1	L.D. 1053
2	Date: (Filing No. H-)
3	JUDICIARY
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	129TH LEGISLATURE
8	SECOND REGULAR SESSION
9 10	COMMITTEE AMENDMENT " " to H.P. 776, L.D. 1053, Bill, "An Act To Reduce the Period of Enforcement for Judgments Based upon Consumer Obligations"
11	Amend the bill by striking out the title and substituting the following:
12	'An Act To Reduce the Duration of Execution Liens'
13 14	Amend the bill by striking out everything after the enacting clause and inserting the following:
15 16	'Sec. 1. 14 MRSA §4651-A, sub-§9, as reallocated by RR 2001, c. 1, §17, is amended to read:
17 18 19 20 21 22 23 24	9. Duration of lien <u>created before September 1, 2020</u> ; renewal. A lien created pursuant to this section after the effective date of this subsection <u>September 21, 2001 but before September 1, 2020</u> continues for a period of 20 years from the date of the filing of the writ of execution or of the recording of the writ of execution in the registry of deeds, unless the judgment is paid, discharged or released. A lien may be renewed once for a period of 20 years from the filing or recording of a renewal, pluries or alias writ of execution in the same manner as the original writ of execution was filed or recorded, with the same notice as required by subsection 5.
25 26 27 28	A. If the renewal writ is filed or recorded before the expiration of the 20-year period of the original writ of execution, the renewal writ relates back to the date that the original writ of execution was filed or recorded and prevents the expiration of the lien.
29 30 31 32 33	B. A lien created pursuant to this section when the date of the recording of the writ of execution in the registry of deeds is more than 18 years prior to the effective date of this subsection September 21, 2001 may be renewed as provided in this subsection if the renewal writ is recorded within 2 years of the effective date of this subsection by September 21, 2003.
34	Sec. 2. 14 MRSA §4651-A, sub-§9-A is enacted to read:

Page 1 - 129LR1430(02)-1

9-A. Duration of lien created on or after September 1, 2020; renewal. A lies
created pursuant to this section on or after September 1, 2020 continues for a period of 1
years from the date of the filing of the writ of execution or of the recording of the writ of
execution in the registry of deeds, unless the judgment is paid, discharged or released. A
lien may be renewed under this subsection once for a period of 10 years from the filing o
recording of a renewal, pluries or alias writ of execution in the same manner as th
original writ of execution was filed or recorded, with the same notice as required by
subsection 5.

If the renewal writ is filed or recorded before the expiration of the 10-year period of the original writ of execution, the renewal writ relates back to the date that the original writ of execution was filed or recorded and prevents the expiration of the lien.'

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

14 SUMMARY

This amendment replaces the bill, which provides that a judgment or decree based upon a consumer obligation would be irrebuttably presumed to be paid and satisfied at the end of one year after any duty or obligation accrued by virtue of the judgment or decree unless within that period the judgment creditor has commenced other action as permitted by law for the enforcement of the judgment or decree.

Instead, this amendment provides that an execution lien created on or after September 1, 2020, for any underlying judgment, expires at the end of 10 years unless it is renewed before the expiration of the 10-year period. The renewal period is also 10 years. The lien can be renewed once.

The amendment provides that the current law, which provides for a 20-year duration and a 20-year renewal period, applies to liens created before September 1, 2020.