

**SB204 INTRODUCED**



1 SB204

2 HG1GZ33-1

3 By Senators Coleman-Madison, Coleman, Figures

4 RFD: Judiciary

5 First Read: 21-Jan-26



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4       SYNOPSIS:

5               Under existing law, the acquisition of real  
6       property by a local land bank authority is subject to  
7       certain procedural, geographic, and cost restrictions  
8       Existing law also requires the Alabama Land Bank  
9       Authority to give public notice prior to the  
10      disposition of land.

11              This bill would shorten the redemption period  
12      for certain tax-delinquent properties, allow a local  
13      government or local land bank authority to buy property  
14      at a public auction with a minimum bid and obtain deeds  
15      after one year.

16              This bill would restrict the geographic areas  
17      where land bank authorities are permitted to acquire  
18      property, expand the acquisition and the management  
19      powers of local land bank authorities, and streamline  
20      the quiet title procedure.

21              This bill would authorize the creation of  
22      multijurisdictional local land bank authorities through  
23      intergovernmental agreements, grant property tax  
24      exemptions for properties owned by these authorities,  
25      and eliminate the public notice of disposition  
26      requirement.

27              This bill would expand the powers of local land  
28      bank authorities.

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29                   This bill would allow local governments to  
30                   allocate part of their property tax revenues to these  
31                   authorities and transfer properties to state and local  
32                   governments for floodplain and stormwater management.

33                   This bill would require a percentage of ad  
34                   valorem taxes collected on property conveyed by a local  
35                   land bank authority to be remitted to the local  
36                   authority for a five-year period after the conveyance.

37                   This bill would give the Governor the authority  
38                   to create a local land bank authority by executive  
39                   order during a state of emergency.

40                   This bill would also make nonsubstantive,  
41                   technical revisions to update the existing code  
42                   language to the current style.

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45

### A BILL

46

### TO BE ENTITLED

47

### AN ACT

48

49                   Relating to land bank authorities; to amend Sections  
50                   24-9-4, 24-9-5, 24-9-6, 24-9-7, 24-9-8, 24-9-10, 40-1-3,  
51                   40-10-1, 40-10-18, 40-10-29, 40-10-120, 40-10-184, Code of  
52                   Alabama 1975, and Section 40-10-199 as last amended by Act  
53                   2025-348 of the 2025 Regular Session, Code of Alabama 1975; to  
54                   provide for the creation of a multijurisdictional local land  
55                   bank authority; to authorize the acquisition of tax delinquent  
56                   property and tax liens by local land bank authorities; to

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57 provide for the exemption of local land bank authority  
58 property from taxes and fees; to eliminate the public notice  
59 requirement for disposition of land; to provide for the  
60 allocation of a portion of the ad valorem taxes on certain  
61 property conveyed to a local land bank authority; to add  
62 Sections 24-9-11 and 24-9-12 to the Code of Alabama 1975 to  
63 authorize a local land bank authority to transfer property to  
64 governmental entities for floodplain and stormwater drainage  
65 management; to authorize the Governor to create local land  
66 bank authorities in the event of a state of emergency; and to  
67 make nonsubstantive, technical revisions to update the  
68 existing code language to the current style.

69 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

70           Section 1. Sections 24-9-4, 24-9-5, 24-9-6, 24-9-7,  
71 24-9-8, 24-9-10, 40-1-3, 40-10-1, 40-10-18, 40-10-29,  
72 40-10-120, 40-10-184 Code of Alabama 1975, and Section  
73 40-10-199 Code of Alabama 1975, as last amended by Act  
74 2025-348 of the 2025 Regular Session, are amended to read as  
75 follows:

76           "§24-9-4

77           When used in the chapter, the following words ~~shall~~  
78 have the following meanings:

79           (1) AGREEMENT. The intergovernmental cooperation  
80 agreement entered into between an authority and a local land  
81 bank authority by the parties pursuant to this chapter.

82           (2) AUTHORITY. The Alabama Land Bank Authority.

83           (3) BOARD. The Alabama Land Bank Authority Board.

84           (4) LOCAL LAND BANK AUTHORITY. A local land bank

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85 authority created by a county or municipality, as provided in  
86 Section 24-9-10.

87 (5) PROPERTY. Real property, including any improvements  
88 thereon.

89 (6) TAX-DELINQUENT PROPERTY. Any property on which the  
90 taxes levied and assessed by any party remain in whole or in  
91 part unpaid on the date due and payable."

92 "§24-9-5

93 (a) ~~There is created the~~ The Alabama Land Bank  
94 Authority Board ~~which is created and~~ shall ~~govern~~ have the  
95 authority to administer and enforce this chapter.

96 (b) The board shall consist of the following members:

97 (1) Four residents of the state appointed by the  
98 Governor.

99 (2) Two representatives from nonprofit organizations  
100 engaged in low-income housing appointed by the Governor.

101 (3) The Presiding Officer of the Senate or his or her  
102 designee.

103 (4) The Speaker of the House of Representatives or his  
104 or her designee.

105 (5) The Chair of the Senate Finance and Taxation  
106 General Fund Committee or his or her designee.

107 (6) The Chair of the House Ways and Means General Fund  
108 Committee or his or her designee.

109 (7) The State Revenue Commissioner or his or her  
110 designee.

111 (8) The Superintendent of the State Banking Department  
112 or his or her designee.



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113 (9) The Director of the Alabama Department of Economic  
114 and Community Affairs or his or her designee.

115 (10) The Secretary of the Alabama Department of  
116 Commerce or his or her designee.

117 (11) The State Finance Director or his or her designee.

118 (12) The Chair of the Alabama Housing Finance Authority  
119 or his or her designee.

120 (13) The Administrator of the Alabama Credit Union  
121 Administration or his or her designee.

122 (c) The members of the board shall serve ~~four year~~  
123 four-year terms. In appointing the initial members of the  
124 board under subdivision (b) (1) ~~of subsection (b)~~, the Governor  
125 shall designate two to serve four years, one to serve three  
126 years, and one to serve two years.

127 (d) Members of the board shall receive reimbursement  
128 for expenses incurred in the performance of their duties but  
129 no other compensation.

130 (e) The board may employ the necessary personnel for  
131 the performance of its functions and fix their compensation.

132 (f) The board shall elect from its membership a chair,  
133 a vice chair, and a secretary-treasurer. The board shall adopt  
134 rules to govern its proceedings. A majority of the membership  
135 of the board shall constitute a quorum for all meetings.  
136 Approval by a majority of the membership shall be necessary  
137 for any action to be taken by the authority. All meetings  
138 shall be open to the public, except as otherwise permitted by  
139 the Alabama Open Meetings Act, and a written record shall be  
140 maintained of all meetings.



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(g) The membership of the board shall be inclusive and reflect the racial, gender, geographic, ~~urban/rural~~ urban, rural, and economic diversity of the state.

(h) The board, when acting in its official capacity, its members, and the authority shall be immune from civil liability ~~against the claims of any individual or other entity of any nature whatsoever~~ for claims of any kind arising ~~out of~~ from its ownership or administration of properties or related to its decisions or actions, ~~which provided the~~ decisions or actions were made in good faith, without malice, and ~~predicated upon~~ based on information ~~which was then~~ available to the board at the time.

