

HB1056_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB24-1056 be amended as follows:

1 Amend printed bill, page 6, lines 6 and 7, strike "county courthouse," and
2 substitute "~~county courthouse~~ OFFICE OF THE TREASURER AND ON THE
3 TREASURER'S WEBSITE,".

4 Page 7, after line 26 insert:

5 "(4) "INVESTMENT BALANCE" MEANS THE REDEEMABLE AMOUNT
6 A TAX LIEN.".

7 Renumber succeeding subsections accordingly.

8 Page 8, strike line 5 and substitute:

9 "(a) THE NAMES AND ADDRESSES OF THE PERSONS ON THE MAILING
10 LIST CREATED BY A TREASURER PURSUANT TO SECTION 39-11.5-104 (2);".

11 Page 8, line 8, after "DATE" insert "AND TIME".

12 Page 8, line 10, strike "39-11.5-104 (2)(b)" and substitute "39-11.5-106
13 (1)".

14 Page 9, strike lines 19 through 21 and substitute:

15 "(9) "OVERBID" MEANS THE AMOUNT IN EXCESS OF THE MINIMUM
16 BID ACCEPTED BY THE TREASURER PURSUANT TO SECTION 39-11.5-108
17 (3)(a).".

18 Page 9, strike lines 25 and 26 and substitute "SUBJECT TO A TAX LIEN.".

19 Page 10, strike lines 3 through 5 and substitute:

20 "(a) THE PERSON TO WHOM THE TREASURER AWARDS CERTIFICATE
21 OF OPTION FOR TREASURER'S DEED PURSUANT TO SUBSECTION
22 39-11.5-110.".

23 Page 10, line 8, strike "(2)".

24 Page 11, line 5, strike "**TREASURER'S DEED**" and substitute "**A**
25 **PUBLIC AUCTION OF A CERTIFICATE OF OPTION FOR**
26 **TREASURER'S DEED**".

- 1 Page 12, lines 13 and 14, strike "THE AMOUNT OF THIRTY DOLLARS" and
2 substitute "AN AMOUNT EQUAL TO THE AMOUNT ESTABLISHED IN SECTION
3 38-37-104 (1)(b)(I)".
- 4 Page 12, line 20, after "AUCTION" insert "FILED BY A LAWFUL HOLDER".
- 5 Page 12, line 26, after "AUCTION" insert "AND THE ORIGINAL CERTIFICATE
6 OF PURCHASE, IF NOT PREVIOUSLY RECORDED,".
- 7 Page 13, line 3, strike "TWENTY" and substitute "THIRTY" and after
8 "APPLICATION" insert "FOR PUBLIC AUCTION".
- 9 Page 13, lines 3 and 4, strike "IN ACCORDANCE WITH" and substitute
10 "PURSUANT TO".
- 11 Page 13, line 5, strike "KNOWN INTERESTED PARTY".
- 12 Page 13, strike lines 6 through 10 and substitute "FORTH IN THE
13 APPLICATION FOR PUBLIC AUCTION.".
- 14 Page 13, line 11, strike "(a)" and after "AFTER" insert "EITHER RECEIVING
15 THE RESULTS OF THE TITLE SEARCH OR".
- 16 Page 13, line 14, strike "LIST AND" and substitute "LIST,".
- 17 Page 13, line 15, strike "LIST." and substitute "LIST, AND ADD THE FIRST
18 AND LAST PUBLICATION DATES, IF NOT ALREADY SPECIFIED IN THE KNOWN
19 INTERESTED PARTY NOTICE, ON THE TREASURER'S OFFICE WEBSITE.".
- 20 Page 13, strike lines 16 through 21.
- 21 Page 14, line 1, strike "NOTICE," and substitute "NOTICE AND ADD THE
22 FIRST AND".
- 23 Page 14, strike line 2.
- 24 Page 14, line 6, strike "ALSO".
- 25 Page 14, strike line 7.
- 26 Page 14, line 8, strike "AND ADDING" and substitute "INTERESTED PARTY
27 NOTICE AND ADD".

