



Legislative Council Staff
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Fiscal Note

Drafting Number: LLS 23-0489 **Date:** February 2, 2023
Prime Sponsors: Sen. Hinrichsen **Bill Status:** Senate Finance
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Bill Topic: **MUNICIPAL PRIORITY LIEN SURVIVING TREASURER'S DEED**

Summary of Fiscal Impact: **No fiscal impact.** The bill specifies that a municipal lien for the costs of removing weeds, brush, and other rubbish survives the issuance of a treasurer's deed. It is assessed as having no impact.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill specifies that a municipal lien for the costs of removing weeds, brush, and other rubbish survives the issuance of a treasurer's deed. The lien has priority over other liens, except liens for general taxes and prior special assessments imposed by a municipality.

Background

Under current law, a municipality may levy a lien against real property for costs associated with weed, brush, and other removal from a property, including from alleys behind and sidewalk areas in front of a property. After a foreclosure action is initiated for unpaid property taxes, a person may obtain a treasurer's deed, which provides a purchaser title to real property that is free and clear of most prior encumbrances, including liens, if certain conditions are met.

Assessment of No Fiscal Impact

The bill is assessed as having no fiscal impact. The bill only confirms a municipal lien is not extinguished by the issuance of a treasurer's deed, and does not change the existing order of priority of liens. As a result, the bill is not expected to change the workload, revenue, or expenditures for any state or local government agencies.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Counties	Judicial	Local Affairs
Municipalities	Special Districts	Information Technology
Revenue	Treasury	