(i) The authority shall be a public body corporate and politic with the power to accept and issue deeds in its name, including, without limitation, ~~the acceptance of~~ accepting real property in accordance with this chapter, ~~and to~~ ~~institute~~ initiating quiet title actions as provided in Section 24-9-8, and ~~shall have~~ any other powers necessary and incidental to ~~carry out~~ execute the powers and ~~the purpose~~ purposes granted by this chapter.

(j) In addition to the acquiring tax-delinquent property ~~acquired by the authority as provided herein~~, the authority may also:

(1) acquire Acquire, by purchase, donation, or exchange, other publicly owned property from local governments, including ~~that which was acquired years earlier as a result of property previously obtained through~~ foreclosure proceedings ~~of that property~~, or property that has become surplus.



169        (2) The authority may also acquire Acquire property  
170        through voluntary donations and transfers from private owners  
171        and may acquire by purchase or lease property on the open  
172        market property from a private owner to complete an assemblage  
173        of property for redevelopment owners.

174                (k) No later than October 1, 2018, the State Revenue  
175        Commissioner or his or her designee shall convene the first  
176        meeting of the authority."

177                "§24-9-6

178        (a) The authority, at such times as it deems to be  
179        considers appropriate, may submit a written request to the  
180        Land Commissioner of the Alabama Department of Revenue for the  
181        to transfer of the state's interest in certain properties to  
182        the authority. Upon receipt of such the request, the Land  
183        Commissioner shall issue a tax deed conveying the state's  
184        interest in the property to the authority. The authority shall  
185        not be required to pay the amount deemed considered to have  
186        been bid to cover delinquent taxes or any other amount in  
187        order to obtain the tax deed.

188        (b) (1) The Land Commissioner shall only transfer the  
189        following properties to the authority:

190                (1) a. Delinquent property outside the geographic  
191        boundaries of a local land bank authority that may be  
192        transferred by the Land Commissioner to the authority shall be  
193        limited to parcels that have has been bid in for the state  
194        pursuant to Chapter 10 of Title 40 for at least three years.

195                b. and the The state's interest in real property  
196        acquired pursuant to Chapter 29 of Title 40 for delinquent



197 taxes administered by the state and held for at least three  
198 years.

199 (2) The three-year holding periods in paragraph (1)a.  
200 shall not apply to properties with one or more housing code,  
201 building code, or nuisance abatement liens.

202 ~~(2)~~(3) The Land Commissioner or his or her agents or  
203 assistants may adopt rules necessary to transfer ~~such the~~  
204 properties to the authority.

205 (c) The authority shall administer properties ~~acquired~~  
206 it acquires~~by it~~ as follows:

207 (1) All property acquired by the authority shall be  
208 inventoried l and the inventory shall be maintained as a public  
209 record.

210 (2) The authority shall have the power to manage,  
211 maintain, protect, rent, lease, repair, insure, alter, sell,  
212 trade, exchange, or otherwise dispose of any property acquired  
213 pursuant to subsection (b) ~~(1)~~, on terms and conditions  
214 determined in the sole discretion of the authority.

215 (d) Nothing contained in ~~Act 2013-249~~ this section  
216 shall be construed to grant any power of eminent domain to the  
217 authority or any local land bank authority."

218 "§24-9-7

219 (a) The authority shall adopt rules for the disposition  
220 of property in which the authority ~~holds has~~ a legal  
221 interest ~~r.~~ which The rules shall address the conditions ~~set~~  
222 ~~forth~~ outlined in this section.

223 (b) The authority may manage, maintain, protect, ~~rent,~~  
224 repair, insure, or alter property in which the authority has a



225 legal interest. The authority may also~~r~~ convey, sell,  
226 transfer, exchange, rent, lease as lessor, or otherwise  
227 dispose of property~~or~~, property rights, or interests in  
228 property in which the authority holds a legal interest to any  
229 public or private person for a value determined by the  
230 authority~~l~~ on terms and conditions, ~~and~~ in a manner~~l~~ and for  
231 an amount of consideration the authority considers proper,  
232 fair, and valuable, including for no monetary consideration.  
233 The transfer and use of property under this section and the  
234 exercise by the authority of powers and duties under~~Act~~  
235 ~~2013-249~~ this section shall be considered a necessary public  
236 purpose and for the benefit of the public.

237 (c) (1) Before the authority may sell, lease, exchange,  
238 trade, or otherwise dispose of any property, it shall either:  
239 ~~(1)~~a. Establish a purchase price and conditions for  
240 sale purposes~~;~~

241 ~~(2)~~b. Establish a price and conditions for rent or  
242 lease purposes~~;~~ or

243 ~~(3)~~c. Establish the conditions for trade, exchange, or  
244 other disposal of the property.

245 (2) The conditions~~made pursuant to this subsection~~  
246 established in this section may include a requirement that the  
247 transferee must provide a development plan or execute a  
248 development agreement with the authority~~l~~specifying The  
249 agreement shall specify the transferee's commitments regarding  
250 ~~the development of the property and the time frame within~~  
251 ~~which the development must occur~~ the property development, the  
252 timeline for completion, the range of permitted uses for the



253 property, and any restrictions on its subsequent resale or  
254 transfer.

255 (d) The disposition of property by the authority shall  
256 not be governed by any laws or rules otherwise applicable to  
257 the disposition of property by a state or local agency.

258 ~~Provided, however, that, prior to the disposition of property,~~  
259 ~~the authority shall give notice of its intent to dispose of~~  
260 ~~any property for which notice was not previously advertised by~~  
261 ~~the Commissioner of Revenue, or his or her designee, or by a~~  
262 ~~local official in a manner as prescribed by the authority and~~  
263 ~~shall include in the notice the date, time, and place at which~~  
264 ~~persons objecting to the intended action must appear. If no~~  
265 ~~objection is made within 30 days from the date of the notice,~~  
266 ~~the authority may proceed with the disposition of the property~~  
267 ~~as noticed without a public auction.~~

268 (e) No property shall be sold, traded, exchanged, or  
269 otherwise disposed of by the authority to any entity that  
270 intends to use the property solely for investment purposes  
271 ~~only and with no intent and has no intention~~ to use the  
272 property ~~other than~~ except to transfer the property at a  
273 future date for monetary gain.

274 (f) The authority shall not sell, trade, exchange, or  
275 otherwise dispose of any property held by the authority to any  
276 party person who had an interest in the property at the time  
277 it was tax delinquent or to any ~~party person~~ who transferred  
278 ~~the party's its~~ interest in the property to the authority by  
279 sale, trade, exchange, or otherwise, unless the person pays  
280 all the taxes, interest, municipal liens, penalties, fees, and



281 any other charges ~~due and owing~~ owed under Chapter 10 and  
282 Chapter 29 of Title 40, including the amount ~~to~~ the Land  
283 Commissioner would have received had the property not been  
284 transferred to the authority.

