

Amendment No. 1 to HB0543

Crawford
Signature of Sponsor

AMEND Senate Bill No. 321*

House Bill No. 543

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-2502(c), is amended by adding the following new subdivision:

(4) The delinquent tax attorney shall post a notice of the proceedings conspicuously at the parcel and shall send a notice of the proceedings by first-class mail addressed to "occupant" at the last known address of the parcel owner. Such notice must list the parcel which is subject to the delinquent taxes and must contain the following statement or equivalent language:

**THIS PARCEL IS SUBJECT TO DELINQUENT TAXES AND MAY BE
SOLD IF DELINQUENT TAXES ARE NOT PAID.**

The costs of preparing, mailing, and posting such notice must be treated for all purposes as an additional expense ordered by the court pursuant to § 67-5-2410(d).

SECTION 2. Tennessee Code Annotated, Section 67-5-2501(a)(2), is amended by deleting the language "thereof, where" and substituting instead the language "thereof, along with the amount of receiver's lien as defined in § 13-6-102, if applicable, where".

SECTION 3. Tennessee Code Annotated, Section 67-5-2501(b)(2), is amended by deleting the language "thereof, where" and substituting instead the language "thereof, along with the amount of receiver's lien as defined in § 13-6-102, if applicable, where".

SECTION 4. Tennessee Code Annotated, Section 67-5-2515, is amended by adding the following new sentence at the end of the section:

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Such tax deed must include as an exhibit a list of all owners and interested persons to whom the delinquent tax attorney has attempted to provide notice of the proceedings along with the address or addresses used, the method of providing notice, and the results of the attempt to provide notice to each. The preparation of such exhibit must be deemed a service required by § 67-5-2502(c) for purposes of calculating attorneys' fees under § 67-5-2502(c)(2). The tax deed must include a finding by the court that a diligent effort to give actual notice of the proceedings to all owners and interested persons has been made, as those terms are defined in § 67-5-2502(c)(1).

SECTION 5. Tennessee Code Annotated, Section 67-5-2405(b)(1), is amended by deleting the subdivision and substituting instead the following:

The complaint must be in substance and form as other complaints for the enforcement of liens and must be filed against the parcel and contain the location of all delinquent tax parcels in the complaint as an in rem action to seek a judgment to enforce the first priority lien and may also be filed against and contain the names of all the delinquent taxpayers in the county as an in personam action to pursue the claim against the taxpayer to recover the personal debt owed by the taxpayer, and the fact that the complaint contains the names of more than one (1) defendant must not be considered by the court multifarious, or a misjoinder of parties.

SECTION 6. This act shall take effect July 1, 2019, the public welfare requiring it.