## HOUSE BILL NO. 481

## INTRODUCED BY WALLIN

## IN THE HOUSE

JANUARY 30, 1991 INTRODUCED AND REFERRED TO COMMITTEE ON TAXATION.

FIRST READING.

FEBRUARY 12, 1991 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

FEBRUARY 13, 1991 PRINTING REPORT.

FEBRUARY 15, 1991 SECOND READING, DO PASS.

FEBRUARY 16, 1991 ENGROSSING REPORT.

THIRD READING, PASSED. AYES, 98; NOES, 1.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 19, 1991

FEBRUARY 18, 1991

JANUARY 31, 1991

MARCH 11, 1991

MARCH 13, 1991

MARCH 14, 1991

INTRODUCED AND REFERRED TO COMMITTEE ON TAXATION.

FIRST READING.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 47; NOES, 1.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 15, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

#### 52nd Legislature

LC 0669/01

INTRODUCED BY Wall 1 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE LAND 5 SUBJECT TO A TAX DEED TO BE SOLD FOR NOT LESS THAN MARKET 6 VALUE TO A PERSON AT A PRIVATE SALE IF THE LAND WAS NOT SOLD 7 AT A TAX-SALE AUCTION; AMENDING SECTION 7-8-2301, MCA: AND 8 PROVIDING AN IMMEDIATE EFFECTIVE DATE." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 7-8-2301, MCA, is amended to read: 12 "7-8-2301. Auction sale of county tax-deed land. (1) 13 Whenever the county acquires land by tax deed, it is the 14 duty of the board of county commissioners, within 6 months 15 after acquiring title, to make and enter an order for sale 16 of the lands at public auction at the front door of the 17 courthouse. 18 (2) A sale may not be made for a price less than the 19 fair market value of the land, as determined and fixed by 20 the board prior to making the order of sale. In determining 21 fair market value, the board shall subtract the amount of

fair market value, the board shall subtract the amount of outstanding assessments that are a lien on the land from the unencumbered value of the land, but the minimum sale price for a parcel of land may not be less than \$10.

25 (3) If no bids are received at a sale of tax-deed land,



1 the board shall order another auction sale of the land under this part within 6 months and may, if required by the 2 3 circumstances, redetermine the fair market value of the land 4 under subsection (2). In the period of time between the auction conducted under subsection (1), in which there were 5 no qualifying bids for the property, and an auction held б 7 pursuant to this subsection, the board may sell the land by 8 negotiated sale at a price that is not less than the fair 9 market value that was fixed for the original auction under 10 subsection (1). (4) If no bid is received at the sale conducted under 11 12 subsection (3), the board may dispose of the land as provided in 7-8-2218." 13 14 NEW SECTION. Section 2. Effective date. [This act] is 15 effective on passage and approval.

-End-

INTRODUCED BILL 481

52nd Legislature

LC 0669/01

## APPROVED BY COMMITTEE ON TAXATION

Alcerse BILL NO. 48/ 1 INTRODUCED BY 2

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE LAND
SUBJECT TO A TAX DEED TO BE SOLD FOR NOT LESS THAN MARKET
VALUE TO A PERSON AT A PRIVATE SALE IF THE LAND WAS NOT SOLD
AT A TAX-SALE AUCTION; AMENDING SECTION 7-8-2301, MCA; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9

3

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-8-2301, MCA, is amended to read: "7-8-2301. Auction sale of county tax-deed land. (1) Whenever the county acquires land by tax deed, it is the duty of the board of county commissioners, within 6 months after acquiring title, to make and enter an order for sale of the lands at public auction at the front door of the courthouse.

18 (2) A sale may not be made for a price less than the 19 fair market value of the land, as determined and fixed by 20 the board prior to making the order of sale. In determining 21 fair market value, the board shall subtract the amount of 22 outstanding assessments that are a lien on the land from the 23 unencumbered value of the land, but the minimum sale price 24 for a parcel of land may not be less than \$10.

