

HB1373/498276/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1373
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “the” in line 6 down through “Department” in line 7 and substitute “a local jurisdiction to enact a local law”; in line 10, strike “government” and substitute “jurisdiction”; in line 11, strike “charge” and substitute “collect”; in the same line, strike “part of” and substitute “a charge on”; in line 12, strike “assessment” and substitute “bill”; in the same line, after the semicolon insert “requiring a local jurisdiction to give certain advance written notice before taking certain actions”; in line 20, after the semicolon insert “establishing that a certain provision does not restrict or otherwise affect the ability of a unit of government to require a certain notice or registration to be filed for a certain purpose”; and in line 21, after the semicolon insert “establishing that this Act is not intended to repeal a certain local law”.

AMENDMENT NO. 2

On page 5, in line 24, strike “THE DEPARTMENT” and substitute “A LOCAL JURISDICTION”; and in line 25, strike “IMPOSE” and substitute “ENACT A LOCAL LAW THAT IMPOSES”.

AMENDMENT NO. 3

On page 5, in line 28, strike “A” and substitute “(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A”; and in the same line, strike “GOVERNMENT” and substitute “JURISDICTION”.

On page 6, in line 2, strike “CHARGE” and substitute “COLLECT”; in line 3, strike “PART OF” and substitute “A CHARGE INCLUDED ON”; in the same line, strike “ASSESSMENT” and substitute “BILL”; and after line 3, insert:

(Over)

“(2) (I) THE COST ASSOCIATED WITH AN ABATEMENT OR OTHER ACTION TAKEN UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE INCLUDED AS A CHARGE ON THE RESIDENTIAL PROPERTY’S PROPERTY TAX BILL UNLESS THE LOCAL JURISDICTION PROVIDES ADVANCE WRITTEN NOTICE IN ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS PARAGRAPH TO:

1. THE PERSON IDENTIFIED IN THE REGISTRY WHO IS AUTHORIZED TO ACCEPT LEGAL SERVICE FOR THE FORECLOSURE PURCHASER; AND

2. THE PERSON IDENTIFIED IN THE REGISTRY WHO IS RESPONSIBLE FOR THE MAINTENANCE OF THE PROPERTY.

(II) THE NOTICE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:

1. DESCRIBE THE INTENDED ABATEMENT OR OTHER ACTION THE LOCAL JURISDICTION INTENDS TO TAKE; AND

2. BE PROVIDED:

A. IN ACCORDANCE WITH THE NOTICE PROVISIONS OF THE APPLICABLE BUILDING CODE OR LOCAL ORDINANCE; OR

B. IF THE APPLICABLE BUILDING CODE OR LOCAL ORDINANCE DOES NOT PROVIDE FOR NOTICE, AT LEAST 30 DAYS BEFORE THE LOCAL JURISDICTION ABATES THE NUISANCE OR TAKES ACTION TO MAINTAIN THE PROPERTY.”.

AMENDMENT NO. 4

On page 7, in line 15, strike “ONLY” and substitute “(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ONLY”; in line 16, strike “RELATING”; in the same line, after “TO” insert “REGISTER”; and after line 17, insert:

“(2) THIS SUBSECTION DOES NOT RESTRICT OR OTHERWISE AFFECT THE ABILITY OF A UNIT OF GOVERNMENT TO REQUIRE A REGISTRATION OR NOTICE TO BE FILED FOR A PURPOSE OTHER THAN ONE RELATING TO FORECLOSURE, EVEN IF A PROPERTY TO BE IDENTIFIED IN THE REGISTRATION OR NOTICE IS SUBJECT TO FORECLOSURE.”.

AMENDMENT NO. 5

On page 3, in line 8, strike the comma.

On page 4, in line 1, strike the second “THE” and substitute “A”; in line 15, after “OF” insert “THE”; and in line 20, strike “CAN” and substitute “IS AUTHORIZED TO”.

On page 5, in line 1, strike “THE” and substitute “A”; strike beginning with “HAS” in line 1 down through “OF” in line 2 and substitute “TRANSFERRING TITLE TO THE”; and in line 2, after “PROPERTY” insert “HAS BEEN RECORDED”.

On page 7, in lines 25 and 26, strike “December 1, 2012” and substitute “January 1, 2013”.

AMENDMENT NO. 6

On page 8, after line 3, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act is not intended to repeal any local law that was enacted under Chapter 149 of the Acts of the General Assembly of 2009 and that is in effect on the effective date of this Act.”;

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and in line 4, strike "3." and substitute "4.".