

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 729
96TH GENERAL ASSEMBLY

5641L.09C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 49.272, 50.332, 50.622, 50.660, 50.783, 50.1130, 50.1140, 52.230, 52.240, 67.463, 67.469, 67.548, 67.1305, 67.1521, 67.2010, 67.4505, 71.012, 71.014, 71.015, 94.902, 137.016, 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.430, 141.440, 141.480, 141.500, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.790, 190.335, 479.011, 544.455, 557.011, and 610.021, RSMo, and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, and to enact in lieu thereof seventy-one new sections relating to political subdivisions, with penalty provisions and an emergency clause for a certain section.

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

Section A. Sections 49.272, 50.332, 50.622, 50.660, 50.783, 50.1130, 50.1140, 52.230, 2 52.240, 67.463, 67.469, 67.548, 67.1305, 67.1521, 67.2010, 67.4505, 71.012, 71.014, 71.015, 3 94.902, 137.016, 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.430, 4 141.440, 141.480, 141.500, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 5 141.790, 190.335, 479.011, 544.455, 557.011, and 610.021, RSMo, and section 141.530 as 6 enacted by senate committee substitute for house substitute for house committee substitute for 7 house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 8 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for 9 senate bill no. 778, eighty-ninth general assembly, second regular session, are repealed and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 seventy-one new sections enacted in lieu thereof, to be known as sections 49.272, 50.332,
 11 50.622, 50.660, 50.783, 50.1130, 50.1140, 52.230, 52.240, 67.136, 67.463, 67.469, 67.548,
 12 67.1305, 67.1521, 67.2010, 67.4505, 71.012, 71.014, 71.015, 94.902, 137.016, 141.210,
 13 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.430, 141.440, 141.480, 141.500,
 14 141.530, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.785, 141.790,
 15 141.980, 141.981, 141.982, 141.983, 141.984, 141.985, 141.988, 141.991, 141.994, 141.997,
 16 141.1000, 141.1003, 141.1006, 141.1009, 141.1012, 141.1015, 162.485, 190.335, 238.415,
 17 321.228, 339.098, 479.011, 479.085, 544.455, 557.011, 610.021, 1, and 2, to read as follows:

49.272. **1. The county commission of the following counties may impose civil fines
 2 as provided in this section:**

3 **(1)** Any county of the first classification [without a charter form of government] and with
 4 more than one hundred thirty-five thousand four hundred but less than one hundred thirty-five
 5 thousand five hundred inhabitants[, and in] ;

6 **(2)** Any county of the first classification [without a charter form of government] having
 7 a population of at least eighty-two thousand inhabitants, but less than eighty-two thousand one
 8 hundred inhabitants[.];

9 **(3)** Any county of the first classification with more than one hundred four thousand six
 10 hundred but fewer than one hundred four thousand seven hundred inhabitants[.];

11 **(4)** Any county of the first classification with more than one hundred ninety-eight
 12 thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants[, and] ;

13 **(5)** Any county of the first classification with more than two hundred forty thousand
 14 three hundred but less than two hundred forty thousand four hundred inhabitants[, which] ;

15 **(6) Any county of the first classification with more than eighty-three thousand but
 16 fewer than ninety-two thousand inhabitants and with a home rule city with more than
 17 seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat.**

18 **2. Any county listed in subsection 1 of this section that** has an appointed county
 19 counselor and which adopts or has adopted rules, regulations, or ordinances under authority of
 20 a statute which prescribes or authorizes a violation of such rules, regulations, or ordinances to
 21 be a misdemeanor punishable as provided by law, may by rule, regulation, or ordinance impose
 22 a civil fine not to exceed one thousand dollars for each violation. Any fines imposed and
 23 collected under such rules, regulations, or ordinances shall be payable to the county general fund
 24 to be used to pay for the cost of enforcement of such rules, regulations, or ordinances.

50.332. Each county officer in all counties except first class counties having a charter
 2 form of government may, subject to the approval of the governing body of the county, contract
 3 with the governing body of any municipality located within such county, either in whole or in
 4 part, to perform the same type of duties for such municipality as such county officer is

5 performing for the county. Any compensation paid by a municipality for services rendered
6 pursuant to this section shall be paid directly to the county, [or county officer, or both, as
7 provided in the provisions of the contract, and any] **and compensation, if any,** allowed any
8 county officer **by the county commission for services rendered** under any such contract may
9 be retained by such officer in addition to all other compensation provided by law.

50.622. 1. Any county may amend the annual budget during any fiscal year in which the
2 county receives additional funds, and such amount or source, including but not limited to, federal
3 or state grants or private donations, could not be estimated when the budget was adopted. The
4 county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption
5 of the annual budget to amend its budget during a fiscal year.

6 **2. Any county may decrease the annual budget twice during any fiscal year in**
7 **which the county experiences a verifiable decline in funds of two percent or more, and such**
8 **amount could not be estimated or anticipated when the budget was adopted, provided that**
9 **any decrease in appropriations shall not unduly affect any one officeholder. Before any**
10 **reduction affecting an independently elected officeholder can occur, negotiations shall take**
11 **place with all officeholders who receive funds from the affected category of funds in an**
12 **attempt to cover the shortfall. The county shall follow the same procedures as required in**
13 **sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for**
14 **in section 50.600 shall be extended to thirty days for purposes of this subsection. Such**
15 **notice shall include a published summary of the proposed reductions and an explanation**
16 **of the shortfall.**

17 **3. Any decrease in an appropriation authorized under subsection 2 of this section**
18 **shall not impact any dedicated fund otherwise provided by law.**

19 **4. County commissioners may reduce budgets of departments under their direct**
20 **supervision and responsibility at any time without the restrictions imposed by this section.**

21 **5. Subsections 2, 3, and 4 of this section shall expire on July 1, 2015.**

22 **6. Notwithstanding the provisions of this section, no charter county shall be**
23 **restricted from amending its budget pursuant to the terms of its charter.**

50.660. 1. All contracts shall be executed in the name of the county, or in the name of
2 a township in a county with a township form of government, by the head of the department or
3 officer concerned, except contracts for the purchase of supplies, materials, equipment or services
4 other than personal made by the officer in charge of purchasing in any county or township having
5 the officer. No contract or order imposing any financial obligation on the county or township
6 is binding on the county or township unless it is in writing and unless there is a balance
7 otherwise unencumbered to the credit of the appropriation to which it is to be charged and a cash
8 balance otherwise unencumbered in the treasury to the credit of the fund from which payment

9 is to be made, each sufficient to meet the obligation incurred and unless the contract or order
10 bears the certification of the accounting officer so stating; except that in case of any contract for
11 public works or buildings to be paid for from bond funds or from taxes levied for the purpose
12 it is sufficient for the accounting officer to certify that the bonds or taxes have been authorized
13 by vote of the people and that there is a sufficient unencumbered amount of the bonds yet to be
14 sold or of the taxes levied and yet to be collected to meet the obligation in case there is not a
15 sufficient unencumbered cash balance in the treasury. All contracts and purchases shall be let
16 to the lowest and best bidder after due opportunity for competition, including advertising the
17 proposed letting in a newspaper in the county or township with a circulation of at least five
18 hundred copies per issue, if there is one, except that the advertising is not required in case of
19 contracts or purchases involving an expenditure of less than six thousand dollars. It is not
20 necessary to obtain bids on any purchase in the amount of four thousand five hundred dollars or
21 less made from any one person, firm or corporation during any period of ninety days, **or, if the**
22 **county is any county of the first classification with more than one hundred fifty thousand**
23 **but fewer than two hundred thousand inhabitants or any county of the first classification**
24 **with more than two hundred sixty thousand but fewer than three hundred thousand**
25 **inhabitants or any county of the second classification with more than seventy-five thousand**
26 **but fewer than one hundred thousand inhabitants, it is not necessary to obtain bids on such**
27 **purchases in the amount of six thousand dollars or less.** All bids for any contract or purchase
28 may be rejected and new bids advertised for. Contracts which provide that the person
29 contracting with the county or township shall, during the term of the contract, furnish to the
30 county or township at the price therein specified the supplies, materials, equipment or services
31 other than personal therein described, in the quantities required, and from time to time as ordered
32 by the officer in charge of purchasing during the term of the contract, need not bear the
33 certification of the accounting officer, as herein provided; but all orders for supplies, materials,
34 equipment or services other than personal shall bear the certification. In case of such contract,
35 no financial obligation accrues against the county or township until the supplies, materials,
36 equipment or services other than personal are so ordered and the certificate furnished.

37 2. Notwithstanding the provisions of subsection 1 of this section to the contrary,
38 advertising shall not be required in any county in the case of contracts or purchases involving an
39 expenditure of less than six thousand dollars.

50.783. 1. The county commission may waive the requirement of competitive bids or
2 proposals for supplies when the commission has determined in writing and entered into the
3 commission minutes that there is only a single feasible source for the supplies. Immediately
4 upon discovering that other feasible sources exist, the commission shall rescind the waiver and

5 proceed to procure the supplies through the competitive processes as described in this chapter.

6 A single feasible source exists when:

7 (1) Supplies are proprietary and only available from the manufacturer or a single
8 distributor; or

9 (2) Based on past procurement experience, it is determined that only one distributor
10 services the region in which the supplies are needed; or

11 (3) Supplies are available at a discount from a single distributor for a limited period of
12 time.

13 2. On any single feasible source purchase where the estimated expenditure is three
14 thousand dollars or over, the commission shall post notice of the proposed purchase. Where the
15 estimated expenditure is five thousand dollars or over, the commission shall also advertise the
16 commission's intent to make such purchase in at least one daily and one weekly newspaper of
17 general circulation in such places as are most likely to reach prospective bidders or offerors and
18 may provide such information through an electronic medium available to the general public at
19 least ten days before the contract is to be let.

20 **3. Notwithstanding subsection 2 of this section to the contrary, on any single**
21 **feasible service purchase by any county of the first classification with more than one**
22 **hundred fifty thousand but fewer than two hundred thousand inhabitants or any county**
23 **of the second classification with more than seventy-five thousand but fewer than one**
24 **hundred thousand inhabitants or any county of the first classification with more than two**
25 **hundred sixty thousand but fewer than three hundred thousand inhabitants where the**
26 **estimated expenditure is six thousand dollars or over, the commission shall post notice of**
27 **the proposed purchase and advertise the commission's intent to make such purchase in at**
28 **least one daily and one weekly newspaper of general circulation in such places as are most**
29 **likely to reach prospective bidders or offerors and may provide such information through**
30 **an electronic medium available to the general public at least ten days before the contract**
31 **is to be let.**

50.1130. 1. **Notwithstanding the provisions of section 50.1150 to the contrary, a**
2 **death benefit of ten thousand dollars and, in the case of an active member who dies after**
3 **December 31, 2002, and before becoming vested, an amount equal to the amount of the**
4 **member's accumulated contributions standing to his or her credit in the fund shall be paid**
5 **to the designated beneficiary of every active member upon his or her death or, if the member fails**
6 **to designate a beneficiary, then to the member's surviving spouse or, if there is no spouse, then**
7 **in equal shares to the member's surviving children. If there is neither a surviving spouse or**
8 **surviving children, then the benefit shall be paid to the active member's estate.**

9 2. If the member executes a beneficiary designation form and lists more than one
10 beneficiary but fails to list the percentage of benefit that each beneficiary should receive, then
11 the benefit shall be divided equally among the named beneficiaries.

50.1140. 1. Upon termination of employment, any member with less than eight years
2 of creditable service shall forfeit all rights in the fund, including the member's accrued creditable
3 service as of the date of the member's termination of employment, but may receive any refund
4 of contributions to which the member is entitled pursuant to subsection 3 of this section **or**
5 **subsection 1 of section 50.1130.**

6 2. A member who terminates employment with at least eight years of creditable service
7 shall be entitled to an annuity from the fund, determined in accordance with the formula
8 described in section 50.1060. The member may elect to defer the receipt of his or her annuity,
9 until the member's attainment of age sixty-two, or the member may elect to begin receiving his
10 or her annuity on the first day of any month following the later of the date of termination of
11 employment or age fifty-five. If the member begins receiving an annuity before age sixty-two
12 and termination of employment occurs on or after age fifty-five, the annuity shall be reduced by
13 four-tenths of one percent for each month the commencement date of the annuity precedes age
14 sixty-two, and an additional three-tenths of one percent for each month the commencement date
15 of the annuity precedes age sixty.

16 3. In the event a member ceases to be a member other than by death before the date the
17 member becomes vested in the system, the member shall be paid, upon his or her written
18 application filed with the board, the member's accumulated contributions standing to his or her
19 credit in the members' deposit fund.

20 4. A former member who has forfeited creditable service may have the creditable service
21 restored by again becoming an employee, completing a total of eight years of uninterrupted
22 creditable service, and purchasing the forfeited service by paying into the fund the forfeited
23 amount previously refunded to the participant or credited to the participant's county plus interest
24 equal to the current prime rate plus two percent.

52.230. 1. Each year the collectors of revenue in all counties of the first class not having
2 a charter form of government, and in all second, third and fourth class counties of the state, not
3 under township organization, shall mail to all resident taxpayers, at least thirty days prior to
4 delinquent date, a statement of all real and tangible personal property taxes due and assessed on
5 the current tax books in the name of the taxpayers. Such statement shall also include the amount
6 of real and tangible personal property taxes delinquent at the time of the mailing of the statement,
7 including any interest and penalties associated with the delinquent taxes. Such statement shall
8 declare upon its face, or by an attachment thereto, that they are delinquent at the time such
9 statement is mailed for an amount of real or tangible personal property taxes, or both. A

10 collector of revenue or other collection authority charged with the duty of tax or license
11 collection may refuse to accept payment not accompanied by such statement. Refusal by the
12 collector of revenue to accept payment not accompanied by such statement shall not relieve or
13 delay the levy of interest and penalty on any overdue unpaid tax or license. Collectors shall also
14 mail tax receipts for all the taxes received by mail.

15 **2. The collectors of revenue may electronically transmit the statement required**
16 **under subsection 1 of this section to the electronic address provided and authorized by the**
17 **taxpayer to the collector of revenue. Any electronic address provided by a taxpayer to the**
18 **collector of revenue shall be a closed record under chapter 610.**

52.240. 1. The statement and receipt required by section 52.230 shall be mailed to the
2 address of the taxpayer as shown by the county assessor on the current tax books, and postage
3 for the mailing of the statements and receipts shall be furnished by the county commission **or the**
4 **statement and receipt may be electronically transmitted to the electronic address provided**
5 **and authorized by the taxpayer to the collector of revenue.** The failure of the taxpayer to
6 receive the notice provided for in section 52.230 in no case relieves the taxpayer of any tax
7 liability imposed by law.

8 **2. No penalty or interest imposed under any law shall be charged on any real or**
9 **personal property tax when the county collector certifies, due to system failures or other**
10 **reason, that the statement required by section 52.230 was mailed less than thirty days prior**
11 **to the delinquent date and the taxpayer paid taxes owed by fifteen days after the**
12 **delinquent date or fifteen days after the certified mailing date, whichever is later.**

13 **3.** No penalty or interest imposed under any law shall be charged on any real or personal
14 property tax when there is clear and convincing evidence that the county made an error or
15 omission in determining taxes owed by a taxpayer.

16 [2.] **4.** Any taxpayer claiming that the county made an error or omission in determining
17 taxes owed may submit a written request for a refund of penalties, interest, or taxes to the county
18 commission or governing body of the county. If the county commission or governing body of
19 the county approves the refund, then such penalties, interest, or taxes shall be refunded as
20 provided in [subsection 6 of] section 139.031. The county commission shall approve or
21 disapprove the taxpayer's written request within thirty days of receiving said request. The county
22 collector shall refund penalties, interest, and taxes if the county made an error or omission in
23 determining taxes owed by the taxpayer.

24 [3.] **5.** Nothing in this section shall relieve a taxpayer from paying taxes owed by
25 December thirty-first and paying penalties and interest owed for failing to pay all taxes by
26 December thirty-first, **except as provided with regard to penalties and interest by subsection**
27 **2 of this section.**

67.136. 1. Notwithstanding any other provisions to the contrary, any local governmental agency may utilize collections agencies to collect any debt as defined in this section.

2. For purposes of this section, the following terms shall mean:

(1) "Debt", any court or administrative fines or costs associated with a criminal conviction or entry of a civil judgment which are legally owed and enforceable, and which are past due and remain uncollected;

(2) "Debtor", any individual or entity owing a debt.

67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable

29 after the first collection of general property taxes following the adoption of the assessment
30 ordinance or resolution unless such ordinance or resolution was adopted and certified too late
31 to permit its collection at such time. All assessments shall bear interest at such rate as the
32 governing body determines, not to exceed the rate permitted for bonds by section 108.170.
33 Interest on the assessment between the effective date of the ordinance or resolution assessing the
34 assessment and the date the first installment is payable shall be added to the first installment.
35 The interest for one year on all unpaid installments shall be added to each subsequent installment
36 until paid. In the case of a special assessment by a city, all of the installments, together with the
37 interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one
38 instrument at the same time. Such certification shall be good for all of the installments, and the
39 interest thereon payable as special assessments.

