

MAINE STATE LEGISLATURE

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Date: 3/15/24

Majority

L.D. 2048

(Filing No. H- 832)

TAXATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1310, L.D. 2048, "An Act to Amend the Content of Notices Provided with Respect to Tax Liens on Certain Property"

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

'Sec. 1. 36 MRSA §942, 3rd ¶, as enacted by PL 2017, c. 478, §2, is amended to read:

For property that constitutes a homestead for which a property tax exemption is claimed under subchapter 4-B, the tax collector shall include with the written notice authorized under this section 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 sources of assistance including legal services providers described in Title 4, section 18-A, subsection 1, paragraph B.~~ the bureau sources of assistance including legal services providers described in Title 4, section 18-A, subsection 1, paragraph B. The Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection, by July 15th annually, shall ~~provide to a statewide organization representing municipalities post on a publicly accessible website information regarding assistance in avoiding tax lien foreclosure to assist municipalities in providing the information required in the notice on accessing sources of assistance, and that information may be used by municipalities in providing the information required in the notice. Before posting this information, the bureau shall consider input, if any, received from legal services providers, counselors and state and federal agencies involved in foreclosure prevention matters.~~

Sec. 2. 36 MRSA §1281, as amended by PL 2019, c. 401, Pt. A, §12, is further amended to read:

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§1281. Payment of taxes; delinquent taxes; publication; certificate filed in registry

Annually, after January 15th but no later than January 31st, the State Tax Assessor shall send by mail to the last known address of each owner of real estate subject to assessment under section 1602, including supplementary taxes assessed under section 1331, upon which taxes remain unpaid a notice in writing, containing a description of the real estate assessed and the amount of unpaid taxes and interest, and alleging that a lien is claimed on that real estate for payment of those taxes, interests and costs, with a demand that payment be made by the next February 21st. 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 include in the written notice 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~~ sources of assistance including legal services providers described in Title 4, section 18-A, subsection 1, paragraph B. 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 post on a publicly accessible website information regarding assistance in avoiding tax lien foreclosure to assist municipalities and the State Tax Assessor in providing the information required in the notice on accessing sources of assistance, and that information may be used by the State Tax Assessor in providing the information required in the notice. Before posting this information, the bureau shall consider input, if any, received from legal services providers, counselors and state and federal agencies involved in foreclosure prevention matters.~~ If the owners of any such real estate are unknown, instead of sending the notices by mail, the assessor shall cause the information required in this section on that real estate to be advertised in the state paper and in a newspaper, if any, of general circulation in the county in which the real estate lies. Such a statement or advertisement is sufficient legal notice of delinquent taxes. If those taxes and interest to date of payment and costs are not paid by February 21st, the State Tax Assessor shall record by March 15th, in the registry of deeds of the county or registry district where the real estate lies, a certificate signed by the assessor, setting forth the name or names of the owners according to the last state valuation, or the valuation established in accordance with section 1331; the description of the real estate assessed as contained in the last state valuation, or the valuation established in accordance with section 1331; the amount of unpaid taxes and interest; the amount of costs; and a statement that demand for payment of those taxes has been made, and that those taxes, interest and costs remain unpaid. The costs charged by the register of deeds for the filing may not exceed the fees established by Title 33, section 751.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

This amendment changes the method for notification to owners of homesteads subject to tax lien foreclosures of resources available to assist the owners with the foreclosure process. In current law, the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection is responsible for certain notifications to homestead owners subject to tax lien foreclosure. Under the amendment, the Bureau of Consumer Credit Protection is required to post on a publicly accessible website information that may be used by municipalities, and the State Tax Assessor for the unorganized territory, to inform an owner of homestead property subject to tax lien foreclosure of the ways in which the homestead owner can access resources to help with avoiding tax lien foreclosure and ways to contact an advisor, including a lawyer, who can help the owner to work with the municipality or the State Tax Assessor regarding the foreclosure process.

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 2048

LR 2695(02)

An Act to Amend the Content of Notices Provided with Respect to Tax Liens on Certain Property

Fiscal Note for Bill as Amended by Committee Amendment A (H-832)

Committee: Taxation

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Professional and Financial Regulation from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.