

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1817

Amendment Number: S1 (3/26/15 Engrossment)

Bill Subtitle: TO AMEND THE LAWS CONCERNING THE REAL PROPERTY TRANSFER TAX;
AND TO CLARIFY THE LAWS CONCERNING THE REAL PROPERTY TRANSFER TAX.

Basic Change : Sponsors: Representatives Rushing, Gossage
Senate Amendment 1 --- Amends the bill to delete the section of the bill that stated legislative findings and intent of the proposal.

Original Bill --- The proposal would amend state law to specifically exempt a nonjudicial foreclosure proceeding to enforce a security interest in real estate from the Real Estate Transfer Tax. Currently, foreclosure proceeds through a judicial proceeding are exempt from taxation. The bill would treat all foreclosures in the same manner.

Revenue Impact :
No Impact to State General revenues

Taxpayer Impact :
The proposal would allow real estate owned by a financial institution to be exempt from real estate transfer tax if sold due to a nonjudicial proceeding.

Resources Required :
Adequate time is provided for implementation.

Time Required :
Adequate time is provided for implementation.

Procedural Changes :
Education of the staff and the adoption of rules for this addition would also be necessary.

Legal Analysis :
Amendment S1 strikes Section 1 of the bill that set forth uncodified legislative findings and intent.