

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 155 be amended to read as follows:

- 1 Page 4, after line 25, begin a new paragraph and insert:
2 "SECTION 2. IC 32-28-14-8, AS AMENDED BY P.L.167-2009,
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2011]: Sec. 8. (a) A homeowners association may enforce a
5 homeowners association lien by filing a complaint in the circuit or
6 superior court of the county where the real estate that is the subject of
7 the lien is located. The complaint:
8 (1) may not be filed earlier than ~~one (1)~~ **year ninety (90) days,**
9 **unless:**
10 **(A) another person files a foreclosure action on the**
11 **property that is the subject of the lien; or**
12 **(B) a person files written notice to file an action to**
13 **foreclose the lien under section 9(a)(1) of this chapter; and**
14 (2) must be filed not later than five (5) years;
15 after the date the statement and notice of intention to hold a lien was
16 recorded under section 6 of this chapter.
17 (b) If a lien is not enforced within the time set forth in subsection
18 (a), the lien is void.
19 (c) If a lien is foreclosed under this chapter, the court rendering

1 judgment shall order a sale to be made of the real estate subject to the
2 lien. The officers making the sale shall sell the real estate without any
3 relief from valuation or appraisal laws."

(Reference is to SB 155 as printed January 14, 2011.)

Senator TALLIAN