

SB255 INTRODUCED



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

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5 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.



SB255 INTRODUCED

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§6-6-560

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

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

(1) The person is ~~in-the~~ actual, peaceable possession of the land; ~~or-~~

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

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

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



SB255 INTRODUCED

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

"§6-6-566

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

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

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



SB255 INTRODUCED

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

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

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

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

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

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



SB255 INTRODUCED

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

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