

3rd Sub. H.B. 56

LOCAL GOVERNMENT COLLECTION FOR SERVICE CHARGES

SENATE FLOOR AMENDMENTS

AMENDMENT 2

MARCH 3, 2004 11:15 AM

Senator **David L. Thomas** proposes the following amendments:

1. *Page 9, Lines 253 through 269:*

253 become a lien on the customer's property to which the water was furnished or sewer service
254 provided **, on a parity with and collectible at the same time and in the same manner as general county**
taxes that are a lien on the property .
255 (ii) ~~[[With respect to a lien under Subsection (1)(b)(i) for water furnished to a customer's~~
256 ~~property:~~
257 ~~(A) the priority of the lien is determined by the time of certification under Subsection~~
258 ~~(1)(a);~~
259 ~~(B) the lien is collectible through judicial foreclosure; and~~
260 ~~(C) the lien does not survive the sale of the property that is the subject of the lien if the~~
261 ~~sale is pursuant to:~~
262 ~~(I) a power of sale under a notice of default under Section 57-1-24 that is filed for~~
263 ~~record in the county recorder's office before certification under Subsection (1) occurs; or~~
264 ~~(H) a judicial foreclosure if the notice of the pendency of the action under Section~~
265 ~~78-40-2 is filed for record in the county recorder's office before certification under Subsection~~
266 ~~(1) occurs.]] **A lien under Subsection (1)(b)(i) may not be enforced against the property after**~~
ownership of the property is transferred from the customer to a new owner.
267 ~~[[(iii) A lien under Subsection (1)(b)(i) for sewer service provided to a customer's~~
268 ~~property is on a parity with and collectible at the same time and in the same manner as general~~
269 ~~county taxes that are a lien on the property.]]~~