

# 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~~ **(+) 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 appraisement laws."

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

---

Senator TALLIAN