

1 House BILL NO. 257  
2 INTRODUCED BY Gilligan (By Request)  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
5 87-139, R.C.M. 1947, TO PROVIDE FOR LIENS UPON PERSONAL  
6 PROPERTY OF EMPLOYERS FOR UNPAID UNEMPLOYMENT  
7 CONTRIBUTIONS."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 87-139, R.C.M. 1947, is amended to  
11 read as follows:

12 "87-139. Lien for payment. If any contributions  
13 payable by an employer under this act, or any portion  
14 thereof, is not paid within twenty-five (25) days after the  
15 same becomes due, the commission division may issue a  
16 certificate under its official seal, setting forth the  
17 amount of contributions due and interest accrued, directed  
18 to the sheriff of any county of the state, commanding him to  
19 levy upon and sell the real and personal property of the  
20 employer owing the same, found within his county, for the  
21 payment of the amount thereof, with the added penalties,  
22 interest and costs of executing the same and to return such  
23 certificates to the commission division and pay to the  
24 commission division the money collected by virtue thereof by  
25 a time to be therein specified, not more than ninety (90)

1 days from the date of the certificate. The said sheriff  
2 shall, within five (5) days after the receipt of the  
3 certificate, file with the clerk of the district court of  
4 his county a copy thereof and thereupon the said clerk of  
5 the district court shall enter in the judgment docket, in  
6 the column for judgment debtors, the name of the employer  
7 mentioned in the certificate, and in the appropriate columns  
8 the amount of contributions due and the penalties for which  
9 the certificate is issued and the date when such copy is  
10 filed and thereupon the amount of such certificate so  
11 docketed shall become a lien upon the title to and interest  
12 in real property or chattels real and personal of the  
13 employer against whom it is filed in the same manner as a  
14 judgment docketed in the office of such clerk. The said  
15 sheriff shall thereupon proceed upon the same in all  
16 respects, with like effect, and in the same manner  
17 prescribed by law in respect to executions issued against  
18 property upon judgment of a court of record, and shall be  
19 entitled to the same fees for his services in executing the  
20 certificate, to be collected in the same manner."

-End-

H B 257

SECOND READING

MISSING

1 *House* BILL NO. *257*  
 2 INTRODUCED BY *Galligan (By Request)*  
 3  
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-End-