAGRAPH X)

V. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph W at the request of that person or the Department of Health and Human Services pursuant to Title 19-A, section 2111. [PL 2021, c. 293, Pt. A, §40 (NEW).]

W. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph X at the request of that person or the Department of Administrative and Financial Services, Office of Information Technology and upon payment of the fee as provided under Title 5, section 1986. [PL 2021, c. 293, Pt. A, §41 (NEW).]

X. **(REALLOCATED FROM T. 25, §1542-A, sub-§3, ¶U)** The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph Y at the request of that person or the Department of Health and Human Services pursuant to Title 22, section 5307. [PL 2021, c. 676, Pt. A, §43 (AMD).]

Y. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph Z at the request of that person or the director of the Gambling Control Unit within the Department of Public Safety and upon payment of the fee established by the director of the Gambling Control Unit pursuant to Title 8, section 1204, subsection 3. [PL 2021, c. 681, Pt. J, §9 (NEW).]

Z. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph AA at the request of that person or the State Board of Examiners of Psychologists and upon payment of the fee by that person as required by Title 32, section 3833-B. [PL 2023, c. 506, §3 (NEW).]

AA. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph BB at the request of that person or the Board of Examiners in Physical Therapy and upon payment of the fee by that person as required by Title 32, section 3114-D. [PL 2023, c. 506, §4 (NEW).]

BB. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph CC at the request of that person or the Board of Occupational Therapy Practice and upon payment of the fee by that person as required by Title 32, section 2279-A. [PL 2025, c. 366, §8 (NEW).]

REVISOR'S NOTE: (Paragraph BB as enacted by PL 2025, c. 538, §8 is REALLOCATED TO TITLE 25, SECTION 1542-A, SUBSECTION 3, PARAGRAPH II)

CC. **(TEXT EFFECTIVE UNTIL 1/01/27)** The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph DD at the request of that person or the Board of Osteopathic Licensure and upon payment of the fee by that person as required by Title 32, section 2594-G. [PL 2025, c. 366, §9 (NEW).]

CC. **(TEXT REPEALED 1/01/27)** [PL 2025, c. 738, Pt. C, §36 (RP); PL 2025, c. 738, Pt. C, §54 (AFF).]

DD. **(TEXT EFFECTIVE UNTIL 1/01/27)** The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph EE at the request of that person or the Board of Licensure in Medicine and upon payment of the fee by that person as required by Title 32, section 3270-H. [PL 2025, c. 366, §10 (NEW).]

DD. **(TEXT EFFECTIVE 1/01/27)** The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph DD at the request of that person or the Maine Board of Medicine and upon payment of the fee by that person as required by Title 32, section 20129. [PL 2025, c. 738, Pt. C, §37 (AMD); PL 2025, c. 738, Pt. C, §54 (AFF).]

EE. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph FF at the request of that person or the State Board of Social Worker Licensure and upon payment of the fee by that person as required by Title 32, section 7052-A. [PL 2025, c. 366, §11 (NEW).]

FF. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph GG at the request of that person or the Board of Counseling Professionals Licensure and upon payment of the fee by that person as required by Title 32, section 13858-A. [PL 2025, c. 366, §12 (NEW).]

GG. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph HH at the request of that person or the Board of Speech, Audiology and Hearing and upon payment of the fee by that person as required by Title 32, section 17301-A. [PL 2025, c. 366, §13 (NEW).]

HH. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph II at the request of that person or the Board of Dental Practice and upon payment of the fee by that person as required by Title 32, section 18341-A. [PL 2025, c. 366, §14 (NEW).]

II. **(REALLOCATED FROM T. 25, §1542-A, sub-§3, ¶BB)** The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph CC at the request of that person or the director of the Gambling Control Unit within the Department of Public Safety and upon payment of the fee established by the director of the Gambling Control Unit pursuant to Title 8, section 1404, subsection 3. [PL 2025, c. 538, §8 (NEW); RR 2025, c. 2, Pt. A, §124 (RAL).]

