

FIRST REGULAR SESSION

SENATE BILL NO. 268

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Read 1st time January 29, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

1053S.03I

AN ACT

To repeal sections 59.319 and 215.036, RSMo, and to enact in lieu thereof two new sections relating to the Missouri housing trust fund.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 59.319 and 215.036, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 59.319 and 215.036, to
3 read as follows:

59.319. 1. A user fee of four dollars shall be charged and collected by
2 every recorder in this state, over and above any other fees required by law, as a
3 condition precedent to the recording of any instrument. The state portion of the
4 fee shall be forwarded monthly by each recorder of deeds to the state director of
5 revenue, and the fees so forwarded shall be deposited by the director in the state
6 treasury. Two dollars of such fee shall be retained by the recorder and deposited
7 in a recorder's fund and not in county general revenue for record storage,
8 microfilming, and preservation, including anything necessarily pertaining
9 thereto. The recorder's funds shall be kept in a special fund by the treasurer and
10 shall be budgeted and expended at the direction of the recorder and shall not be
11 used to substitute for or subsidize any allocation of general revenue for the
12 operation of the recorder's office without the express consent of the recorder. The
13 recorder's fund may be audited by the appropriate auditing agency, and any
14 unexpended balance shall be left in the fund to accumulate from year to year with
15 interest.

16 2. An additional fee of **[three] ten** dollars shall be charged and collected
17 by every recorder in this state, over and above any other fees required by law, as
18 a condition precedent to the recording of any instruments specified in

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 subdivisions (1) and (2) of section 59.330. **Of the fees collected from this**
20 **additional [three] ten dollars per recorded instrument, nine dollars shall be**
21 **forwarded monthly by each recorder of deeds to the state director of revenue, and**
22 **the fees so forwarded shall be deposited by the director in the state**
23 **treasury. The remaining one dollar of the additional ten dollars**
24 **collected shall be forwarded monthly by the recorder of deeds to the**
25 **county treasurer to be deposited into the county treasury for use by the**
26 **recorder's office at the discretion of the recorder.**

27 3. The state treasurer and the commissioner of administration shall
28 establish an appropriate account within the state treasury and in accordance with
29 the state's accounting methods. Any receipt required by this section to be
30 deposited in the general revenue fund shall be credited as follows: the amount
31 of one dollar for each fee collected under subsection 1 of this section to an account
32 to be utilized for the purposes of sections 60.500 to 60.610, RSMo; the amount of
33 one dollar for each fee collected under subsection 1 of this section to an account
34 to be utilized by the secretary of state for additional preservation of local records;
35 and the amount of [three] **nine dollars collected and forwarded to the state**
36 **director of revenue** under subsection 2 of this section into the Missouri
37 housing trust fund as designated in section 215.034, RSMo. **Six of the nine**
38 **dollars credited to the Missouri housing trust fund shall be used for**
39 **purposes listed under subdivisions (1) to (10) and (12) to (15) of section**
40 **215.038, RSMo, with an emphasis on activities encouraging and**
41 **sustaining home ownership, including construction, home repairs, down**
42 **payment assistance, foreclosure prevention, and home buying**
43 **counseling.**

215.036. 1. Housing trust fund moneys shall be used to financially assist,
2 in whole or in part by loans or grants, the development of housing stock and to
3 provide housing assistance to persons and families with incomes at or below the
4 levels described in subsections 2 and 3 of this section. At least fifty percent of the
5 loan or grant funds awarded over each two-year period, coincident with the
6 biennium described in section 33.080, RSMo, shall be awarded for such activities
7 and projects for residential occupancy by persons and families with incomes at or
8 below the levels described in subsection 3 of this section, **and at least one-half**
9 **of such amount, or twenty-five percent of the loan or grant funds**
10 **awarded over each two-year period, shall be used to assist households**
11 **with incomes equal to or less than twenty-five percent of the applicable**

12 **family median income adjusted for household size.**

13 2. Persons or families are eligible under this subsection if the household
 14 combined adjusted gross income is equal to or less than the following percentages
 15 of the median family income for the geographical area:

16	Percent of State or Geographic
17 Size of Household	Area Family Median Income
18 One person	[35%] 70%
19 Two persons	[40%] 80%
20 Three persons	[45%] 90%
21 Four persons	[50%] 100%
22 Five persons	[54%] 108%
23 Six persons	[58%] 116%
24 Seven persons	[62%] 124%
25 Eight persons	[66%] 132%

26 As used in this section, the term "geographical area" shall be based upon the
 27 metropolitan area or county designated as an area by the federal Department of
 28 Housing and Urban Development under section 8 of the United States Housing
 29 Act of 1937, as amended, for purposes of determining fair market rental rates in
 30 which the residential unit is located, or the median family income for the state
 31 of Missouri, whichever is larger.

32 3. Persons or families are eligible under this subsection if the household
 33 combined adjusted gross income is equal to or less than the following percentages
 34 of the median family income for the geographic area in which the residential unit
 35 is located, or the median family income for the state of Missouri, whichever is
 36 larger:

37	Percent of State or Geographic
38 Size of Household	Area Family Median Income
39 One person	[18%] 35%
40 Two persons	[20%] 40%
41 Three persons	[23%] 45%
42 Four persons	[25%] 50%
43 Five persons	[27%] 54%
44 Six persons	[29%] 58%
45 Seven persons	[31%] 62%
46 Eight persons	[33%] 66%

47 4. During each two-year period described in subsection 1 of this section,

48 at least thirty percent of the funds dispersed under this act shall be allocated to
49 housing provider organizations which qualify as a "not-for-profit" organization as
50 defined in chapter 355, RSMo, or section 42(h)(5)(C) of the Internal Revenue Code
51 of 1986.

✓

Unofficial

Bill

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