40 5. Special assessments shall be collected and paid over to the city treasurer or county
41 treasurer in the same manner as taxes of the city or county are collected and paid. In any county
42 [of the first classification with more than one hundred thirty-five thousand four hundred but
43 fewer than one hundred thirty-five thousand five hundred inhabitants], the county collector may
44 collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to
2 67.475 shall be a lien, from the date of the assessment, on the property against which it is
3 assessed on behalf of the city or county assessing the same to the same extent as a tax upon real
4 property. The lien may be foreclosed in the same manner as a tax upon real property by land tax
5 sale pursuant to chapter 140 or [by judicial foreclosure proceeding,] , **if applicable to that**
6 **county, chapter 141, or**, at the option of the governing body, **by judicial foreclosure**
7 **proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial
8 foreclosure proceeding, the entire remaining assessment may become due and payable and may
9 be recoverable in such foreclosure proceeding at the option of the governing body.

67.548. 1. In any first or second class county not having a charter form of government,
2 which contains all or any part of a city with a population of greater than four hundred thousand
3 inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the
4 county commission may:

5 (1) Reduce or eliminate the county general fund levy, the special road and bridge levy,
6 or the park levy; [and]

7 (2) Grant county [sales tax] revenues to cities, towns and villages and to special road
8 districts organized pursuant to chapter 233;

9 (3) **Enter into agreements with cities, towns, villages, and special road districts**
10 **organized under chapter 233 for the purpose of working cooperatively on the roads and**

11 **bridges located within the county, including the distribution of funds to such entities in**
12 **addition to those funds described in subsection 2 of this section.**

13 2. [If the county commission reduces a special road and bridge tax levy pursuant to this
14 section which results in a reduction of revenue available to a city, town or village or to a special
15 road district organized pursuant to chapter 233, the commission shall in that year in which the
16 reduction of revenue occurs set aside and place to the credit of each such entity sales tax
17 revenues in an amount at least equal to that which each such entity would have otherwise been
18 entitled from the special road and bridge tax levy, had it not been for such reduction. In
19 subsequent years, each such entity shall receive from the county an amount of sales tax revenue
20 equal to the amount of special road and bridge tax revenue that each such entity would have
21 received in that year, but for the reduction in the special road and bridge tax. The county shall
22 transfer such sales tax revenue to each such entity in twelve equal monthly installments during
23 each year in which such entity is entitled to receive such sales tax revenue.] **In any county in**
24 **which the voters have approved a sales tax as provided by section 67.547, each city, town,**
25 **village, and special road district organized under chapter 233 shall continue to receive its**
26 **share of the county's special road and bridge levy, if any, that is annually considered by**
27 **the county commission. In the event that the annual special road and bridge levy is not set**
28 **at a level of at least fourteen cents on each one hundred dollars assessed valuation, the**
29 **county commission shall allocate additional funds from any available county source to the**
30 **cities, towns, villages, and special road districts located within the county in an amount that**
31 **will, when combined with the revenues received from the special road and bridge levy,**
32 **distribute funds to such entities in an amount that is at least equal to the funding level of**
33 **fourteen cents on each one hundred dollars assessed valuation. Additionally, any city,**
34 **town, or village which contains at least fifty percent of a special road district organized**
35 **under chapter 233 shall be entitled to receive the road district's portion of any funds not**
36 **paid through the special road and bridge levy. Any funds paid under this subsection shall**
37 **be paid as if the funds were paid under the county's special road and bridge levy.**

67.1305. 1. As used in this section, the term "city" shall mean any incorporated city,
2 town, or village.

3 2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the
4 governing body of any city or county may impose, by order or ordinance, a sales tax on all retail
5 sales made in the city or county which are subject to sales tax under chapter 144. The tax
6 authorized in this section shall not be more than one-half of one percent. The order or ordinance
7 imposing the tax shall not become effective unless the governing body of the city or county
8 submits to the voters of the city or county at any citywide, county or state general, primary or

9 special election a proposal to authorize the governing body to impose a tax under this section.
 10 The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and
 11 shall be stated separately from all other charges and taxes. The tax authorized in this section
 12 shall not be imposed by any city or county that has imposed a tax under section 67.1300 or
 13 67.1303 unless the tax imposed under those sections has expired or been repealed.

14 3. The ballot of submission for the tax authorized in this section shall be in substantially
 15 the following form:

16 Shall (insert the name of the city or county) impose a sales tax at a rate of
 17 (insert rate of percent) percent for economic development purposes?

18 YES NO

19

20 If a majority of the votes cast on the question by the qualified voters voting thereon are in favor
 21 of the question, then the tax shall become effective on the first day of the second calendar quarter
 22 following the calendar quarter in which the election was held. If a majority of the votes cast on
 23 the question by the qualified voters voting thereon are opposed to the question, then the tax shall
 24 not become effective unless and until the question is resubmitted under this section to the
 25 qualified voters and such question is approved by a majority of the qualified voters voting on the
 26 question, provided that no proposal shall be resubmitted to the voters sooner than twelve months
 27 from the date of the submission of the last proposal.

28 4. All sales taxes collected by the director of revenue under this section on behalf of any
 29 county or municipality, less one percent for cost of collection which shall be deposited in the
 30 state's general revenue fund after payment of premiums for surety bonds as provided in section
 31 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the
 32 "Local Option Economic Development Sales Tax Trust Fund".

33 5. The moneys in the local option economic development sales tax trust fund shall not
 34 be deemed to be state funds and shall not be commingled with any funds of the state. The
 35 director of revenue shall keep accurate records of the amount of money in the trust fund and
 36 which was collected in each city or county imposing a sales tax pursuant to this section, and the
 37 records shall be open to the inspection of officers of the city or county and the public.

38 6. Not later than the tenth day of each month the director of revenue shall distribute all
 39 moneys deposited in the trust fund during the preceding month to the city or county which levied
 40 the tax. Such funds shall be deposited with the county treasurer of each such county or the
 41 appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising
 42 from the local economic development sales tax trust fund shall be in accordance with this
 43 section.

44 7. The director of revenue may authorize the state treasurer to make refunds from the
45 amounts in the trust fund and credited to any city or county for erroneous payments and
46 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of
47 such cities and counties.

48 8. If any county or municipality abolishes the tax, the city or county shall notify the
49 director of revenue of the action at least ninety days prior to the effective date of the repeal and
50 the director of revenue may order retention in the trust fund, for a period of one year, of two
51 percent of the amount collected after receipt of such notice to cover possible refunds or
52 overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of
53 such accounts. After one year has elapsed after the effective date of abolition of the tax in such
54 city or county, the director of revenue shall remit the balance in the account to the city or county
55 and close the account of that city or county. The director of revenue shall notify each city or
56 county of each instance of any amount refunded or any check redeemed from receipts due the
57 city or county.

58 9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall
59 apply to the tax imposed pursuant to this section.

60 10. (1) No revenue generated by the tax authorized in this section shall be used for any
61 retail development project, except for the redevelopment of downtown areas and historic
62 districts. Not more than twenty-five percent of the revenue generated shall be used annually for
63 administrative purposes, including staff and facility costs.

64 (2) At least twenty percent of the revenue generated by the tax authorized in this section
65 shall be used solely for projects directly related to long-term economic development preparation,
66 including, but not limited to, the following:

- 67 (a) Acquisition of land;
- 68 (b) Installation of infrastructure for industrial or business parks;
- 69 (c) Improvement of water and wastewater treatment capacity;
- 70 (d) Extension of streets;
- 71 (e) Public facilities directly related to economic development and job creation; and
- 72 (f) Providing matching dollars for state or federal grants relating to such long-term
73 projects.

74 (3) The remaining revenue generated by the tax authorized in this section may be used
75 for, but shall not be limited to, the following:

- 76 (a) Marketing;
- 77 (b) Providing grants and loans to companies for job training, equipment acquisition, site
78 development, and infrastructures;

79 (c) Training programs to prepare workers for advanced technologies and high skill jobs;

80 (d) Legal and accounting expenses directly associated with the economic development
81 planning and preparation process;

82 (e) Developing value-added and export opportunities for Missouri agricultural products.

83 11. All revenue generated by the tax shall be deposited in a special trust fund and shall
84 be used solely for the designated purposes. If the tax is repealed, all funds remaining in the
85 special trust fund shall continue to be used solely for the designated purposes. Any funds in the
86 special trust fund which are not needed for current expenditures may be invested by the
87 governing body in accordance with applicable laws relating to the investment of other city or
88 county funds.

89 12. (1) Any city or county imposing the tax authorized in this section shall establish an
90 economic development tax board. The volunteer board shall receive no compensation or
91 operating budget.

92 (2) The economic development tax board established by a city shall consist of **at least**
93 **five members, but may be increased to nine members. Either a five-member or nine-**
94 **member board shall be designated in the order or ordinance imposing the sales tax**
95 **authorized by this section, and the members are** to be appointed as follows:

96 (a) One member **of a five member board, or two members of a nine member board,**
97 shall be appointed by the school districts included within any economic development plan or area
98 funded by the sales tax authorized in this section. Such member **or members** shall be appointed
99 in any manner agreed upon by the affected districts;

100 (b) Three members **of a five member board, or five members of a nine member**
101 **board,** shall be appointed by the chief elected officer of the city with the consent of the majority
102 of the governing body of the city;

103 (c) One member **of a five member board, or two members of a nine member board,**
104 shall be appointed by the governing body of the county in which the city is located.

105 (3) The economic development tax board established by a county shall consist of seven
106 members, to be appointed as follows:

107 (a) One member shall be appointed by the school districts included within any economic
108 development plan or area funded by the sales tax authorized in this section. Such member shall
109 be appointed in any manner agreed upon by the affected districts;

110 (b) Four members shall be appointed by the governing body of the county; and

111 (c) Two members from the cities, towns, or villages within the county appointed in any
112 manner agreed upon by the chief elected officers of the cities or villages.

113 Of the members initially appointed, three shall be designated to serve for terms of two years,
114 **except that when a nine member board is designated, seven of the members initially**
115 **appointed shall be designated to serve for terms of two years,** and the remaining members
116 shall be designated to serve for a term of four years from the date of such initial appointments.
117 Thereafter, the members appointed shall serve for a term of four years, except that all vacancies
118 shall be filled for unexpired terms in the same manner as were the original appointments.

119 **(4) If an economic development tax board established by a city is already in**
120 **existence on August 28, 2012, any increase in the number of members of the board shall**
121 **be designated in an order or ordinance. The four board members added to the board shall**
122 **be appointed to a term with an expiration coinciding with the expiration of the terms of the**
123 **three board member positions that were originally appointed to terms of two years.**
124 **Thereafter, the additional members appointed shall serve for a term of four years, except**
125 **that all vacancies shall be filled for unexpired terms in the same manner as were the**
126 **additional appointments.**

127 13. The board, subject to approval of the governing body of the city or county, shall
128 consider economic development plans, economic development projects, or designations of an
129 economic development area, and shall hold public hearings and provide notice of any such
130 hearings. The board shall vote on all proposed economic development plans, economic
131 development projects, or designations of an economic development area, and amendments
132 thereto, within thirty days following completion of the hearing on any such plan, project, or
133 designation, and shall make recommendations to the governing body within ninety days of the
134 hearing concerning the adoption of or amendment to economic development plans, economic
135 development projects, or designations of an economic development area. The governing body
136 of the city or county shall have the final determination on use and expenditure of any funds
137 received from the tax imposed under this section.

138 14. The board may consider and recommend using funds received from the tax imposed
139 under this section for plans, projects or area designations outside the boundaries of the city or
140 county imposing the tax if, and only if:

141 (1) The city or county imposing the tax or the state receives significant economic benefit
142 from the plan, project or area designation; and

143 (2) The board establishes an agreement with the governing bodies of all cities and
144 counties in which the plan, project or area designation is located detailing the authority and
145 responsibilities of each governing body with regard to the plan, project or area designation.

146 15. Notwithstanding any other provision of law to the contrary, the economic
147 development sales tax imposed under this section when imposed within a special taxing district,

148 including but not limited to a tax increment financing district, neighborhood improvement
149 district, or community improvement district, shall be excluded from the calculation of revenues
150 available to such districts, and no revenues from any sales tax imposed under this section shall
151 be used for the purposes of any such district unless recommended by the economic development
152 tax board established under this section and approved by the governing body imposing the tax.

153 16. The board and the governing body of the city or county imposing the tax shall report
154 at least annually to the governing body of the city or county on the use of the funds provided
155 under this section and on the progress of any plan, project, or designation adopted under this
156 section and shall make such report available to the public.

157 17. Not later than the first day of March each year the board shall submit to the joint
158 committee on economic development a report, not exceeding one page in length, which must
159 include the following information for each project using the tax authorized under this section:

- 160 (1) A statement of its primary economic development goals;
- 161 (2) A statement of the total economic development sales tax revenues received during
162 the immediately preceding calendar year;
- 163 (3) A statement of total expenditures during the preceding calendar year in each of the
164 following categories:
 - 165 (a) Infrastructure improvements;
 - 166 (b) Land and or buildings;
 - 167 (c) Machinery and equipment;
 - 168 (d) Job training investments;
 - 169 (e) Direct business incentives;
 - 170 (f) Marketing;
 - 171 (g) Administration and legal expenses; and
 - 172 (h) Other expenditures.

173 18. The governing body of any city or county that has adopted the sales tax authorized
174 in this section may submit the question of repeal of the tax to the voters on any date available for
175 elections for the city or county. The ballot of submission shall be in substantially the following
176 form:

177 Shall (insert the name of the city or county) repeal the sales tax imposed at a rate
178 of (insert rate of percent) percent for economic development purposes?

179 YES NO

180

181 If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become
182 effective on December thirty-first of the calendar year in which such repeal was approved. If a

183 majority of the votes cast on the question by the qualified voters voting thereon are opposed to
184 the repeal, then the sales tax authorized in this section shall remain effective until the question
185 is resubmitted under this section to the qualified voters of the city or county, and the repeal is
186 approved by a majority of the qualified voters voting on the question.

187 19. Whenever the governing body of any city or county that has adopted the sales tax
188 authorized in this section receives a petition, signed by ten percent of the registered voters of the
189 city or county voting in the last gubernatorial election, calling for an election to repeal the sales
190 tax imposed under this section, the governing body shall submit to the voters a proposal to repeal
191 the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are
192 in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar
193 year in which such repeal was approved. If a majority of the votes cast on the question by the
194 qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until
195 the question is resubmitted under this section to the qualified voters and the repeal is approved
196 by a majority of the qualified voters voting on the question.

197 20. If any provision of this section or section 67.1303 or the application thereof to any
198 person or circumstance is held invalid, the invalidity shall not affect other provisions or
199 application of this section or section 67.1303 which can be given effect without the invalid
200 provision or application, and to this end the provisions of this section and section 67.1303 are
201 declared severable.

67.1521. 1. A district may levy by resolution one or more special assessments against
2 real property within its boundaries, upon receipt of and in accordance with a petition signed by:

3 (1) Owners of real property collectively owning more than fifty percent by assessed value
4 of real property within the boundaries of the district; and

5 (2) More than fifty percent per capita of the owners of all real property within the
6 boundaries of the district.

7 2. The special assessment petition shall be in substantially the following form:

8 The (insert name of district) Community Improvement District
9 ("District") shall be authorized to levy special assessments against real property benefitted within
10 the District for the purpose of providing revenue for (insert general description of
11 specific service and/or projects) in the district, such special assessments to be levied against each
12 tract, lot or parcel of real property listed below within the district which receives special benefit
13 as a result of such service and/or projects, the cost of which shall be allocated among this
14 property by (insert method of allocation, e.g., per square foot of property, per
15 square foot on each square foot of improvement, or by abutting foot of property abutting streets,
16 roads, highways, parks or other improvements, or any other reasonable method) in an amount

17 not to exceed dollars per (insert unit of measure). Such authorization to levy the special
18 assessment shall expire on (insert date). The tracts of land located in the district
19 which will receive special benefit from this service and/or projects are: (list of
20 properties by common addresses and legal descriptions).

21 3. The method for allocating such special assessments set forth in the petition may be
22 any reasonable method which results in imposing assessments upon real property benefitted in
23 relation to the benefit conferred upon each respective tract, lot or parcel of real property and the
24 cost to provide such benefit.

25 4. By resolution of the board, the district may levy a special assessment rate lower than
26 the rate ceiling set forth in the petition authorizing the special assessment and may increase such
27 lowered special assessment rate to a level not exceeding the special assessment rate ceiling set
28 forth in the petition without further approval of the real property owners; provided that a district
29 imposing a special assessment pursuant to this section may not repeal or amend such special
30 assessment or lower the rate of such special assessment if such repeal, amendment or lower rate
31 will impair the district's ability to pay any liabilities that it has incurred, money that it has
32 borrowed or obligations that it has issued.

33 5. Each special assessment which is due and owing shall constitute a perpetual lien
34 against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed
35 in the same manner as any other special assessment lien as provided in section 88.861.
36 Notwithstanding the provisions of this subsection and section 67.1541 to the contrary, [in any
37 county of the first classification with more than one hundred thirty-five thousand four hundred
38 but fewer than one hundred thirty-five thousand five hundred inhabitants,] the county collector
39 may, upon certification by the district for collection, add each special assessment to the annual
40 real estate tax bill for the property and collect the assessment in the same manner the collector
41 uses for real estate taxes. [In said counties, each] **Any** special assessment remaining unpaid on
42 the first day of January annually is delinquent and enforcement of collection of the delinquent
43 bill by the county collector shall be governed by the laws concerning delinquent and back taxes.
44 The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under
45 chapter 140 or, if applicable to that county, chapter 141.

