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Date: (Filing No. H- )

**HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1272, L.D. 1901, “An Act to Regulate Shared Appreciation Agreements Relating to Residential Property”

Amend the bill by striking out everything after the enacting clause and inserting the following:

**Sec. 1. 9-A MRSA §1-301, sub-§17-B** is enacted to read:

**17-B. Dwelling.** "Dwelling" has the same meaning as in section 13-102, subsection 3.

**Sec. 2. 9-A MRSA §1-301, sub-§37-A** is enacted to read:

**37-A. Shared appreciation mortgage loan.** "Shared appreciation mortgage loan" means a writing evidencing a transaction or any option, any future or any other derivative between a person and a consumer according to which the consumer receives money or any other item of value in exchange for an interest or future interest in a dwelling or residential real estate or a future obligation to pay an amount based on the value of the dwelling or residential real estate that is secured by a mortgage, a deed of trust or an equivalent consensual security interest in the dwelling or residential real estate on the occurrence of an event, such as the transfer of ownership; a maturity date; the death of the consumer; or any other event contemplated by the writing. "Shared appreciation mortgage loan" does not include any shared appreciation mortgage loan extended through a federal or state government agency, a government-sponsored enterprise or a municipal agency or enterprise of the State.

**Sec. 3. 9-A MRSA §3-317** is enacted to read:

**§3-317. Moratorium on shared appreciation mortgage loans**

Until January 1, 2030, a person may not enter into a shared appreciation mortgage loan with a consumer that is secured by a dwelling or residential real estate in this State. Any shared appreciation mortgage loan entered into in violation of this section is void and unenforceable.'

**COMMITTEE AMENDMENT**

1 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
2 number to read consecutively.

3 **SUMMARY**

4 This amendment replaces the bill and is the minority report of the committee. The  
5 amendment prohibits a person from entering into a shared appreciation mortgage loan with  
6 a consumer that is secured by a dwelling or residential real estate in this State until January  
7 1, 2030.