



SPONSOR: Rep. J. Johnson

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 2
TO
HOUSE BILL NO. 187

AMEND House Bill No. 187 at line 3 by inserting after “Officer” and before the period, the following: “; Prequalification of bidders”.

FURTHER AMEND House Bill No. 187 at lines 16 through 18 by striking “has been subject to fines or penalties or the abatement of violations within the past 24 months for a failure to comply with the requirements of any law or regulation with respect to such property, (ii)”.

FURTHER AMEND House Bill No. 187 at line 18 by striking “(iii)” and inserting in lieu thereof “(ii)”.

FURTHER AMEND House Bill No. 187 by inserting between lines 27 and 28, the following:

“(e) If a sale is subject to approval of the department of finance or the chief county financial officer, no assignment of a successful bid shall occur without the approval of the department of finance or the chief county financial officer. If the county requires certification of bidders at a sale, no assignment of a successful bid shall occur unless the assignee secures a certification from the county consistent with requirements of this section or qualifies as a land bank pursuant to § 4703 of Title 31.”

FURTHER AMEND House Bill No. 187 at line 30 by inserting after “sale” and before the period, the following: “; Prequalification of bidders”.

FURTHER AMEND House Bill No. 187 at lines 45 through 47 by striking “has been subject to fines or penalties or the abatement of violations within the past 24 months for a failure to comply with the requirements of any law or regulation with respect to such property, (ii)”.

FURTHER AMEND House Bill No. 187 at line 47 by striking “(iii)” and inserting in lieu thereof “(ii)”.

FURTHER AMEND House Bill No. 187 by inserting after line 56, the following:

“(e) If a sale is subject to approval of the director of a municipality’s department of finance or the director’s designee, no assignment of a successful bid shall occur without the approval of the director of its department of finance or the director’s designee. If the municipality requires certification of bidders at a sale, no assignment of a successful bid shall

- 23 occur unless the assignee secures a certification from the municipality consistent with requirements of this section or
24 qualifies as a land bank pursuant to § 4703 of Title 31.”

SYNOPSIS

This amendment removes the condition that a bidder may not own property that has been subject to fines, penalties or abatements of violations within the past 24 months in order to receive a prequalification certificate. This amendment also requires that a prequalified bidder can only assign a successful bid to those who satisfy the prequalification criteria. This provision eliminates a loophole wherein a prequalified bidder could have assigned a successful bid to a person who could not secure a prequalification certificate thus averting the intent of the prequalification process.