1 Page 14, after line 11 insert:

2 "(6) NO LESS THAN THIRTY CALENDAR DAYS AFTER EITHER
3 RECEIVING THE RESULTS OF THE TITLE SEARCH OR COMPLETING A REVIEW
4 OF RELEVANT COUNTY RECORDS OF THE COUNTY CLERK AND RECORDER
5 CONCERNING THE PROPERTY PURSUANT TO SECTION 39-11.5-104 (2), IF
6 THE PROPERTY THAT IS THE SUBJECT OF THE PUBLIC AUCTION IS FIVE
7 HUNDRED DOLLARS OR MORE, THE TREASURER SHALL COMMENCE
8 PUBLICATION OF THE KNOWN INTERESTED PARTY NOTICE FOR THREE
9 WEEKS, WHICH MEANS PUBLICATION ONCE EACH WEEK FOR THREE
10 SUCCESSIVE WEEKS IN A NEWSPAPER THAT IS PUBLISHED DAILY, WEEKLY,
11 OR SEMIWEEKLY IN THE COUNTY. IF THERE IS NO SUCH NEWSPAPER, THEN
12 THE TREASURER SHALL POST THE NOTICE CONSPICUOUSLY IN THE OFFICES
13 OF THE COUNTY CLERK AND RECORDER, THE TREASURER, AND THE
14 ASSESSOR AND IN AT LEAST TWO OTHER PUBLIC PLACES IN THE COUNTY
15 SEAT."

16 Page 14, after line 11 insert:

17 "(7) IF ANY NOTICE SENT PURSUANT TO THIS SECTION IS RETURNED
18 AS UNDELIVERABLE, THE COUNTY TREASURER SHALL CONDUCT A
19 REASONABLE SEARCH TO LOCATE AND NOTIFY THE PROPERTY OWNER OF
20 RECORD."

21 Page 14, line 15, strike "PUBLICATION." and substitute "PUBLICATION OF
22 THE KNOWN INTERESTED PARTY NOTICE PUBLISHED BY THE TREASURER
23 PURSUANT TO SECTION 39-11.5-104 (1)."

24 Page 14, line 18, strike "FOR" and substitute "NOTWITHSTANDING
25 SECTION 39-11.5-105, FOR".

26 Page 16, line 14, strike "NOTICE OF PUBLIC AUCTION AND DEMAND" and
27 substitute "APPLICATION FOR PUBLIC AUCTION".

28 Page 17, line 10, after "LIEN" insert "BEING".

29 Page 18, line 25, strike "THE SUM OF ONE HUNDRED DOLLARS," and
30 substitute "AN AMOUNT EQUAL TO THE AMOUNT ESTABLISHED IN SECTION
31 38-37-104 (1)(b)(XI)."

32 Page 19, line 24, after "RECEIVING" insert "WRITTEN".

33 Page 19, line 25, after "NOTICE" insert "PURSUANT TO SUBSECTION

- 1 (2)(d)(IV)(A) OF THIS SECTION".
- 2 Page 20, line 4, strike "NOTICE" and substitute "WRITTEN NOTICE
3 PURSUANT TO SUBSECTION (2)(d)(IV)(A) OF THIS SECTION".
- 4 Page 20, line 6, strike "PUBLIC AUCTION" and substitute "KNOWN
5 INTERESTED PARTY NOTICE".
- 6 Page 21, lines 3 and 4, strike "THE AMOUNT OF THIRTY-FIVE DOLLARS."
7 and substitute "AN AMOUNT EQUAL TO THE AMOUNT ESTABLISHED IN
8 SECTION 38-37-104 (1)(b)(V)".
- 9 Page 21, strike lines 25 through 27.
- 10 Page 22, strike lines 1 through 5 and substitute "PERIOD. THE".
- 11 Page 22, line 6, strike "NOTICE" and substitute "APPLICATION FOR PUBLIC
12 AUCTION".
- 13 Page 22, line 9, strike "THE AMOUNT OF FIFTY DOLLARS" and substitute
14 "AN AMOUNT EQUAL TO THE AMOUNT ESTABLISHED IN SECTION 38-37-104
15 (1)(b)(VI)".
- 16 Page 22, line 16, strike "THE PERSON WHO" and substitute "THE
17 TREASURER SHALL:".
- 18 Page 22, strike lines 17 and 18.
- 19 Page 22, line 23, strike "ASSOCIATED WITH THE" and substitute "AT THE
20 TIME OF THE REDEMPTION IN ACCORDANCE WITH THIS ARTICLE 11.5".
- 21 Page 22, strike line 24.
- 22 Page 24, lines 12 and 13, strike "NEGOTIABLE PAPER," and substitute
23 "CASHIERS CHECK, BANK CHECK,".
- 24 Page 25, lines 5 and 6, strike "REDEEM ALL LIENORS FOR A PORTION OF
25 THE OVERBID AMOUNT," and substitute "ISSUE OVERBID FUNDS TO LIENORS
26 WHO COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE 11.5, ".
- 27 Page 25, line 21, after "THIRTY" insert "CALENDAR".
- 28 Page 26, strike lines 11 through 27.