285 (g) Except as otherwise provided in this section, the  
286 authority shall have full discretion in determining the sale  
287 price of the property. ~~No purchaser from the authority shall~~  
288 ~~be responsible for the proper disposition of the proceeds paid~~  
289 ~~to the authority for the purchase of property.~~"

290 "§24-9-8

291 (a) The authority may initiate a quiet title action  
292 under this section to quiet title to real property held by the  
293 authority or interests in tax delinquent property held by the  
294 authority by taking the following actions in the following  
295 order: (i) undertaking the examination of title conducting a  
296 title examination as required in subsection (b); ~~and~~  
297 ~~thereafter (ii) filing the a petition to quiet title as~~  
298 provided in subsection (c); ~~and (iii). Following the filing of~~  
299 ~~the petition, the authority shall record filing a Notice of~~  
300 Pending Quiet Title Action with the ~~office of the~~ judge of  
301 probate in the county ~~in which where~~ the property ~~subject to~~  
302 ~~quiet title action~~ is located pursuant to subsection (d). ~~a~~  
303 ~~notice of pending quiet title action. The notice shall include~~  
304 ~~the name of the taxpayer whose interest was affected by the~~  
305 ~~tax sale; the name of any other party as revealed by a search~~  
306 ~~and examination of the title to the property who may claim an~~  
307 ~~interest in the property; a legal description of the property;~~  
308 ~~the street address of the property if available; the name,~~



309 ~~address, and telephone number of the authority; a statement~~  
310 ~~that the property is subject to the quiet title proceedings~~  
311 ~~under Act 2013-249; a statement that any legal interests in~~  
312 ~~the property may be extinguished by a circuit court order~~  
313 ~~vesting title to the property in the authority; and the date,~~  
314 ~~time, and place of the hearing on the petition to quiet title.~~  
315 Notwithstanding ~~anything in this chapter to the contrary~~ any  
316 other provisions in this chapter, no quiet title action ~~and~~  
317 ~~nothing in this chapter~~ shall affect any right, title, or  
318 interest, ~~whether~~ recorded or unrecorded, ~~in the subject~~  
319 ~~property which was held at the time of the tax sale by~~ that  
320 any ~~person~~ individual or entity engaged in the generation,  
321 transmission, or distribution of electric power, natural gas,  
322 or telecommunications had at the time of the tax sale.

323 (b) ~~After the notice required under subsection (a) has~~  
324 ~~been recorded, Before filing a quiet title petition under this~~  
325 ~~section, the authority shall obtain a title examination of the~~  
326 ~~property and a title opinion~~ ~~the record title to the property~~  
327 ~~shall be examined and an opinion of title rendered~~ by an  
328 attorney ~~at law,~~ who is licensed to practice law in this  
329 state, or a certificate of title shall be prepared by a title  
330 agent or title insurer ~~duly~~ licensed under ~~the Alabama Title~~  
331 ~~Insurance Act as set out in Section 27-25-1, et seq., for the~~  
332 ~~benefit of the authority~~ Chapter 25 of Title 27 in order to  
333 identify all ~~owners of~~ parties or owners with an interest in  
334 the property.

335 (c) ~~Once~~ When the authority has identified the owners  
336 or parties of interest ~~in the property~~, the authority shall

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337 file a single petition with ~~the clerk of~~ the circuit court  
338 clerk for the ~~judicial~~ district in which the property ~~subject~~  
339 ~~to foreclosure under this section~~ is located. The petition may  
340 list ~~listing~~ all property subject to foreclosure by the  
341 authority and for which the authority seeks to quiet title. ~~No~~  
342 ~~such action shall be subject to the payment of filing fees.~~ No  
343 filing fees shall be required for the petition. The list of  
344 properties shall include a legal description ~~of~~, a tax parcel  
345 identification number ~~for~~, and the street address of each  
346 parcel or property. The petition shall seek a judgment in  
347 favor of the authority against each property listed and ~~shall~~  
348 ~~include a date, within 90 days, on which the authority~~  
349 ~~requests~~ request a hearing on the petition no later than 90  
350 days from the filing of the petition. The petition shall also  
351 seek an order granting the authority full title to each  
352 property without the right of redemption. ~~request that a~~  
353 ~~judgment be entered vesting absolute title in the authority,~~  
354 ~~without right of redemption for each parcel of property~~  
355 ~~listed, as provided in this section.~~ At any time during ~~the~~  
356 ~~pendency of this~~ a pending quiet title action, the authority  
357 may file a motion to release or dismiss a certain parcel or  
358 parcels of land from the petition, ~~which and that~~ release will  
359 not affect the remaining parcels of land subject to the  
360 petition.

361 (d) A Notice of Pending Quiet Title Action shall  
362 include all the following:  
363 (1) The name of the taxpayer affected by the tax sale.  
364 (2) Any other parties identified through a title search



365 who may claim an interest in the property.

366 (3) A legal description of the property.

367 (4) The street address of the property, if available.

368 (5) The name, address, and phone number of the  
369 authority.

370 (6) A statement that the property is subject to quiet  
371 title proceedings under this section.

372 (7) A statement that any legal interests in the  
373 property may be extinguished by a circuit court order vesting  
374 title to the property in the authority.

375 (8) The date, time, and place of the hearing on the  
376 petition.

377 (e) The case shall be docketed in the circuit court by  
378 the clerk, and shall be a preferred case therein for expedited  
379 processing. The circuit court in which a petition is filed  
380 under subsection (c) shall immediately set the date, time, and  
381 place for a hearing on the petition for quiet title. In no  
382 event may the ~~clerk~~ court schedule the hearing later than 90  
383 days after the filing of a petition by the authority ~~under~~  
384 ~~subsection (c).~~ The court may, for good cause on a party's  
385 ~~request, on the request of a party~~ or as needed, extend the  
386 90-day period to allow completion of service of process on all  
387 interested persons ~~and~~ and to allow those persons 30 days after  
388 service of process to file an answer or other responsive  
389 pleadings to the petition ~~, may extend the 90-day period for~~  
390 ~~good cause shown.~~

391 ~~(e)~~ (f) The authority shall serve all persons ~~having~~  
392 with record title ~~or~~, interest in the property, or a lien upon



393 the property with a notice of the hearing on the petition to  
394 quiet title. ~~Such service~~ Service shall be attempted by  
395 personal service and by certified mail. ~~;~~ ~~provided if~~ If  
396 service is perfected by either method, the service will be  
397 sufficient to provide service of process upon all persons  
398 having record title ~~;~~ or interest in L or lien upon the  
399 property. If the persons entitled to service are located  
400 outside the county, they may be served by certified mail.

401 ~~(f)~~ (g) The notice required under ~~subsection (e)~~ this  
402 section shall include:

403 (1) The date ~~on which~~ the authority ~~recorded, under~~  
404 ~~subsection (a), the notice of the pending quiet title and~~  
405 ~~foreclosure action~~ filed the Notice of Pending Quiet Title  
406 Action with the judge of probate;

407 (2) A statement that a person with a property interest  
408 in the property may lose ~~such the~~ interest, if any, as a  
409 result of the quiet title ~~and foreclosure~~ hearing ~~;~~

410 (3) A legal description, tax parcel identification  
411 number of the property, and the street address of the  
412 property ~~;~~

413 (4) The date and time of the hearing on the petition  
414 for quiet title and a statement that the judgment of the court  
415 may result in title to the property vesting in the authority ~~;~~

416 (5) An explanation of any rights of redemption and  
417 notice that the judgment of the court may extinguish any  
418 ownership interest in or right to redeem the property ~~;~~ and

419 (6) The name, address, and telephone number of the  
420 authority.



421           ~~(g)~~ (h) (1) In the event the sheriff is unable to  
422 perfect service or certified mail attempts are returned  
423 unclaimed, the authority shall conduct a search for the person  
424 with an interest in the property conveyed to the authority.

