



# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 134

S.P. 70

In Senate, January 8, 2025

**An Act to Require Certain Individuals Who Instruct Children  
Under 18 Years of Age in Dance or Creative Movement to Undergo  
a Criminal Background Check**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator RAFFERTY of York.

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

2 **Sec. 1. 22 MRSA c. 1693** is enacted to read:

3 **CHAPTER 1693**

4 **CHILD DANCE CLASS INSTRUCTORS**

5 **§9081. Background checks for child dance class instructors**

6 **1. Child dance class instructor defined.** For the purposes of this chapter, "child dance  
7 class instructor" means an individual who, by virtue of employment, provides children  
8 under 18 years of age structured dance or creative movement classes. "Child dance class  
9 instructor" does not include employees or volunteers of a dance program for children under  
10 18 years of age who are affiliated with a school and those employees or volunteers are  
11 governed by Title 20-A, chapter 502 or individuals who are credentialed employees of a  
12 school, pursuant to Title 20-A, chapter 502, that provides dance programs for children  
13 under 18 years of age.

14 **2. Criminal background check required.** A child dance class instructor shall  
15 complete a criminal background check pursuant to rules adopted in accordance with this  
16 section.

17 **3. Rules.** The department shall adopt rules requiring a criminal background check that  
18 meets the requirements of 42 United States Code, Section 9858f(b) for a child dance class  
19 instructor. Rules adopted pursuant to this subsection are routine technical rules as defined  
20 in Title 5, chapter 375, subchapter 2-A.

21 **Sec. 2. Department of Health and Human Services; rulemaking.** On or before  
22 December 31, 2026, the Department of Health and Human Services shall adopt rules  
23 necessary for the implementation, administration and enforcement of criminal background  
24 checks for child dance class instructors pursuant to the Maine Revised Statutes, Title 22,  
25 section 9081.

26 **Sec. 3. Department of Health and Human Services; report.** By December 3,  
27 2025, the Department of Health and Human Services shall submit a report to the Joint  
28 Standing Committee on Health and Human Services regarding the status of rulemaking  
29 requiring criminal background checks of child dance class instructors pursuant to the Maine  
30 Revised Statutes, Title 22, section 9081 and including any recommendations regarding  
31 necessary statutory changes to facilitate the rulemaking. The department may include in  
32 the report any recommendations for the licensing of child dance class instructors.

33 **SUMMARY**

34 This bill requires certain individuals who provide dance classes to children under 18  
35 years of age to undergo a criminal background check. The bill requires the Department of  
36 Health and Human Services to adopt rules to implement the criminal background check  
37 requirement. The bill also requires the department to submit a report to the Joint Standing  
38 Committee on Health and Human Services by December 3, 2025 on the status of the  
39 adoption and implementation of the rules, and including any departmental  
40 recommendations regarding the licensing of child dance class instructors.