

# MAINE STATE LEGISLATURE

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MR  
RWS

L.D. 255

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MAJORITY  
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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 196, L.D. 255, Bill, "An Act to Clarify the Statutory Prohibition of the Collection of More Than 2 Months of Rent in Advance"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 14 MRSA §6031, sub-§2, as enacted by PL 1977, c. 359, is amended to read:

2. **Security deposit.** "Security deposit" means any advance or deposit, regardless of its denomination, of money, the primary function of which is to secure the performance of a rental agreement for residential premises or any part thereof. Rent collected for a rental period other than the rental period beginning immediately after the collection of that rent is part of the security deposit. Advance rent collected is not considered part of the security deposit if the tenant voluntarily pays rent in advance or if the property is a seasonal rental. For the purposes of this subsection "seasonal rental" means being rented for no more than 4 months. For purposes of this definition, a rental period may not exceed one month.

STATEMENT OF FACT

This amendment specifies that advance rent paid will not be considered a security deposit in 2 situations: when the tenant has voluntarily paid the rent in advance and when the property is a seasonal rental being rented for no more than 4 months. This amendment allows landlords to collect rent in advance in these 2 situations and not have to escrow those funds with security deposits.

COMMITTEE AMENDMENT