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H.P. 921 House of Representatives, March 26, 2021

An Act To Prohibit Evictions until 90 Days after the End of the Governor's Declaration of Emergency

(EMERGENCY)

Received by the Clerk of the House on March 24, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT
Clerk

Presented by Representative LOOKNER of Portland.
Cosponsored by Representatives: KESSLER of South Portland, MELARAGNO of Auburn, ROEDER of Bangor, SUPICA of Bangor, SYLVESTER of Portland, WARREN of Hallowell.

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Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to protect the health and safety of the residents of this State during the current COVID-19 pandemic and public health emergency and to prevent an increase in the number of people experiencing homelessness; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Certain judgments for forcible entry and detainer prohibited. A judgment for forcible entry and detainer under the Maine Revised Statutes, Title 14, chapter 709, subchapter 1 may not be granted until 90 days after the expiration of the public health emergency initially proclaimed by the Governor of the State of Maine on March 15, 2020 in any case in which the grounds for the termination of tenancy are:

1. Nonpayment of rent. Nonpayment of rent;

2. Expiration of term of lease. Expiration of the term of the lease; or

3. Certain termination of tenancy at will. Termination of a tenancy at will for a reason not set forth in Title 14, section 6002, subsection 1, paragraphs A, B and D to F.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill provides that a judgment for forcible entry and detainer may not be granted until 90 days after the expiration of the public health emergency initially proclaimed by the Governor on March 15, 2020 in any case in which the grounds for termination of tenancy are nonpayment of rent, expiration of the term of the lease or termination of a tenancy at will for a reason not set forth in the Maine Revised Statutes, Title 14, section 6002, subsection 1, paragraphs A, B and D to F.