

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1895

H.P. 1266

House of Representatives, May 5, 2025

An Act to Require the Removal from a Property Tax Lien the Name of a Previous Owner Who Paid Prorated Property Taxes

Received by the Clerk of the House on May 1, 2025. Referred to the Committee on
Taxation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative ARATA of New Gloucester.
Cosponsored by Senator BRADSTREET of Kennebec and
Representatives: BLIER of Buxton, DRINKWATER of Milford, FARRIN of Jefferson,
FROST of Belgrade, LEE of Auburn, MORRIS of Turner, ROEDER of Bangor, Senator:
TIPPING of Penobscot.

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

Sec. 1. 36 MRSA §943, as amended by PL 2023, c. 523, Pt. A, §7 and c. 640, §2, is further amended by enacting after the 3rd paragraph a new paragraph to read:

If the party named on the tax lien mortgage has sold or otherwise conveyed the property to another person and provides proof of payment of that party's pro rata share of taxes due, the municipal treasurer or assignee of record shall prepare and record a discharge of the tax lien mortgage against that party in the same manner as is now provided for the discharge of real estate mortgages, except that a facsimile signature of the treasurer or treasurer's assignee may be used. The discharge under this paragraph is only for the seller.

SUMMARY

This bill addresses the situation when, following the sale or other conveyance of real estate, a tax lien is placed on the real estate in the name of the seller. This bill requires the municipal treasurer to prepare and record a discharge of the tax lien against the seller if the seller provides proof of payment of the seller's pro rata share of all taxes owed by the seller. The discharge is only for the seller; the lien remains against the real estate.