

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 490 Department or Agency: Alabama Land Bank Authority  
Rule No.: Chapter 490-X-1: General Information and Definitions  
Rule Title: Rule 490-X-1-.01 General Information and Definitions  
X New          Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer *Sarah Ann Moore*  
Date 10/19/18 *Chair of Land Bank Authority*

(DATE FILED)  
(STAMP)

ALABAMA LAND BANK AUTHORITY  
NOTICE OF INTENDED ACTION

AGENCY NAME: Land Bank Authority

RULE NO. & TITLE: Chapter 490-X-1  
Rule 490-X-1-.01 General Information and Definitions

INTENDED ACTION: Adoption of New Rule

SUBSTANCE OF PROPOSED ACTION:  
Provide General Information, including contact information for the Authority and definitions related to the Land Bank Authority

TIME, PLACE, MANNER OF PRESENTING VIEWS:  
Comments may be directed in writing to the Alabama Land Bank Authority and mailed to:

Alabama Dep't of Revenue  
Attn.: Derrick Coleman  
50 N. Ripley Street  
Montgomery, Alabama 36130

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:  
A Public Hearing on the proposed rule will be held Thursday, December 6, 2018 at 10 am at the Alabama Department of Revenue. Please see [www.openmeetings.alabama.gov](http://www.openmeetings.alabama.gov) for additional information.

CONTACT PERSON AT AGENCY:  
Derrick Coleman 334-242-1539

*Sarah M. Moore, Chair*  
Signature of officer authorized to promulgate and adopt rules or his or her deputy  
*Land Bank Authority*

Alabama Land Bank Authority  
Administrative Code

Chapter 490-X-1  
Definitions

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- (1) Purpose: It is the intent of the Legislature and the purpose of the Alabama Land Bank Authority to acquire and dispose of tax delinquent properties in order to rehabilitate and effectively utilize land which is nonrevenue-generating, nontax-producing and provide housing, new industry, commercial and economic development, and remove blight.
- (2) The public may obtain information about the Authority by contacting the Alabama Land Bank Authority, c/o the Alabama Department of Revenue, at (334) 242-1539. Submissions to the Authority should be mailed to the Authority c/o the Alabama Department of Revenue, 50 N. Ripley Street, Montgomery, Alabama 36130. Requests for public records should be directed to the Authority via the contact information provided herein.
- (3) Definitions: As used in these rules, the following words shall include, but are not limited to, the following meanings unless the context clearly requires a different meaning:
  - (a) Applicant: Any individual or entity seeking a conveyance of tax-delinquent property as defined herein.
  - (b) Authority: The Alabama Land Bank Authority Board
  - (c) Board: The Alabama Land Bank Authority Board
  - (d) Market Value: The stated value of the real property which is established by the appropriate county official responsible for assessing

- property in the jurisdiction in which the property is found.
- (e) Property: Any real property subject to the Authority's jurisdiction.
  - (f) Tax-Delinquent Property: Any property on which the taxes levied and assessed by any party remain in whole or in part unpaid on the date due and payable. For the purposes of this Authority, only properties which have been bid into the state pursuant to Chapter 10 of Title 40 for at least five (5) years and the state's interest in real property acquired pursuant to Chapter 29 of Title 40 for delinquent taxes administered by the state and held for at least five (5) years are available for conveyance to the Land Bank Authority and, subsequently, to any applicant.
  - (g) Transferee: Any individual or entity seeking a conveyance of tax-delinquent property as defined herein.

**Author:** Susan F. Wilhelm

**Statutory Authority:** Code of Ala. 1975, §§ 24-9-2, 24-9-4, 24-9-6, 24-9-7

**History:** Proposed Rules Filed October 22, 2018.