425           ~~(1)~~ The search, at a minimum, shall include the  
426 following:

427           a. An examination of the addresses given on the face of  
428 the instrument vesting interest or the addresses given to the  
429 clerk of the probate court by the transfer declaration form.

430           b. A search of ~~the current telephone directory~~  
431 electronic telephone databases for the municipality and the  
432 county in which the property is located.

433           c. A letter of inquiry to the person who sold the  
434 property to the owner whose interest was sold in the tax sale  
435 at the address shown in the transfer tax declaration or in ~~the~~  
436 ~~telephone directory~~ electronic telephone databases.

437           d. A letter of inquiry to the attorney handling the  
438 closing prior to the tax sale if ~~such~~ the information is  
439 provided on the deed forms.

440           (2) A sign ~~being~~ no less than four feet by four feet  
441 shall be erected on the property and maintained by the  
442 authority for a minimum of 30 days, reading as follows:

443           "THIS PROPERTY HAS BEEN CONVEYED TO THE \_\_\_\_\_ LAND  
444 BANK AUTHORITY AND IS SUBJECT TO A QUIET TITLE ACTION. PERSONS  
445 WITH INFORMATION REGARDING THE PRIOR OWNERSHIP OF OR INTEREST  
446 IN THE PROPERTY ARE REQUESTED TO CONTACT THE LAND BANK  
447 AUTHORITY AT \_\_\_\_\_."

448           (3) Any additional parties who are identified as having



449 an interest in the property shall be provided notice in  
450 accordance with this section.

451 ~~(h)~~(4) If the interested party is an individual, the  
452 authority shall examine voter registration lists, available  
453 municipal archives for records of deaths, and the probate  
454 court records of estates opened in the county in which the  
455 property is located.

456 ~~(i)~~(5) If the interested party is a business entity,  
457 the authority shall search the records of the Secretary of  
458 State for the name and address of a registered agent.

459 ~~(j)~~(i) If an interested party appears at the hearing  
460 and asserts a right to redeem the property, that party may  
461 redeem in accordance with Chapter 10 and Chapter 29 of Title  
462 40.

463 ~~(k)~~(j)(1) If the authority has made the search as  
464 required by this section and ~~been~~ is unable to locate those  
465 persons required to be served ~~under subsection (e)~~, and has  
466 located additional addresses of those persons through the  
467 search and attempted without success to serve those persons ~~in~~  
468 ~~either manner provided by subsection (e) pursuant to this~~  
469 section, the authority shall provide notice by publication.  
470 Prior to the hearing, a notice shall be published once each  
471 week for three successive weeks in a newspaper of general  
472 circulation in the county in which the property is located. If  
473 no paper is published in that county, publication shall be  
474 made in a newspaper of general circulation in an adjoining  
475 county. This publication shall substitute for notice under  
476 this ~~subsection or subsection (g)~~ section. The published



477 notice shall include the information required in subsection  
478 ~~(f)~~(e). Should the identity of some or all of the persons who  
479 may have an interest in the property be unknown, or should  
480 ~~such~~ the persons be infants or persons of unsound mind, the  
481 court shall appoint a guardian ad litem to represent and  
482 defend the interests of ~~such~~ the unknown, ~~infant~~ the infants,  
483 or ~~incompetent~~ the persons of unsound mind who are parties in  
484 the action.

485 (2) A person claiming an interest in a parcel of  
486 property set forth in the quiet title action who desires to  
487 contest ~~that~~ the petition shall file an answer containing  
488 written objections with the clerk of the circuit court and  
489 serve those objections on the authority before the date of the  
490 hearing. The circuit court may appoint ~~and utilize~~, as the  
491 court considers necessary, a special master for assistance  
492 with the resolution of any objections to the quiet title  
493 action or questions regarding the title to the property  
494 ~~subject thereto~~. Within 30 days following the hearing, the  
495 circuit court shall enter judgment on a petition to quiet  
496 title. The circuit court's judgment shall specify all of the  
497 following:

498 a. The legal description, tax parcel identification  
499 number, and, if known, the street address of the subject  
500 property.

501 b. That fee simple title to the property by the  
502 judgment is vested absolutely in the authority, except as  
503 otherwise provided in ~~paragraph e.~~ this subsection, without  
504 any further rights of redemption.



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505       c. That all liens against the property, including any  
506       lien for unpaid taxes or special assessments, are  
507       extinguished.

508       d. That, except as otherwise provided in ~~paragraph e.~~  
509       this section, the authority has good and marketable fee simple  
510       title to the property.

511       e. That all existing ~~recorded and unrecorded~~ interests recorded or unrecorded, in the property are ~~extinguished~~  
512       terminated, except for a recorded easement or right-of-way,  
513       restrictive covenant, prior reservation or severance of all  
514       mineral, mining, oil, and gas rights within and underlying the  
515       property, ~~such state of facts~~ as shown on recorded plats, or  
516       restrictions or covenants imposed under the Alabama Land  
517       Recycling and Economic Development Act, or any other  
518       environmental law in effect in the state ~~., severed~~ Severed  
519       oil, gas, and mineral rights and mineral leases and agreements  
520       are excepted from ~~Act 2013-249 and~~ any quiet title action  
521       authorized herein in this section.

523       f. A finding that all persons entitled to notice and an  
524       opportunity to be heard have ~~been provided~~ received that  
525       notice and opportunity, and that the authority properly  
526       provided notice to all interested parties or ~~that the~~  
527       authority complied with followed the notice procedures in  
528       subdivision (1) subsection (j)., which This compliance shall  
529       create a rebuttable presumption that all interested parties  
530       received notice and had an opportunity to be heard.

531       (1) (k) Except as otherwise provided in paragraph  
532       (k) (2)e., fee Fee simple title to property set forth in a



533 petition for quiet title filed under subsection (c) shall vest  
534 absolutely in the authority upon the effective date of the  
535 judgment by the circuit court ~~and the authority shall have~~  
536 ~~absolute title to the property~~. The authority's title is not  
537 subject to any recorded or unrecorded lien, except as provided  
538 in paragraph ~~(k)~~(j)(2)e. ~~and shall not be stayed except as~~  
539 ~~provided in~~ and subsection ~~(m)~~(1). A judgment entered under  
540 this section is a final order with respect to the property  
541 affected by the judgment and shall not be stayed unless  
542 appealed.

543 ~~(m)~~(1) The authority or a person claiming ~~to have~~ an  
544 interest in property under this section may, within 42 days  
545 following the effective date of the judgment under subsection  
546 ~~(k)~~(j), appeal the circuit court's judgment quieting title ~~to~~  
547 ~~the property~~ to the court of appeals. ~~An~~ This appeal ~~under~~  
548 ~~this subsection~~ is limited to the record of the proceedings in  
549 the circuit court ~~under this section~~. ~~In the event of~~ When a  
550 timely appeal is filed, the circuit court's judgment quieting  
551 title to the property shall be stayed until the court of  
552 appeals has reversed, modified, or affirmed that judgment. If  
553 an appeal under this subsection stays the circuit court's  
554 judgment, the circuit court's judgment is stayed only as to  
555 the property that is the subject of that appeal, and the  
556 circuit court's judgment quieting title to other property that  
557 is not the subject of that appeal is not stayed.

