

COMMITTEE BILL ANALYSIS

Bill: Senate Bill 419

Printer's No.: 373

Sponsor: Senator Gordner

Prepared by: Gregg Warner

Synopsis: This bill amends 1967 Act 69 validating conveyances and other instruments dated prior to 2013 which have acknowledgments containing technical errors.

Summary: 1967 Act 69 is entitled "An act to validate conveyances and other instruments which have been defectively acknowledged." The bill extends the date for the validation of conveyances and other instruments dated prior to 2013 which have acknowledgments containing technical errors.

Application

This act shall not apply to lawsuits now pending and undetermined.

Effective date

This act takes effect in 60 days.

Background: 1967 Act 69 was last amended by 2005 Act 27 to validate conveyances (deeds, mortgages) made prior to 2005. Prior to 2005 Act 27, 1967 Act 69 was amended by 1997 Act 56. The General Assembly has customarily updated the provisions of Act 69 every seven to ten years. When a technical error exists in an acknowledgment, it makes subsequent transfers of property difficult unless the error is corrected by this type of legislation. Otherwise, the person seeking to transfer the property must get the parties to the original transaction together to complete a valid acknowledgment. By amending Act 69 up to 2013, technical errors in acknowledgments from 2005 through 2012 would fall under the scope of the act.