46 6. A separate fund or account shall be created by the district for each special assessment
47 levied and each fund or account shall be identifiable by a suitable title. The proceeds of such
48 assessments shall be credited to such fund or account. Such fund or account shall be used solely
49 to pay the costs incurred in undertaking the specified service or project.

50 7. Upon completion of the specified service or project or both, the balance remaining in
51 the fund or account established for such specified service or project or both shall be returned or

52 credited against the amount of the original assessment of each parcel of property pro rata based
53 on the method of assessment of such special assessment.

54 8. Any funds in a fund or account created pursuant to this section which are not needed
55 for current expenditures may be invested by the board in accordance with applicable laws
56 relating to the investment of funds of the city in which the district is located.

57 9. The authority of the district to levy special assessments shall be independent of the
58 limitations and authorities of the municipality in which it is located; specifically, the provisions
59 of section 88.812 shall not apply to any district.

67.2010. 1. Any county of the first classification with more than eighty-two thousand
2 but less than eighty-two thousand one hundred inhabitants **and any county of the first**
3 **classification with more than two hundred sixty thousand but fewer than three hundred**
4 **thousand inhabitants** may elect to have the violations of county ordinances adopted pursuant
5 to [section 304.130] **the authority provided by statute** heard and determined by an associate
6 circuit judge of the circuit in which the county is located; provided, however, if such election is
7 made, all violations of that county's ordinances adopted pursuant to [section 304.130] **statutory**
8 **authority** shall be heard and determined before an associate circuit judge or judges. Nothing
9 in this subsection shall preclude the transfer or assignment of another judge to hear and
10 determine a case or class of cases when otherwise authorized by provisions of the constitution,
11 law, or court rule.

12 2. If a county elects to have the violations of its county ordinances [adopted pursuant to
13 section 304.130] heard and determined by an associate circuit judge, the associate circuit judge
14 or judges shall commence hearing and determining such violations six months after the county
15 notifies the presiding judge of the circuit of its election. With the consent of the presiding judge,
16 the associate circuit judge or judges may commence hearing such violations at an earlier date.

67.4505. 1. There is hereby created within any county of the third classification with a
2 township form of government and with more than seven thousand two hundred but fewer than
3 seven thousand three hundred inhabitants **and any county of the second classification with**
4 **more than seventy-five thousand but fewer than one hundred thousand inhabitants** a
5 county drinking water supply lake authority, which shall be a body corporate and politic and a
6 political subdivision of this state.

7 2. The authority may exercise the powers provided to it under section 67.4520 over the
8 reservoir area encompassing any drinking water supply lake of one thousand five hundred acres
9 or more, as measured at its conservation storage level, and within the lake's watershed.

10 3. It shall be the purpose of each authority to promote the general welfare and a safe
11 drinking water supply through the construction, operation, and maintenance of a drinking water
12 supply lake.

13 4. The income of the authority and all property at any time owned by the authority shall
14 be exempt from all taxation or any assessments whatsoever to the state or of any political
15 subdivision, municipality, or other governmental agency thereof.

16 5. No county in which an authority is organized shall be held liable in connection with
17 the construction, operation, or maintenance of any project or program undertaken pursuant to
18 sections 67.4500 to 67.4520, including any actions taken by the authority in connection with such
19 project or program.

 71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the
2 governing body of any city, town or village may annex unincorporated areas which are
3 contiguous and compact to the existing corporate limits of the city, town or village pursuant to
4 this section. The term "contiguous and compact" does not include a situation whereby the
5 unincorporated area proposed to be annexed is contiguous to the annexing city, town or village
6 only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in
7 width within the city, town or village so that the boundaries of the city, town or village after
8 annexation would leave unincorporated areas between the annexed area and the prior boundaries
9 of the city, town or village connected only by such railroad line, trail, pipeline or other such strip
10 of real property. The term "contiguous and compact" does not prohibit voluntary annexations
11 pursuant to this section merely because such voluntary annexation would create an island of
12 unincorporated area within the city, town or village, so long as the owners of the unincorporated
13 island were also given the opportunity to voluntarily annex into the city, town or village.
14 Notwithstanding the provisions of this section, the governing body of any city, town or village
15 in any county of the third classification which borders a county of the fourth classification, a
16 county of the second classification and **the** Mississippi River may annex areas along a road or
17 highway up to two miles from existing boundaries of the city, town or village or the governing
18 body in any city, town or village in any county of the third classification without a township form
19 of government with a population of at least twenty-four thousand inhabitants but not more than
20 thirty thousand inhabitants and such county contains a state correctional center may voluntarily
21 annex such correctional center pursuant to the provisions of this section if the correctional center
22 is along a road or highway within two miles from the existing boundaries of the city, town or
23 village.

24 2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the
25 owners of all fee interests of record in all tracts of real property located within the area proposed

26 to be annexed, or a request for annexation signed under the authority of the governing body of
27 any common interest community and approved by a majority vote of unit owners located within
28 the area proposed to be annexed is presented to the governing body of the city, town or village,
29 the governing body shall hold a public hearing concerning the matter not less than fourteen nor
30 more than sixty days after the petition is received, and the hearing shall be held not less than
31 seven days after notice of the hearing is published in a newspaper of general circulation qualified
32 to publish legal matters and located within the boundary of the petitioned city, town or village.
33 If no such newspaper exists within the boundary of such city, town or village, then the notice
34 shall be published in the qualified newspaper nearest the petitioned city, town or village. For the
35 purposes of this subdivision, the term "common-interest community" shall mean a condominium
36 as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned
37 community.

38 (a) A "common-interest community" shall be defined as real property with respect to
39 which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property
40 taxes, insurance premiums, maintenance or improvement of other real property described in a
41 declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years
42 in a unit, including renewal options;

43 (b) A "cooperative" shall be defined as a common-interest community in which the real
44 property is owned by an association, each of whose members is entitled by virtue of such
45 member's ownership interest in the association to exclusive possession of a unit;

46 (c) A "planned community" shall be defined as a common-interest community that is not
47 a condominium or a cooperative. A condominium or cooperative may be part of a planned
48 community.

49 (2) At the public hearing any interested person, corporation or political subdivision may
50 present evidence regarding the proposed annexation.

51

52 If, after holding the hearing, the governing body of the city, town or village determines that the
53 annexation is reasonable and necessary to the proper development of the city, town or village,
54 and the city, town or village has the ability to furnish normal municipal services to the area to
55 be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this
56 subsection, annex the territory by ordinance without further action.

57 (3) If a written objection to the proposed annexation is filed with the governing body of
58 the city, town or village not later than fourteen days after the public hearing by at least five
59 percent of the qualified voters of the city, town or village, or two qualified voters of the area

60 sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015
61 and 71.860 to 71.920, shall be followed.

62 3. If no objection is filed, the city, town or village shall extend its limits by ordinance
63 to include such territory, specifying with accuracy the new boundary lines to which the city's,
64 town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city,
65 town or village shall cause three certified copies of the same to be filed with the county assessor
66 and the clerk of the county wherein the city, town or village is located, and one certified copy to
67 be filed with the election authority, if different from the clerk of the county which has
68 jurisdiction over the area being annexed, whereupon the annexation shall be complete and final
69 and thereafter all courts of this state shall take judicial notice of the limits of that city, town or
70 village as so extended.

71 **4. Any action of any kind seeking to deannex from any city, town, or village any**
72 **area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or**
73 **otherwise challenge such annexation or oust such city, town, or village from jurisdiction**
74 **over such annexed area shall be brought within three years of the date of adoption of the**
75 **annexation ordinance.**

71.014. 1. Notwithstanding the provisions of section 71.015, the governing body of any
2 city, town, or village which is located within a county which borders a county of the first
3 classification with a charter form of government with a population in excess of six hundred fifty
4 thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas
5 which are contiguous and compact to the existing corporate limits upon [verified] **notarized**
6 petition requesting such annexation signed by the owners of all fee interests of record in all tracts
7 located within the area to be annexed.

8 **2. Any action of any kind seeking to deannex from any city, town, or village any**
9 **area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or**
10 **otherwise challenge such annexation or oust such city, town, or village from jurisdiction**
11 **over such annexed area shall be brought within three years of the date of adoption of the**
12 **annexation ordinance.**

71.015. 1. Should any city, town, or village, not located in any county of the first
2 classification which has adopted a constitutional charter for its own local government, seek to
3 annex an area to which objection is made, the following shall be satisfied:

4 (1) Before the governing body of any city, town, or village has adopted a resolution to
5 annex any unincorporated area of land, such city, town, or village shall first as a condition
6 precedent determine that the land to be annexed is contiguous to the existing city, town, or
7 village limits and that the length of the contiguous boundary common to the existing city, town,

8 or village limit and the proposed area to be annexed is at least fifteen percent of the length of the
9 perimeter of the area proposed for annexation.

10 (2) The governing body of any city, town, or village shall propose an ordinance setting
11 forth the following:

12 (a) The area to be annexed and affirmatively stating that the boundaries comply with the
13 condition precedent referred to in subdivision (1) above;

14 (b) That such annexation is reasonable and necessary to the proper development of the
15 city, town, or village;

16 (c) That the city has developed a plan of intent to provide services to the area proposed
17 for annexation;

18 (d) That a public hearing shall be held prior to the adoption of the ordinance;

19 (e) When the annexation is proposed to be effective, the effective date being up to
20 thirty-six months from the date of any election held in conjunction thereto.

21 (3) The city, town, or village shall fix a date for a public hearing on the ordinance and
22 make a good faith effort to notify all fee owners of record within the area proposed to be annexed
23 by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all
24 residents of the area by publication of notice in a newspaper of general circulation qualified to
25 publish legal matters in the county or counties where the proposed area is located, at least once
26 a week for three consecutive weeks prior to the hearing, with at least one such notice being not
27 more than twenty days and not less than ten days before the hearing.

28 (4) At the hearing referred to in subdivision (3), the city, town, or village shall present
29 the plan of intent and evidence in support thereof to include:

30 (a) A list of major services presently provided by the city, town, or village including, but
31 not limited to, police and fire protection, water and sewer systems, street maintenance, parks and
32 recreation, **and** refuse collection[, etc.];

33 (b) A proposed time schedule whereby the city, town, or village plans to provide such
34 services to the residents of the proposed area to be annexed within three years from the date the
35 annexation is to become effective;

36 (c) The level at which the city, town, or village assesses property and the rate at which
37 it taxes that property;

38 (d) How the city, town, or village proposes to zone the area to be annexed;

39 (e) When the proposed annexation shall become effective.

40 (5) Following the hearing, and either before or after the election held in subdivision (6)
41 of this subsection, should the governing body of the city, town, or village vote favorably by
42 ordinance to annex the area, the governing body of the city, town or village shall file an action

43 in the circuit court of the county in which such unincorporated area is situated, under the
44 provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The
45 petition in such action shall state facts showing:

46 (a) The area to be annexed and its conformity with the condition precedent referred to
47 in subdivision (1) of this subsection;

48 (b) That such annexation is reasonable and necessary to the proper development of the
49 city, town, or village; and

50 (c) The ability of the city, town, or village to furnish normal municipal services of the
51 city, town, or village to the unincorporated area within a reasonable time not to exceed three
52 years after the annexation is to become effective. Such action shall be a class action against the
53 inhabitants of such unincorporated area under the provisions of section 507.070.

54 (6) Except as provided in subsection 3 of this section, if the court authorizes the city,
55 town, or village to make an annexation, the legislative body of such city, town, or village shall
56 not have the power to extend the limits of the city, town, or village by such annexation until an
57 election is held at which the proposition for annexation is approved by a majority of the total
58 votes cast in the city, town, or village and by a separate majority of the total votes cast in the
59 unincorporated territory sought to be annexed. However, should less than a majority of the total
60 votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority
61 of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal
62 shall again be voted upon in not more than one hundred twenty days by both the registered voters
63 of the city, town, or village and the registered voters of the area proposed to be annexed. If at
64 least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the
65 city, town, or village may proceed to annex the territory. If the proposal fails to receive the
66 necessary majority, no part of the area sought to be annexed may be the subject of another
67 proposal to annex for a period of two years from the date of the election, except that, during the
68 two-year period, the owners of all fee interests of record in the area or any portion of the area
69 may petition the city, town, or village for the annexation of the land owned by them pursuant to
70 the procedures in section 71.012. The elections shall if authorized be held, except as herein
71 otherwise provided, in accordance with the general state law governing special elections, and the
72 entire cost of the election or elections shall be paid by the city, town, or village proposing to
73 annex the territory.

74 (7) Failure to comply in providing services to the said area or to zone in compliance with
75 the plan of intent within three years after the effective date of the annexation, unless compliance
76 is made unreasonable by an act of God, shall give rise to a cause of action for deannexation

77 which may be filed in the circuit court by any resident of the area who was residing in the area
78 at the time the annexation became effective.

79 (8) No city, town, or village which has filed an action under this section as this section
80 read prior to May 13, 1980, which action is part of an annexation proceeding pending on May
81 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such
82 annexation proceeding.

83 (9) If the area proposed for annexation includes a public road or highway but does not
84 include all of the land adjoining such road or highway, then such fee owners of record, of the
85 lands adjoining said highway shall be permitted to intervene in the declaratory judgment action
86 described in subdivision (5) of this subsection.

87 2. Notwithstanding any provision of subsection 1 of this section, for any annexation by
88 any city with a population of three hundred fifty thousand or more inhabitants which is located
89 in more than one county that becomes effective after August 28, 1994, if such city has not
90 provided water and sewer service to such annexed area within three years of the effective date
91 of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such
92 water and sewer service to the annexed area is made unreasonable by an act of God. The cause
93 of action for deannexation may be filed in the circuit court by any resident of the annexed area
94 who is presently residing in the area at the time of the filing of the suit and was a resident of the
95 annexed area at the time the annexation became effective. If the suit for deannexation is
96 successful, the city shall be liable for all court costs and attorney fees.

97 3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all
98 cities, towns, and villages located in any county of the first classification with a charter form of
99 government with a population of two hundred thousand or more inhabitants which adjoins a
100 county with a population of nine hundred thousand or more inhabitants shall comply with the
101 provisions of this subsection. If the court authorizes any city, town, or village subject to this
102 subsection to make an annexation, the legislative body of such city, town or village shall not
103 have the power to extend the limits of such city, town, or village by such annexation until an
104 election is held at which the proposition for annexation is approved by a majority of the total
105 votes cast in such city, town, or village and by a separate majority of the total votes cast in the
106 unincorporated territory sought to be annexed; except that:

107 (1) In the case of a proposed annexation in any area which is contiguous to the existing
108 city, town or village and which is within an area designated as flood plain by the Federal
109 Emergency Management Agency and which is inhabited by no more than thirty registered voters
110 and for which a final declaratory judgment has been granted prior to January 1, 1993, approving
111 such annexation and where notarized affidavits expressing approval of the proposed annexation

112 are obtained from a majority of the registered voters residing in the area to be annexed, the area
113 may be annexed by an ordinance duly enacted by the governing body and no elections shall be
114 required; and

115 (2) In the case of a proposed annexation of unincorporated territory in which no qualified
116 electors reside, if at least a majority of the qualified electors voting on the proposition are in
117 favor of the annexation, the city, town or village may proceed to annex the territory and no
118 subsequent election shall be required. If the proposal fails to receive the necessary separate
119 majorities, no part of the area sought to be annexed may be the subject of any other proposal to
120 annex for a period of two years from the date of such election, except that, during the two-year
121 period, the owners of all fee interests of record in the area or any portion of the area may petition
122 the city, town, or village for the annexation of the land owned by them pursuant to the procedures
123 in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise
124 provided in this section, in accordance with the general state laws governing special elections,
125 and the entire cost of the election or elections shall be paid by the city, town, or village proposing
126 to annex the territory. Failure of the city, town or village to comply in providing services to the
127 area or to zone in compliance with the plan of intent within three years after the effective date
128 of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to
129 a cause of action for deannexation which may be filed in the circuit court **not later than four**
130 **years after the effective date of the annexation** by any resident of the area who was residing
131 in such area at the time the annexation became effective or by any nonresident owner of real
132 property in such area. **Except for a cause of action for deannexation under this subdivision**
133 **(2) of this subsection, any action of any kind seeking to deannex from any city, town, or**
134 **village any area annexed under this section or seeking, in any way, to reverse, invalidate,**
135 **set aside, or otherwise challenge such annexation or oust such city, town, or village from**
136 **jurisdiction over such annexed area shall be brought within three years of the date of**
137 **adoption of the annexation ordinance.**

94.902. 1. (1) The governing body of **the following cities may impose a sales tax as**
2 **provided in this section:**

3 (a) Any city of the third classification with more than twenty-six thousand three hundred
4 but less than twenty-six thousand seven hundred inhabitants[, or] ;

5 (b) Any city of the fourth classification with more than thirty thousand three hundred but
6 fewer than thirty thousand seven hundred inhabitants[, or] ;

7 (c) Any city of the fourth classification with more than twenty-four thousand eight
8 hundred but fewer than twenty-five thousand inhabitants[.] ;

9 **(d) Any city of the third classification with more than four thousand but fewer than**
 10 **four thousand five hundred inhabitants and located in any county of the first classification**
 11 **with more than two hundred thousand but fewer than two hundred sixty thousand**
 12 **inhabitants.**

13 **(2) The governing body of any city listed in subdivision (1) of this subsection** may
 14 impose, by order or ordinance, a sales tax on all retail sales made in the city which are subject
 15 to taxation under chapter 144. The tax authorized in this section may be imposed in an amount
 16 of up to one-half of one percent, and shall be imposed solely for the purpose of improving the
 17 public safety for such city, including but not limited to expenditures on equipment, city employee
 18 salaries and benefits, and facilities for police, fire and emergency medical providers. The tax
 19 authorized in this section shall be in addition to all other sales taxes imposed by law, and shall
 20 be stated separately from all other charges and taxes. The order or ordinance imposing a sales
 21 tax under this section shall not become effective unless the governing body of the city submits
 22 to the voters residing within the city, at a county or state general, primary, or special election, a
 23 proposal to authorize the governing body of the city to impose a tax under this section.

