

SENATE BILL NO. 305

INTRODUCED BY Thomas Wiseman

Swapswood  
Montana

A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE REDEMPTION PERIODS FOR PROPERTY ACQUIRED AT A TAX SALE TO 18 MONTHS; AMENDING SECTION 15-18-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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 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~~ 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~~ 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.

(3) For the purposes of this chapter, an "interested party" includes a mortgagee, vendor of a contract for deed or ~~his~~ the vendor's 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 purposes of this chapter."

**NEW SECTION. Section 2. Effective date -- retroactive applicability.** [This act] is effective on passage and approval and applies retroactively, within the meaning of 1-2-109, to tax sales made after December 31, 1994.

-END-

---

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0305, as introduced

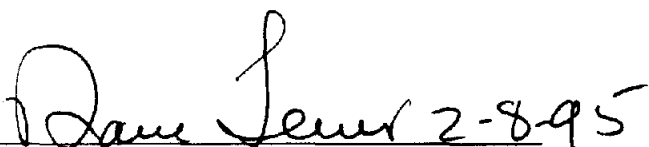
---

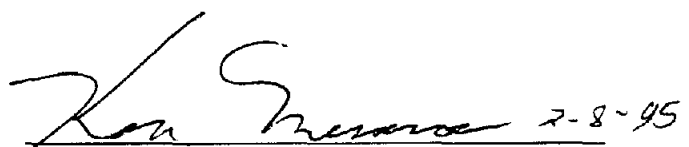
DESCRIPTION OF PROPOSED LEGISLATION:

An act reducing the redemption periods for property acquired at a tax sale to 18 months; and providing an immediate effective date and a retroactive applicability date.

FISCAL IMPACT:

The proposal has no impact on state expenditures or revenues.

  
DAVE LEWIS, BUDGET DIRECTOR DATE  
Office of Budget and Program Planning

  
KEN MASEROS, PRIMARY SPONSOR DATE  
Fiscal Note for SB0305, as introduced

SB 305

## 1 SENATE BILL NO. 305

2 INTRODUCED BY MESAROS, WISEMAN, SWYSGOOD, FOSTER, MILLS

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE REDEMPTION PERIODS FOR PROPERTY  
5 ACQUIRED AT A TAX SALE TO 18 MONTHS; AMENDING SECTION 15-18-111, MCA; AND PROVIDING  
6 AN IMMEDIATE EFFECTIVE DATE ~~AND A RETROACTIVE APPLICABILITY DATE.~~"

7

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

9

10 **Section 1.** Section 15-18-111, MCA, is amended to read:11 **"15-18-111. Time for redemption -- interested party.** (1) Except as provided in subsection (2),  
12 redemption of a property tax lien acquired at a tax sale or otherwise may be made by the owner, the holder  
13 of an unrecorded or improperly recorded interest, the occupant of the property, or any interested party  
14 within ~~36~~ 18 months from the date of the first day of the tax sale or within 60 days following the giving  
15 of the notice required in 15-18-212, whichever is later.16 (2) For property subdivided as a residential or commercial lot upon which taxes or special  
17 assessments are delinquent and upon which no habitable dwelling or commercial structure is situated,  
18 redemption of a property tax lien acquired at a tax sale or otherwise may be made by the owner, the holder  
19 of an unrecorded or improperly recorded interest, or any interested party within ~~24~~ 18 months from the  
20 date of the first day of the tax sale or within 60 days following the giving of the notice required in  
21 15-18-212, whichever is later.22 (3) For the purposes of this chapter, an "interested party" includes a mortgagee, vendor of a  
23 contract for deed or ~~his~~ the vendor's successor in interest, lienholder, or other person who has a properly  
24 recorded interest in the property. A person having an interest in property on which there is a property tax  
25 lien but which interest is not properly recorded is not an interested party for the purposes of this chapter."  
2627 **NEW SECTION. Section 2. Effective date** ~~—retroactive applicability.~~ [This act] is effective on  
28 passage and approval ~~and applies retroactively, within the meaning of 1-2-109, to tax sales made after~~  
29 ~~December 31, 1994.~~

30

-END-

## 1 SENATE BILL NO. 305

2 INTRODUCED BY MESAROS, WISEMAN, SWYSGOOD, FOSTER, MILLS

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE REDEMPTION PERIODS FOR PROPERTY  
5 ACQUIRED AT A TAX SALE TO 18 MONTHS; AMENDING SECTION 15-18-111, MCA; AND PROVIDING  
6 AN IMMEDIATE EFFECTIVE DATE ~~AND A RETROACTIVE APPLICABILITY DATE.~~"

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9  
10 **Section 1.** Section 15-18-111, MCA, is amended to read:

11 **"15-18-111. Time for redemption -- interested party.** (1) Except as provided in subsection (2),  
12 redemption of a property tax lien acquired at a tax sale or otherwise may be made by the owner, the holder  
13 of an unrecorded or improperly recorded interest, the occupant of the property, or any interested party  
14 within ~~36~~ 18 months from the date of the first day of the tax sale or within 60 days following the giving  
15 of the notice required in 15-18-212, whichever is later.

16 (2) For property subdivided as a residential or commercial lot upon which taxes or special  
17 assessments are delinquent and upon which no habitable dwelling or commercial structure is situated,  
18 redemption of a property tax lien acquired at a tax sale or otherwise may be made by the owner, the holder  
19 of an unrecorded or improperly recorded interest, or any interested party within ~~24~~ 18 months from the  
20 date of the first day of the tax sale or within 60 days following the giving of the notice required in  
21 15-18-212, whichever is later.

22 (3) For the purposes of this chapter, an "interested party" includes a mortgagee, vendor of a  
23 contract for deed or ~~his~~ the vendor's successor in interest, lienholder, or other person who has a properly  
24 recorded interest in the property. A person having an interest in property on which there is a property tax  
25 lien but which interest is not properly recorded is not an interested party for the purposes of this chapter."  
26

27 **NEW SECTION. Section 2. Effective date** ~~—retroactive applicability.~~ [This act] is effective on  
28 passage and approval ~~and applies retroactively, within the meaning of 1-2-109, to tax sales made after~~  
29 ~~December 31, 1994.~~

30 -END-