# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

### **FIRST REGULAR SESSION-2001**

Legislative Document No.		No. 1018
H.P. 774		House of Representatives, February 20, 2001
	An Act to Amend the Liens.	Civil Court Procedure as it Pertains to Execution
	Liens.	

Reference to the Committee on Judiciary suggested and ordered printed.

MILLICENT M. MacFARLAND, Clerk

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Presented by Representative SMITH of Van Buren. Cosponsored by Representatives: GOODWIN of Pembroke, NORBERT of Portland, SAVAGE of Buxton, WATSON of Farmingdale.

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

Sec. 1. 14 MRSA §4651-A, sub-§8 is enacted to read:

8. Abuse of lien process. A creditor who knowingly files or fails to discharge an execution filed against property of a debtor that is exempt from attachment and execution is liable to the debtor for any damages suffered as a result of the action. The debtor is entitled to reasonable attorney's fees and costs incurred in enforcing this subsection.

#### **SUMMARY**

This bill makes a creditor liable for damages caused a debtor by the creditor's failure to discharge an execution filed on the debtor's property that is exempt from attachment and execution. The bill also entitles the debtor to reasonable attorney's fees and costs incurred in enforcing the discharge of the execution.