COMMITTEE AMENDMENT “      ” to H.P. 1124, L.D. 1629, Bill, “An Act To Protect the Elderly from Tax Lien Foreclosures”

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

'An Act To Protect Homeowners from Tax Lien Foreclosure'

Amend the bill by inserting after the title and before the enacting clause the following:

'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'

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

'Sec. 1.  36 MRSA §942, as amended by PL 2009, c. 489, §§2 and 3, is further amended by inserting after the 4th paragraph a new paragraph to read:

Within 30 days after recording a tax lien certificate in the registry of deeds for property that constitutes a homestead for which a property tax exemption is claimed under subchapter 4-B, the municipal treasurer shall provide written notice to the person named on the tax lien mortgage that that person may be eligible to file an application for tax abatement under section 841, subsection 2, indicating that the municipality, upon request, will assist the person in requesting an abatement and provide information regarding the procedures for making such a request. The notice must also indicate that the person may seek assistance from the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection regarding options for finding an advisor who can help the person work with the municipality to avoid tax lien foreclosure and provide information regarding ways to contact the bureau. The Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection, by July 15th annually, shall provide to a statewide organization representing municipalities
information regarding assistance in avoiding tax lien foreclosure to assist municipalities
in providing the information required in the notice.

Sec. 2. 36 MRSA §1281, as amended by PL 1991, c. 846, §12, is further amended
by inserting at the end a new paragraph to read:

Within 30 days after recording a tax lien certificate in the registry of deeds for
property that constitutes a homestead for which a property tax exemption is claimed
under chapter 105, subchapter 4-B, the State Tax Assessor shall provide written notice to
the owner named on the tax lien mortgage that that owner may be eligible to file an
application for tax abatement under section 841, subsection 2, indicating that the State
Tax Assessor, upon request, will assist the owner in requesting an abatement and provide
information regarding the procedures for making such a request. The notice must also
indicate that the owner may seek assistance from the Department of Professional and
Financial Regulation, Bureau of Consumer Credit Protection regarding options for
finding an advisor who can help the owner work with the State Tax Assessor to avoid tax
lien foreclosure and provide information regarding ways to contact the bureau. The
Department of Professional and Financial Regulation, Bureau of Consumer Credit
Protection, by July 15th annually, shall provide to a statewide organization representing
municipalities and to the State Tax Assessor information regarding assistance in avoiding
tax lien foreclosure to assist municipalities and the State Tax Assessor in providing the
information required in the notice.'

SUMMARY

This amendment is the majority report of the committee and replaces the bill. The
amendment requires a municipal treasurer or the State Tax Assessor, with regard to
property in the unorganized territory, within 30 days after recording a tax lien certificate
in the registry of deeds to notify the person named on a tax lien mortgage of the right to
apply for an abatement and the availability of assistance in applying for an abatement
from the municipal treasurer or the State Tax Assessor. The amendment also requires
that the notification include information about the availability of assistance to avoid tax
lien foreclosure from the Department of Professional and Financial Regulation, Bureau of
Consumer Credit Protection.

FISCAL NOTE REQUIRED

(See attached)