

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 751

S.P. 309

In Senate, February 16, 2023

An Act to Clarify the Powers of a Conservator to Transfer Property

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BAILEY of York.

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

2 **Sec. 1. 18-C MRSA §5-414, sub-§1, ¶B,** as enacted by PL 2017, c. 402, Pt. A, §2
3 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

4 B. Sell, encumber, convey or release an interest in, sign a transfer on death deed for or
5 surrender a lease to the primary dwelling of the individual subject to conservatorship.
6 For purposes of this paragraph, "transfer on death deed" has the same meaning as in
7 section 6-402, subsection 6;

8 **SUMMARY**

9 This bill clarifies that a conservator may convey or release an interest in or sign a
10 transfer on death deed for the primary dwelling of the individual subject to conservatorship,
11 with court approval.