- 1 Page 27, strike lines 1 through 7.
- 2 Reletter succeeding paragraphs accordingly.
- 3 Page 27, strike lines 20 through 23 and substitute "AT THE TIME OF SALE,
4 OR WITHIN THE TIME PERIOD ALLOWED BY THE TREASURER, THE
5 TREASURER SHALL AWARD THE CERTIFICATE OF OPTION FOR TREASURER'S
6 DEED TO THE NEXT HIGHEST BIDDER FROM THE PUBLIC AUCTION WHO
7 TIMELY PAYS THE AMOUNT DUE FROM BIDDING TO THE TREASURER.".
- 8 Page 27, strike lines 26 and 27 and substitute "AMOUNT DUE AT THE TIME
9 OF SALE, OR WITHIN THE TIME PERIOD ALLOWED BY THE TREASURER, THE
10 TREASURER SHALL AWARD THE CERTIFICATE OF OPTION FOR TREASURER'S
11 DEED TO THE NEXT HIGHEST BIDDER FROM THE PUBLIC AUCTION WHO
12 TIMELY PAYS THE AMOUNT DUE FROM BIDDING TO THE TREASURER.".
- 13 Page 28 strike line 1.
- 14 Page 28, line 5, strike "**property**" and substitute "**certificate of**
15 **purchase**".
- 16 Page 28, lines 26 and 27, strike "WITHIN ONE BUSINESS DAY OF THE
17 RECEIPT BY THE TREASURER OF THE NOTICE OF INTENT TO REDEEM" and
18 substitute "AT THE END OF THE PERIOD IN WHICH A LAWFUL HOLDER MAY
19 FILE AN INTENT TO REDEEM PURSUANT TO THIS ARTICLE 11.5, IF A NOTICE
20 OF INTENT TO REDEEM IS".
- 21 Page 29, line 11, strike "STATEMENT. A PURCHASER THAT IS" and
22 substitute "STATEMENT".
- 23 Page 29, strike lines 12 through 16.
- 24 Page 29, line 17, strike "THE DATE OF THE STATEMENT,".
- 25 Page 29, strike lines 23 and 24 and substitute "(4)(a) OF THIS SECTION.".
- 26 Page 30, line 14, strike "SECTION OR EACH" and substitute "SECTION.".
- 27 Page 30, strike lines 15 and 16.
- 28 Page 31, strike lines 1 through 6.
- 29 Reletter succeeding paragraph accordingly.

