

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Judiciary, to which was referred Senate Bill No. 341, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Replace the effective dates in SECTIONS 1 through 22 with
- 2 "[EFFECTIVE JANUARY 1, 2007]".
- 3 Replace the effective date in SECTION 43 with "[EFFECTIVE
- 4 JANUARY 1, 2007]".
- 5 Page 7, line 26, after "(i)" insert "**the greater of**".
- 6 Page 7, line 26, reset in roman "twenty-five dollars (\$25)".
- 7 Page 7, line 26, after "for" insert "**or**".
- 8 Page 11, line 18, delete ", return receipt requested,".
- 9 Page 12, line 32, delete ", return receipt".
- 10 Page 12, line 33, delete "requested,".
- 11 Page 16, line 32, after "tract" insert "**or an item**".
- 12 Page 17, line 18, after "more" insert "**than**".
- 13 Page 17, between lines 19 and 20, begin a new line block indented
- 14 and insert:
- 15 "**(1) notify the person in writing that the sale is subject to**
- 16 **forfeiture if the person does not pay the amounts that the**
- 17 **person owes within thirty (30) days of the notice;**".
- 18 Page 17, line 20, delete "(1)" and insert "**(2) if the person does not**
- 19 **pay the amounts that the person owes within thirty (30) days after**
- 20 **the notice,**".
- 21 Page 17, line 20, after "apply the" insert "**surplus**".

- 1 Page 17, line 22, delete "(2)" and insert "(3)".
- 2 Page 17, line 25, delete "(3)" and insert "(4)".
- 3 Page 17, between lines 37 and 38, begin a new paragraph and insert:
- 4 **"(f) If a sale is forfeited under this section and the tract or item**
- 5 **of real property is redeemed from the sale, the county auditor shall**
- 6 **deposit the amount of the redemption into the county general fund**
- 7 **and notify the county executive of the redemption. Upon being**
- 8 **notified of the redemption, the county executive shall surrender the**
- 9 **certificate to the county auditor."**
- 10 Page 19, delete lines 37 through 42.
- 11 Page 20, delete lines 1 through 23.
- 12 Page 25, line 24, delete ", return receipt requested,".
- 13 Page 27, line 33, delete "verifying that the".
- 14 Page 27, delete lines 34 through 35.
- 15 Page 27, line 42, delete "The".
- 16 Page 28, delete line 1.
- 17 Page 28, line 2, delete "Trial Rule 5.".
- 18 Page 31, line 24, delete "," and insert "**in the first year the item of**
- 19 **real property is subject to taxation after the year the real property**
- 20 **is sold or otherwise conveyed shall be disbursed to the county**
- 21 **executive that sold or otherwise conveyed the item of real**
- 22 **property."**
- 23 Page 31, delete lines 25 through 30.
- 24 Page 31, line 32, delete "(a)(2)" and insert "(a)".
- 25 Page 31, line 32, after "into" insert "**the county general fund, the**
- 26 **redevelopment fund,"**.
- 27 Page 31, line 32, after "building fund" insert "**, or the housing trust**
- 28 **fund"**.
- 29 Page 31, line 34, after "IC 36-7-15.1-15.5" insert ".".
- 30 Page 31, line 39, delete "continue for five (5) years" and insert
- 31 **"terminate in the second year the item of real property is subject to**
- 32 **taxation"**.
- 33 Page 34, line 30, delete "do any of the following:".
- 34 Page 34, line 31, delete "(1) Impose" and insert "impose".
- 35 Page 34, run in lines 30 through 31.
- 36 Page 35, line 2, delete "an additional civil penalty" and insert "**one**
- 37 **(1) or more additional civil penalties"**.
- 38 Page 35, line 3, delete ". The" and insert "**per civil penalty. An"**.

- 1 Page 35, line 4, delete ":".
- 2 Page 35, delete lines 5 through 8.
- 3 Page 35, line 9, delete "(C)".
- 4 Page 35, run in lines 4 through 9.
- 5 Page 35, line 10, delete "(i)", begin a new line block indented and
6 insert:
7 "(1)".
- 8 Page 35, line 12, delete "(ii)", begin a new line block indented and
9 insert:
10 "(2)".
- 11 Page 35, delete lines 17 through 20.
- 12 Page 35, line 40, delete "or fine".
- 13 Page 35, line 42, delete "or fine is" and insert "is".
- 14 Page 35, line 42, delete "penalty or fine" and insert "**penalty**".
- 15 Page 36, line 37, after "order" delete "," and insert "**under section**
16 **5(a)(1) of this chapter,**"
- 17 Page 36, line 39, after "interest" insert "**or present possessory**
18 **interest**".
- 19 Page 36, between lines 40 and 41, begin a new line block indented
20 and insert:
21 "**(2) service of an order under section 5(a)(6), 5(a)(7), or**
22 **5(a)(8) of this chapter, in the manner prescribed by section 25**
23 **of this chapter, has been made on each person having a known**
24 **or recorded substantial property interest in the unsafe**
25 **premises that are the subject of the order;**".
- 26 Page 36, line 41, strike "(2)" and insert "(3)".
- 27 Page 36, line 42, after "having a" insert "**known or recorded**".
- 28 Page 36, line 42, after "interest" insert ", **and persons holding a**
29 **present possessory interest, as required,**".
- 30 Page 37, line 4, strike "(3)" and insert "(4)".
- 31 Page 37, line 6, strike "(4)" and insert "(5)".
- 32 Page 37, line 24, after "a" insert "**known or recorded**".
- 33 Page 39, line 27, after "a" insert "**known or recorded**".
- 34 Page 44, line 42, after "interest" delete "," and insert "**in the**
35 **recorder's office of the county where the unsafe premises is**
36 **located;**".
- 37 Page 45, line 6, reset in roman "consent to".
- 38 Page 45, line 6, after "consent to" insert "**reasonable**".

- 1 Page 45, line 6, reset in roman "action taken under this chapter".
- 2 Page 45, line 7, delete "waive" and insert "**for which notice would**
- 3 **be required and relinquish a claim to**".
- 4 Page 45, line 8, delete "section." and insert "**chapter.**".
- 5 Renumber all SECTIONS consecutively.
(Reference is to SB 341 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

Bray

Chairperson