

HB402 INTRODUCED



1 HB402
2 119P233-1
3 By Representative Datcher
4 RFD: Fiscal Responsibility
5 First Read: 05-Feb-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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A BILL

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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



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 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 ~~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
512 recorded or unrecorded, in the property are ~~extinguished~~
513 terminated, except for a recorded easement or right-of-way,
514 restrictive covenant, prior reservation or severance of all
515 mineral, mining, oil, and gas rights within and underlying the
516 property, ~~such state of facts~~ as shown on recorded plats, or
517 restrictions or covenants imposed under the Alabama Land
518 Recycling and Economic Development Act, or any other
519 environmental law in effect in the state ~~., severed~~ Severed
520 oil, gas, and mineral rights and mineral leases and agreements
521 are excepted from ~~Act 2013-249 and~~ any quiet title action
522 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:



757 (1) Anything necessary or convenient to aid a local
758 land bank authority in fulfilling its purposes under ~~Act~~
759 ~~2013-249~~ this chapter.

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

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

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

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

776 a. Within its own geographical boundaries.

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

780 c. Within the geographical boundaries of another local
781 land bank authority pursuant to an intergovernmental agreement
782 between the local land bank authorities.

783 (g) ~~In the event a county creates a local authority,~~
784 ~~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.~~r 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.~~r 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



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.



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.