

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 448 - L.D. 679

An Act Regarding Animals Abandoned by Tenants

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

Sec. 1. 7 MRSA §3919-B, first ¶, as enacted by PL 2003, c. 405, §9, is amended to read:

Notwithstanding sections 3913 and 3919-A and except as provided in Title 17, section 1021, when a person brings a pet to an animal shelter because the owner of that pet is incarcerated or hospitalized or under the process described in Title 14, section 6025-A, that person shall provide the animal shelter with the name and last known address of the pet's owner and the name and address of ~~the~~ a facility where the person is incarcerated or hospitalized. The person bringing the pet to the shelter shall also provide the shelter with that person's name and address and that person's relationship to the owner or the official capacity in which that person is acting to enforce the animal welfare laws. The animal shelter may accept the pet unless the shelter is in quarantine. An animal shelter accepting a pet under this section shall comply with the provisions of this section.

Sec. 2. 14 MRSA §6025, sub-§2, as enacted by PL 1981, c. 428, §10, is amended to read:

2. Landlord obligations. Except in the case of emergency or if it is impracticable to do so, the landlord shall give the tenant reasonable notice of ~~his~~ the landlord's intent to enter and shall enter only at reasonable times. Twenty-four hours is presumed to be a reasonable notice in the absence of evidence to the contrary. An emergency when the welfare of an animal is at risk as described in section 6025-A is grounds for permitting entry without 24 hours' notice.

Sec. 3. 14 MRSA §6025-A is enacted to read:

§6025-A. Access to care for animals

A landlord may require a tenant to provide information about any animal present in a rental unit and also require the name and contact information of one or more persons the tenant authorizes to enter the rental unit to retrieve the animal if the tenant has vacated the premises and abandoned the animal or the tenant is unable to care for the animal due to death or disability. The landlord may also require, as a condition of tenancy, that the tenant

allow the landlord to enter the rental unit in the case of an emergency when the welfare of the animal is at risk to determine whether the animal has been abandoned or is in need of care.

If the landlord determines that a tenant with an animal has vacated the premises or is unable to care for the animal due to death or disability, the landlord may contact a person authorized by the tenant, a humane agent, an animal control officer or an animal shelter to pick up and care for the animal. If the landlord contacts a person identified under this paragraph to pick up and care for the animal and the landlord, within 5 days, sends by first-class mail to the tenant's last known address a notice containing the name, phone number and address of the person taking custody of the animal, the landlord is not liable in a civil action brought by the tenant for personal injury, death, property damage or other damages resulting from or arising out of an occurrence involving the animal.

If an animal shelter accepts an animal at the request of a person the landlord contacted to pick up and care for the animal under this section, the animal shelter shall comply with the provisions of Title 7, section 3919-B.