24 2. The ballot of submission for the tax authorized in this section shall be in substantially
 25 the following form:

26 Shall the city of (city's name) impose a citywide sales tax at
 27 a rate of (insert rate of percent) percent for the purpose of improving the public safety of
 28 the city?

29 YES NO

30
 31 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed
 32 to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the
 33 proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance
 34 or order and any amendments to the order or ordinance shall become effective on the first day
 35 of the second calendar quarter after the director of revenue receives notice of the adoption of the
 36 sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon
 37 are opposed to the proposal, then the tax shall not become effective unless the proposal is
 38 resubmitted under this section to the qualified voters and such proposal is approved by a majority
 39 of the qualified voters voting on the proposal. However, in no event shall a proposal under this
 40 section be submitted to the voters sooner than twelve months from the date of the last proposal
 41 under this section.

42 3. Any sales tax imposed under this section shall be administered, collected, enforced,
 43 and operated as required in section 32.087. All sales taxes collected by the director of the

44 department of revenue under this section on behalf of any city, less one percent for cost of
45 collection which shall be deposited in the state's general revenue fund after payment of premiums
46 for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which
47 is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust
48 Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be
49 commingled with any funds of the state. The provisions of section 33.080 to the contrary
50 notwithstanding, money in this fund shall not be transferred and placed to the credit of the
51 general revenue fund. The director shall keep accurate records of the amount of money in the
52 trust fund and which was collected in each city imposing a sales tax under this section, and the
53 records shall be open to the inspection of officers of the city and the public. Not later than the
54 tenth day of each month the director shall distribute all moneys deposited in the trust fund during
55 the preceding month to the city which levied the tax. Such funds shall be deposited with the city
56 treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by
57 an appropriation act to be enacted by the governing body of each such city. Expenditures may
58 be made from the fund for any functions authorized in the ordinance or order adopted by the
59 governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the
60 special trust fund shall continue to be used solely for the designated purposes. Any funds in the
61 special trust fund which are not needed for current expenditures shall be invested in the same
62 manner as other funds are invested. Any interest and moneys earned on such investments shall
63 be credited to the fund.

64 4. The director of the department of revenue may authorize the state treasurer to make
65 refunds from the amounts in the trust fund and credited to any city for erroneous payments and
66 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of
67 such cities. If any city abolishes the tax, the city shall notify the director of the action at least
68 ninety days before the effective date of the repeal, and the director may order retention in the
69 trust fund, for a period of one year, of two percent of the amount collected after receipt of such
70 notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and
71 drafts deposited to the credit of such accounts. After one year has elapsed after the effective date
72 of abolition of the tax in such city, the director shall remit the balance in the account to the city
73 and close the account of that city. The director shall notify each city of each instance of any
74 amount refunded or any check redeemed from receipts due the city.

75 5. The governing body of any city that has adopted the sales tax authorized in this section
76 may submit the question of repeal of the tax to the voters on any date available for elections for
77 the city. The ballot of submission shall be in substantially the following form:

78 Shall (insert the name of the city) repeal the sales tax
79 imposed at a rate of (insert rate of percent) percent for the purpose of improving the public
80 safety of the city?

81 YES NO

82

83 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become
84 effective on December thirty-first of the calendar year in which such repeal was approved. If a
85 majority of the votes cast on the question by the qualified voters voting thereon are opposed to
86 the repeal, then the sales tax authorized in this section shall remain effective until the question
87 is resubmitted under this section to the qualified voters, and the repeal is approved by a majority
88 of the qualified voters voting on the question.

89 6. Whenever the governing body of any city that has adopted the sales tax authorized in
90 this section receives a petition, signed by ten percent of the registered voters of the city voting
91 in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this
92 section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If
93 a majority of the votes cast on the question by the qualified voters voting thereon are in favor of
94 the repeal, that repeal shall become effective on December thirty-first of the calendar year in
95 which such repeal was approved. If a majority of the votes cast on the question by the qualified
96 voters voting thereon are opposed to the repeal, then the tax shall remain effective until the
97 question is resubmitted under this section to the qualified voters and the repeal is approved by
98 a majority of the qualified voters voting on the question.

99 7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall
100 apply to the tax imposed under this section.

137.016. 1. As used in section 4(b) of article X of the Missouri Constitution, the
2 following terms mean:

3 (1) "Residential property", all real property improved by a structure which is used or
4 intended to be used for residential living by human occupants, vacant land in connection with
5 an airport, land used as a golf course, [and] manufactured home parks, **and time-share units as**
6 **defined in section 407.600, except to the extent such units are actually rented and subject**
7 **to sales tax under subdivision (6) of subsection 1 of section 144.020**, but residential property
8 shall not include other similar facilities used primarily for transient housing. For the purposes
9 of this section, "transient housing" means all rooms available for rent or lease for which the
10 receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision
11 (6) of subsection 1 of section 144.020;

12 (2) "Agricultural and horticultural property", all real property used for agricultural
13 purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding
14 and management of livestock which shall include breeding, showing, and boarding of horses; to
15 dairying, or to any other combination thereof; and buildings and structures customarily
16 associated with farming, agricultural, and horticultural uses. Agricultural and horticultural
17 property shall also include land devoted to and qualifying for payments or other compensation
18 under a soil conservation or agricultural assistance program under an agreement with an agency
19 of the federal government. Agricultural and horticultural property shall further include land and
20 improvements, exclusive of structures, on privately owned airports that qualify as reliever
21 airports under the National Plan of Integrated Airports System, to receive federal airport
22 improvement project funds through the Federal Aviation Administration. Real property
23 classified as forest croplands shall not be agricultural or horticultural property so long as it is
24 classified as forest croplands and shall be taxed in accordance with the laws enacted to
25 implement section 7 of article X of the Missouri Constitution. Agricultural and horticultural
26 property shall also include any sawmill or planing mill defined in the U.S. Department of Labor's
27 Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number
28 2421;

29 (3) "Utility, industrial, commercial, railroad and other real property", all real property
30 used directly or indirectly, for any commercial, mining, industrial, manufacturing, trade,
31 professional, business, or similar purpose, including all property centrally assessed by the state
32 tax commission but shall not include floating docks, portions of which are separately owned and
33 the remainder of which is designated for common ownership and in which no one person or
34 business entity owns more than five individual units. All other real property not included in the
35 property listed in subclasses (1) and (2) of section 4(b) of article X of the Missouri Constitution,
36 as such property is defined in this section, shall be deemed to be included in the term "utility,
37 industrial, commercial, railroad and other real property".

38 2. Pursuant to article X of the state constitution, any taxing district may adjust its
39 operating levy to recoup any loss of property tax revenue, except revenues from the surtax
40 imposed pursuant to article X, subsection 2 of section 6 of the constitution, as the result of
41 changing the classification of structures intended to be used for residential living by human
42 occupants which contain five or more dwelling units if such adjustment of the levy does not
43 exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this
44 section, loss in revenue shall include the difference between the revenue that would have been
45 collected on such property under its classification prior to enactment of this section and the
46 amount to be collected under its classification under this section. The county assessor of each

47 county or city not within a county shall provide information to each taxing district within its
48 boundaries regarding the difference in assessed valuation of such property as the result of such
49 change in classification.

50 3. All reclassification of property as the result of changing the classification of structures
51 intended to be used for residential living by human occupants which contain five or more
52 dwelling units shall apply to assessments made after December 31, 1994.

53 4. Where real property is used or held for use for more than one purpose and such uses
54 result in different classifications, the county assessor shall allocate to each classification the
55 percentage of the true value in money of the property devoted to each use; except that[,] :

56 (1) Where agricultural and horticultural property, as defined in this section, also contains
57 a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to
58 five acres immediately surrounding such farm dwelling shall be residential property, as defined
59 in this section;

60 (2) **Where time-share units in a given time-share development are actually rented,**
61 **the county assessor shall allocate as commercial only the percentage of use subject to sales**
62 **tax under subdivision (6) of subsection 1 of section 144.020 during the previous year. Such**
63 **percentage shall be determined by dividing the actual nights rented in units in a given**
64 **time-share development by the overall nights available for use in that time-share**
65 **development. On or before January thirty-first each year, the developer, association, or**
66 **person engaged to manage a time-share development on behalf of the developer or**
67 **association who is responsible for remitting real property tax assessed on a time-share**
68 **development shall provide to the county assessor the percentage of use in a given year for**
69 **that time-share development based on the sales tax collected and remitted by the developer,**
70 **association, or person engaged to manage a time-share development on behalf of the**
71 **developer or association as described in this subsection.**

72 5. All real property which is vacant, unused, or held for future use; which is used for a
73 private club, a not-for-profit or other nonexempt lodge, club, business, trade, service
74 organization, or similar entity; or for which a determination as to its classification cannot be
75 made under the definitions set out in subsection 1 of this section, shall be classified according
76 to its immediate most suitable economic use, which use shall be determined after consideration
77 of:

78 (1) Immediate prior use, if any, of such property;

79 (2) Location of such property;

80 (3) Zoning classification of such property; except that, such zoning classification shall
 81 not be considered conclusive if, upon consideration of all factors, it is determined that such
 82 zoning classification does not reflect the immediate most suitable economic use of the property;

83 (4) Other legal restrictions on the use of such property;

84 (5) Availability of water, electricity, gas, sewers, street lighting, and other public services
 85 for such property;

86 (6) Size of such property;

87 (7) Access of such property to public thoroughfares; and

88 (8) Any other factors relevant to a determination of the immediate most suitable
 89 economic use of such property.

90 6. All lands classified as forest croplands shall not, for taxation purposes, be classified
 91 as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in
 92 section 4(b) of article X of the Missouri Constitution and defined in this section, but shall be
 93 taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri
 94 Constitution.

141.210. Sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall be known
 2 by the short title of "Land Tax Collection Law".

141.220. The following words, terms and definitions, when used in sections 141.210 to
 2 141.810 **and sections 141.980 to 141.1015**, shall have the meanings ascribed to them in this
 3 section, except where the text clearly indicates a different meaning:

4 (1) **"Ancillary parcel" shall mean a parcel of real estate acquired by a land bank
 5 agency other than:**

6 (a) **Pursuant to a deemed sale under subsection 3 of section 141.560;**

7 (b) **By deed from land trust under subsection 1 of section 141.984; or**

8 (c) **Pursuant to a sale under subdivision (2) of subsection 2 of section 141.550;**

9 (2) "Appraiser" shall mean a state licensed or certified appraiser licensed or certified
 10 pursuant to chapter 339 who is not an employee of the collector or collection authority;

11 (3) **"Board" or "board of commissioners" shall mean the board of commissioners
 12 of a land bank agency;**

13 [(2)] (4) "Collector" shall mean the collector of the revenue in any county affected by
 14 sections 141.210 to 141.810 **and sections 141.980 to 141.1015;**

15 [(3)] (5) "County" shall mean any county [of the first class] in this state having a charter
 16 form of government, any county of the first class [not having a charter form of government] with
 17 a population of at least one hundred fifty thousand but less than one hundred sixty thousand and

18 any county of the first class [not having a charter form of government] with a population of at
19 least eighty-two thousand but less than eighty-five thousand;

20 [(4)] (6) "Court" shall mean the circuit court of any county affected by sections 141.210
21 to 141.810 **and sections 141.980 to 141.1015;**

22 [(5)] (7) "Delinquent land tax attorney" shall mean a licensed attorney-at-law, employed
23 or designated by the collector as hereinafter provided;

24 [(6)] (8) **"Land bank agency", an agency created under section 141.980;**

25 (9) "Land taxes" shall mean taxes on real property or real estate and shall include the
26 taxes both on land and the improvements thereon;

27 [(7)] (10) "Land trustees" and "land trust" shall mean the land trustees and land trust as
28 the same are created by and described in section 141.700;

29 [(8)] (11) "Municipality" shall include any incorporated city or town, or a part thereof,
30 located in whole or in part within a county of [class one] **the first classification or located in**
31 **whole or in part within a county with a charter form of government**, which municipality
32 now has or which may hereafter contain a population of two thousand five hundred inhabitants
33 or more, according to the last preceding federal decennial census;

34 [(9)] (12) "Person" shall mean any individual, male or female, firm, copartnership, joint
35 adventure, association, corporation, estate, trust, business trust, receiver or trustee appointed by
36 any state or federal court, trustee otherwise created, syndicate, or any other group or combination
37 acting as a unit, and the plural as well as the singular number;

38 (13) **"Political subdivision" shall mean any county, city, town, village, school**
39 **district, library district, or any other public subdivision or public corporation having the**
40 **power to tax;**

41 (14) **"Reserve period taxes" shall mean land taxes assessed against any parcel of**
42 **real estate sold or otherwise disposed of by a land bank agency for the first three tax years**
43 **following such sale or disposition;**

44 [(10)] (15) "School district", "road district", "water district", "sewer district", "levee
45 district", "drainage district", "special benefit district", "special assessment district", or "park
46 district" shall include those located within a county as such county is described in subdivision
47 (3) of this section;

48 [(11)] (16) "Sheriff" and "circuit clerk" shall mean the sheriff and circuit clerk,
49 respectively, of any county affected by sections 141.210 to 141.810 **and sections 141.980 to**
50 **141.1015;**

51 [(12)] (17) "Tax bill" as used in sections 141.210 to 141.810 **and sections 141.980 to**
52 **141.1015** shall represent real estate taxes and the lien thereof, whether general or special, levied
53 and assessed by any taxing authority;

54 [(13)] (18) "Tax district" shall mean the state of Missouri and any county, municipality,
55 school district, road district, water district, sewer district, levee district, drainage district, special
56 benefit district, special assessment district, or park district, located in any municipality or county
57 as herein described;

58 [(14)] (19) "Tax lien" shall mean the lien of any tax bill as defined in [subdivision (12)
59 of] this section;

60 [(15)] (20) "Taxing authority" shall include any governmental, managing, administering
61 or other lawful authority, now or hereafter empowered by law to issue tax bills, the state of
62 Missouri or any county, municipality, school district, road district, water district, sewer district,
63 levee district, drainage district, special benefit district, special assessment district, or park
64 district, affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015.**

141.250. 1. The respective liens of the tax bills for general taxes of the state of Missouri,
2 the county, any municipality and any school district, for the same tax year, shall be equal and
3 first liens upon the real estate described in the respective tax bills thereof; provided, however,
4 that the liens of such tax bills for the latest year for which tax bills are unpaid shall take priority
5 over the liens of tax bills levied and assessed for less recent years, and the lien of such tax bills
6 shall rate in priority in the order of the years for which they are delinquent, the lien of the tax bill
7 longest delinquent being junior in priority to the lien of the tax bill for the next most recent tax
8 year.

9 2. All tax bills for other than general taxes shall constitute liens junior to the liens for
10 general taxes upon the real estate described therein; provided, however, that a tax bill for other
11 than general taxes, of the more recent issue shall likewise be senior to any such tax bill of less
12 recent date.

13 3. The proceeds derived from the sale of any lands encumbered with a tax lien or liens,
14 or held by the land trustees, **pursuant to a sale under subdivision (2) of subsection 2 of**
15 **section 141.550, acquired by a land bank agency pursuant to a deemed sale under**
16 **subsection 3 of section 141.560, or by deed from land trust under subsection 1 of section**
17 **141.984** shall be distributed to the owners of such liens in the order of the seniority of the liens,
18 or their respective interests as shown by the records of the land trust **or such land bank agency.**
19 Those holding liens of equal rank shall share in direct proportion to the amounts of their
20 respective liens.

141.290. 1. The collector shall compile lists of all state, county, school, and other tax
2 bills collectible by him which are delinquent according to his records and he shall combine such
3 lists with the list filed by any taxing authority or tax bill owner.

4 2. The collector shall assign a serial number to each parcel of real estate in each list and
5 if suit has been filed in the circuit court of the county on any delinquent tax bill included in any
6 list, the collector shall give the court docket number of such suit and some appropriate
7 designation of the place where such suit is pending, and such pending suit so listed in any
8 petition filed pursuant to the provisions of sections 141.210 to 141.810 **and sections 141.980**
9 **to 141.1015** shall, without further procedure or court order, be deemed to be consolidated with
10 the suit brought under sections 141.210 to 141.810 **and sections 141.980 to 141.1015**, and such
11 pending suit shall thereupon be abated.

12 3. The collector shall deliver such combined lists to the delinquent land tax attorney from
13 time to time but not later than April the first of each year.

14 4. The delinquent land tax attorney shall incorporate such lists in petitions in the form
15 prescribed in section 141.410, and shall file such petitions with the circuit clerk not later than
16 June first of each year.

141.300. 1. The collector shall receipt for the aggregate amount of such delinquent tax
2 bills appearing on the list or lists filed with him under the provisions of section 141.290, which
3 receipt shall be held by the owner or holder of the tax bills or by the treasurer or other
4 corresponding financial officer of the taxing authority so filing such list with the collector.