- 1 Page 31, after line 18 insert:
- 2 **"(6) Redemption proceeds.** UPON THE EXPIRATION OF THE
3 REDEMPTION PERIOD UNDER THIS SECTION, THE TREASURER SHALL
4 DISBURSE ALL REDEMPTION PROCEEDS TO THE PERSONS ENTITLED TO
5 RECEIVE THEM."
- 6 Renumber succeeding subsections accordingly.
- 7 Page 31, line 24, strike "(7)" and substitute "(6)".
- 8 Page 32, line 13, strike "(1)(f)" and substitute "(1)(c)".
- 9 Page 33, line 19, strike "**Redemption**" and substitute "**Payment**".
- 10 Page 33, line 20, strike "**redemption.**" and substitute "**payment of**
11 **overbid amount.**".
- 12 Page 33, line 21, strike "REDEEM" and substitute "RECEIVE PAYMENT OF".
- 13 Page 34, line 3, strike "39-11.5- 103 AND THE LIENOR IS" and substitute
14 "39-11.5-103".
- 15 Page 34, strike lines 4 through 6 and substitute "If, PRIOR TO".
- 16 Page 34, strike lines 15 through 26 and substitute "INTENT TO RECEIVE
17 PAYMENT OF A PORTION OF THE OVERBID AMOUNT."
- 18 Page 35, line 2, strike "REDEEM," and substitute "RECEIVE PAYMENT OF A
19 PORTION OF THE OVERBID AMOUNT,".
- 20 Page 35, line 5, strike "REDEEM." and substitute "RECEIVE PAYMENT OF A
21 PORTION OF THE OVERBID AMOUNT."
- 22 Page 35, line 7, after the first "THE" insert "ORIGINAL".
- 23 Page 35, line 10, strike "REDEEM" and substitute "RECEIVE PAYMENT OF
24 A PORTION OF THE OVERBID AMOUNT".
- 25 Page 35, strike lines 15 through 22.
- 26 Renumber succeeding subsections accordingly.

- 1 Page 35, line 23, strike "**Redemption proceeds.**" and substitute "**Overbid**
2 **payment proceeds.**".
- 3 Page 35, line 24, strike "REDEMPTION" and substitute "OVERBID AMOUNT
4 PAYMENT".
- 5 Page 35, line 25, strike "REDEMPTION" and substitute "OVERBID AMOUNT
6 PAYMENT".
- 7 Page 36, line 22, strike "39-11.5-101 (12)(c)" and substitute "39-11.5-101
8 (14)(c)".
- 9 Page 36, lines 23 and 24, strike "THE AMOUNT OF THIRTY DOLLARS" and
10 substitute "AN AMOUNT EQUAL TO THE AMOUNT ESTABLISHED IN SECTION
11 38-37-104 (1)(b)(IV)".
- 12 Page 37, after line 3 insert:
- 13 "(3) UPON THE ISSUANCE OF A CERTIFICATE OF OPTION, IF THE
14 LAWFUL HOLDER HAS NOT REDEEMED PURSUANT TO SECTION 39-11.5-111,
15 THE TREASURER SHALL DISBURSE THE REMAINING PROCEEDS THAT THE
16 LAWFUL HOLDER IS ENTITLED TO FROM THE PUBLIC ACTION TO LAWFUL
17 HOLDER TO RECEIVE THEM.".
- 18 Page 37, lines 15 and 16, strike "THE AMOUNT OF THIRTY DOLLARS" and
19 substitute "AN AMOUNT EQUAL TO THE AMOUNT ESTABLISHED IN SECTION
20 38-37-104 (1)(b)(IV)".
- 21 Page 38, line 22, strike "(1)".
- 22 Page 38, line 24, strike "DEDUCT".
- 23 Page 38, strike lines 25 through 27 and substitute "COLLECT FROM THE
24 LAWFUL HOLDER, PRIOR TO HOLDING THE PUBLIC AUCTION.".
- 25 Page 39, strike lines 1 through 6.
- 26 Page 39, after line 15 insert:
- 27 "**SECTION 5. Effective date.** This act takes effect July 1, 2024.".
- 28 Renumber succeeding section accordingly.

1 Strike "NOTICE OF PUBLIC AUCTION," and substitute "APPLICATION FOR
2 PUBLIC AUCTION," on: **Page 20**, line 27; **Page 21**, line 13, lines 20 and 21,
3 and lines 23 and 24; and **Page 24**, lines 17 and 18 and line 24.

4 Strike "PROPERTY" and substitute "CERTIFICATE OF PURCHASE" on: **Page**
5 **28**, line 7; and **Page 30**, line 20, line 23, and line 25.

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