

HOUSE BILL NO. 206

Introduced: 01/13/83

Referred to Committee on Taxation: 01/13/83

Hearing: 1/20/83

Report: 01/26/83, Do Not Pass

Bill Killed: 01/27/83

1 *House* BILL NO. *206*
 2 INTRODUCED BY *Ramsey, Hannah Faye, Sandra*
 3 *Hager, Crippen, Alvin, Kitzelman, Spating*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAWS
 5 RELATING TO TAX SALE PROCEDURE; PROVIDING THAT THE
 6 DELINQUENT PROPERTY LIST BE MADE AVAILABLE FOR BID AT A
 7 FIXED TIME IN THE COUNTY TREASURER'S OFFICE; PROVIDING THAT
 8 THE TAX SALE CERTIFICATE INDICATE THAT IT IS SUBJECT TO A
 9 RIGHT OF REDEMPTION; AMENDING SECTIONS 15-17-101, 15-17-201,
 10 AND 15-17-204, MCA."

11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 13 Section 1. Section 15-17-101, MCA, is amended to read:
 14 "15-17-101. Publication of notice of tax sales. (1) On
 15 or before the last Monday of June of each year, the county
 16 treasurer must publish in the manner and for the time
 17 prescribed in this section a notice specifying:
 18 (a) that at a given time and place (to be designated
 19 in the notice), all property in the county upon which
 20 delinquent taxes are a lien will be sold at public auction
 21 sale unless prior to said time said delinquent taxes,
 22 together with all interest, penalties, and costs due
 23 thereon, are paid;
 24 (b) a complete delinquent list of all persons and
 25 property in the county now owing taxes, including all city

1 and town property as to which taxes or taxes and assessments
 2 are delinquent, is on file in the office of the county
 3 treasurer and is subject to public inspection and
 4 examination.

5 (2) The publication must be made once a week for 3
 6 successive weeks in such newspaper published in the county
 7 as the board of county commissioners directs; if there is no
 8 newspaper published in the county, then by posting a copy of
 9 the list in three public places.

10 (3) The publication must designate the time and place
 11 of sale.

12 (4) The time of sale must not be less than 21 or more
 13 than 28 days from the first publication, and the place must
 14 be in front of the county treasurer's office."

15 Section 2. Section 15-17-201, MCA, is amended to read:
 16 "15-17-201. Conduct of sale. (1) On the day fixed for
 17 sale or on some subsequent day to which he may have
 18 postponed it, of which he must give notice, the county
 19 treasurer, between the hours of 10 a.m. and 3 p.m., must
 20 commence the sale of the property advertised, commencing at
 21 the head of the list and continuing in alphabetical or
 22 numerical order of lots and blocks until completed, by
 23 making available the delinquent list prepared in accordance
 24 with 15-17-101 and by taking bids on any property remaining
 25 on that list. The deadline for entry of a bid is 3 p.m. on

1 the day fixed for sale. Sale will be made to the person who
2 has entered the highest bid on each parcel advertised.

3 (2) He may postpone the day of commencing the sale
4 from day to day, but the sale must be completed within 3
5 weeks from the day first fixed."

6 Section 3. Section 15-17-204, NCA, is amended to read:

7 "15-17-204. Certificate of sale by treasurer --
8 signature -- filing. (1) After receiving the amount of taxes
9 and costs, the treasurer must make out in duplicate a
10 certificate, dated on the day of sale, stating (when known)
11 the name of the person assessed, a description of the land
12 sold, the amount paid therefor, that it was sold for taxes,
13 giving the amount and the year of the assessment and
14 specifying the time when the purchaser will be entitled to a
15 deed. The certificate must also state, in clear language,
16 that the purchaser's interest is subject to a right of
17 redemption as provided in chapter 18, part 1, of this title.

18 (2) The certificate must be signed by the county
19 treasurer and one copy delivered to the purchaser and the
20 other filed in the office of the county clerk and recorder.

21 (3) On receiving the certificate of sale, the county
22 clerk and recorder must file it and make an entry in a book
23 similar to that required of the treasurer."

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