

HB1098\_L.002

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

HB26-1098 be amended as follows:

- 1 Amend reengrossed bill, page 15, line 23, strike "(2)(a), (2)(d), and (3)"
- 2 and substitute "(2)(a)".
  
- 3 Strike page 16 and substitute "commenced at any time by any interested
- 4 person as defined in ~~paragraph (c) of this subsection (2)~~ SUBSECTION
- 5 (2)(c) OF THIS SECTION, by an omitted party, or by anyone claiming by,
- 6 through, or under an omitted party, is afforded ~~rights of cure if the~~
- 7 ~~omitted party would have been entitled to cure pursuant to section~~
- 8 ~~38-38-104, or is afforded~~ redemption rights if the omitted party would
- 9 have been entitled to redeem pursuant to section 38-38-302, upon such
- 10 terms as the court may deem equitable under the circumstances, which
- 11 terms shall not, however, be more favorable than the person's statutory
- 12 rights. The court shall give full consideration to whether the omitted party
- 13 or anyone claiming by, through, or under an omitted party was given or
- 14 had actual notice or knowledge of the foreclosure and was given an
- 15 opportunity to exercise statutory rights to cure or redeem."
  
- 16 Page 17, strike lines 1 through 6.

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