

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 778
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Right to Appeal”; in the same line, after “Foreclosure” insert “Defense”; in line 3, after the first “of” insert “authorizing a court to order reasonable discovery in an action to stop or stay a foreclosure sale of residential property under certain circumstances;”; strike beginning with “prohibiting” in line 5 down through the semicolon in line 6; and in line 7, strike “appeals of certain”.

AMENDMENT NO. 2

On page 2, after line 23, insert:

“(B) IN AN ACTION TO STOP OR STAY A FORECLOSURE SALE ON RESIDENTIAL PROPERTY, A COURT MAY ORDER REASONABLE DISCOVERY WHETHER OR NOT A TEMPORARY STAY IS ISSUED.”;

in line 24, strike “(B)” and substitute “(C)”; in the same line, after “OWNER” insert “OF RESIDENTIAL PROPERTY”; in line 28, strike the second “AND”; strike beginning with “THE” in line 29 down through “ACCRUES.” in line 31 and substitute “THE MINIMUM FUTURE MONTHLY PAYMENTS, AS THEY COME DUE, UNDER THE LOAN SECURED BY THE MORTGAGE OR DEED OF TRUST DURING THE PENDENCY OF THE APPEAL; AND

(3) THE RESIDENTIAL PROPERTY TAXES, HOMEOWNERS INSURANCE PREMIUMS, AND HOMEOWNERS, CONDOMINIUM, OR COMMUNITY ASSOCIATION DUES, AS EACH COMES DUE.”;

(Over)

and strike in its entirety line 32.

On page 3, strike in their entirety lines 1 through 4, inclusive.

AMENDMENT NO. 3

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 7, after “terms;” insert “making this Act an emergency measure;”.

On page 3, strike beginning with “shall” in line 5 down through “2008” in line 6 and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.