

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.
JANUARY 30, 1989	THIRD READING, PASSED. AYES, 49; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 30, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON TAXATION.
FEBRUARY 20, 1989	FIRST READING.
MARCH 29, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
	ON MOTION, RULES SUSPENDED AND BILL PLACED ON SECOND AND THIRD READING THIS DAY.
	PASS CONSIDERATION FOR THE DAY.
APRIL 5, 1989	SECOND READING, CONCURRED IN.
APRIL 6, 1989	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.

1 *Sen. Hager* BILL NO. *139*  
2 INTRODUCED BY *Hager*  
3

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

11  
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 **Section 1.** Section 15-18-111, MCA, is amended to read:

14 "15-18-111. Time for redemption -- interested party.

15 (1) Except--as--provided--in--subsection--{2},--redemption  
16 Redemption of a property tax lien acquired at a tax sale or  
17 otherwise may be made by the owner, the holder of an  
18 unrecorded or improperly recorded interest, the occupant of  
19 the property, or any interested party within 36 months from  
20 the date of the first day of the tax sale or within 60 days  
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.

8 {3}{2} For the purposes of this chapter, an  
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  
12 property. A person having an interest in property on which  
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 NEW SECTION. **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-

APPROVED BY COMMITTEE  
ON TAXATION

SENATE BILL NO. 139

INTRODUCED BY HAGER

A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING FROM 18 MONTHS TO 36 24 MONTHS THE MAXIMUM TIME FOR REDEMPTION OF A PROPERTY TAX LIEN ACQUIRED AT A TAX SALE OR OTHERWISE WITH RESPECT TO PROPERTY SUBDIVIDED AS A RESIDENTIAL OR COMMERCIAL LOT UPON WHICH TAXES OR SPECIAL ASSESSMENTS ARE DELINQUENT AND UPON WHICH NO HABITABLE DWELLING OR COMMERCIAL STRUCTURE IS SITUATED; AND AMENDING SECTION 15-18-111, MCA."

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

**Section 1.** Section 15-18-111, MCA, is amended to read:**"15-18-111. Time for redemption -- interested party.**

(1) ~~Except as provided in subsection (2), redemption~~ EXCEPT AS PROVIDED IN SUBSECTION (2), REDEMPTION Redemption of a property tax lien acquired at a tax sale or otherwise may be made by the owner, the holder of an unrecorded or improperly recorded interest, the occupant of the property, or any interested party within 36 months from the date of the first day of the tax sale or within 60 days following the giving of the notice required in 15-18-212, whichever is later.

~~(2) For property subdivided as a residential or commercial lot upon which taxes or special assessments are~~

~~delinquent and upon which no habitable dwelling or commercial structure is situated, redemption of a property tax lien acquired at a tax sale or otherwise may be made by the owner, the holder of an unrecorded or improperly recorded interest, or any interested party within 18 months from the date of the first day of the tax sale or within 60 days following the giving of the notice required in 15-18-212, whichever is later.~~

(2) FOR PROPERTY SUBDIVIDED AS A RESIDENTIAL OR COMMERCIAL LOT UPON WHICH TAXES OR SPECIAL ASSESSMENTS ARE DELINQUENT AND UPON WHICH NO HABITABLE DWELLING OR COMMERCIAL STRUCTURE IS SITUATED, REDEMPTION OF A PROPERTY TAX LIEN ACQUIRED AT A TAX SALE OR OTHERWISE MAY BE MADE BY THE OWNER, THE HOLDER OF AN UNRECORDED OR IMPROPERLY RECORDED INTEREST, OR ANY INTERESTED PARTY WITHIN 24 MONTHS FROM THE DATE OF THE FIRST DAY OF THE TAX SALE OR WITHIN 60 DAYS FOLLOWING THE GIVING OF THE NOTICE REQUIRED IN 15-18-212, WHICHEVER IS LATER.

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

SB 0139/02

1 purposes of this chapter."

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~~(2) For property subdivided as a residential or commercial lot upon which taxes or special assessments are~~

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(2) FOR PROPERTY SUBDIVIDED AS A RESIDENTIAL OR COMMERCIAL LOT UPON WHICH TAXES OR SPECIAL ASSESSMENTS ARE DELINQUENT AND UPON WHICH NO HABITABLE DWELLING OR COMMERCIAL STRUCTURE IS SITUATED, REDEMPTION OF A PROPERTY TAX LIEN ACQUIRED AT A TAX SALE OR OTHERWISE MAY BE MADE BY THE OWNER, THE HOLDER OF AN UNRECORDED OR IMPROPERLY RECORDED INTEREST, OR ANY INTERESTED PARTY WITHIN 24 MONTHS FROM THE DATE OF THE FIRST DAY OF THE TAX SALE OR WITHIN 60 DAYS FOLLOWING THE GIVING OF THE NOTICE REQUIRED IN 15-18-212, WHICHEVER IS LATER.

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SB 0139/02

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



SB 0139/02

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