SENATE BILL NO. 139

INTRODUCED BY HAGER

IN THE SENATE

JANUARY 14, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON TAXATION.

FIRST READING.

JANUARY 25, 1989 COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.

JANUARY 26, 1989 PRINTING REPORT.

JANUARY 27, 1989 SECOND READING, DO PASS.

JANUARY 28, 1989 ENGROSSING REPORT.

THIRD READING, PASSED. AYES, 49; NOES, 0. TRANSMITTED TO HOUSE.

IN THE HOUSE

ON TAXATION.

FIRST READING.

JANUARY 30, 1989

JANUARY 30, 1989

FEBRUARY 20, 1989

MARCH 29, 1989

APRIL 5, 1989

APRIL 6, 1989

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

ON MOTION, RULES SUSPENDED AND BILL PLACED ON SECOND AND THIRD READING THIS DAY.

INTRODUCED AND REFERRED TO COMMITTEE

PASS CONSIDERATION FOR THE DAY.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 96; NOES, 1.

RETURNED TO SENATE.

IN THE SENATE

APRIL 7, 1989

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 0841/01

INTRODUCED BY Hager 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING FROM 18 MONTHS 4 TO 36 MONTHS THE MAXIMUM TIME FOR REDEMPTION OF A PROPERTY 5 TAX LIEN ACOUTEED AT A TAX SALE OR OTHERWISE WITH RESPECT TO 6 7 PROPERTY SUBDIVIDED AS A RESIDENTIAL OR COMMERCIAL LOT UPON 8 WHICH TAXES OR SPECIAL ASSESSMENTS ARE DELINQUENT AND UPON WHICH NO HABITABLE DWELLING OR COMMERCIAL STRUCTURE IS 9 SITUATED; AND AMENDING SECTION 15-18-111, MCA." 10 11 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 15-18-111, MCA, is amended to read: 13 14 "15-18-111. Time for redemption -- interested party. Except--as--provided--in--subsection--+2+7--redemption 15 (1) Redemption of a property tax lien acquired at a tax sale or 16 otherwise may be made by the owner, the holder of an 17 18 unrecorded or improperly recorded interest, the occupant of the property, or any interested party within 36 months from 19 the date of the first day of the tax sale or within 60 days 20 21 following the giving of the notice required in 15-18-212, 22 whichever is later.

23 (2)--For--property-subdivided--as--a--residential---or
 24 commercial--lot--upon-which-taxes-or-special-assessments-are
 25 delinquent--and--upon--which--no---habitable----dwelling---or



1 commercial--structure--is-situated;-redemption-of-a-property 2 tax-lien-acquired-at-a-tax-sale-or-otherwise-may-be-made--by 3 the--owner;--the--holder--of--an--unrecorded--or--improperly 4 recorded-interest;-or-any-interested-party-within-18--months 5 from--the-date-of-the-first-day-of-the-tax-sale-or-within-60 6 days--following--the--giving--of--the--notice--required---in 7 15-18-212;-whichever-is-later;

(3)(2) For the purposes of this chapter, an 8 9 "interested party" includes a mortgagee, vendor of a 10 contract for deed or his successor in interest, lienholder, 11 or other person who has a properly recorded interest in the property. A person having an interest in property on which 12 13 there is a property tax lien but which interest is not 14 properly recorded is not an interested party for the 15 purposes of this chapter."

16 <u>NEW SECTION.</u> Section 2. Extension of authority. Any 17 existing authority to make rules on the subject of the 18 provisions of [this act] is extended to the provisions of 19 [this act].

