

**SB255 INTRODUCED**



1 SB255  
2 7B16PEE-1  
3 By Senator Givhan  
4 RFD: Judiciary  
5 First Read: 03-Feb-26



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SYNOPSIS:

6                   Under existing law, a person filing a quiet  
7                   title action must show proof of payment of ad valorem  
8                   taxes in certain circumstances.

9                   Also under existing law, certain nonprofits do  
10                  not pay ad valorem taxes.

11                  This bill would allow an exception to bring a  
12                  quiet title action for tax exempt organizations that do  
13                  not pay ad valorem taxes.

14                  This bill would also make nonsubstantive,  
15                  technical revisions to update the existing code  
16                  language to current style.

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19                  A BILL

20                  TO BE ENTITLED

21                  AN ACT

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23                  Relating to quiet title claims; to amend Sections  
24                  6-6-560 and 6-6-566, Code of Alabama 1975; to exempt certain  
25                  nonprofit entities from having to make ad valorem tax payments  
26                  as a prerequisite to file a quiet title action; and to make  
27                  nonsubstantive, technical revisions to update the existing  
28                  code language to current style.

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29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30           Section 1. Sections 6-6-560 and 6-6-566 of the Code of  
31 Alabama 1975, are amended to read as follows:

32           "§6-6-560

33           (a) ~~When any~~<sup>A</sup> person ~~may~~ bring a quiet title action in  
34 accordance with this division to establish the title to or an  
35 interest in land and to clear up all doubts or disputes  
36 concerning the title. ~~natural or artificial, claims, either in~~  
37 ~~his own right or in any representative capacity whatsoever, to~~  
38 ~~own any lands or any interest therein, and is~~

39           (b) A person may file an action to claim title to or an  
40 interest in land in the circuit court of the county in which  
41 the land is located, provided no other action to claim title  
42 to or an interest in the land is pending on the date the claim  
43 is filed and:

44           (1) The person is in ~~the~~ actual, peaceable possession  
45 of the land ~~i~~<sup>r</sup> or—

46           (2) If not in possession of the land and no ~~if neither~~  
47 ~~he nor any~~ other person is in the actual possession of the  
48 ~~lands~~ land, the person, either collectively or with one or more  
49 other persons:

50           a. Holds ~~and he holds,~~ and has held ~~r~~ color of title to  
51 the ~~land~~ lands, or interest ~~so~~ claimed, for a period of 10 or  
52 more consecutive years ~~next~~ ~~immediately~~ preceding ~~the date the~~  
53 ~~claim is filed; and~~

54           b. Except for persons exempt from ad valorem taxes  
55 because the property is being used solely for religious,  
56 educational, or charitable purposes, or for other exempt



57      purposes as set out in Section 40-8-1, and has paid taxes on  
58      the ~~lands~~land or interest during the whole of such entire time  
59      period, described in paragraph a. or if he, together with  
60      those through whom he claims, has held color of title and paid  
61      taxes on the land or interest so claimed during the whole of  
62      such period of time, or if he and those through whom he claims  
63      have paid taxes during the whole of such period of 10 years on  
64      the lands or interest claimed and no other person has paid  
65      taxes thereon on the property during any part of said that  
66      period.

67                "§6-6-566

68                (a) A plaintiff establishes prima facie evidence of  
69                title in the following situations:

70                (1) The plaintiff Against all parties to the complaint  
71      who have made no answer thereto within the time allowed for  
72      such purpose and against all persons not intervening in said  
73      case and claiming an interest in said lands prior to the time  
74      the case became at issue, proves proof of actual, peaceable  
75      possession by the plaintiff and color of title to said lands, and  
76      no parties file a response to the complaint. in the  
77      plaintiff shall be conclusive evidence of title to said lands  
78      in the plaintiff.

79                (2) (b) Against all persons who have neither paid any  
80      taxes upon said lands nor had any possession thereof, or of  
81      any part thereof, during the five years next preceding the  
82      filling of the complaint, against all parties to the complaint  
83      who have made no answer thereto within the time allowed for  
84      such purpose and against all persons not intervening in said



85 ~~case and claiming an interest in said lands prior to the time~~  
86 ~~the case became at issue, The plaintiff, or those parties~~  
87 ~~through whom he or she claims title, show all of the~~  
88 ~~following: proof of~~

89 a. ~~color~~ Color of title; to said lands in the plaintiff  
90 or in the plaintiff and those through whom he claims title,

91 b. The plaintiff, or those through whom he or she

92 claims title, have ~~and payment of~~ either paid taxes during  
93 ~~said the previous five-year period by the plaintiff or by the~~  
94 ~~plaintiff and those through whom he claims title, five years~~  
95 or ~~were exempt pursuant to Section 40-8-1. proof of exclusive~~  
96 ~~payment of taxes by the plaintiff or by the plaintiff and~~  
97 ~~those through whom he claims title,~~

98 c. No other person has paid taxes during ~~said the~~  
99 ~~previous five-year period shall be prima facie evidence of~~  
100 ~~title to said lands in the plaintiff five years.~~

101 (c) (3) ~~Against all persons who have neither paid any~~  
102 ~~taxes upon said lands nor had any possession thereof, or of~~  
103 ~~any part thereof, during the 10 years next preceding the~~  
104 ~~filling of the complaint, against all parties to the complaint~~  
105 ~~who have made no answer thereto within the time allowed for~~  
106 ~~such purpose and against all persons not intervening in said~~  
107 ~~case and claiming an interest in said lands prior to the time~~  
108 ~~the case became at issue, The plaintiff individually, or with~~  
109 ~~those through whom he or she claims title, has:~~

110 a. ~~proof of color~~ Color of title; to said lands in the  
111 plaintiff or in the plaintiff and those through whom he claims  
112 title, and



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113       b. payment of Paid taxes during the previous 10 years  
114       or was exempt from ad valorem taxes due to the property being  
115       used solely for religious, educational, or charitable  
116       purposes, or for other exempt purposes as set out in Section  
117       40-8-1 during said the previous 10 year 10 years, and no other  
118       person has paid taxes during that period. period by the  
119       plaintiff or by the plaintiff and those through whom he claims  
120       title, or proof of exclusive payment of taxes by the plaintiff  
121       or by the plaintiff and those through whom he claims title,  
122       during said 10-year period, shall be conclusive evidence of  
123       title to said lands in the plaintiff."

124                   Section 2. This act shall become effective on October  
125                   1, 2026.