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JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 602, L.D. 851, Bill, “An Act To Require the Return of Excess Funds by a Municipality That Forecloses on Real Estate”

Amend the bill by striking out the title and substituting the following:

'An Act To Allow the Return of Excess Funds by a Municipality That Forecloses on Real Estate'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 36 MRSA §943, as amended by PL 2011, c. 104, §1, is further amended by adding at the end a new paragraph to read:

A municipality by ordinance may allow for the return of certain proceeds associated with the sale and final disposition of tax-acquired property to the immediately former owner. Returned proceeds may not exceed actual proceeds received by the municipality from the sale and final disposition of the tax-acquired property. Proceeds must first be used to cover all back taxes, interest, costs and other unpaid municipal expenses either associated with the disposition of the tax-acquired property or assessed or charged against the property prior to its disposition. The ordinance must provide for the standards governing the return of those proceeds and the procedures necessary to ensure that the interests of the taxpayers of the municipality are protected.'

SUMMARY

This amendment is the majority report of the Joint Standing Committee on Judiciary. It allows a municipality to adopt an ordinance that allows the municipality to return proceeds from the sale and final disposition of tax-acquired property to the former owner. Proceeds must first be used to cover all back taxes, interest, costs and other unpaid municipal expenses either associated with the disposition of the tax-acquired property or assessed or charged against the property prior to disposition. The ordinance must provide for standards governing the return of the proceeds and the procedures to ensure that the interests of the taxpayers of the municipality are protected.

COMMITTEE AMENDMENT