-End-

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INTRODUCED BILL

SB 139



51st Legislature

SB 0139/02

APPROVED BY COMMITTEE ON TAXATION

1 SENATE BILL NO. 139 2 INTRODUCED BY HAGER 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING FROM 18 MONTHS 5 TO 36 24 MONTHS THE MAXIMUM TIME FOR REDEMPTION OF A 6 PROPERTY TAX LIEN ACOUIRED AT A TAX SALE OR OTHERWISE WITH 7 RESPECT TO PROPERTY SUBDIVIDED AS A RESIDENTIAL OR COMMERCIAL LOT UPON WHICH TAXES OR SPECIAL ASSESSMENTS ARE 8 9 DELINQUENT AND UPON WHICH NO HABITABLE DWELLING OR 10 COMMERCIAL STRUCTURE IS SITUATED: AND AMENDING SECTION 11 15-18-111, MCA."

12

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

14 Section 1. Section 15-18-111, MCA, is amended to read; 15 "15-18-111. Time for redemption -- interested party. 16 (1) Except-as-provided-in-subsection-(2),-redemption EXCEPT 17 AS PROVIDED IN SUBSECTION (2), REDEMPTION Redemption of a 18 property tax lien acquired at a tax sale or otherwise may be 19 made by the owner, the holder of an unrecorded or improperly 20 recorded interest, the occupant of the property, or any 21 interested party within 36 months from the date of the first day of the tax sale or within 60 days following the giving 22 23 of the notice required in 15-18-212, whichever is later.

24 (2)--Por---property--subdivided--as--a--residential--or
 25 commercial-lot-upon-which-taxes-or-special--assessments--are

Montana Legislative Council

delinguent---and---upon---which--no--habitable--dwelling--or 1 commercial-structure-is-situated;-redemption-of--a--property 2 3 tax--lien-acquired-at-a-tax-sale-or-otherwise-may-be-made-by the--owner---the--holder--of--an--unrecorded--or--improperly 4 5 recorded--interest;-or-any-interested-party-within-18-months 6 from-the-date-of-the-first-day-of-the-tax-sale-or-within--60 7 days---following--the--giving--of--the--notice--required--in в 15-18-2127-whichever-is-later: 9 (2) FOR PROPERTY SUBDIVIDED AS A RESIDENTIAL OR COMMERCIAL LOT UPON WHICH TAXES OR SPECIAL ASSESSMENTS ARE 10 11 DELINQUENT AND UPON WHICH NO HABITABLE DWELLING OR 12 COMMERCIAL STRUCTURE IS SITUATED, REDEMPTION OF A PROPERTY TAX LIEN ACOUIRED AT A TAX SALE OR OTHERWISE MAY BE MADE BY 13 14 THE OWNER, THE HOLDER OF AN UNRECORDED OR IMPROPERLY RECORDED INTEREST, OR ANY INTERESTED PARTY WITHIN 24 MONTHS 15 16 FROM THE DATE OF THE FIRST DAY OF THE TAX SALE OR WITHIN 60 DAYS FOLLOWING THE GIVING OF THE NOTICE REQUIRED IN 17 15-18-212, WHICHEVER IS LATER. 18 the purposes of this chapter, an 19 +3++2+(3) For "interested party" includes a mortgagee, vendor of 20 а contract for deed or his successor in interest, lienholder, 21 or other person who has a properly recorded interest in the 22

24 there is a property tax lien but which interest is not 25 properly recorded is not an interested party for the

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SECOND READING

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l purposes of this chapter."

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2 <u>NEW SECTION.</u> Section 2. Extension of authority. Any
3 existing authority to make rules on the subject of the
4 provisions of [this act] is extended to the provisions of
5 [this act].

