

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1071 be amended to read as follows:

- 1 Page 6, line 13, delete "only after the homeowners association has"
  - 2 and insert ".".
  - 3 Page 6, delete lines 14 through 15.
  - 4 Page 6, line 23, delete "8(a) or".
  - 5 Page 7, delete lines 25 through 42, begin a new paragraph and
  - 6 insert:
  - 7 "SECTION 2. IC 32-28-14-8, AS ADDED BY P.L.135-2007,
  - 8 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
  - 9 JULY 1, 2009]: Sec. 8. (a) A homeowners association may enforce a
  - 10 homeowners association lien by filing a complaint in the circuit or
  - 11 superior court of the county where the real estate that is the subject of
  - 12 the lien is located. The complaint:
  - 13 **(1) may not be filed earlier than one (1) year; and**
  - 14 **(2) must be filed not later than ~~one~~ (+) year five (5) years;**
  - 15 after the date the statement and notice of intention to hold a lien was
  - 16 recorded under section 6 of this chapter.
  - 17 (b) If a lien is not enforced within the time set forth in subsection
  - 18 (a), the lien is void.
  - 19 (c) If a lien is foreclosed under this chapter, the court rendering
  - 20 judgment shall order a sale to be made of the real estate subject to the
  - 21 lien. The officers making the sale shall sell the real estate without any
  - 22 relief from valuation or appraisal laws."
  - 23 Delete page 8.
- (Reference is to HB 1071 as printed February 18, 2009.)

---

Representative Cheatham