

HB 1603 -- Adverse Possession

Sponsor: Scavuzzo

This bill specifies that in order to prevail on a claim asserting fee simple title to real property by adverse possession in any civil action filed on or after January 1, 2011, a person must prove each element of the claim by clear and convincing evidence and have a good faith belief that the person in possession of the property of the owner of record was the actual owner of the property and the belief was reasonable under the particular circumstances. Courts may award damages to the original owner for the actual value of the property as determined by the county assessor and all or part of the property taxes and other assessments levied against or paid by the actual owner.