-End-

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1	SENATE BILL NO. 139	1	delinguentanduponwhichnohabitabledwellingor
2	INTRODUCED BY HAGER	2	commercial-structure-is-situated7-redemption-ofaproperty
3		3	taxlien-acquired-at-a-tax-sale-or-otherwise-may-be-made-by
4	A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING FROM 18 MONTHS	4	theowner;theholderofanunrecordedorimproperly
5	TO 36 24 MONTHS THE MAXIMUM TIME FOR REDEMPTION OF A	5	recordedinterest7-or-any-interested-party-within-18-months
6	PROPERTY TAX LIEN ACQUIRED AT A TAX SALE OR OTHERWISE WITH	6	from-the-date-of-the-first-day-of-the-tax-sale-or-within60
7	RESPECT TO PROPERTY SUBDIVIDED AS A RESIDENTIAL OR	7	daysfollowingthegivingofthenoticerequiredin
8	COMMERCIAL LOT UPON WHICH TAXES OR SPECIAL ASSESSMENTS ARE	8	15-18-2127-whichever-is-later.
9	DELINQUENT AND UPON WHICH NO HABITABLE DWELLING OR	9	(2) FOR PROPERTY SUBDIVIDED AS A RESIDENTIAL OR
10	COMMERCIAL STRUCTURE IS SITUATED; AND AMENDING SECTION	10	COMMERCIAL LOT UPON WHICH TAXES OR SPECIAL ASSESSMENTS ARE
11	15-18-111, MCA."	11	DELINQUENT AND UPON WHICH NO HABITABLE DWELLING OR
12		12	COMMERCIAL STRUCTURE IS SITUATED, REDEMPTION OF A PROPERTY
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	13	TAX LIEN ACQUIRED AT A TAX SALE OR OTHERWISE MAY BE MADE BY
14	Section 1. Section 15-18-111, MCA, is amended to read:	14	THE OWNER, THE HOLDER OF AN UNRECORDED OR IMPROPERLY
15	*15-18-111. Time for redemption interested party.	15	RECORDED INTEREST, OR ANY INTERESTED PARTY WITHIN 24 MONTHS
16	(1) Bxcept-as-provided-in-subsection-(2)7-redemption <u>EXCEPT</u>	16	FROM THE DATE OF THE FIRST DAY OF THE TAX SALE OR WITHIN 60
17	AS PROVIDED IN SUBSECTION (2), REDEMPTION Redemption of a	17	DAYS FOLLOWING THE GIVING OF THE NOTICE REQUIRED IN
18	property tax lien acquired at a tax sale or otherwise may be	18	15-18-212, WHICHEVER IS LATER.
19	made by the owner, the holder of an unrecorded or improperly	19	<pre>+3+<u>+2+(3)</u> For the purposes of this chapter, an</pre>
20	recorded interest, the occupant of the property, or any	20	"interested party" includes a mortgagee, vendor of a
21	interested party within 36 months from the date of the first	21	contract for deed or his successor in interest, lienholder,
22	day of the tax sale or within 60 days following the giving	22	or other person who has a properly recorded interest in the
23	of the notice required in 15-18-212, whichever is later.	23	property. A person having an interest in property on which
24	{2}Porpropertysubdividedasaresidentialor	24	there is a property tax lien but which interest is not
25	commercial-lot-upon-which-taxes-or-specialassessmentsare	25	properly recorded is not an interested party for the
	A		-2- SB 139
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THIRD READING .

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NEW SECTION. Section 2. Extension of authority. Any
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-End-

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CENTRE BILL NO 120

COMMERCIAL STRUCTURE IS SITUATED; AND AMENDING SECTION

11 15-18-111, MCA."

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9	(2) FOR PROPERTY SUBDIVIDED AS A RESIDENTIAL OR
10	COMMERCIAL LOT UPON WHICH TAXES OR SPECIAL ASSESSMENTS ARE
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12	COMMERCIAL STRUCTURE IS SITUATED, REDEMPTION OF A PROPERTY
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14	THE OWNER, THE HOLDER OF AN UNRECORDED OR IMPROPERLY
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17	DAYS POLLOWING THE GIVING OF THE NOTICE REQUIRED IN
18	15-18-212, WHICHEVER IS LATER.
19	{3}<u>{</u>2}(3) For the purposes of this chapter, an
20	"interested party" includes a mortgagee, vendor of a
21	contract for deed or his successor in interest, lienholder,
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23	property. A person having an interest in property on which
24	there is a property tax lien but which interest is not

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REFERENCE BILL

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-End-