558 ~~(n)~~(m) The authority shall record an order of judgment  
559 for each parcel of property ~~in the office of~~ with the judge of  
560 probate for the county ~~in which the subject~~ where the property



561 is located.

562 ~~(e)~~ (n) Notwithstanding the limitation of actions  
563 requirements for adverse possession~~under, any other~~  
564 provisions of Section 40-10-82, or any other law, the  
565 authority may initiate a quiet title action under this section  
566 at any time after acquiring an interest in the property which  
567 is subject to the action. A final decree of an action properly  
568 filed in compliance with this section shall extinguish all  
569 outstanding rights of redemption."

570 "§24-9-10

571 (a) If the number of tax delinquent properties in a  
572 municipality exceeds 100, then the governing body of a  
573 municipality may adopt a resolution declaring that it is wise,  
574 expedient, and necessary that a local land bank authority be  
575 formed by the municipality by the filing for~~record of~~ a  
576 certificate of incorporation in accordance with the provisions  
577 of~~subsection (e)~~ this section.

578 (b) If the number of tax delinquent properties in a  
579 ~~municipality county~~ exceeds 100, then the governing body of a  
580 county may adopt a resolution declaring that it is wise,  
581 expedient, and necessary that a local land bank authority be  
582 formed by the county by the filing for~~record of~~ a certificate  
583 of incorporation in accordance with the provisions of  
584 ~~subsection (e)~~ this section.

585 (c) A county and a municipality located within that  
586 county may create a single land bank authority by an  
587 intergovernmental agreement if both the county and the  
588 municipality each meet the criteria of subsections (a) and



589        (b). The intergovernmental agreement shall comply with all  
590        provisions of subsections (d) and (e) and Chapter 102 of Title  
591        11.

592            (d) Upon the adoption of the authorizing resolution,  
593        the municipality or county, ~~as the case may be,~~ shall proceed  
594        to incorporate the local land bank authority by filing for  
595        record in the office of the judge of probate of the county a  
596        certificate of incorporation ~~which that~~ shall comply in form  
597        and substance with the requirements of this section and ~~which~~  
598        shall be in the form and executed in the manner ~~herein~~  
599        provided in this section. The certificate of incorporation of  
600        the local land bank authority shall state all of the  
601        following:

602            (1) The name of the local unit of government forming  
603        the local land bank authority.

604            (2) The name of the local land bank authority.

605            (3) The size of the initial governing body of the local  
606        land bank authority, which shall be composed of an odd number  
607        of members, but not less than five.

608            (4) The qualifications, method of selection, and terms  
609        of office of the initial board members.

610            (5) A method for the adoption of bylaws by the  
611        governing body of the local land bank authority.

612            (6) A method for the distribution of proceeds from the  
613        activities of the local land bank authority.

614            (7) A method for the dissolution of the local land bank  
615        authority.

616            (8) Any other matters considered advisable by the local



617 unit of government, consistent with ~~Act 2013-249~~ this chapter.

618       ~~(d)~~ (e) Following incorporation, a local land bank  
619 authority may enter into an intergovernmental agreement with  
620 the authority providing for the transfer to the local land  
621 bank authority of any property held by the authority which is  
622 located within the corporate limits of the municipality or the  
623 boundary of the county ~~which that~~ created the land bank.

624       ~~(e)~~ (f) A local land bank authority shall have all of  
625 the powers and duties of the authority as set forth in this  
626 chapter. In addition, a local land bank authority shall have  
627 the following powers:

628           (1) To adopt, amend, and repeal bylaws for the  
629 regulation of its affairs and the conduct of its business.

630           (2) To sue and be sued in its own name and to prosecute  
631 and defend civil actions in any court having jurisdiction of  
632 the subject matter and of the parties, including, but not  
633 limited to, actions to clear title to the property of the  
634 local land bank authority.

635           (3) To adopt and make use of a corporate seal and to  
636 alter the same at its pleasure.

637           (4) To acquire by purchase, lease, or otherwise and to  
638 hold, lease, and dispose of real or personal property of every  
639 kind and character, or any interests therein, in furtherance  
640 of the public purposes of the local land bank authority.

641           (5) To acquire, accept, or retain equitable interests,  
642 security interests, or other interests in any real property,  
643 personal property, or fixtures by loan agreement, note,  
644 mortgage, trust deed, security agreement, assignment, pledge,



645 conveyance, contract, lien, or other consensual transfer in  
646 order to secure credit extended by the local land bank  
647 authority.

648 (6) To borrow from private lenders, municipalities, the  
649 state, or from federal government funds, as may be necessary,  
650 for the operation and work of the local land bank authority.

651 (7) To issue negotiable revenue bonds and notes  
652 according to this chapter.

653 (8) To procure insurance or guarantees from the state  
654 or federal government for the payments of any debts or parts  
655 of debts incurred by the local land bank authority, and to pay  
656 premiums in connection with the insurance or guarantees.

657 (9) To enter into contracts and other instruments  
658 necessary, incidental, or convenient to the performance of its  
659 duties and the exercise of its powers, including, but not  
660 limited to, intergovernmental agreements under Chapter 102 of  
661 Title 11, for the joint exercise of powers under this chapter.

662 (10) To enter into contracts and other instruments  
663 necessary, incidental, or convenient to the performance of  
664 functions by the local land bank authority on behalf of  
665 municipalities or agencies or departments of municipalities;  
666 or the departments of municipalities; or of functions on  
667 behalf of the local land bank authority.

668 (11) To procure insurance against losses in connection  
669 with the real property, assets, or activities of the local  
670 land bank authority.

671 (12) To invest money of the local land bank authority,  
672 at the discretion of the board of directors, in instruments,



673 obligations, securities, or properties determined proper by  
674 the board of directors, and name and use depositories for its  
675 money.

676 (13) To hire and compensate employees and contractors,  
677 to provide retirement and other forms of deferred  
678 compensation, to provide fringe benefits, and to otherwise  
679 contract with employees and contractors.

680 ~~(14)~~ Without the approval of a local unit of  
681 government in which property held by the local land bank  
682 authority is located, to control, hold, manage, maintain,  
683 operate, repair, lease as lessor, secure, prevent the waste or  
684 deterioration of, demolish, and take all other actions  
685 necessary to preserve the value of the property it holds or  
686 owns. ~~An~~ A local land bank authority may take or perform the  
687 following actions with respect to property held or owned by  
688 the local land bank authority:

689 a. Grant or acquire a license, easement, or option with  
690 respect to property as the local land bank authority  
691 determines is reasonably necessary to achieve the purposes of  
692 this chapter.

693 b. Fix, charge, and collect rents, fees, and charges  
694 for use of property under the control of the local land bank  
695 authority or for services provided by the local land bank  
696 authority.

697 c. Pay any tax or special assessment due on property  
698 acquired or owned by the local land bank authority.

699 d. Take any action, provide any notice, or institute  
700 any proceeding required to clear or quiet title to property



701 held by the local land bank authority in order to establish  
702 ownership by and vest title to property in the local land bank  
703 authority, including, but not limited to, a quiet title and  
704 foreclosure action pursuant to Section 24-9-8.

705 e. Remediate environmental contamination on any  
706 property held by the local land bank authority.

707 ~~(2) Enter~~ (15) To enter into an intergovernmental  
708 agreement with a municipality or county, or another local land  
709 bank authority, providing for one or more of the following:

710 a. The conveyance to the local land bank authority of  
711 tax delinquent property held by the municipality or county for  
712 title clearance, including, but not limited to, a quiet title  
713 and foreclosure action under Section 24-9-8.

