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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 154, L.D. 198, Bill, “An Act To Protect Landlords from Lawsuits for Damage or Harm Caused by Assistance Animals ”

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

'Sec. 1. 14 MRSA §6030-G is enacted to read:

§6030-G. Injuries or property damage involving an assistance animal

1. No liability. The owner, lessor, sublessor, managing agent or other person having the right to sell, rent, lease or manage a dwelling unit or any of their agents is not liable in a civil action for personal injury, death, property damage or other damages resulting from or arising out of an occurrence involving an assistance animal at the dwelling unit.

2. Exceptions. Subsection 1 does not limit the liability of the owner, lessor, sublessor, managing agent or other person having the right to sell, rent, lease or manage a dwelling unit or any of their agents:

A. In cases of gross negligence, recklessness or intentional misconduct on the part of the owner, lessor, sublessor, managing agent or other person having the right to sell, rent, lease or manage a dwelling unit or any of their agents; or

B. When the assistance animal is owned by or in the care of the owner, lessor, sublessor, managing agent or other person having the right to sell, rent, lease or manage a dwelling unit or any of their agents.'

SUMMARY

This amendment replaces the bill, which amends the Maine Human Rights Act, and instead amends the law governing rental property.

The amendment provides that a landlord is not liable in a civil action for personal injury, death, property damage or other damages caused by an assistance animal on the landlord's property. "Dwelling unit" is currently defined in the Maine Revised Statutes,

COMMITTEE AMENDMENT

1 Title 14, section 6021, subsection 1 to include mobile homes, apartments, buildings or
2 other structures, including the common areas thereof, which are rented for human
3 habitation.

4 Title 5, section 4582-A, subsection 3 provides that an individual with a physical or
5 mental disability who uses an assistance animal is liable for any damage done to the
6 premises or facilities by the assistance animal.

7 Under Title 7, section 3961, the owner or keeper of an animal is liable in a civil
8 action to a person who is injured or whose property is damaged for the amount of damage
9 done if the damage was not occasioned through the fault of the person injured.