5 2. The collector shall, on or before the fifth day of each month, file with the owner or
6 holder of any tax bill or with the treasurer or other corresponding financial officer of any taxing
7 authority, a detailed statement, verified by affidavit, of all taxes collected by him during the
8 preceding month which appear on the list or lists received by him, and shall, on or before the
9 fifteenth day of the month, pay the same, less his commissions and costs payable to the county,
10 to the tax bill owner or holder or to the treasurer or other corresponding financial officer of any
11 taxing authority; provided, however, that the collector shall be given credit for the full amount
12 of any tax bill which is bid in by the land trustees and where title to the real estate described in
13 such tax bill is taken by the land trust, **which is bid in by a land bank agency and where title**
14 **to the real estate described in such tax bill is taken by such land bank agency pursuant to**
15 **a deemed sale under subsection 3 of section 141.560, or which is included in the bid of a**
16 **land bank agency and where title to the real estate described in such tax bill is taken by**
17 **such land bank agency pursuant to a sale under subdivision (2) of subsection 2 of section**
18 **141.550.**

141.320. 1. The collector shall at his option appoint a delinquent land tax attorney at a
2 compensation of ten thousand dollars per year, or in counties having a county counselor, the
3 collector shall at his option designate the county counselor and such of his assistants as shall
4 appear necessary to act as the delinquent land tax attorney.

5 2. A delinquent land tax attorney who is not the county counselor, with the approval of
6 the collector, may appoint one or more assistant delinquent land tax attorneys at salaries of not
7 less than two hundred dollars and not more than four hundred dollars per month, and such
8 clerical employees as may be necessary, at salaries to be fixed by the collector at not less than
9 three hundred dollars and not more than four hundred dollars per month; and the appointed
10 delinquent tax attorney may incur such reasonable expenses as are necessary for the performance
11 of his duties.

12 3. The delinquent land tax attorney and his assistants shall perform legal services for the
13 collector and shall act as attorney for him in the prosecution of all suits brought for the collection
14 of land taxes; but they shall not perform legal services for the land trust **or any land bank**
15 **agency**.

16 4. Salaries and expenses of a delinquent land tax attorney who is not also the county
17 counselor, his assistants and his employees shall be paid monthly out of the treasury of the
18 county from the same funds as employees of the collector whenever the funds provided for by
19 sections 141.150, 141.270, and 141.620 are not sufficient for such purpose.

20 5. The compensation herein provided shall be the total compensation for a delinquent
21 land tax attorney who is not also a county counselor, his assistants and employees, and when the
22 compensation received by him or owing to him by the collector exceeds ten thousand dollars in
23 any one calendar year by virtue of the sums charged and collected pursuant to the provisions of
24 section 141.150, the surplus shall be credited and applied by the collector to the expense of the
25 delinquent land tax attorney and to the compensation of his assistants and employees, and any
26 sum then remaining shall be paid into the county treasury on or before the first day of March of
27 each year and credited to the general revenue fund of the county.

28 6. A delinquent land tax attorney who is not also the county counselor shall make a
29 return quarterly to the county commission of such county of all compensation received by him,
30 and of all amounts owing to him by the collector, and of all salaries and expenses of any
31 assistants and employees, stating the same in detail, and verifying such amounts by his affidavit.

141.410. 1. A suit for the foreclosure of the tax liens herein provided for shall be
2 instituted by filing in the appropriate office of the circuit clerk a petition, which petition shall
3 contain a caption, a copy of the list so furnished to the delinquent land tax attorney by the
4 collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

5 2. The caption shall be in the following form:
6 In the Circuit Court of County, Missouri,
7 In the Matter of
8 Foreclosure of Liens for Delinquent Land Taxes
9 By Action in Rem.

10 Collector of Revenue of County, Missouri,
11 Plaintiff

12 -vs.-

13 Parcels of Land Encumbered with Delinquent Tax Liens
14 Defendants.

15 3. The petition shall conclude with a prayer that all tax liens upon such real estate be
16 foreclosed; that the court determine the amounts and priorities of all tax bills, together with
17 interest, penalties, costs, and attorney's fees; that the court order such real estate to **either** be sold
18 by the sheriff at public sale as provided by sections 141.210 to 141.810 **and sections 141.980**
19 **to 141.1015** and that thereafter a report of such sale be made by the sheriff to the court for further
20 proceedings under sections 141.210 to 141.810 **and sections 141.980 to 141.1015**.

21 4. The delinquent land tax attorney within ten days after the filing of any such petition,
22 shall forward by United States registered mail to each person or taxing authority having filed a
23 list of delinquent tax bills with the collector as provided by sections 141.210 to 141.810 **and**
24 **sections 141.980 to 141.1015** a notice of the time and place of the filing of such petition and of
25 the newspaper in which the notice of publication has been or will be published.

26 5. The petition when so filed shall have the same force and effect with respect to each
27 parcel of real estate therein described, as a separate suit instituted to foreclose the tax lien or liens
28 against any one of said parcels of real estate.

141.430. 1. Upon the filing of such suits with the circuit clerk, the delinquent land tax
2 attorney shall forthwith cause a notice of foreclosure to be published four times, once a week,
3 during successive weeks, and on the same day of each week, in a daily newspaper of general
4 circulation regularly published in such county, qualified according to law for the publication of
5 public notices and advertisements.

6 2. Such notice shall be in substantially the following form:

7 NOTICE OF FORECLOSURE OF LIENS FOR DELINQUENT LAND TAXES,
8 BY ACTION IN REM

9 Public notice is hereby given that on the day of, 20.., the Collector of Revenue
10 of County, Missouri, filed a petition, being suit No., in the Circuit Court of County,
11 Missouri, at (stating the city), for the foreclosure of liens for delinquent land taxes (except

12 liens in favor of the United States of America, if any) against the real estate situated in such
13 county, all as described in said petition.

14 The object of said suit is to obtain from the Court a judgment foreclosing the tax liens
15 against such real estate and ordering the sale of such real estate for the satisfaction of said tax
16 liens thereon (except liens in favor of the United States of America, if any), including principal,
17 interest, penalties, attorneys' fees and costs. Such action is brought against the real estate only
18 and no personal judgment shall be entered therein.

19 The serial number assigned by the Collector to each parcel of real estate, a description
20 of each such parcel, a statement of the total principal amount of all delinquent tax bills against
21 each such parcel of real estate, all of which, as to each parcel, is more fully set out and itemized
22 in the aforesaid petition, and the name of the last known person appearing on the records of the
23 collector in whose name said tax bills were listed or charged for the year preceding the calendar
24 year in which the list described in said petition was filed with the collector, are, respectively, as
25 follows: (Here set out the respective serial numbers, descriptions, names, and statements of total
26 principal amounts of tax bills, next above referred to.)

27 The total principal amounts of delinquent taxes set out in this notice do not include the
28 lawful interest, penalties, attorneys' fees and costs which have accrued against the respective
29 parcels of real estate, all of which in each case is set out and itemized in the aforesaid petition.

30 Any person or taxing authority owning or holding any tax bill or claiming any right, title
31 or interest in or to or lien upon any such parcel of real estate, must file an answer to such suit in
32 the office of the Circuit Clerk of the aforesaid County, and a copy of such answer with the
33 Delinquent Land Tax Attorney at the office of the Collector of Revenue of said County, on or
34 before the day of, 20.., and in such answer shall set forth in detail the nature and amount
35 of such interest and any defense or objection to the foreclosure of the tax liens, or any affirmative
36 relief he or it may be entitled to assert with respect thereto.

37 Any person having any right, title or interest in or to, or lien upon, any parcel of such real
38 estate, may redeem such parcel of real estate by paying all of the sums mentioned therein, to the
39 undersigned Collector of Revenue, including principal, interest, penalties, attorneys' fees and
40 costs then due, at any time prior to the time of the **public foreclosure sale or the private**
41 foreclosure sale of such real estate by the sheriff.

42 In the event of failure to answer or redeem on or before the date herein fixed as the last
43 day for filing answer in the suit, by any person having the right to answer or redeem, such person
44 shall be forever barred and foreclosed as to any defense or objection he might have to the
45 foreclosure of such liens for delinquent taxes and a judgment of foreclosure may be taken by
46 default. Redemption may be made, however, up to the time fixed for the holding of sheriff's

47 **public foreclosure sale or the private** foreclosure sale **of any such real estate**, and thereafter
 48 there shall be no equity of redemption and each such person having any right, title or interest in
 49 or to, or any lien upon, any such parcel of real estate described in the petition so failing to answer
 50 or redeem as aforesaid, shall be forever barred and foreclosed of any right, title or interest in or
 51 lien upon or any equity of redemption in said real estate.

52
 53 Collector of Revenue
 54 County, Missouri
 55
 56 Address

57
 58 Delinquent Land Tax Attorney
 59
 60 Address

61
 62 First Publication:
 63

141.440. The collector shall also cause to be prepared and sent by restricted, registered,
 2 [or] certified **or first class** mail with postage prepaid, within thirty days after the filing of such
 3 petition, a brief notice of the filing of the suit, to the persons named in the petition as being the
 4 last known persons in whose names tax bills affecting the respective parcels of real estate
 5 described in said petition were last billed or charged on the books of the collector, or the last
 6 known owner of record, if different, and to the addresses of said persons upon said records of the
 7 collector. [The terms "restricted", "registered" or "certified mail" as used in this section mean
 8 mail which carries on the face thereof in a conspicuous place, where it will not be obliterated,
 9 the endorsement "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt
 10 or a statement by the postal authorities that the addressee refused to receive and receipt for such
 11 mail.] If the notice is returned to the collector by the postal authorities as undeliverable for
 12 reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown
 13 by the return receipt], then the collector shall make a search of the records maintained by the
 14 county, including those kept by the recorder of deeds, to discern the name and address of any
 15 person who, from such records, appears as a successor to the person to whom the original notice
 16 was addressed, and to cause another notice to be mailed to such person. The collector shall
 17 prepare and file with the circuit clerk at least thirty days before judgment is entered by the court
 18 on the petition an affidavit reciting to the court any name, address and serial number of the tract

19 of real estate affected by any such notices of suit that are undeliverable because of an addressee's
20 refusal to receive [and receipt for] the same, or of any notice otherwise nondeliverable by mail,
21 or in the event that any name or address does not appear on the records of the collector, then of
22 that fact. The affidavit in addition to the recitals set forth above shall also state reason for the
23 nondelivery of such notice.

141.480. 1. Upon the trial of the cause upon the question of foreclosure, the tax bill,
2 whether general or special, issued by any taxing authority shall be prima facie proof that the tax
3 described in the tax bill has been validly assessed at the time indicated by the tax bill and that
4 the tax is unpaid. Absent any answer the court shall take the allegations of the petition as
5 confessed. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale
6 thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon
7 trial, affirmatively establish such defense.

8 2. Prior to formal hearing, the court may conduct an informal hearing for the purpose of
9 clarifying issues, and shall attempt to reach an agreement with the parties upon a stipulated
10 statement of facts. The court shall hear the evidence offered by the collector or relator as the
11 case may be, and by all answering parties, and shall determine the amount of each and every tax
12 bill proved by the collector or any answering party, together with the amount of interest,
13 penalties, attorney's fees and costs accruing upon each tax bill and the date from which interest
14 began to accrue upon each tax bill and the rate thereof. The court shall hear evidence and
15 determine every issue of law and of fact necessary to a complete adjudication of all tax liens
16 asserted by any and every pleading, and may also hear evidence and determine any other issue
17 of law or fact affecting any other right, title, or interest in or to, or lien upon, such real estate,
18 sought to be enforced by any party to the proceeding against any other party to the proceeding
19 who has been served by process or publication as authorized by law, or who has voluntarily
20 appeared, and shall determine the order and priority of the liens and of any other rights or interest
21 put in issue by the pleadings.

22 3. After the court has first determined the validity of the tax liens of all tax bills affecting
23 parcels of real estate described in the petition, the priorities of the respective tax bills and the
24 amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court
25 shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the
26 foreclosure sale. The petition shall be dismissed as to any parcel of real estate redeemed prior
27 to the time fixed for the sheriff's foreclosure sale as provided in sections 141.210 to 141.810 **and**
28 **sections 141.980 to 141.1015**. If the parcel of real estate auctioned off at sheriff's is sold for a
29 sum sufficient to fully pay the principal amount of all tax bills included in the judgment, together
30 with interest, penalties, attorney's fees and costs, and for no more, and such sale is confirmed by

31 the court, then all other proceedings as to such parcels of real estate shall be finally dismissed
32 as to all parties and interests other than tax bill owners or holders; provided, however, that any
33 parties seeking relief other than an interest in or lien upon the real estate may continue with said
34 suit to a final adjudication of such other issues; provided, further, an appeal may be had as to any
35 claim attacking the validity of the tax bill or bills or the priorities as to payment of proceeds of
36 foreclosure sale. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for
37 a sum greater than the total amount necessary to pay the principal amount of all tax bills included
38 in the judgment, together with interest, penalties, attorney's fees and costs, and such sale is
39 confirmed by the court, and no appeal is taken by any person claiming any right, title or interest
40 in or to or lien upon said parcel of real estate or by any person or taxing authority owning or
41 holding or claiming any right, title or interest in or to any tax bills within the time fixed by law
42 for the filing of notice of appeal, the court shall thereupon order the sheriff to make distribution
43 to the owners or holders of the respective tax bills included in the judgment of the amounts found
44 to be due and in the order of priorities. Thereafter all proceedings in the suit shall be ordered by
45 the court to be dismissed as to such persons or taxing authorities owning, holding or claiming
46 any right, title, or interest in any such tax bill or bills so paid, and the case shall proceed as to any
47 parties claiming any right, title, or interest in or lien upon the parcel of real estate affected by
48 such tax bill or bills as to their respective claims to such surplus funds then remaining in the
49 hands of the sheriff.

50 4. Whenever an answer is filed to the petition, as herein provided, a severance of the
51 action as to all parcels of real estate affected by such answer shall be granted, and the issues
52 raised by the petition and such answer shall be tried separate and apart from the other issues in
53 the suit, but the granting of such severance shall not delay the trial or other disposition of any
54 other issue in the case. A separate appeal may be taken from any action of the court affecting
55 any right, title, or interest in or to, or lien upon, such real estate, other than issues of law and fact
56 affecting the amount or validity of the lien of tax bills, but the proceeding to foreclose the lien
57 of any tax bills shall not be stayed by such appeal. The trial shall be conducted by the court
58 without the aid of a jury and the suit shall be in equity. This action shall take precedence over
59 and shall be triable before any other action in equity affecting the title to such real estate, upon
60 motion of any interested party.

141.500. 1. After the trial of the issues, the court shall, as promptly as circumstances
2 permit, render judgment. If the court finds that no tax bill upon the land collectible by the
3 collector or the relator was delinquent when the suit was instituted or tried, then the judgment
4 of the court shall be that the cause be dismissed as to the parcels of real estate described in the
5 tax bill; or, if the evidence warrant, the judgment may be for the principal amount of the

6 delinquent tax bills upon the real estate upon which suit was brought, together with interest,
7 penalties, attorney's and appraiser's fees and costs computed as of the date of the judgment. The
8 judgment may recite the amount of each tax bill, the date when it began to bear interest, and the
9 rate of such interest, together with the rate and amount of penalties, attorney's and appraiser's fees
10 [not to exceed fifteen dollars]. It may decree that the lien upon the parcels of real estate
11 described in the tax bill be foreclosed and such real estate sold by the sheriff, and the cause shall
12 be continued for further proceedings, as herein provided.

13 2. The collector may, at his option, cause to be prepared and sent by restricted, registered
14 [or] , certified, **or first class** mail with postage prepaid, within thirty days after the rendering of
15 such judgment, a brief notice of such judgment and the availability of a written redemption
16 contract pursuant to section 141.530 to the persons named in the judgment as being the last
17 known persons in whose names tax bills affecting the respective parcels of real estate described
18 in such judgment were last billed or charged on the books of the collector, or the last known
19 owner of record, if different, and to the addresses of such persons upon the records of the
20 collector. [The terms "restricted", "registered" or "certified mail" as used in this section mean
21 mail which carries on the face thereof in a conspicuous place, where it will not be obliterated,
22 the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt
23 or a statement by the postal authorities that the addressee refused to receive and receipt for such
24 mail.] If the notice is returned to the collector by the postal authorities as undeliverable for
25 reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown
26 by the return receipt], then the collector shall make a search of the records maintained by the
27 county, including those kept by the recorder of deeds, to discern the name and address of any
28 person who, from such records, appears as a successor to the person to whom the original notice
29 was addressed, and to cause another notice to be mailed to such person. The collector shall
30 prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the
31 court any name, address and serial number of the tract of real estate affected of any such notices
32 of judgment that are undeliverable because of an addressee's refusal to receive [and receipt for]
33 the same, or of any notice otherwise nondeliverable by mail, or in the event that any name or
34 address does not appear on the records of the collector, then of that fact. The affidavit in
35 addition to the recitals set forth above shall also state reason for the nondelivery of such notice.