25 (3) If no bids are received at a sale of tax-deed land,

Montana Legislat ve Council

1 the board shall order another auction sale of the land under 2 this part within 6 months and may, if required by the circumstances, redetermine the fair market value of the land 3 under subsection (2). In the period of time between the 4 5 auction conducted under subsection (1), in which there were 6 no qualifying bids for the property, and an auction held 7 pursuant to this subsection, the board may sell the land by 8 negotiated sale at a price that is not less than the fair 9 market value that was fixed for the original auction under 10 subsection (1). 11 (4) If no bid is received at the sale conducted under 12 subsection (3), the board may dispose of the land as 13 provided in 7-8-2218." 14 NEW SECTION. Section 2. Effective date. [This act] is

15 effective on passage and approval.

-End-



LC 0669/01

INTRODUCED BY War 1 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE LAND

A BILL FOR AN ACT ENTITLED: AN ACT TO AUTHORIZE LAND
SUBJECT TO A TAX DEED TO BE SOLD FOR NOT LESS THAN MARKET
VALUE TO A PERSON AT A PRIVATE SALE IF THE LAND WAS NOT SOLD
AT A TAX-SALE AUCTION; AMENDING SECTION 7-8-2301, MCA; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-8-2301, MCA, is amended to read: "7-8-2301. Auction sale of county tax-deed land. (1) Whenever the county acquires land by tax deed, it is the duty of the board of county commissioners, within 6 months after acquiring title, to make and enter an order for sale of the lands at public auction at the front door of the courthouse.

18 (2) A sale may not be made for a price less than the 19 fair market value of the land, as determined and fixed by 20 the board prior to making the order of sale. In determining 21 fair market value, the board shall subtract the amount of 22 outstanding assessments that are a lien on the land from the 23 unencumbered value of the land, but the minimum sale price 24 for a parcel of land may not be less than \$10.

25 (3) If no bids are received at a sale of tax-deed land,

1 the board shall order another auction sale of the land under 2 this part within 6 months and may, if required by the 3 circumstances, redetermine the fair market value of the land A under subsection (2). In the period of time between the S auction conducted under subsection (1), in which there were 6 no qualifying bids for the property, and an auction held pursuant to this subsection, the board may sell the land by 7 negotiated sale at a price that is not less than the fair 8 9 market value that was fixed for the original auction under 10 subsection (1). 11 (4) If no bid is received at the sale conducted under 12 subsection (3), the board may dispose of the land as 13 provided in 7-8-2218."

14 NEW SECTION. Section 2. Effective date. [This act] is

15 effective on passage and approval.

#### -End-

THIRD READING

LC 0669/01

HB 0481/02

#### HB 0481/02

1	HOUSE BILL NO. 481
2	INTRODUCED BY WALLIN
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE LAND
5	SUBJECT TO A TAX DEED TO BE SOLD FOR NOT LESS THAN MARKET
6	VALUE TO A PERSON AT A PRIVATE SALE IF THE LAND WAS NOT SOLD
7	AT A TAX-SALE AUCTION; AMENDING SECTION 7-8-2301, MCA; AND
8	PROVIDING AN IMMEDIATE EFFECTIVE DATE."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 7-8-2301, MCA, is amended to read:
12	<b>"7-8-2301. Auction sale</b> of county tax-deed land. (1)
13	Whenever the county acquires land by tax deed, it is the
14	duty of the board of county commissioners, within 6 months
15	after acquiring title, to make and enter an order for sale
16	of the lands at public auction at the front door of the
17	courthouse.
18	(2) A sale may not be made for a price less than the
19	fair market value of the land, as determined and fixed by
20	the board prior to making the order of sale. In determining
21	fair market value, the board shall subtract the amount of
22	outstanding assessments that are a lien on the land from the
23	unencumbered value of the land, but the minimum sale price
24	for a parcel of land may not be less than \$10.

25 (3) If no bids are received at a sale of tax-deed land,

Montana Legislative Council

1 the board shall order another auction sale of the land under 2 this part within 6 months and may, if required by the 3 circumstances, redetermine the fair market value of the land 4 under subsection (2). In the period of time between the 5 auction conducted under subsection (1), in which there were 6 no qualifying bids for the property, and an auction held 7 pursuant to this subsection, the board may sell the land by 8 negotiated sale at a price that is not less than the fair 9 market value that was fixed for the original auction under 10 subsection (1). 11 (4) If no bid is received at the sale conducted under subsection (3), the board may dispose of the land as 12

13 provided in 7-8-2218.",

14 NEW SECTION. Section 2. Effective date. [This act] is

15 effective on passage and approval.

-End-

# REFERENCE BILL

-2-

HB 481