

SENATE COMMITTEE OF REFERENCE REPORT

	January 24, 2012
Chairman of Committee	Date

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

SB12-030 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 5, strike lines 14 and 15 and substitute:
- 2 " \_\_\_\_\_ PAYMENTS OF \$ \_\_\_\_\_ EACH".
- 3 Page 8, line 19, strike "(3)" and substitute "(3); and **add** (4)".
- 4 Page 8, line 21, strike "**properties.**" and substitute "**properties -**
- 5 **definition.**" and strike "fifteen" and substitute "~~fifteen~~ FOURTEEN".
- 6 Page 8, line 26, strike "PRESENTED TO THE OCCUPANT OF".
- 7 Page 8, line 27, strike "THE RESIDENTIAL PROPERTY OR".
- 8 Page 9, line 1, strike "~~possible~~ NOTICE IS GIVEN" and substitute
- 9 "possible,".
- 10 Page 9, line 2, strike "THROUGH POSTING,".
- 11 Page 9, strike lines 5 through 7 and substitute "gate or similar
- 12 impediment. IF A PERSON AT THE RESIDENCE IS IMPEDING POSTING AT THE
- 13 RESIDENCE AT THE TIME OF THE ATTEMPTED POSTING, THE NOTICE MAY BE
- 14 HANDED TO THAT PERSON TO SATISFY THIS POSTING REQUIREMENT. THE
- 15 NOTICE REQUIRED BY THIS SUBSECTION (3) IS SUFFICIENT IF IT COMPLIES
- 16 WITH THE REQUIREMENTS OF THIS SECTION WITHOUT REGARD TO ANY

1 REQUIREMENTS FOR SERVICE OF PROCESS IN A CIVIL ACTION REQUIRED BY  
2 COURT RULE.

3 (4) AS USED IN THIS SECTION, "RESIDENTIAL PROPERTY" MEANS  
4 ANY REAL PROPERTY UPON WHICH A DWELLING, AS DEFINED IN SECTION  
5 5-1-301 (18), C.R.S., IS CONSTRUCTED AND OCCUPIED."

6 Page 14, line 17, strike "(1) and".

7 Page 14, strike lines 18 through 26 and substitute:

8 "38-38-111. Treatment of excess proceeds. (3) UNLESS THE  
9 PROPERTY IS SOLD BY THE SHERIFF AND ALL THE PROCEEDS OF THE SALE  
10 ARE DEPOSITED INTO THE REGISTRY OF THE COURT, any unclaimed excess  
11 proceeds shall be transferred by the".

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