141.530. 1. Except as otherwise provided in section 141.520, during such waiting period
2 and at any time prior to the time of foreclosure sale by the sheriff, any interested party may
3 redeem any parcel of real estate as provided by this chapter. During such waiting period and at
4 any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of
5 the party entitled to redeem, enter into a written redemption contract with any such party

6 interested in any parcel of real estate, providing for payment in installments, monthly or
7 bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs
8 charged against such parcel of real estate, provided, however, that in no instance shall such
9 installments exceed twelve in number or extend more than twenty-four months next after any
10 agreement for such installment payments shall have been entered into; provided further, that
11 upon good cause being shown by the owner of any parcel of real estate occupied as a homestead,
12 or in the case of improved real estate with an assessed valuation of not more than three thousand
13 five hundred dollars, owned by an individual, the income from such property being a major
14 factor in the total income of such individual, or by anyone on his behalf, the court may, in its
15 discretion, fix the time and terms of payment in such contract to permit all of such installments
16 to be paid within not longer than forty-eight months after any order or agreement as to
17 installment payments shall have been made.

18 2. So long as such installments be paid according to the terms of the contract, the said
19 six months waiting period shall be extended, but if any installment be not paid when due, the
20 extension of said waiting period shall be ended without notice, and the real estate shall forthwith
21 be advertised for sale or included in the next notice of sheriff's foreclosure sale.

22 [3. No redemption contracts may be used under this section for residential property
23 which has been vacant for at least six months in any municipality contained wholly or partially
24 within a county with a population of over six hundred thousand and less than nine hundred
25 thousand.]

2 [141.530. 1. Except as otherwise provided in section 141.520, during
3 such waiting period and at any time prior to the time of foreclosure sale by the
4 sheriff, any interested party may redeem any parcel of real estate as provided by
5 this chapter. During such waiting period and at any time prior to the time of
6 foreclosure sale by the sheriff, the collector may, at the option of the party
7 entitled to redeem, enter into a written redemption contract with any such party
8 interested in any parcel of real estate, other than a residential property which has
9 been vacant for at least six months, providing for payment in installments,
10 monthly or bimonthly, of the delinquent tax bills, including interest, penalties,
11 attorney's fees and costs charged against such parcel of real estate, provided,
12 however, that in no instance shall such installments exceed twelve in number or
13 extend more than twenty-four months next after any agreement for such
14 installment payments have been entered into; provided further, that upon good
15 cause being shown by the owner of any parcel of real estate occupied as a
16 homestead, or in the case of improved real estate with an assessed valuation of
17 not more than three thousand five hundred dollars, owned by an individual, the
18 income from such property being a major factor in the total income of such
individual, or by anyone on the individual's behalf, the court may, in its

19 discretion, fix the time and terms of payment in such contract to permit all of
20 such installments to be paid within not longer than forty-eight months after any
21 order or agreement as to installment payments being made.

22 2. So long as such installments are paid according to the terms of the
23 contract, the six-month waiting period shall be extended, but if any installment
24 is not paid when due, the extension of such waiting period shall be ended without
25 notice, and the real estate shall forthwith be advertised for sale or included in the
26 next notice of sheriff's foreclosure sale.]

141.540. 1. In any county at a certain front door of whose courthouse sales of real estate
2 are customarily made by the sheriff under execution, the sheriff shall advertise for sale and sell
3 the respective parcels of real estate ordered sold by him or her pursuant to any judgment of
4 foreclosure by any court pursuant to sections 141.210 to 141.810 at any of such courthouses, but
5 the sale of such parcels of real estate shall be held at the same front door as sales of real estate
6 are customarily made by the sheriff under execution.

7 2. Such advertisements may include more than one parcel of real estate, and shall be in
8 substantially the following form:

9 NOTICE OF SHERIFF'S SALE UNDER JUDGMENT OF FORECLOSURE OF LIENS
10 FOR DELINQUENT LAND TAXES

11 No.

12 In the Circuit Court of County, Missouri.

13 In the Matter of Foreclosure of Liens for Delinquent Land Taxes

14 Collector of Revenue of County, Missouri,

15 Plaintiff,

16 vs.

17 Parcels of Land encumbered with Delinquent Tax Liens,

18 Defendants.

19 WHEREAS, judgment has been rendered against parcels of real estate for taxes, interest,
20 penalties, attorney's fees and costs with the serial numbers of each parcel of real estate, the
21 description thereof, the name of the person appearing in the petition in the suit, and the total
22 amount of the judgment against each such parcel for taxes, interest, penalties, attorney's fees and
23 costs, all as set out in said judgment and described in each case, respectively, as follows: (Here
24 set out the respective serial numbers, descriptions, names and total amounts of each judgment,
25 next above referred to.) and,

26 WHEREAS, such judgment orders such real estate sold by the undersigned sheriff, to
27 satisfy the total amount of such judgment, including interest, penalties, attorney's fees and costs,

28 NOW, THEREFORE,

29 Public Notice is hereby given that I, Sheriff of County,
 30 Missouri, will sell such real estate, parcel by parcel, at public auction, to the highest bidder, for
 31 cash, between the hours of nine o'clock A.M. and five o'clock P.M., at the front door of
 32 the County Courthouse in, Missouri, on, the day of, 20..,
 33 and continuing from day to day thereafter, to satisfy the judgment as to each respective parcel
 34 of real estate sold. If no acceptable bids are received as to any parcel of real estate, said parcel
 35 shall be sold to the Land Trust of (insert name of County), Missouri **or Land Bank of**
 36 **the City of (insert name of municipality), Missouri.**

37 Any bid received shall be subject to confirmation by the court.

38
 39 Sheriff of County, Missouri.

40

41 Delinquent Land Tax Attorney
 42 Address:
 43 First Publication,
 44 20.

45 3. Such advertisement shall be published four times, once a week, upon the same day of
 46 each week during successive weeks prior to the date of such sale, in a daily newspaper of general
 47 circulation regularly published in the county, qualified according to law for the publication of
 48 public notices and advertisements.

49 4. In addition to the provisions herein for notice and advertisement of sale, the county
 50 collector shall enter upon the property subject to foreclosure of these tax liens and post a written
 51 informational notice in any conspicuous location thereon. This notice shall describe the property
 52 and advise that it is the subject of delinquent land tax collection proceedings before the circuit
 53 court brought pursuant to sections 141.210 to 141.810 and that it may be sold for the payment
 54 of delinquent taxes at a sale to be held at ten o'clock a.m., date and place, and shall also contain
 55 a file number and the address and phone number of the collector. If the collector chooses to post
 56 such notices as authorized by this subsection, such posting must be made not later than the
 57 fourteenth day prior to the date of the sale.

58 5. The collector shall, concurrently with the beginning of the publication of sale, cause
 59 to be prepared and sent by restricted, registered [or] , certified, **or first class** mail with postage
 60 prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens
 61 pursuant to sections 141.210 to 141.810, to the persons named in the petition as being the last
 62 known persons in whose names tax bills affecting the respective parcels of real estate described
 63 in said petition were last billed or charged on the books of the collector, or the last known owner

64 of record, if different, and to the addresses of said persons upon said records of the collector.
65 [The terms "restricted", "registered" or "certified mail" as used in this section mean mail which
66 carries on the face thereof in a conspicuous place, where it will not be obliterated, the
67 endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt
68 or a statement by the postal authorities that the addressee refused to receive and receipt for such
69 mail.] If the notice is returned to the collector by the postal authorities as undeliverable for
70 reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown
71 by the return receipt], then the collector shall make a search of the records maintained by the
72 county, including those kept by the recorder of deeds, to discern the name and address of any
73 person who, from such records, appears as a successor to the person to whom the original notice
74 was addressed, and to cause another notice to be mailed to such person. The collector shall
75 prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the
76 court any name, address and serial number of the tract of real estate affected of any such notices
77 of sale that are undeliverable because of an addressee's refusal to receive [and receipt for] the
78 same, or of any notice otherwise nondeliverable by mail, or in the event that any name or address
79 does not appear on the records of the collector, then of that fact. The affidavit in addition to the
80 recitals set forth above shall also state reason for the nondelivery of such notice.

81 6. The collector may, at his or her option, concurrently with the beginning of the
82 publication of sale, cause to be prepared and sent by restricted, registered [or] , certified, **or first**
83 **class** mail with postage prepaid, a brief notice of the date, location, and time of sale of property
84 in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the mortgagee or security
85 holder, if known, of the respective parcels of real estate described in said petition, and to the
86 addressee of such mortgagee or security holder according to the records of the collector. [The
87 terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries
88 on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement,
89 "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement
90 by the postal authorities that the addressee refused to receive and receipt for such mail.] If the
91 notice is returned to the collector by the postal authorities as undeliverable for reasons other than
92 the refusal by the addressee to receive [and receipt for] the notice [as shown by the return
93 receipt], then the collector shall make a search of the records maintained by the county, including
94 those kept by the recorder of deeds, to discern the name and address of any security holder who,
95 from such records, appears as a successor to the security holder to whom the original notice was
96 addressed, and to cause another notice to be mailed to such security holder. The collector shall
97 prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the
98 court any name, address and serial number of the tract of real estate affected by any such notices

99 of sale that are undeliverable because of an addressee's refusal to receive [and receipt for] the
100 same, or of any notice otherwise nondeliverable by mail, and stating the reason for the
101 nondelivery of such notice.

141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the
2 sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken
3 under execution except as otherwise provided in sections 141.210 to 141.810, and provided that
4 such sale need not occur during the term of court or while the court is in session.

5 2. The following provisions shall apply to any sale pursuant to this section of property
6 located within any municipality contained wholly or partially within a county with a population
7 of over six hundred thousand and less than nine hundred thousand:

8 (1) The sale shall be held on the day for which it is advertised, between the hours of nine
9 o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as
10 to each respective parcel of real estate sold;

11 (2) **Except as otherwise provided in subsection 6 of section 141.984**, the sale shall be
12 conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless
13 the highest bid is less than the full amount of all tax bills included in the judgment, interest,
14 penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the
15 time of the sale unless such person has, no later than ten days before the sale date, demonstrated
16 to the satisfaction of the official charged by law with conducting the sale that he or she is not the
17 owner of any parcel of real estate in the county which is affected by a tax bill which has been
18 delinquent for more than six months and is not the owner of any parcel of real property with two
19 or more violations of the municipality's building or housing codes. A prospective bidder may
20 make such a demonstration by presenting statements from the appropriate collection and code
21 enforcement officials of the municipality. **Notwithstanding this provision, any taxing**
22 **authority or land bank agency shall be eligible to bid at any sale conducted under this**
23 **section without making such a demonstration.**

24 3. Such sale shall convey the whole interest of every person having or claiming any right,
25 title or interest in or lien upon such real estate, whether such person has answered or not, subject
26 to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject
27 to the lien thereon, if any, of the United States of America.

28 4. The collector shall advance the sums necessary to pay for the publication of all
29 advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in
30 his or her accounts with the county. The collector shall give credit in such accounts for all such
31 advances recovered by him or her. Such expenses of publication shall be apportioned pro rata
32 among and taxed as costs against the respective parcels of real estate described in the judgment;

33 provided, however, that none of the costs herein enumerated, including the costs of publication,
34 shall constitute any lien upon the real estate after such sale.

141.560. 1. If, when the sheriff offers the respective parcels of real estate for sale, there
2 be no bidders for any parcel, or there be insufficient time or opportunity to sell all of the parcels
3 of real estate so advertised, the sheriff shall adjourn such sale from day to day at the same place
4 and commencing at the same hour as when first offered and shall announce that such real estate
5 will be offered or reoffered for sale at such time and place.

6 **2. With respect to any parcel of real estate not located within a municipality that**
7 **is an appointing authority under section 141.981,** in the event no bid equal to the full amount
8 of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due
9 thereon shall be received at such sale after any parcel of real estate has been offered for sale on
10 three different days, which need not be successive, the land trustees shall be deemed to have bid
11 the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and
12 costs then due, and if no other bid be then received by the sheriff in excess of the bid of the
13 trustees, and the sheriff shall so announce at the sale, then the bid of the trustees shall be
14 announced as accepted. The sheriff shall report any such bid or bids so made by the land trustees
15 in the same way as his report of other bids is made. **The land trust shall pay any penalties,**
16 **attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate,**
17 **when such parcel is sold or otherwise disposed of by the land trustees, as herein provided.**
18 **Upon confirmation by the court of such bid at such sale by such land trustees, the collector**
19 **shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust"**
20 **and shall take credit for the full amount of such tax bills, including principal amount,**
21 **interest, penalties, attorney's fees, and costs, on the collector's books and in the collector's**
22 **statements with any other taxing authorities.**

23 3. [The land trustees shall pay any penalties, attorney's fees or costs included in the
24 judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise
25 disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid
26 at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees
27 as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills,
28 including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his
29 statements with any other taxing authorities.] **With respect to any parcel of real estate located**
30 **within a municipality that is an appointing authority under section 141.981, in the event**
31 **no bid equal to the full amount of all tax bills included in the judgment, interest, penalties,**
32 **attorney's fees, and costs then due thereon shall be received at such sale after such parcel**
33 **of real estate has been offered for sale on three different days, which need not be**

34 **successive, the land bank agency for which such municipality is an appointing authority**
35 **shall be deemed to have bid the full amount of all tax bills included in the judgment,**
36 **interest, penalties, attorney's fees, and costs then due, and the sheriff shall so announce at**
37 **the sale, then the bid of the land bank agency shall be announced as accepted. The sheriff**
38 **shall report any such bid or bids so made by such land bank agency in the same way as the**
39 **sheriff's report of other bids is made. Upon confirmation by the court of such bid at such**
40 **sale by such land bank agency, the collector shall mark the tax bills so bid by such land**
41 **bank agency as "canceled by sale to the land bank" and shall take credit for the full**
42 **amount of such tax bills, including principal amount, interest, penalties, attorney's fees,**
43 **and costs, on the collector's books and in the collector's statements with any other taxing**
44 **authorities.**

141.570. 1. The title to any real estate which shall vest in the land trust under the
2 provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall be held by
3 the land trust of such county in trust for the tax bill owners and taxing authorities having an
4 interest in any tax liens which were foreclosed, as their interests may appear in the judgment of
5 foreclosure. **The title to any real estate acquired by a land bank agency pursuant to a**
6 **deemed sale under subsection 3 of section 141.560, by deed from land trust under**
7 **subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection**
8 **2 of section 141.550 shall be held in trust for the tax bill owners and taxing authorities**
9 **having an interest in any tax liens which were foreclosed, as their interests may appear in**
10 **the judgment of foreclosure.**

11 2. The title to any real estate which shall vest in any purchaser, upon confirmation of
12 such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon
13 of public utilities on which tax has been otherwise paid, and subject to any lien thereon of the
14 United States of America, if any, and all persons, including the state of Missouri, infants,
15 incapacitated and disabled persons as defined in chapter 475, and nonresidents who may have
16 had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands, shall
17 be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of
18 redemption, and the court shall order immediate possession of such real estate be given to such
19 purchaser; provided, however, that such title shall also be subject to the liens of any tax bills
20 which may have attached to such parcel of real estate prior to the time of the filing of the petition
21 affecting such parcel of real estate not then delinquent, or which may have attached after the
22 filing of the petition and prior to sheriff's sale and not included in any answer to such petition,
23 but if such parcel of real estate is **deemed** sold to the land trust **under subsection 2 of section**
24 **141.560, deemed sold to a land bank agency under subsection 3 of section 141.560, or sold**

25 **to a land bank agency under subdivision (2) of subsection 2 of section 141.550**, the title
26 thereto shall be free of any such liens to the extent of the interest of any taxing authority in such
27 real estate; provided further, that such title shall not be subject to the lien of special tax bills
28 which have attached to the parcel of real estate prior to November 22, 1943, but the lien of such
29 special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds of the ultimate
30 sale of such parcel by the land trust.

141.580. 1. After the sheriff sells any parcel of real estate, the court shall, upon its own
2 motion or upon motion of any interested party, set the cause down for hearing to confirm the
3 foreclosure sale thereof, even though such parcels are not all of the parcels of real estate
4 described in the notice of sheriff's foreclosure sale. At the time of such hearing, the sheriff shall
5 make report of the sale, and the court shall hear evidence of the value of the property offered on
6 behalf of any interested party to the suit, and shall forthwith determine whether an adequate
7 consideration has been paid for each such parcel.

8 2. For this purpose the court shall have power to summon any city or county official or
9 any private person to testify as to the reasonable value of the property, and if the court finds that
10 adequate consideration has been paid, he **or she** shall confirm the sale and order the sheriff to
11 issue a deed to the purchaser. If the court finds that the consideration paid is inadequate, **the**
12 **court shall confirm the sale if** the purchaser [may increase] **increases** his **or her** bid to such
13 amount as the court [may deem] **deems** to be adequate[, whereupon the court may confirm the
14 sale. If, however,] **and makes such additional payment, or if all tax bills included in the**
15 **judgment, interest, penalties, attorney's fees, and costs then due thereon are not paid in full**
16 **by one or more interested parties to the suit. If the court finds that the consideration is**
17 **inadequate, but** the purchaser declines to increase his **or her** bid to **such an amount as the**
18 **court deems adequate** and make such additional payment, then the sale shall be disapproved
19 **if all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then**
20 **due thereon are paid in full by one or more interested parties to the suit**, the lien of the
21 judgment continued, and such parcel of real estate shall be again advertised and offered for sale
22 by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's
23 foreclosure sale. Unless the court requires evidence of the value of the property conveyed to land
24 trust **or land bank agency**, none shall be required, and the amount bid by the land trustees **or**
25 **such land bank agency** shall be deemed adequate consideration.