[RR 2025, c. 2, Pt. A, §124 (COR).]

4. (TEXT EFFECTIVE UNTIL 1/01/27) Duty to submit to State Bureau of Identification. It is the duty of the law enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B and G to transmit immediately to the State Bureau of Identification the criminal fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or pursuant to subsection 5 may not be submitted to the State Bureau of Identification unless an express request is made by the commanding officer of the State Bureau of Identification. Fingerprints taken pursuant to subsection 1, paragraph G must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Education. The bureau may not use the fingerprints for any purpose other than that provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints, except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the court and the Department of Public Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection 1, paragraph J or S must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Administrative and Financial Services. Fingerprints taken pursuant to subsection 1, paragraph P must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Osteopathic Licensure, established in Title 32, chapter 36. Fingerprints taken pursuant to subsection 1, paragraph N must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Licensure in Medicine, established in Title 32, chapter 48. Fingerprints taken pursuant to subsection 1, paragraph Q must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the State Board of Nursing, established in Title 32, chapter 31. Fingerprints taken pursuant to subsection 1, paragraph O must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks under Title 28-B, section 204. Fingerprints taken pursuant to subsection 1, paragraph R, T or W must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Health and Human Services. Fingerprints taken pursuant to subsection 1, paragraph V must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Office of the State Auditor.

[PL 2021, c. 293, Pt. A, §42 (RPR).]

4. (TEXT EFFECTIVE 1/01/27) Duty to submit to State Bureau of Identification. It is the duty of the law enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B and G to transmit immediately to the State Bureau of Identification the criminal fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or pursuant to subsection 5 may not be submitted to the State Bureau of Identification unless an express request is made by the commanding officer of the State Bureau of Identification. Fingerprints taken pursuant to subsection 1, paragraph G must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Education. The bureau may not use the fingerprints for any purpose other than that provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints, except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the court and the Department of Public Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection 1, paragraph J or S must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Administrative and Financial Services. Fingerprints taken pursuant to subsection 1, paragraph N must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Maine Board of Medicine, established in Title 32, chapter 153. Fingerprints taken pursuant to subsection 1, paragraph Q must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the State Board of Nursing, established in Title 32, chapter 31. Fingerprints taken pursuant to subsection 1, paragraph O must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks under Title 28-B, section 204. Fingerprints taken pursuant to subsection 1, paragraph R, T or W must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Health and Human Services. Fingerprints taken pursuant to subsection 1, paragraph V must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Office of the State Auditor.

[PL 2025, c. 738, Pt. C, §38 (AMD); PL 2025, c. 738, Pt. C, §54 (AFF).]

4-A. Duty to submit fingerprints to State Bureau of Identification; affected persons under Title 26, section 1085. Fingerprints taken pursuant to subsection 1, paragraph U must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Labor.

[PL 2019, c. 644, §3 (NEW).]

5. Right to take fingerprints. A law enforcement officer designated in subsection 7 may take the fingerprints of any person:

A. [PL 1999, c. 260, Pt. B, §13 (RP); PL 1999, c. 260, Pt. B, §18 (AFF).]

B. Charged with the commission of a criminal offense found in Title 12 or 29-A that is a Class D or E crime but is not an alcohol-related or drug-related offense as defined in section 1541, subsection 4-A, paragraph A; [PL 1999, c. 260, Pt. B, §14 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

C. Who is in a state correctional facility or county institution or facility in execution of a sentence for a crime or in execution of an order involving an institutional disposition for a juvenile crime; or [PL 1987, c. 512, §3 (NEW).]