714 b. The acquisition and title clearance of property by  
715 the local land bank authority of property to be conveyed by  
716 the local land bank authority to the municipality or county or  
717 another entity pursuant to the agreement between the local  
718 land bank authority and the municipality or county.

719 c. The performance of operational and administrative  
720 services to be provided to another local land bank authority.

721 (16) To acquire property at a sale conducted in  
722 accordance with Section 40-10-18 by tendering a bid equal to  
723 the minimum amount specified in the decree of sale, plus any  
724 subsequent costs and expenses. This bid shall be accepted, and  
725 a certificate of purchase issued to the local land bank  
726 authority. The tender of the minimum bid must be made in cash,  
727 with a credit for any part of the minimum bid already due and  
728 payable to the county, municipality, and school board whose



729 taxes and liens are part of the minimum bid. After 90 days  
730 from the date of sale, upon return of the certificate, the  
731 judge of probate shall execute and deliver a deed for each lot  
732 or parcel of property purchased by the local land bank  
733 authority. The deed shall convey to the grantee all right,  
734 title, interest, and estate of any and all persons having an  
735 interest in the property as of the date of the sale.

736 (17) To acquire a tax lien at an auction conducted in  
737 accordance with Section 40-10-184 by tendering a cash bid at  
738 an interest rate of 0.00 percent, which shall be accepted as  
739 the successful bid. The bid shall be tendered in cash, with a  
740 credit for any part of the minimum bid already due and payable  
741 to the county, municipality, and school board whose taxes and  
742 liens are part of the minimum bid.

743 (18) To apply for and receive funding through grants  
744 and loans from the governmental unit or units that created the  
745 local land bank authority, other municipalities, the state,  
746 the federal government, and from other public and private  
747 sources.

748 (19) To receive and retain payments for services  
749 rendered, rent and lease payments, consideration for  
750 disposition of real and personal property, proceeds of  
751 insurance coverage for losses incurred, income from  
752 investments, and for any other asset and activity lawfully  
753 permitted to a local land bank authority under this chapter.

754 ~~(f)~~ (g) A local unit of government and any agency or  
755 ~~department of~~ such the local unit of government may do ~~one or~~  
756 ~~more~~ any of the following:



(1) Anything necessary or convenient to aid a local land bank authority in fulfilling its purposes under ~~Act 2013-249~~ this chapter.

(2) Lend, grant, transfer, appropriate, or contribute funds to a local land bank authority in furtherance of its purposes.

(3) Lend, grant, transfer, or convey funds to a local land bank authority that are received from the federal government ~~or,~~ this state, or from any nongovernmental entity in aid of the purposes of ~~Act 2013-249~~ this chapter.

(h) (1) A local land bank authority created by a county may acquire real property only within the geographical boundaries of the county and only in those portions of the county outside of the geographical boundaries of the local land bank authority created by a municipality located partially or wholly within the county.

(2) A local land bank authority created by a municipality may acquire real property in any of the following locations:

a. Within its own geographical boundaries.

b. Outside of its own geographical boundaries if the property is not located within the boundaries of any local land bank authority.

c. Within the geographical boundaries of another local bank authority pursuant to an intergovernmental agreement in the local land bank authorities.

(g) In the event a county creates a local authority, the local authority may acquire real property that has been



785 ~~tax delinquent for three or more years only in those portions~~  
786 ~~of the county located outside of the geographical boundaries~~  
787 ~~of any other local authority created by any municipality~~  
788 ~~located partially or entirely within the county. The Land Bank~~  
789 ~~Authority may acquire real property that has been tax~~  
790 ~~delinquent for three or more years only in those portions of~~  
791 ~~the state located outside of the geographical boundaries of~~  
792 ~~any local authority created by any municipality or county.~~

793       ~~(h)~~(i) Any local land bank authority formed by a  
794 municipality or county pursuant to this section shall continue  
795 to exist in accordance with its articles of incorporation and  
796 this section in the event that the number of tax delinquent  
797 properties in the local jurisdiction forming the local land  
798 bank authority subsequently decreases to 100 or less.

799       ~~(i)~~(j) Any local land bank authority formed by a  
800 municipality or county pursuant to this section shall permit  
801 the Alabama Department of Examiners of Public Accounts to  
802 perform an audit upon request by the department. The  
803 department shall assess the cost of the audit against the  
804 local land bank authority.

805       (k) As public property used for public purposes, the  
806 real property of a local land bank authority, including, but  
807 not limited to, real property held by a local land bank  
808 authority pursuant to a long-term lease contract with  
809 community land trusts and its income, are exempt from all  
810 license fees, recording fees, stormwater fees, and other  
811 municipal assessments, and all other taxes imposed by the  
812 state or by any of its political subdivisions.



813        (1) Up to 75 percent of the ad valorem taxes collected  
814        on any real property conveyed by a local land bank authority,  
815        excluding any state or school district ad valorem tax, shall  
816        be remitted to the local land bank authority. The exact  
817        percentage of the taxes to be remitted shall be specified in  
818        the local law, ordinance, resolution, or intergovernmental  
819        contract of the local land bank authority. The allocation of  
820        ad valorem tax revenues shall begin with the first taxable  
821        year after the conveyance and continue for a period of five  
822        consecutive tax years. The funds shall be remitted to the  
823        local land bank authority following the administrative  
824        procedures established by the tax commissioner or tax  
825        collecting official of the county where the local land bank  
826        authority is located. The allocation of ad valorem tax  
827        revenues shall not occur if the taxes have been previously  
828        pledged to secure a tax increment financing debt of the  
829        authorizing governmental subdivision creating the tax  
830        increment district pursuant to Chapter 99 of Title 11, unless  
831        the authorizing subdivision enters into an agreement with the  
832        local land bank authority to remit the funds."

833        "§40-1-3

834        ~~From and after~~ Beginning October 1~~—of~~ each year, when  
835        property becomes assessable, the state shall have a lien~~—upon~~  
836        ~~each and on~~ every piece or parcel of real property owned by  
837        any taxpayer for the payment of all taxes ~~which may be~~  
838        assessed against him or her and upon each piece and parcel of  
839        property real or personal assessed to an owner unknown, ~~—which~~  
840        lien These liens shall~~—continue~~ remain until~~—such~~ the taxes



841 are paid. ~~and the~~ The county shall have a ~~like~~ similar lien  
842 ~~thereon for the payment of the~~ for taxes which may be assessed  
843 by it. ~~and, if such~~ If the property is within ~~the limits of~~ a  
844 municipal corporation, ~~such that~~ municipal corporation shall  
845 have a ~~like~~ similar lien ~~thereon~~ for the payment of the taxes  
846 ~~which that~~ may be assessed by it. These liens shall be superior  
847 to all other liens and shall exist in the order named, and  
848 each of ~~such the~~ liens may be enforced and foreclosed by sale  
849 for taxes as provided in this title, or as other liens upon  
850 property are enforced, except as otherwise provided by  
851 ~~law~~ law. These taxes and liens shall include all liens  
852 transmitted to the tax collecting official by counties and  
853 municipal corporations in accordance with Sections 11-40-35,  
854 11-53B-16, 11-67-66, 45-37A-53, and any other state or local  
855 law authorizing the transmittal of nuisance abatement liens  
856 for weed removal and grass cutting."