26 3. **Except as otherwise provided in subsection 6 of section 141.984**, if the sale is
27 confirmed, the court shall order the proceeds of the sale applied in the following order:

28 (1) To the payment of the costs of the publication of the notice of foreclosure and of the
29 sheriff's foreclosure sale;

30 (2) To the payment of all costs including appraiser's [fee not to exceed fifteen dollars]
31 **fees** and attorney's fees;

32 (3) To the payment of all tax bills adjudged to be due in the order of their priority,
33 including principal, interest and penalties thereon.

34 If, after such payment, there is any sum remaining of the proceeds of the sheriff's
35 foreclosure sale, the court shall thereupon try and determine the other issues in the suit in
36 accordance with section 141.480. If any answering parties have specially appealed as provided
37 in section 141.570, the court shall retain the custody of such funds pending disposition of such
38 appeal, and upon disposition of such appeal shall make such distribution. If there are not
39 sufficient proceeds of the sale to pay all claims in any class described, the court shall order the
40 same to be paid pro rata in accordance with the priorities.

41 4. If there are any funds remaining of the proceeds after the sheriff's sale and after the
42 distribution of such funds as herein set out and no person entitled to any such funds, whether or
43 not a party to the suit, shall, within two years after such sale, appear and claim the funds, they
44 shall [escheat to the state as provided by law] **be distributed to the appropriate taxing**
45 **authorities.**

141.720. 1. The land trust shall be composed of three members, one of whom shall be
2 appointed by the county, **as directed by the county** executive, or if the county does not have a
3 county executive, **as directed by** the county commission of the county, one of whom shall be
4 appointed by [the city council of that city] **that municipality** in the county which **is not an**
5 **appointing authority under section 141.980 and** then has the largest population according to
6 the last preceding federal decennial census, and one of whom shall be appointed by [the board
7 of directors of the] **that school district in the county** which **is not an appointing authority**
8 **under section 141.981 and** then has the largest population according to such census in the
9 county. **If any such appointing authority fails to make any appointment of a land trustee**
10 **after any term expires, then the appointment shall be made by the county.**

11 2. The terms of office of the land trustees shall be for four years each, except the terms
12 of the first land trustees who shall be appointed by the foregoing appointing authorities,
13 respectively, not sooner than twelve months and not later than eighteen months after sections
14 141.210 to 141.810 take effect; **provided, however, that the term of any land trustee**
15 **appointed by a municipality or school district that becomes an appointing authority of a**
16 **land bank agency under section 141.981 shall terminate and such municipality and such**
17 **school district shall cease to be appointing authorities for such land trust under this section**
18 **upon the completion of all transfers to the land bank agency from the land trust required**

19 **under subsection 1 of section 141.984 or one year after the effective date of the ordinance**
20 **or resolution establishing the land bank agency, whichever is the first to occur.**

21 3. Each land trustee shall have been a resident of the county for at least five years next
22 prior to appointment, shall not hold other salaried or compensated public office by election or
23 appointment during service as land trustee, the duties of which would in any way conflict with
24 his duties as land trustee, and shall have had at least ten years experience in the management or
25 sale of real estate.

26 4. Of the first land trustees appointed under sections 141.210 to 141.810, the land trustee
27 appointed by the county commission shall serve for a term ending February 1, 1946, the land
28 trustee appointed by the board of directors of the school district then having the largest
29 population in the county shall serve for a term expiring February 1, 1947, and the land trustee
30 appointed by the city council of the city then having the largest population in the county shall
31 serve for a term expiring February 1, 1948. Each land trustee shall serve until his successor has
32 been appointed and qualified.

33 5. Any vacancy in the office of land trustee shall be filled for the unexpired term by the
34 same appointing authority which made the original appointment. If any appointing authority fails
35 to make any appointment of a land trustee within the time the first appointments are required by
36 sections 141.210 to 141.810 to be made, or within thirty days after any term expires or vacancy
37 occurs, then the appointment shall be made by the [mayor of that city in the] county [then having
38 the largest population, according to the last preceding federal decennial census].

39 6. The members shall receive for their services as land trustees a salary of two thousand
40 four hundred dollars per year.

41 7. Each land trustee may be removed for cause by the respective appointing authority,
42 after public hearing, if requested by the land trustee, and an opportunity to be represented by
43 counsel and to present evidence is afforded the trustee.

141.770. 1. Each annual budget of the land trust shall be itemized as to objects and
2 purposes of expenditure, prepared not later than [December tenth] **October first** of each year
3 with copies delivered to the [county and city that appointed trustee members] **appointing**
4 **authorities of such land trust under section 141.720**, and shall include therein only such
5 appropriations as shall be deemed necessary to meet the reasonable expenses of the land trust
6 during the forthcoming fiscal year. That budget shall not become the required annual budget of
7 the land trust unless and until it has been approved by the governing bodies of the [county or city
8 that appointed trustee members] **appointing authorities of such land trust under section**
9 **141.720**. If [either] **any** of the governing bodies of the [county and city that appointed trustee
10 members] **appointing authorities of such land trust under section 141.720** fail to notify the

11 land trust in writing of any objections to the proposed annual budget on or before [December]
12 **November** twentieth, then such failure or failures to object shall be deemed approval. In the
13 event objections have been made and a budget for the fiscal year beginning January first has not
14 been approved by the governing bodies of the [county and city] **appointing authorities of such**
15 **land trust under section 141.720** on or before January first, then the budget for the previous
16 fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from
17 the preceding fiscal year shall be deducted from the amounts needed to meet the budget
18 requirements of the forthcoming year.

19 2. Copies of the budget shall be made available to the public on or before [December]
20 **October** tenth, and a public hearing shall be had thereon prior to [December] **October** twentieth,
21 in each year. The approved and adopted budget may be amended by the trustee members only
22 with the approval of the governing bodies of the [county and city that appointed trustee
23 members] **appointing authorities of such land trust under section 141.720**.

24 3. If at any time there are not sufficient funds available to pay the salaries and other
25 expenses of such land trust and of its employees, incident to the administration of sections
26 141.210 to 141.810, including any expenditures authorized by section 141.760, funds sufficient
27 to pay such expenses shall be advanced and paid to the land trust upon its requisition therefor,
28 [fifty] **seven** percent thereof by the county commission of [such] **the county in which the land**
29 **trust operates**, and the other [fifty] **ninety-three** percent by all of the [municipalities in such
30 county as defined in section 141.220] **taxing authorities in such county that are not**
31 **appointing authorities for a land bank agency under section 141.981 and all municipalities**
32 **and school districts in such county that are appointing authorities for such land trust**
33 **under section 141.720**, in proportion to their assessed valuations [at the time of their last
34 completed assessment for state and county purposes] **of the properties then in the land trust**
35 **inventory located within their respective taxing jurisdictions**. The land trust shall have
36 power to requisition such funds in an amount not to exceed twenty-five percent of the total
37 annual budget of the land trust from such sources for that fiscal year of the land trust for which
38 there are not sufficient funds otherwise available to pay the salaries and other expenses of the
39 land trust, but any amount in excess of twenty-five percent of the total annual budget in any fiscal
40 year may be requisitioned by and paid to the land trust only if such additional sums are agreed
41 to and approved by the county [commission and the respective municipalities in such county so
42 desiring to make such payment] **and such other taxing authorities**. All moneys so
43 requisitioned shall be paid in a lump sum within thirty days after such requisition or the
44 commencement of the fiscal year of the land trust for which such requisition is made, whichever
45 is later, [and] **by the county paying seven percent thereof due from the county under this**

46 **section and advancing the remaining ninety-three percent due from other taxing**
47 **authorities under this section on behalf of such other taxing authorities, and such amounts**
48 **so paid** shall be deposited to the credit of the land trust in some bank or trust company, subject
49 to withdrawal by warrant as herein provided. **Amounts advanced by the county on behalf of**
50 **any taxing authority under this section shall be reimbursed to the county upon demand by**
51 **the county or by the county withholding such amounts from distributions of tax moneys**
52 **to such taxing authority.**

53 4. The fiscal year of the land trust shall commence on January first of each year. Such
54 land trust shall audit all claims for the expenditure of money, and shall, acting by the chairman
55 or vice chairman thereof, draw warrants therefor from time to time.

56 5. No warrant for the payment of any claim shall be drawn by such land trust until such
57 claim shall have been approved by the land commissioner and shall bear the commissioner's
58 certificate that there is a sufficient unencumbered balance in the proper appropriation and
59 sufficient unexpended cash available for the payment thereof. For any certification contrary
60 thereto, such land commissioner shall be liable personally and on the commissioner's official
61 bond for the amounts so certified, and shall thereupon be promptly removed from office by the
62 land trustees.

63 6. In addition to the annual audit provided for in section 141.760, the land trust may be
64 performance audited at any time by the state auditor or by the auditor of any home rule city with
65 more than four hundred thousand inhabitants and located in more than one county that is a
66 member of the land trust. The cost of such audit shall be paid by the land trust, and copies shall
67 be made available to the public within thirty days of the completion of the audit.

141.785. 1. The land trust shall be authorized to file an action to quiet title under
2 **section 527.150 as to any real property in which the land trust has an interest. For**
3 **purposes of any and all such actions the land trust shall be deemed to be the holder of**
4 **sufficient legal and equitable interests, and possessory rights, so as to qualify the land trust**
5 **as adequate complainant in such action.**

6 **2. Prior to the filing of an action to quiet title the land trust shall conduct an**
7 **examination of title to determine the identity of any and all persons and entities possessing**
8 **a claim or interest in or to the real property. Service of the complaint to quiet title shall**
9 **be provided to all such interested parties by the following methods:**

10 **(1) First class mail to such identity and address as reasonably ascertainable by an**
11 **inspection of public records;**

12 **(2) In the case of occupied real property by first class mail, addressed to**
13 **"Occupant";**

- 14 **(3) By posting a copy of the notice on the real property;**
 15 **(4) By publication in a newspaper of general circulation in the municipality in**
 16 **which the property is located; and**
 17 **(5) Such other methods as the court may order.**
 18 **3. As part of the complaint to quiet title the land trust shall file an affidavit**
 19 **identifying all parties potentially having an interest in the real property, and the form of**
 20 **notice provided.**
 21 **4. The court shall schedule a hearing on the complaint within ninety days following**
 22 **filing of the complaint, and as to all matters upon which an answer was not filed by an**
 23 **interested party the court shall issue its final judgment within one hundred twenty days**
 24 **of the filing of the complaint.**
 25 **5. The land trust shall be authorized to join in a single complaint to quiet title to**
 26 **one or more parcels of real property.**

141.790. When any parcel of real estate is sold or otherwise disposed of by the land trust,
 2 the proceeds therefrom shall be applied and distributed in the following order:

- 3 **(1) To the payment of amounts due from the land trust under subsection 2 of**
 4 **section 141.560 on the sale or other disposition of such parcel;**
 5 **(2) To the payment of the expenses of sale;**
 6 **[(2)] (3) The balance to be retained by the land trust to pay the salaries and other**
 7 **expenses of such land trust and of its employees, incident to the administration of sections**
 8 **141.210 to 141.810, including any expenditures authorized by section 141.760, as provided for**
 9 **in its annual budget;**
 10 **[(3)] (4) Any funds in excess of those necessary to meet the expenses of the annual**
 11 **budget of the land trust in any fiscal year, and including a reasonable sum to carry over into the**
 12 **next fiscal year to assure that sufficient funds will be available to meet initial expenses for that**
 13 **next fiscal year, [may] shall be paid to the respective taxing authorities which, at the time of the**
 14 **distribution, are taxing the real property from which the proceeds are being distributed. The**
 15 **distributions shall be in proportion to the amounts of the taxes levied on the properties by the**
 16 **taxing authorities; distribution shall be made on January first and July first of each year, and at**
 17 **such other times as the land trustees in their discretion may determine.**

141.980. 1. Any municipality located wholly or partially within a county in which
 2 **a land trust created under section 141.700 was operating on January 1, 2012, may establish**
 3 **a land bank agency for the management, sale, transfer, and other disposition of interests**
 4 **in real estate owned by such land bank agency. Any such land bank agency created shall**
 5 **be created to foster the public purpose of returning land, including land that is in a**

6 nonrevenue-generating nontax-producing status, to effective use in order to provide
7 housing, new industry, and jobs for citizens of the establishing municipality, and to create
8 new revenues for such municipality. Such land bank agency shall be established by
9 ordinance or resolution as applicable. Such land bank agency may not own any interest in
10 real estate that is located wholly or partially outside such establishing municipality.

11 2. The beneficiaries of the land bank agency shall be the taxing authorities that held
12 or owned tax bills against the respective parcels of real estate acquired by such land bank
13 agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from land
14 trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of
15 subsection 2 of section 141.550 included in the judgment of the court, and their respective
16 interests in each parcel of real estate shall be to the extent and in the proportion and
17 according to the priorities determined by the court on the basis that the principal amount
18 of their respective tax bills bore to the total principal amount of all of the tax bills
19 described in the judgment.

20 3. Each land bank agency created under this chapter shall be a public body
21 corporate and politic, and shall have permanent and perpetual duration until terminated
22 and dissolved in accordance with the provisions of section 141.1012.

141.981. 1. A land bank agency shall be composed of a board of commissioners
2 which shall consist of an odd number of members, and shall be not less than five members
3 nor more than seven members, one of whom shall be appointed by the county, as directed
4 by the county executive, or if the county does not have a county executive, as directed by
5 the county commission of the county, one of whom shall be appointed by the school district
6 that is wholly located within such municipality and county and then has the largest
7 population according to the last preceding federal decennial census, and the remainder
8 shall be appointed by the municipality that established the land bank agency. Members
9 shall serve at the pleasure of the member's appointing authority, may be employees of the
10 appointing authority, and shall serve without compensation. Any vacancy in the office of
11 land bank commissioner shall be filled by the same appointing authority that made the
12 original appointment. If any appointing authority fails to make any appointment of a land
13 bank commissioner within the time the first appointments are required, or within sixty
14 days after any term expires, then the appointment shall be made by the other appointing
15 authorities. Except as otherwise provided in subsection 2 of section 141.720, any
16 municipality or school district that is an appointing authority under this section 141.981
17 shall not be an appointing authority under section 141.720.

18 **2. Notwithstanding any law to the contrary, any public officer shall be eligible to**
19 **serve as a board member and the acceptance of the appointment shall neither terminate**
20 **nor impair such public office. For purposes of this section, "public officer" shall mean a**
21 **person who is elected to a political subdivision office. Any political subdivision employee**
22 **shall be eligible to serve as a board member.**

23 **3. The members of the board shall select annually from among themselves a chair,**
24 **a vice chair, a treasurer, and such other officers as such board may determine, and shall**
25 **establish their duties as may be regulated by rules adopted by such board.**

26 **4. The board shall have the power to organize and reorganize the executive,**
27 **administrative, clerical, and other departments of the land bank agency and to fix the**
28 **duties, powers, and compensation of all employees, agents, and consultants of the land**
29 **bank agency. The board may cause the land bank agency to reimburse any member for**
30 **expenses actually incurred in the performance of duties on behalf of the land bank agency.**

31 **5. The board shall meet in regular session according to a schedule adopted by such**
32 **board, and also shall meet in special session as convened by the chairman or upon written**
33 **notice signed by a majority of the members. The presence of a majority of the board's total**
34 **membership shall constitute a quorum to conduct business.**

35 **6. All actions of the board shall be approved by the affirmative vote of a majority**
36 **of the members of the board present and voting; provided, however, that no action of the**
37 **board shall be authorized on the following matters unless approved by a majority of the**
38 **entire board membership:**

39 **(1) Adoption of bylaws and other rules and regulations for conduct of the land**
40 **bank agency's business;**

41 **(2) Hiring or firing of any employee or contractor of the land bank agency. This**
42 **function may, by majority vote, be delegated by the board to a specified officer or**
43 **committee of the land bank agency, under such terms and conditions, and to the extent,**
44 **that the board may specify;**

45 **(3) The incurring of debt, including, without limitation, borrowing of money and**
46 **the issuance of bonds, notes or other obligations;**

47 **(4) Adoption or amendment of the annual budget;**

48 **(5) Sale of real property for a selling price that represents a consideration less than**
49 **two-thirds of the appraised value of such property; and**

50 **(6) Lease, encumbrance, or alienation of real property, improvements, or personal**
51 **property with a value of more than fifty thousand dollars.**

7 a land bank agency to provide such staffing services to political subdivisions or agencies
8 or departments thereof.

