

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
130<sup>TH</sup> LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON JUDICIARY**

December 2021

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## JOINT STANDING COMMITTEE ON JUDICIARY

### **LD 1380 An Act To Increase Protections for Option Contracts for the Purchase of Real Property or Rent-to-own Real Property**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 350 makes the following changes to the laws governing residential real property contracts.

1. It provides for mediation upon the request of either party in a foreclosure proceeding regarding a contract for the sale of real property, including a bond for a deed, in the case of owner-occupied residential real property of no more than four units that is the primary residence of the owner-occupant.
2. It specifies information that must be included in an option contract for the purchase of real property or rent-to-own real property including basic terms of the contract and certification that the real property meets the warranty of habitability under state law subject to the provision in the law that authorizes a waiver for a stated reduction in payment or other specified fair consideration.
3. It specifies the conditions under which an option contract for the purchase of real property or rent-to-own real property may be terminated.
4. It provides that a violation of the provisions governing an option contract for the purchase of real property or rent-to-own real property is a violation of the Maine Unfair Trade Practices Act.
5. It specifies prohibited acts with respect to land installment contracts.

### **LD 1399 An Act To Continue Temporary Modification of Certain In-person Notarization and Acknowledgement Requirements and Developing Permanent Implementation of Remote and Online Notarization**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 337 continues the provisions of Executive Order 37 fiscal year 19/20 as amended by Executive Order 37-A fiscal year 19/20 providing for remote notarization through the end of 2022. It requires the Secretary of State, using existing budgeted resources or available grants or other funding sources, to provide guidance to implement the executive orders and this Act. It requires the Secretary of State to conduct a study to develop proposed legislation to permanently implement remote and online notarization. It directs the Secretary of State to report recommendations by February 1, 2022 to the Joint Standing Committee on Judiciary, and it authorizes the committee to submit legislation related to the report.

Public law 2021, chapter 337 was enacted as an emergency measure effective June 23, 2021.