857 "§40-10-1

858 (a) The probate court of each county may order the sale  
859 of lands ~~therein for the payment of~~ within its jurisdiction to  
860 pay taxes assessed on the lands, or against the owners of the  
861 lands, when the tax collector ~~shall report~~ reports to the  
862 court that he or she or the holder of a tax lien issued  
863 pursuant to ~~Acts 1995, No. 95-408~~ Section 40-1-3 was unable to  
864 collect the taxes assessed against the land, ~~or any~~ mineral,  
865 timber, ~~or~~ water ~~right~~ or other special ~~right~~, ~~or~~ easement  
866 therein rights or easements, or against the owner ~~thereof~~,  
867 without a sale of the land.

868 (b) For purposes of any enforcement proceedings under



869 this chapter, the taxes due shall include all liens of a  
870 municipality for housing and building code violations,  
871 enforcement actions, and nuisance abatement assessment liens  
872 that are transmitted to the tax collecting official in  
873 accordance with Title 11."

874 "§40-10-18

875 (a) If no person shall bid bids for any real-estate  
876 property offered at such the sale an amount sufficient to pay  
877 the sum more than the minimum bid specified stated in the  
878 decree of sale, plus other subsequent and the costs and  
879 expenses subsequently accruing, and no minimum bid is tendered  
880 by a local government or a local land bank authority, the  
881 judge of probate shall bid in such real estate the real  
882 property for the state at a price not exceeding the sum  
883 specified in such decree and such subsequently accruing cost  
884 and expenses the minimum bid. In no event shall the judge of  
885 probate bid in for the state less than the entire amount of  
886 real-estate property included in any assessment.

887 (b) If no person bids more than the minimum bid  
888 specified in the decree of sale for any real property offered  
889 at the sale, plus other subsequent costs and expenses, a local  
890 government or local land bank authority where the real  
891 property is located may bid for the minimum amount.  
892 Notwithstanding subsection (a), this bid shall be accepted and  
893 a certificate of purchase issued to the entity. The minimum  
894 bid in accordance with this subsection shall be paid in cash  
895 with a credit for any amounts already due and payable to the  
896 county, municipality, and school board that make up part of



897 the minimum bid."

898 "§40-10-29

899 (a) After the expiration of three years from the date  
900 of the sale of any real estate for taxes, the judge of probate  
901 then in office must execute and deliver issue a deed to each  
902 lot or parcel of real estate sold to the purchaser, other than  
903 the state, or person to whom the certificate of purchase has  
904 been assigned, upon the return of the certificate, proof that  
905 all ad valorem taxes have been paid, and payment of a fee of  
906 five dollars (\$5) to the judge of probate. a deed to each lot  
907 or parcel of real estate sold to the purchaser This deed  
908 covers each lot or parcel of real estate that has not been  
909 redeemed and remaining unredeemed, including therein and, if  
910 desired by the purchaser, it may include any number of multiple  
911 parcels, or lots purchased by him or her at such the sale. and  
912 such The deed shall convey to and vest in the grantee transfer  
913 all the right, title, interest and estate rights, titles,  
914 interests, and estates of the person whose duty it was to pay  
915 responsible for paying the taxes on such real estate and as  
916 well as the lien and claim of the state and county thereto,  
917 but it shall not convey the any right, title, or interest of  
918 any reversioner or remainderman therein.

919 (b) After one year from the sale for the minimum bid to  
920 a local government or local land bank authority, and upon  
921 return of the certificate of purchase, the judge of probate  
922 shall execute and deliver to the purchaser a deed to the real  
923 property sold to the purchaser. The deed shall convey to and  
924 vest in the grantee all the rights, titles, interests, and



925 estates of all persons having an interest in the real property  
926 as of the date of the sale."

927 "§40-10-120

928 (a) (1) Except as otherwise provided in this section,  
929 real property ~~Real estate which hereafter that may be are sold~~  
930 for taxes and purchased by the state may be redeemed at any  
931 time before the title passes ~~out of~~ from the state. ~~or, if If~~  
932 purchased by ~~any other~~ another purchaser, the property may be  
933 redeemed ~~at any time~~ within three years from the date of the  
934 sale by the owner, his or her heirs, ~~or~~ personal  
935 representatives, or by any mortgagee or purchaser of ~~such~~  
936 ~~lands, or any part thereof, any part of the real property, or~~  
937 by any person having an interest ~~therein, or in any part~~  
938 ~~thereof in all or part of the real property, legal or~~  
939 equitable, ~~in severalty~~ individually or as a tenant in common,  
940 including a judgment creditor or other ~~creditor having a lien~~  
941 ~~thereon lienholder, or on any part thereof; and an~~ An infant  
942 or ~~insane~~ person of unsound mind entitled to redeem ~~at any~~  
943 ~~time before the expiration of three years from the sale~~ may  
944 redeem at any time within one year after the removal of the  
945 disability; ~~and such.~~ The redemption may be of any part of the  
946 ~~lands so sold property, sold, which includes the whole of the~~  
947 including the entire interest of the redemptioner. If the  
948 mortgage or other ~~instrument creating a lien under which a~~  
949 ~~party seeks creating the right~~ to redeem is ~~duly~~ recorded ~~at~~  
950 ~~the time of before~~ the tax sale, ~~the party shall, in addition~~  
951 ~~to the time herein specified, have the right to redeem the~~  
952 ~~real estate sold, or any portion thereof covered by his or her~~



953 ~~mortgage or lien, at any time within one year from the date of~~  
954 ~~written notice from the purchaser of his or her purchase of~~  
955 ~~the lands at tax sale served upon such party the right to~~  
956 ~~redeem extends additionally to one year after receiving~~  
957 ~~written notice from the purchaser of the tax sale, and notice~~  
958 Notice served upon either the original mortgagees or  
959 lienholders or their transferee of record, or their heirs,  
960 personal representatives, or assigns shall be sufficient  
961 notice.

962 (2) When any real property is sold for taxes and has  
963 also been sold in one or more prior sales for taxes without  
964 redemption from the prior tax sales, the three-year period for  
965 redemption shall be measured from the date of the earliest  
966 sale of the real property for taxes.

967 (3) When any real property is sold for taxes at the  
968 minimum bid specified in the decree of sale and the real  
969 property is not lawfully occupied as a residence as of the  
970 date of the sale, the period for redemption shall be one year  
971 from the date of the sale if one or both of the following  
972 conditions apply:

973 a. The minimum bid included amounts attributable to one  
974 or more housing and building code liens or nuisance abatement  
975 liens.

976 b. Housing and building code liens or nuisance  
977 abatement liens had been filed of record prior to the date of  
978 the sale.

979 (4) When any real property is sold to a local  
980 government or local land bank authority in accordance with



981 Section 40-10-18 for the minimum bid specified in the decree  
982 of sale plus subsequent costs and expenses, the period for  
983 redemption shall be one year from the date of the sale.

