

HB1098_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business Affairs & Labor.

HB19-1098 be amended as follows:

- 1 Amend printed bill, page 2, lines 18 and 19, strike "[STATUTORY
2 EXCEPTIONS AND]".
- 3 Page 3, line 9, strike "DURING" and substitute "AS TO".
- 4 Page 3, lines 22 and 23, strike "[STATUTORY EXCEPTIONS AND]".
- 5 Page 5, line 16, strike "38-35-101." and substitute "38-35-101 OR
6 24-21-515.".
- 7 Page 7, strike lines 14 and 15 and substitute:
8 "(5)(a) A WARRANTY DEED OR SPECIAL WARRANTY DEED
9 INTENDED TO".
- 10 Page 7, line 17, strike "MUST" and substitute "MAY".
- 11 Page 7, line 18, strike "AND NO OTHER TERMS OR DESCRIPTIONS." and
12 substitute "OR INCLUDE A DIFFERENT LISTING OR DESCRIPTION OF
13 EXCEPTIONS AS THE GRANTOR AND GRANTEE MAY AGREE.".
- 14 Page 7, strike lines 24 through 27 and substitute:
15 "(II) ALL MATTERS THAT ARE DISCLOSED OR THAT WOULD HAVE
16 BEEN DISCLOSED BY AN IMPROVEMENT SURVEY PLAT, AS DEFINED IN
17 SECTION 38-51-102 (9), OF THE CONVEYED PROPERTY OR COULD".
- 18 Page 8, strike line 2 and substitute "PROPERTY AND WHICH MATTERS WERE
19 NOT CREATED OR OTHERWISE KNOWN BY THE GRANTOR; AND".
- 20 Page 8, line 14, strike "A" and substitute "IN CONNECTION WITH THE
21 ISSUANCE OF A POLICY OF TITLE INSURANCE, BUT SUBJECT TO THE TERMS
22 OF THIS STATUTE, A".
- 23 Page 9, after line 1 insert:
24 "(3) WHEN PREPARING A DEED PURSUANT TO THIS SECTION IN
25 WHICH THE PHRASE "SUBJECT TO STATUTORY EXCEPTIONS" IS USED, A
26 LICENSED TITLE INSURANCE ENTITY SHALL NOT DISCLAIM, LIMIT, OR SEEK
27 INDEMNIFICATION AGAINST LIABILITY FOR ANY NEGLIGENCE BY THE
28 LICENSED TITLE INSURANCE ENTITY.".
- 29 Renumber succeeding subsection accordingly.

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