D. Who voluntarily submits to fingerprinting for any law enforcement purpose. [PL 1987, c. 512, §3 (NEW).]

[PL 1999, c. 260, Pt. B, §§13, 14 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

6. Palm prints, footprints and photographs. Whenever fingerprints are taken pursuant to subsection 5, paragraph B or C, palm prints, footprints and photographs may also be taken. In addition, palm prints, footprints or photographs may also be taken for any law enforcement purpose when a person voluntarily submits to them.
[PL 1999, c. 260, Pt. B, §15 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

7. Upon whom the right to take fingerprints is given. Any law enforcement officer may take or cause to be taken the fingerprints of any person named in subsection 5. Any corrections officer or the person in charge of a state correctional facility or county institution or facility may take or cause to be taken the fingerprints of any person named in subsection 5, paragraph C or D.
[PL 1987, c. 512, §3 (NEW).]

8. Fingerprint record forms. Fingerprints taken pursuant to subsection 1, paragraphs A, B as to a person arrested as a fugitive from justice and D and subsection 5, paragraphs B, C and D must be taken on a form furnished by the State Bureau of Identification, such form to be known as the Criminal Fingerprint Record. Fingerprints taken pursuant to subsection 1, paragraphs E, F and G must be taken on a form furnished by the bureau, such form to be known as the Noncriminal Fingerprint Record. Fingerprints taken pursuant to subsection 1, paragraphs B as to a person taken into custody for a juvenile crime pursuant to a uniform interstate compact on juveniles and H must be taken on a form furnished by the State Bureau of Identification, such form to be known as the Juvenile Crime Fingerprint Record. Fingerprints taken pursuant to subsection 1, paragraph C or F must be taken upon the form appropriate for that purpose.
[PL 1999, c. 260, Pt. B, §16 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

SECTION HISTORY

PL 1987, c. 512, §3 (NEW). PL 1991, c. 548, §A22 (AMD). PL 1995, c. 65, §§A74,75 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 1999, c. 110, §§4-9 (AMD). PL 1999, c. 260, §§B3-16 (AMD). PL 1999, c. 260, §B18 (AFF). PL 1999, c. 790, §A30 (AMD). PL 1999, c. 791, §7 (AMD). PL 2001, c. 52, §§4-8 (AMD). PL 2001, c. 667, §A44 (AMD). PL 2005, c. 457, §CC5 (AMD). PL 2005, c. 663, §§14,15 (AMD). PL 2013, c. 546, §§1-5 (AMD). PL 2015, c. 300, Pt. B, §§1-5 (AMD). PL 2015, c. 431, §45 (AMD). PL 2017, c. 204, §§3-5 (AMD). PL 2017, c. 253, §§1-4 (AMD). PL 2017, c. 258, Pt. B, §§1-4 (AMD). PL 2017, c. 402, Pt. C, §§77, 78 (AMD). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2017, c. 409, Pt. B, §§11-13 (AMD). PL 2017, c. 452, §§25-27 (AMD). PL 2017, c. 457, §§10-16 (AMD). PL 2019, c. 343, Pt. G, §§1-10 (AMD). PL 2019, c. 399, §§2-7 (AMD). PL 2019, c. 402, §§2-7 (AMD). PL 2019, c. 416, §§2-8 (AMD). PL 2019, c. 417, Pt. B, §14 (AFF). PL 2019, c. 616, Pt. S, §§2, 3 (AMD). PL 2019, c. 621, Pt. E, §3 (AMD). PL 2019, c. 644, §§1-3 (AMD). PL 2021, c. 293, Pt. A, §§30-42 (AMD). PL 2021, c. 400, §§2, 3 (AMD). RR 2021, c. 1, Pt. A, §§24, 25 (COR). PL 2021, c. 676, Pt. A, §43 (AMD). PL 2021, c. 681, Pt. J, §§8, 9 (AMD). PL 2023, c. 506, §§1-4 (AMD). PL 2025, c. 316, §3 (REV). PL 2025, c. 366, §§1-14 (AMD). PL 2025, c. 538, §§7, 8 (AMD). PL 2025, c. 611, §§10, 11 (AMD). PL 2025, c. 738, Pt. C, §§30-38 (AMD). PL 2025, c. 738, Pt. C, §54 (AFF). RR 2025, c. 2, Pt. A, §§123, 124 (COR).

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