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JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1239, L.D. 1687, Bill, “An Act To Clarify the Liability of 3rd-party Building Inspectors”

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

Sec. 1. 25 MRSA §§2373-A and 2373-B are enacted to read:

§2373-A. Limitation on damages

In any claim or cause of action arising from the actions of a 3rd-party inspector, the award of damages, including costs, against the 3rd-party inspector may not exceed \$400,000 for any claims arising out of a single occurrence.

§2373-B. Limitation of actions

Every claim against a 3rd-party inspector is forever barred from the courts of this State unless an action therein is begun within 2 years after issuance of the report by the 3rd-party inspector, except that if the claimant is a minor when the cause of action accrues, the action may be brought within 2 years of the minor's attaining 18 years of age.'

SUMMARY

This amendment is the minority report of the Joint Standing Committee on Judiciary.

This amendment replaces the bill and provides limitations on damages and actions against 3rd-party building inspectors who perform services on behalf of either builders or municipalities leading to the issuance of a municipal certificate of occupancy. This amendment establishes limitations similar to those that apply to municipal building inspectors under the Maine Tort Claims Act.

COMMITTEE AMENDMENT