



HB0123

Adverse possession-property tax payment defense.

Sponsored By: Representative(s) Neiman, Allemand, Andrew, Banks, Bratten, Clouston, Haroldson, Heiner and Wharff and Senator(s) Biteman, Boner, Hutchings and Steinmetz

AN ACT relating to civil procedure; specifying that the time period for a cause of action for adverse possession does not run during periods when the property owner has paid all property taxes; specifying the process for the payment of legal fees in a claim for adverse possession; specifying applicability; and providing for an effective date.

1/7/2025 Bill Number Assigned
1/9/2025 H Received for Introduction
1/24/2025 H Introduced and Referred to H05 - Agriculture
1/30/2025 H05 - Agriculture:Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Banks, Davis, Eklund, Johnson, Ottman, Provenza, Schmid, Strock, Winter

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/30/2025 H Placed on General File

HB0123HS001/ADOPTED

Page 1-line 4 After "taxes;" insert "specifying the process for the payment of legal fees in a claim for adverse possession;".

Page 2-line 8 After "hereditaments" insert "that are consistent with the recorded title and".

Page 2-after line 9 Insert:

"(c) If the defendant to a claim for adverse possession provides proof of proper title for lands, tenements or hereditaments and the plaintiff to the claim continues with the claim for adverse possession, the plaintiff shall pay all costs and attorney fees associated with the action if the plaintiff loses the claim.". WINTER, CHAIRMAN

2/4/2025 H COW:Passed
2/5/2025 H 2nd Reading:Passed

HB0123H3001/FAILED

Delete the House standing committee amendment (HB0123HS001/A) entirely.
NICHOLAS

HB0123H3002/WITHDRAWN

2/6/2025 H 3rd Reading:Passed 40-21-1-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Brady, Bratten, Brown, G, Eklund, Erickson, Filer, Geringer, Guggenmos, Haroldson, Heiner, Hoeft, Johnson, Kelly, Knapp, Lien, Locke, Lucas, Mccann, Neiman,

Ottman, Pendergraft, Rodriguez-Williams, Schmid, Singh, Smith, Strock, Styvar, Tarver, Wasserburger, Webb, Webber, Wharff, Williams, Winter, Yin

Nays: Representative(s) Brown, L, Byron, Campbell, E, Campbell, K, Chestek, Clouston, Connolly, Davis, Harshman, Jarvis, Larsen, Larson, Lawley, Nicholas, Posey, Provenza, Sherwood, Storer, Thayer, Washut, Wylie

Excused: Representative Riggins

Ayes 40 **Nays** 21 **Excused** 1 **Absent** 0 **Conflicts** 0

2/7/2025 S Received for Introduction

2/10/2025 S Introduced and Referred to S03 - Revenue