

Hall of the House of Representatives
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of House Bill No. 1392

"CONCERNING PRIORITY OF LIENS IN MUNICIPAL PROPERTY OWNERS'
IMPROVEMENT DISTRICTS."

Amendment No. 1 to House Bill No. 1392.

Amend House Bill No. 1392 as originally introduced:

Page 1, line 23, delete "(a)(1) Upon" and substitute "(a)(1)(A) Upon"

AND

Page 1, delete lines 24 and 25, and substitute the following:
"duty of the clerk to present the petition to the mayor.

(B) The petition shall be accompanied by a certificate from a title insurance company transacting business in the municipality:
(i) Stating that the signatures on the petition constitute all of the owners of real property to be located in the district;
and

(ii) Identifying any mortgagee holding a first mortgage lien on real property constituting more than ten percent (10%) in area of the real property to be located in the district.

(2)(A) The mayor shall thereupon set a date and time, not later"

AND

Page 1, delete lines 29 through 32, and substitute the following:

"(B) Notice of the hearing shall be sent by certified mail to any mortgagee holding a first mortgage lien on real property constituting more than ten percent (10%) in area of the real property to be located in the district.

(C) The notice of hearing under subdivision (a)(2)(B) of this section shall state that without objection, the existing first lien is subject to subordination under § 14-94-106.

(b)(1) At the hearing, it shall be the duty of the governing body to"

AND

Page 1, line 34, delete "district" and substitute "district."



AND

Page 1, delete lines 35 and 36

AND

Page 2, delete lines 9 through 13, and substitute the following:

"(B) If at the hearing on the petition any mortgagee holding a first mortgage lien on real property constituting more than ten percent (10%) in area of the real property to be located within the district objects to the formation of the district, then the governing body shall reject the petition for creation of the district."

AND

Page 2, line 19, delete "(c)(1)" and substitute "(c)"

AND

Page 2, delete lines 23 and 24

AND

Page 2, line 25, delete "(d)(1)" and substitute "(d)"

AND

Page 2, delete lines 29 through 31

AND

Delete SECTION 2 and SECTION 3 of the bill

The Amendment was read _____

By: Representative Summers

KLL/YTC - 02-27-2009 10:18

KLL198

Chief Clerk