

House Bill 4957

Sponsor: Rep. Perry Bullard

Analysis Section  
House of Representatives  
Committee: Urban Affairs

Material in this analysis  
complete to 6-20-75.  
Additional information may  
follow.

1. THE BILL AS ORIGINALLY INTRODUCED WOULD CHANGE THE PRESENT STATUTE IN THE FOLLOWING WAY:

The bill would permit a person, who is in possession and who is unlawfully ejected or kept out of any lands or tenements, to recover triple damages or \$200, whichever is greater. The damages must be actual damages in order for them to be recovered. Ejection or efforts to prevent physical repossession of the property would be deemed unlawful if: 1) Force or the threat of force was used to prevent peaceful possession; 2) Personal property was removed without consent; 3) The locks were changed or locks were added to prevent peaceful possession; 4) The premises were boarded up to prevent possession; 5) The utilities were terminated by the owner or his agents; or 6) Peaceful entry or possession was prevented in any other manner. The provisions of this act could not be waived.

The present statute requires that the person be ejected or kept out in a forcible manner before damages can be sought. The present statute also does not provide for the \$200 minimum award. Date of introduction: 4-15-75.