

COUNTY TAX SALES OF PROPERTY

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael T. Morley

Senate Sponsor: Sheldon L. Killpack

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LONG TITLE

General Description:

This bill amends the Property Tax Act to amend the provisions relating to tax sales.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ limits the amount that certain tax sale purchasers may receive from a subsequent sale of property bought at a tax sale when the purchaser owns an undivided interest in the real property sold during the tax sale;
- ▶ provides that certain tax sale purchasers may not object to a subsequent sale of the tax sale property under certain circumstances; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

**59-2-1351.7**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **59-2-1351.7** is enacted to read:

**59-2-1351.7. Partial interest tax sales.**

30           (1) For purposes of this section:

31           (a) "Tax sale interest purchaser" means an owner of an undivided interest in a parcel of  
32 tax sale property that bid for and purchased the undivided interest:

33           (i) at a tax sale in accordance with Section 59-2-1351.1;

34           (ii) on or after July 1, 2007; and

35           (iii) if the undivided interest in the tax sale property equals 49% or less.

36           (b) "Tax sale property" means a parcel of real property that was sold in part as an  
37 undivided interest at a tax sale in accordance with Section 59-2-1351.1.

38           (2) If a parcel of tax sale property is sold, a tax sale interest purchaser may only receive  
39 from the sale of the tax sale property, an amount equal to the greater of:

40           (a) the amount the tax sale interest purchaser paid for the undivided interest in the tax  
41 sale property at the tax sale plus 12% interest; or

42           (b) the tax sale interest purchaser's pro rata share of the sale price of the tax sale  
43 property based on the percentage of the undivided interest the tax sale interest purchaser holds  
44 in the tax sale property.

45           (3) A tax sale interest purchaser may not object to the sale of the tax sale property if the  
46 tax sale interest purchaser receives an amount in accordance with Subsection (2).