

**Sixtieth Legislative Assembly of North Dakota
In Regular Session Commencing Wednesday, January 3, 2007**

SENATE BILL NO. 2216
(Senator Holmberg)

AN ACT to create and enact a new section to chapter 32-19 of the North Dakota Century Code, relating to payment to redeem; and to amend and reenact section 32-19-22 of the North Dakota Century Code, relating to the service of notice before foreclosure.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 32-19 of the North Dakota Century Code is created and enacted as follows:

Payment to redeem. A person redeeming from a sheriff's sale may pay the required amount either to the holder of the certificate or to the sheriff. If there is a dispute as to the amount required to redeem, the person attempting to redeem shall deposit with the sheriff the amount the person calculates to be due and a written description of the basis for the calculation. The deposit has the effect of a redemption as of the date of deposit, subject to the subsequent payment of any additional amount determined to be due as of that date.

SECTION 2. AMENDMENT. Section 32-19-22 of the North Dakota Century Code is amended and reenacted as follows:

32-19-22. Notice may be served by registered mail. The notice before foreclosure may be served by ~~registered~~ mail, as provided in rule 4 of the North Dakota Rules of Civil Procedure, addressed to the owner of record at the owner's post-office address in the mortgage or by the records in the chain of title of the recorder of the county where the real estate is situated. If ~~such~~ the post-office address is not shown in the mortgage or in ~~such~~ the records, the notice may be served by ~~registered mail~~, as provided in rule 4 of the North Dakota Rules of Civil Procedure, addressed to the owner of record at the post office nearest any part or tract of the real estate.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2216.

Senate Vote: Yeas 41 Nays 0 Absent 6

House Vote: Yeas 88 Nays 1 Absent 5

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2007.

Approved at _____ M. on _____, 2007.

Governor

Filed in this office this _____ day of _____, 2007,
at _____ o'clock _____ M.

Secretary of State