

1 SB373
2 175511-1
3 By Senator Pittman
4 RFD: Finance and Taxation General Fund
5 First Read: 22-MAR-16

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8 SYNOPSIS: Under existing law, the Land Commissioner,
9 with the approval of the Governor, may sell lands
10 that have been sold for taxes and bought in for the
11 State of Alabama and not redeemed for five years.

12 This bill would require the Land
13 Commissioner to contract with a nationally
14 recognized auction company to sell at public
15 auction lands sold for taxes and bought in for the
16 State of Alabama which have not been redeemed at
17 public auction within five years from the date the
18 land was sold.

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20 A BILL
21 TO BE ENTITLED
22 AN ACT

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24 To amend Section 40-10-134, Code of Alabama 1975,
25 relating to the sale of land sold for taxes and bought in for
26 the State of Alabama; to provide further for the sale of land
27 that is not redeemed.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 40-10-134, Code of Alabama 1975,
3 is amended to read as follows:

4 "§40-10-134.

5 "(a) When lands have been sold for taxes and bought
6 in for the State of Alabama and have not been redeemed or sold
7 by the state and a period of five years has elapsed from the
8 date of sale to the state, the Land Commissioner, with the
9 approval of the Governor, may sell the same at private sale to
10 any purchaser for cash at the best price obtainable,
11 irrespective of the amount of taxes due, after giving notice
12 as provided for in Section 40-10-133; provided that the holder
13 of a tax lien certificate related to such land shall be given
14 the option to purchase such land for an amount equal to the
15 best price offered by any purchaser at a private sale.

16 "(b) Notwithstanding subsection (a), by July 31,
17 2016, and every fifth year thereafter, the Land Commissioner
18 shall contract with a nationally recognized auction company to
19 sell at public auction any lands sold for non-payment of taxes
20 and bought in for the State of Alabama which have not been
21 redeemed within the five years from the date the land was sold
22 for non-payment of taxes and bought in for the State of
23 Alabama. The contract shall provide that the fee to the
24 auction company shall be a contingency fee with all expenses
25 borne by the company."

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.