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H.300

Introduced by Representatives Graham of Williamstown, Hooper of
Brookfield, Sheldon of Middlebury, and Tate of Mendon
Referred to Committee on

Date:

Subject: Taxation; delinquent property taxes; statute of limitation

Statement of purpose of bill as introduced: This bill proposes to limit to one
year the statute of limitations for recovery and possession of property actions
against the grantee of a tax collector's deed.

An act relating to the statute of limitations for recovery and possession of
property actions against the grantee of a tax collector's deed

It is hereby enacted by the General Assembly of the State of Vermont:

~~Sec. 1. 32 V.S.A. § 5263 is amended to read:~~

~~§ 5263. LIMITATION OF ACTIONS AGAINST GRANTEE IN
POSSESSION~~

~~An action for the recovery of lands, or the possession thereof, shall not be
maintained against the grantee of such lands in a tax collector's deed, duly
recorded, or his or her heirs or assigns, when the grantee, his or her heirs or
assigns have been in continuous and open possession of the land conveyed in
such deed and have paid the taxes thereon, unless commenced within three~~

1 ~~years one year after the cause of action first accrues to the plaintiff or those~~
2 ~~under whom he or she claims~~
3 Sec. 2. EFFECTIVE DATE
4 ~~This act shall take effect on July 1, 2017.~~

Sec. 1. 32 V.S.A. § 5261 is amended to read:

§ 5261. DEED BY COLLECTOR

When the time for redemption has passed and the land is not redeemed, the collector or his or her successor shall execute to the purchaser a deed, which shall convey to him or her a title against the person for whose tax it was sold and those claiming under him or her. No action shall be maintained against a grantee of lands in a tax collector deed, duly recorded, or his or her heirs or assigns, for recovery or possession of lands by the taxpayer, after the execution of a deed under this section.

Sec. 2. REPEAL

32 V.S.A. § 5263 (limitation of actions against grantee in possession) is repealed.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2018.