

HB1209/625762/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1209
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Kaiser” and substitute “Delegates Kaiser, Ebersole, Washington, Walker, Mosby, Ivey, Palakovich Carr, Feldmark, Wilkins, and Patterson”; strike beginning with “requiring” in line 22 down through “action;” in line 24; in line 25, strike “court;” and substitute “court and provide certain notice and a copy of a certain complaint to certain persons in a certain manner;”; in line 27, after “purposes;” insert “authorizing certain persons to redeem certain property in a certain manner under certain circumstances;”; and in line 30, after “finding;” insert “providing that a certain judgment is binding on certain persons; requiring that a certain judgment be recorded in certain land records; providing that title acquired in a certain sale of real property shall be an absolute or fee simple title except under certain circumstances;”.

On page 2, in line 14, strike “requiring” and substitute “authorizing”; and after line 18, insert:

“BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 1–101(g) and (j)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 38, insert:

“1–101.

(Over)

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(g) “County” means a county of the State and, unless expressly provided otherwise, Baltimore City.

(j) (1) “Department” means the State Department of Assessments and Taxation.”.

On page 6, in line 24, strike “AT APPROPRIATE INTERVALS” and substitute “BY FIRST-CLASS MAIL AT LEAST 30 DAYS APART”; and in line 30, after “PLAN” insert “OF UP TO 60 MONTHS”.

AMENDMENT NO. 3

On page 7, in line 21, strike “1 YEAR” and substitute “6 MONTHS”.

AMENDMENT NO. 4

On page 8, strike in their entirety lines 5 through 10, inclusive; and strike in their entirety lines 11 through 13, inclusive, and substitute:

“(C) THE COUNTY OR MUNICIPAL CORPORATION SHALL:

(1) FILE THE COMPLAINT FOR AN IN REM FORECLOSURE IN THE CIRCUIT COURT OF THE COUNTY WHERE THE REAL PROPERTY IS LOCATED; AND

(2) WITHIN 5 DAYS AFTER FILING THE COMPLAINT FOR AN IN REM FORECLOSURE, SEND A NOTICE AND A COPY OF THE COMPLAINT TO ALL INTERESTED PARTIES BY:

(I) CERTIFIED MAIL; AND

(II) FIRST-CLASS MAIL.”.

AMENDMENT NO. 5

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On page 9, after line 8, insert:

“(F) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN INTERESTED PARTY HAS THE RIGHT TO REDEEM THE PROPERTY BY PAYING ALL TAXES DUE AT ANY TIME BEFORE THE ENTRY OF A FORECLOSURE JUDGMENT.

(2) THE RIGHT TO REDEEM THE PROPERTY TERMINATES WHEN THE CIRCUIT COURT ENTERS A FORECLOSURE JUDGMENT.”.

AMENDMENT NO. 6

On page 9, strike beginning with “PROPER” in line 18 down through “TO” in line 19 and substitute “FORECLOSES THE EXISTING INTERESTS OF”; and after line 21, insert:

“(D) A JUDGMENT UNDER SUBSECTION (C) OF THIS SECTION IS BINDING AND CONCLUSIVE, REGARDLESS OF LEGAL DISABILITY, ON:

(1) ALL PERSONS, KNOWN AND UNKNOWN, WHO WERE PARTIES TO THE ACTION AND WHO HAD A CLAIM TO THE PROPERTY, WHETHER PRESENT OR FUTURE, VESTED OR CONTINGENT, LEGAL OR EQUITABLE, OR SEVERAL OR UNDIVIDED; AND

(2) ALL PERSONS WHO WERE NOT PARTIES TO THE ACTION AND HAD A CLAIM TO THE PROPERTY THAT WAS NOT RECORDED AT THE TIME THAT THE ACTION WAS COMMENCED.

(E) THE ENTRY OF A JUDGMENT UNDER SUBSECTION (C) OF THIS SECTION SHALL BE RECORDED IN THE LAND RECORDS OF THE COUNTY.

(Over)

(F) THE TITLE ACQUIRED IN A SALE OF REAL PROPERTY UNDER § 14-877 OF THIS PART AFTER AN IN REM FORECLOSURE PROCEEDING SHALL BE AN ABSOLUTE OR FEE SIMPLE TITLE INCLUDING THE RIGHT, TITLE, AND INTEREST OF EACH OF THE DEFENDANTS IN THE PROCEEDING WHOSE PROPERTY HAS BEEN FORECLOSED UNLESS A DIFFERENT TITLE IS SPECIFIED IN THE JUDGMENT ENTERED.”.

AMENDMENT NO. 7

On page 12, in line 23, strike “shall” and substitute “may”.