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Cheryl Subler, Executive Director

HOUSE WAYS AND MEANS COMMITTEE

PROPONENT TESTIMONY (written only) – HOUSE BILL 602 (Publication of Foreclosure Notices Online)

May 19, 2020

Jon Honeck
Senior Policy Analyst

Chair Merrin, Vice Chair LaRe, Ranking Member Rogers, and Members of the House Ways and Means Committee:

I am writing in support of House Bill 602, legislation that would give counties the option to publish two of three required foreclosure notices online. These notices are required to fulfill due process requirements for property owners who are facing foreclosure due to failure to pay required property taxes. Current law requires that notice of the impending foreclosure action must be published three times in a newspaper of general circulation in order to meet due process requirements. With the decline in newspaper circulation in recent decades, this requirement is no longer the most efficient or effective option for reaching the public or property owners.

The bill would allow the county to publish the notice once in a newspaper and to place the notice online at a website maintained by the clerk of courts for at least two weeks. This process would provide a cost savings to the county and in many instances will enable the notice to reach more county residents and interested parties than newspaper publication alone. This legislation is permissive in that counties that wish to continue the practice of using three newspaper publications may continue to do so. We also recommend that the sponsors allow counties to utilize other websites that may be better suited for this information, such as the sheriff's.

CCAO expresses its thanks to the sponsors of this legislation, Representative Rogers and Representative Lipps, for bringing this proposal to the General Assembly, and we urge the House Ways and Means Committee to favorably report HB 602.



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