

HB 175 -- Collection of Delinquent Property Taxes and Special Assessments

Sponsor: Crawford

This bill changes the laws regarding the collection of special assessments and delinquent property taxes. In its main provisions, the bill:

(1) Authorizes any county collector to add a special assessment levied for a community improvement district to the annual real estate tax bills for the properties being benefited by the district. Any unpaid special assessment on the first day of January is considered delinquent and the enforcement of the delinquent bill is to be governed by the laws concerning delinquent and back taxes. A lien may be foreclosed in the same manner as a tax upon real property by land tax sale. Currently, only the county collector in Boone County is authorized to do this;

(2) Changes the date that the county collector is required to return the delinquent tax lists and back tax books to the county commission from the first Monday in March to the second Monday in March and allows the collector to deliver an electronic copy of the back tax book;

(3) Specifies that if a person other than the owner or a lien holder pays the original property taxes plus interest, that payment will not invoke a lien on the property or person. Any lien so invoked will be null and void;

(4) Authorizes county collectors to use the procedures for selling property with delinquent property taxes when any special assessment is delinquent. Currently, only a special assessment for a neighborhood improvement district is subject to the option;

(5) Authorizes any additional money from the sale of real estate for delinquent taxes or other debt that is placed in a trust fund for the owners of the property if the property sells for a greater amount than the debt to become part of the permanent school fund of the county if the funds are not called for as part of a redemption or collector's deed issuance within three years;

(6) Repeals the provisions that authorizes the county collector to retain a 50 cent fee for each certificate of purchase issued and the 25 cent fee for noting any assignment of any certificate when recording a certificate of purchase of land sold at a tax sale and to charge \$1.50 to a person applying for a tax deed in a specified circumstance. The collector continues to be authorized to receive the fee necessary to record the certificate of purchase;

(7) Requires a person who purchases property at a tax sale to prove that the county collector knowingly and improperly sold the property when that person sues because the land was improperly sold; and

(8) Repeals the provision requiring the county clerk to witness the county collector sign the deed given to the property purchaser at a tax sale.