Bill No. CS for SB 838 Amendment No. ____ Barcode 112412 CHAMBER ACTION Senate House 1 2 3 4 5 6 7 8 9 10 Senator Peaden moved the following amendment: 11 12 13 Senate Amendment (with title amendment) On page 7, between lines 26 and 27, 14 15 16 insert: 17 Section 7. (1) Any member of the United States Armed Forces who is required to move pursuant to permanent change of 18 19 station orders to depart 50 miles or more from the location of 20 a rental premise or is prematurely or involuntarily discharged or released from active duty with the United States Armed 21 22 Forces, may terminate his rental agreement by providing the landlord with a written notice of termination to be effective 23 24 on the date stated in the notice that is at least 30 days 25 after the landlord's receipt of the notice. The notice to the 26 landlord must be accompanied by either a copy of the official 27 military orders or a written verification signed by the 28 member's Commanding Officer. 29 (2) Upon termination of a rental agreement under this 30 section, the tenant is liable for the rent due under the 31 rental agreement prorated to the effective date of the 1 9:21 AM 03/27/01 s0838c1c-01101

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termination payable at such time as would have otherwise been 1 2 required by the terms of the rental agreement. The tenant is 3 not liable for any other rent or damages due to the early 4 termination of the tenancy except the liquidated damages provided in this section. If a member terminates the rental 5 6 agreement pursuant to this section, 14 or more days prior to 7 occupancy, no damages or penalties of any kind are due. (3) In consideration of early termination of the 8 rental agreement, the tenant is liable to the landlord for 9 10 liquidated damages provided the tenant has completed less than nine months of the tenancy and the landlord has suffered 11 12 actual damages due to loss of the tenancy. The liquidated 13 damages must be no greater than one month's rent if the tenant has completed less than six months of the tenancy as of the 14 15 effective date of termination, or one-half of one month's rent if the tenant has completed at least six but not less than 16 17 nine months of the tenancy as of the effective date of 18 termination. 19 (4) The provisions of this section may not be waived or modified by the agreement of the parties under any 20 21 circumstances. 22 23 (Redesignate subsequent sections.) 24 25 26 27 And the title is amended as follows: 28 On page 1, line 14, after the second semicolon 29 30 insert: providing for termination of a rental agreement 31 2 9:21 AM 03/27/01 s0838c1c-01101

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