984 (b) If any real property has been sold for taxes and is  
985 subject to redemption from the sale as set forth in subsection  
986 (a) and has also been sold in one or more subsequent sales for  
987 taxes, then any party entitled to redeemsuch the sale for  
988 taxes may redeemsuch the sale if the redemptioner  
989 simultaneously redeems his or her sale and all subsequent  
990 sales. In the event of a redemption of successive sales, the  
991 redemption amount shall be ascertained by applying the  
992 provisions of Sections 40-10-121 and 40-10-122. Redemption  
993 amounts computed pursuant to Section 40-10-121 shall be paid  
994 as statedtherein in that section. Redemption amounts computed  
995 pursuant to Section 40-10-122 shall be paid as statedtherein  
996 in that section if the purchaser had the right to redeem  
997 pursuant to subsection (a) or was the owner of thethen  
998 current tax certificate or tax title. Otherwise, those funds  
999 shall be disposed of as set forth in Section 40-10-28 and paid  
1000 tosuch the purchaser or his or her assignee only as set forth  
1001 in Section 40-10-28, with the time limits forsuch the  
1002 application computedutilizing using the sale date when the  
1003 purchaser's interest was sold for taxes."

1004 "§40-10-184

1005 (a) On the day and time designated for a tax lien  
1006 auction, the tax collecting official shall proceed to auction  
1007 all tax liens described in the tax lien auction list compiled  
1008 as provided in Section 40-10-183, except those for which the



1009 taxes, penalties, interest, fees, and costs due on the real  
1010 property have been paid. Any tax lien unsold after a tax lien  
1011 auction shall continue pursuant to Section 40-1-3 for future  
1012 auction or sale as provided in this article. Interest shall  
1013 continue to accrue on unsold tax liens at the rate imposed on  
1014 delinquent real property taxes.

1015 (b) (1) A tax lien shall be sold at auction pursuant to  
1016 this article to the person who: (i) pays all taxes due,  
1017 including unpaid taxes for previous years, interest,  
1018 penalties, fees, and costs due on the property; (ii) pays an  
1019 administrative fee of forty-five dollars (\$45), effective upon  
1020 the preparation of the tax lien auction list, plus the amount  
1021 to be paid to the holder of a tax lien certificate who has not  
1022 exercised his or her first right to purchase as provided in  
1023 Section 40-10-191; and (iii) bids the lowest interest rate on  
1024 the amount required to be paid to redeem the property from the  
1025 sale.

1026 (2) The beginning interest rate bid shall not exceed ~~—a~~  
1027 ~~rate of~~ 12 percent. ~~—and additional~~ Additional bids may be made  
1028 at a rate less than the immediately preceding bid.

1029 (3) If an in-person auction ends in a tie and the  
1030 winner cannot be determined, the tax collecting official shall  
1031 draw lots to determine the winning bidder. If an online  
1032 auction ends in a tie and the winner cannot be determined, the  
1033 tie shall be resolved by a random number generator.

1034 (c) The sale of a tax lien does not extinguish any deed  
1035 restriction, deed covenant, or easement on or appurtenant to  
1036 the parcel. A tax lien offered for auction or sale shall be



1037 identified by a uniform parcel number and a legal  
1038 description."

1039 "§40-10-199

1040 (a) Tax liens that are not sold at the tax lien auction  
1041 conducted by the tax collecting official shall be separated in  
1042 the tax lien auction list as prescribed by Section 40-10-1831  
1043 and the lien shall continue pursuant to Section 40-1-3.~~The~~  
1044 Except as otherwise provided in this subsection, the tax  
1045 collecting official, at any time after the tax lien auction  
1046 date, may sell at private sale an unsold tax lien for no less  
1047 than all taxes, interest, penalties, costs, and fees, plus the  
1048 amount to be paid to the holder of a tax lien certificate who  
1049 has not exercised his or her first right to purchase as  
1050 provided in Section 40-10-191. A local land bank authority may  
1051 acquire the unsold tax lien for cash with a credit for any  
1052 part of the tax lien that is due and payable to the state,  
1053 county, municipality, and school board. The purchaser at  
1054 private sale shall be entitled to interest on the amount paid  
1055 at a rate agreed to by the tax collecting official, not to  
1056 exceed 12 percent. All private tax lien sales shall be entered  
1057 in the record of tax lien auctions and sales, as provided in  
1058 Section 40-10-188.

1059 (b) All tax liens that remain unsold by the tax lien  
1060 auction or sale shall be included in all future tax lien  
1061 auctions or sales until sold.

1062 (c) Any tax lien that does not sell at auction shall be  
1063 reported to the county commission when seeking approval of  
1064 errors in assessments, ~~litigations~~ litigation, or insolvents

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1065 as the tax collecting official shall be allowed credit for  
1066 taxes due to this state upon final settlement with the state  
1067 Comptroller."

1068 Section 2. Sections 24-9-11 and 24-9-12 are added to  
1069 the Code of Alabama 1975, to read as follows:

1070 §24-9-11

1071 (a) A local land bank authority may convey ownership or  
1072 interest in real property to a state or local governmental  
1073 entity for purposes of floodplain management or stormwater  
1074 drainage in the event of all of the following:

1075 (1) Floodplain management or stormwater retention or  
1076 drainage is the highest and best use of the real property.

1077 (2) As a result of housing and building code  
1078 restrictions, floodplain elevations, and other local, state,  
1079 or federal law or public and private agreements, conditions,  
1080 and limitations, the real property is no longer suitable for  
1081 development or redevelopment.

1082 (b) (1) A local land bank authority may convey ownership  
1083 of, or interest in, real property under this section by grant,  
1084 deed, lease, or other form of conveyance and may include  
1085 additional limitations, restrictions, and conditions to be  
1086 determined by the local land bank authority.

1087 (2) Consideration for the conveyance may be any of the  
1088 following not otherwise prohibited by law:

1089 a. A nominal monetary payment.

1090 b. A contractual obligation in favor of the party to  
1091 which the real property is being conveyed.

1092 c. An exchange of real property.

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1093                   d. Other consideration determined by the local land  
1094 bank authority and the party to whom the real property is to  
1095 be conveyed.

1096                   \$24-9-12

1097                   (a) Upon declaring a state of emergency caused by a  
1098 natural disaster that causes widespread damage to, and  
1099 destruction of, real property and improvements and dislocation  
1100 of residents, the Governor may create a local land bank  
1101 authority in accordance with this section.

1102                   (1) The Governor may issue an executive order providing  
1103 for the immediate creation of a local land bank authority of a  
1104 local government located in whole or in part in a geographical  
1105 area that is subject to the declaration of the state of  
1106 emergency.

1107                   (2) The executive order shall provide for incorporation  
1108 and certification of the local land bank authority as required  
1109 under this chapter.

1110                   (b) Any local land bank authority created pursuant to  
1111 this section shall have all powers of a local land bank  
1112 authority created pursuant to Section 24-9-10.

1113                   (c) Upon the necessary and appropriate action of the  
1114 local governments having jurisdiction over the geographical  
1115 areas subject to the declaration of the state of emergency, a  
1116 local land bank authority created pursuant to this section may  
1117 be converted into a local land bank authority created pursuant  
1118 to Section 24-9-10, at which time the local land bank  
1119 authority shall be the successor in interest and at law to the  
1120 local land bank authority created pursuant to this section.



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1121 (d) In the event that a local land bank authority  
1122 created pursuant to this section is not converted pursuant to  
1123 subsection (c) within 12 months following the date of the  
1124 Governor's executive order, the local land bank authority  
1125 created by the executive order shall be dissolved in  
1126 accordance with the provisions of the Governor's executive  
1127 order.