141.983. Subject to the other provisions of this chapter and all other applicable
2 laws, a land bank agency established under this chapter shall have all powers necessary
3 or appropriate to carry out and effectuate the purposes and provisions of this chapter as
4 they relate to a land bank agency, including the following powers in addition to those
5 herein otherwise granted:

6 (1) To adopt, amend, and repeal bylaws for the regulation of its affairs and the
7 conduct of its business;

8 (2) To sue and be sued in its own name and plead and be impleaded in all civil
9 actions, including, but not limited to, actions to clear title to property of the land bank
10 agency;

11 (3) To adopt a seal and to alter the same at pleasure;

12 (4) To receive funds as grants from or to borrow from political subdivisions, the
13 state of Missouri, the federal government, or any other public or private sources;

14 (5) To issue notes and other obligations according to the provisions of this chapter;

15 (6) To procure insurance or guarantees from political subdivisions, the state of
16 Missouri, the federal government, or any other public or private sources, of the payment
17 of any bond, note, loan, or other obligation, or portion thereof, incurred by the land bank
18 agency, and to pay any fees or premiums in connection therewith;

19 (7) To enter into contracts and other instruments necessary, incidental, or
20 convenient to the performance of its duties and the exercise of its powers, including, but
21 not limited to, agreements with other land bank agencies and with political subdivisions
22 for the joint exercise of powers under this chapter;

23 (8) To enter into contracts and other instruments necessary, incidental, or
24 convenient to the performance of functions by the land bank agency on behalf of political
25 subdivisions, or agencies or departments of political subdivisions, or the performance by
26 political subdivisions, or agencies or departments of political subdivisions of functions on
27 behalf of the land bank agency;

28 (9) To make and execute contracts and other instruments necessary or convenient
29 to the exercise of the powers of the land bank agency; and any contract or instrument when
30 signed by the chair or vice chair of the land bank agency, or by an authorized use of their
31 facsimile signatures, and by the secretary or assistant secretary, or, treasurer or assistant
32 treasurer of the land bank agency, or by an authorized use of their facsimile signatures,
33 shall be held to have been properly executed for and on its behalf;

34 **(10) To procure insurance against losses in connection with the property, assets, or**
35 **activities of the land bank agency;**

36 **(11) To invest the money of the land bank agency, including amounts deposited in**
37 **reserve or sinking funds, at the discretion of the board, in instruments, obligations,**
38 **securities, or property determined proper by the board, and name and use depositories for**
39 **its money;**

40 **(12) To enter into contracts for the management of, the collection of rent from, or**
41 **the sale of the property of the land bank agency;**

42 **(13) To design, develop, construct, demolish, reconstruct, rehabilitate, renovate,**
43 **relocate, equip, furnish, and otherwise improve real property or rights or interests in real**
44 **property held by the land bank agency;**

45 **(14) To fix, charge, and collect rents, fees, and charges for the use of the property**
46 **of the land bank agency and for services provided by the land bank agency;**

47 **(15) Subject to the limitation set forth in subsection 1 of section 141.980, to acquire**
48 **property, whether by purchase, exchange, gift, lease, or otherwise, to grant or acquire**
49 **licenses and easements, and to sell, lease, grant an option with respect to, or otherwise**
50 **dispose of any property of the land bank agency;**

51 **(16) Subject to the limitation set forth in subsection 1 of section 141.980, to enter**
52 **into partnership, joint ventures, and other collaborative relationships with political**
53 **subdivisions and other public and private entities for the ownership, management,**
54 **development, and disposition of real property; and**

55 **(17) Subject to the other provisions of this chapter and all other applicable laws,**
56 **to do all other things necessary or convenient to achieve the objectives and purposes of the**
57 **land bank agency or other laws that relate to the purposes and responsibility of the land**
58 **bank agency.**

141.984. 1. Within one year of the effective date of the ordinance or resolution
2 **passed establishing a land bank agency under this chapter, title to any real property held**
3 **by a land trust created under section 141.700 that is located wholly within the municipality**
4 **that created the land bank agency shall be transferred by deed to such land bank agency.**

5 **2. The income of a land bank agency shall be exempt from all taxation by the state**
6 **of Missouri and by any of its political subdivisions. Upon acquiring title to any real estate,**
7 **a land bank agency shall immediately notify the county assessor and the collector of such**
8 **ownership, and such real estate shall be exempt from all taxation during the land bank**
9 **agency's ownership thereof, in the same manner and to the same extent as any other**
10 **publicly owned real estate, and upon the sale or other disposition of any real estate held by**

11 it, such land bank agency shall immediately notify the county assessor and the collector of
12 such change of ownership; provided however, that such tax exemption for improved and
13 occupied real property held by such land bank agency as lessor pursuant to a ground lease
14 shall terminate upon the first such occupancy, and such land bank agency shall
15 immediately notify the county assessor and the collector of such occupancy.

16 3. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank
17 agency may acquire real property or interests in property by gift, devise, transfer,
18 exchange, foreclosure, lease, purchase, or otherwise on terms and conditions and in a
19 manner the land bank agency considers proper.

20 4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank
21 agency may acquire property by purchase contracts, lease purchase agreements,
22 installment sales contracts, and land contracts, and may accept transfers from political
23 subdivisions upon such terms and conditions as agreed to by the land bank agency and the
24 political subdivision. Notwithstanding any other law to the contrary, but subject to the
25 limitation set forth in subsection 1 of section 141.980, any political subdivision may transfer
26 to the land bank agency real property and interests in real property of the political
27 subdivision on such terms and conditions and according to such procedures as determined
28 by the political subdivision.

29 5. A land bank agency shall maintain all of its real property in accordance with the
30 laws and ordinances of the jurisdictions in which the real property is located.

31 6. Upon confirmation under section 141.580 of a sheriff's foreclosure sale of a
32 parcel of real estate to a land bank agency under subdivision (2) of subsection 2 of section
33 141.550, such land bank agency shall pay the amount of the land bank agency's bid that
34 exceeds the amount of all tax bills included in the judgment, interest, penalties, attorney's
35 fees and costs then due thereon. Such excess shall be applied and distributed in accordance
36 with subsections 3 and 4 of section 141.580, exclusive of subdivision (3) of subsection 3
37 thereof. Upon such confirmation by the court, the collector shall mark the tax bills
38 included in the judgment as "canceled by sale to the land bank" and shall take credit for
39 the full amount of such tax bills, including principal amount, interest, penalties, attorney's
40 fees, and costs, on his books and in his statements with any other taxing authorities.

141.985. 1. A land bank agency shall hold in its own name all real property
2 acquired by such land bank agency irrespective of the identity of the transferor of such
3 property.

4 2. A land bank agency shall maintain and make available for public review and
5 inspection an inventory of all real property held by the land bank agency.

6 **3. The land bank agency shall determine and set forth in policies and procedures**
7 **of the board the general terms and conditions for consideration to be received by the land**
8 **bank agency for the transfer of real property and interests in real property, which**
9 **consideration may take the form of monetary payments and secured financial obligations,**
10 **covenants and conditions related to the present and future use of the property, contractual**
11 **commitments of the transferee, and such other forms of consideration as determined by the**
12 **board to be in the best interest of the land bank agency.**

13 **4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank**
14 **agency may convey, exchange, sell, transfer, lease, grant, release and demise, pledge and**
15 **hypothecate any and all interests in, upon or to property of the land bank agency.**

16 **5. A municipality may, in its resolution or ordinance creating a land bank agency**
17 **establish a hierarchical ranking of priorities for the use of real property conveyed by such**
18 **land bank agency, subject to subsection 7 of this section, including but not limited to:**

19 **(1) Use for purely public spaces and places;**

20 **(2) Use for affordable housing;**

21 **(3) Use for retail, commercial, and industrial activities;**

22 **(4) Use as wildlife conservation areas, and such other uses and in such hierarchical**
23 **order as determined by the land bank jurisdiction.**

24 **6. A municipality may, in its resolution or ordinance creating a land bank agency,**
25 **require that any particular form of disposition of real property, or any disposition of real**
26 **property located within specified geographical areas, be subject to specified voting and**
27 **approval requirements of the board that are not inconsistent with section 141.981 or**
28 **section 141.983. Except and unless restricted or constrained in this manner, the board may**
29 **delegate to officers and employees the authority to enter into and execute agreements,**
30 **instruments of conveyance and all other related documents pertaining to the conveyance**
31 **of property by the land bank agency.**

32 **7. A land bank agency shall act expeditiously to return the real property acquired**
33 **by it to the tax rolls and shall market and sell such real property using an open, public**
34 **method that ensures the best possible price is realized while ensuring such real property**
35 **is returned to a suitable, productive use for the betterment of the neighborhoods in which**
36 **such real property is located.**

37 **8. When any parcel of real estate acquired by a land bank agency pursuant to a**
38 **deemed sale under subsection 3 of section 141.560, by deed from land trust under**
39 **subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection**

40 **2 of section 141.550 is sold or otherwise disposed of by such land bank agency, the proceeds**
41 **therefrom shall be applied and distributed in the following order:**

42 **(1) To the payment of the expenses of sale;**

43 **(2) To fulfill the requirements of the resolution, indenture or other financing**
44 **documents adopted or entered into in connection with bonds, notes or other obligations of**
45 **the land bank agency, to the extent that such requirements may apply with respect to such**
46 **parcel of real estate;**

47 **(3) The balance to be retained by the land bank agency to pay the salaries and**
48 **other expenses of such land bank agency and of its employees as provided for in its annual**
49 **budget;**

50 **(4) Any funds in excess of those necessary to meet the expenses of the annual budget**
51 **of the land bank agency in any fiscal year and a reasonable sum to carry over into the next**
52 **fiscal year to assure that sufficient funds will be available to meet initial expenses for that**
53 **next fiscal year, exclusive of net profit from the sale of ancillary parcels, shall be paid to**
54 **the respective taxing authorities that, at the time of the distribution, are taxing the real**
55 **property from which the proceeds are being distributed. The distributions shall be in**
56 **proportion to the amounts of the taxes levied on the properties by the taxing authorities.**
57 **Distribution shall be made on January first and July first of each year, and at such other**
58 **times as the board may determine.**

59 **9. When any ancillary parcel is sold or otherwise disposed of by such land bank**
60 **agency, the proceeds therefrom shall be applied and distributed in the following order:**

61 **(1) To the payment of all land taxes and related charges then due on such parcel;**

62 **(2) To the payment of the expenses of sale;**

63 **(3) To fulfill the requirements of the resolution, indenture or other financing**
64 **documents adopted or entered into in connection with bonds, notes or other obligations of**
65 **the land bank agency, to the extent that such requirements may apply with respect to such**
66 **parcel of real estate;**

67 **(4) The balance to be retained by the land bank agency to pay the salaries and**
68 **other expenses of such land bank agency and of its employees as provided for in its annual**
69 **budget;**

70 **(5) Any funds in excess of those necessary to meet the expenses of the annual budget**
71 **of the land bank agency in any fiscal year and a reasonable sum to carry over into the next**
72 **fiscal year to assure that sufficient funds will be available to meet initial expenses for that**
73 **next fiscal year, may be paid in accordance with subdivision (3) of subsection 8 of this**
74 **section.**

141.988. 1. A land bank agency may receive funding through grants and loans from political subdivisions, from the state of Missouri, from the federal government, and from other public and private sources.

2. Except as otherwise provided in subsections 8 and 9 of section 141.985, a land bank agency may receive and retain payments for services rendered, for rents and leasehold payments received, for consideration for disposition of real and personal property, for proceeds of insurance coverage for losses incurred, for income from investments, and for any other asset and activity lawfully permitted to a land bank agency under this chapter.

3. If a land bank agency sells or otherwise disposes of a parcel of real estate held by it, any land taxes assessed against such parcel for the three tax years following such sale or disposition by such land bank agency that are collected by the collector in a calendar year and not refunded, less the fees provided under section 52.260 and subsection 4 of section 141.988 and less the amounts to be deducted under section 137.720, shall be distributed by the collector to such land bank agency no later than March first of the following calendar year; provided that land taxes impounded under section 139.031 or otherwise paid under protest shall not be subject to distribution under this subsection. Any amount required to be distributed to a land bank agency under this subsection shall be subject to offset for amounts previously distributed to such land bank agency that were assessed, collected or distributed in error.

4. In addition to any other provisions of law related to collection fees, the collector shall collect on behalf of the county a fee of four percent of reserve period taxes collected and such fees collected shall be deposited in the county general fund.

141.991. There shall be an annual audit of the affairs, accounts, expenses, and financial transactions of a land bank agency by certified public accountants as of April thirtieth of each year, which accountants shall be employed by the commissioners on or before March first of each year, and certified copies thereof shall be furnished to the appointing authorities described in section 141.981, and shall be available for public inspection at the office of the land bank agency. In addition to the annual audit provided for in this subdivision, the land bank agency may be performance audited at any time by the state auditor or by the auditor of the municipality that established the land bank agency. The cost of such audit shall be paid by the land bank agency, and copies shall be made available to the public within thirty days of the completion of the audit.

141.994. 1. A land bank agency shall have power to issue bonds for any of its corporate purposes, which bonds shall be special, limited obligations of the land bank

3 agency, the principal of and interest on which shall be payable solely from the income and
4 revenue derived from the sale, lease, or other disposition of the assets of the land bank
5 agency, or such portion thereof as may be designated in the resolution, indenture or other
6 financing documents relating to the issuance of the bonds. In the discretion of the land
7 bank agency, any of such bonds may be secured by a pledge of additional revenues,
8 including grants, contributions or guarantees from the state of Missouri, the federal
9 government, or any agency or instrumentality thereof, or by a mortgage or other security
10 device covering all or part of the property from which the revenues so pledged may be
11 derived.

12 **2. Bonds issued by a land bank agency shall not be deemed to be an indebtedness**
13 **within the meaning of any constitutional or statutory limitation upon the incurring of**
14 **indebtedness. The bonds shall not constitute a debt, liability or obligation of the state or**
15 **of any political subdivision thereof, except in accordance with subsection 4 of this section,**
16 **or a pledge of the full faith and credit or the taxing power of the state or of any such**
17 **political subdivision, and the bonds shall contain a recital to that effect. Neither the**
18 **members of the board nor any person executing the bonds shall be liable personally on the**
19 **bonds by reason of the issuance thereof.**

20 **3. Bonds issued by a land bank agency shall be authorized by resolution of the**
21 **board and shall be issued in such form, shall be in such denominations, shall bear interest**
22 **at such rate or rates, shall mature on such dates and in such manner, shall be subject to**
23 **redemption at such times and on such terms, and shall be executed by one or more**
24 **members of the board, as provided in the resolution authorizing the issuance thereof or as**
25 **set out in the indenture or other financing document authorized and approved by such**
26 **resolution. The board may sell such bonds in such manner, either at public or at private**
27 **sale, and for such price as it may determine to be in the best interests of the land bank**
28 **agency.**

29 **4. Any political subdivision may elect to guarantee, insure, or otherwise become**
30 **primarily or secondarily obligated with respect to the bonds issued by a land bank agency**
31 **subject, however, to the provisions of Missouri law applicable to the incurrence of**
32 **indebtedness by such political subdivision. No political subdivision shall have any such**
33 **obligation if it does not so elect.**

34 **5. A land bank agency may from time to time, as authorized by resolution of the**
35 **board, issue refunding bonds for the purpose of refunding, extending and unifying all or**
36 **any part of its valid outstanding bonds. Such refunding bonds may be payable from any**

37 of the sources identified in subsections 1 and 4 of this section, and from the investment of
38 any of the proceeds of the refunding bonds.

39 **6. The bonds issued by a land bank agency shall be negotiable instruments under**
40 **the provisions of the uniform commercial code of the state of Missouri.**

41 **7. Bonds issued under this section and all income or interest thereon shall be**
42 **exempt from all state taxes, except estate and transfer taxes.**

43 **8. A land bank agency shall have the power to issue temporary notes upon the same**
44 **terms and subject to all provisions and restrictions applicable to bonds under this section.**
45 **Such notes issued by a land bank agency may be refunded by notes or bonds authorized**
46 **under this section.**

141.997. Except as otherwise provided under Missouri law, all board meetings shall
2 **be open to the public and the board shall cause minutes and a record to be kept of all its**
3 **proceedings. The land bank agency shall be subject to the provisions of chapters 109 and**
4 **610, and any other applicable provisions of Missouri law governing public records and**
5 **public meetings.**

141.1000. Neither the members of the board nor any salaried employee of a land
2 **bank agency shall receive any compensation, emolument, or other profit directly or**
3 **indirectly from the rental, management, acquisition, sale, demolition, repair, rehabilitation,**
4 **use, operation, ownership, or disposition of any lands held by such land bank agency other**
5 **than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.1015.**
6 **Neither the members of the board nor any salaried employee of a land bank agency shall**
7 **own, directly or indirectly, any legal or equitable interest in or to any lands held by such**
8 **land bank agency other than the salaries, expenses, and emoluments provided for in**
9 **sections 141.980 to 141.1015. Any person convicted of violating this subsection shall be**
10 **deemed guilty of a felony and upon conviction thereof shall be sentenced to serve not less**
11 **than two nor more than five years in the state penitentiary. The board of a land bank**
12 **agency may adopt supplemental rules and regulations addressing potential conflicts of**
13 **interest and ethical guidelines for members of the board and land bank agency employees,**
14 **provided that such rules and regulations are not inconsistent with this chapter or any other**
15 **applicable law.**

141.1003. Except as otherwise expressly set forth in this chapter, in the exercise of
2 **its powers and duties under this chapter and its powers relating to property held by the**
3 **land bank agency, the land bank agency shall have complete control of such property as**
4 **fully and completely as if it were a private property owner.**

141.1006. 1. Whenever any ancillary parcel is acquired by a land bank agency and is encumbered by a lien or claim for real property taxes owed to a taxing authority, such taxing authority may elect to contribute to the land bank agency all or any portion of such taxes that are distributed to and received by such taxing authority.

2. To the extent that a land bank agency receives payments or credits of any kind attributable to liens or claims for real property taxes owed to a taxing authority, the land bank agency shall remit the full amount of the payments to the collector for distribution to the appropriate taxing authority.

141.1009. 1. A land bank agency shall be authorized to file an action to quiet title under section 527.150 as to any real property in which the land bank agency has an interest. For purposes of any and all such actions the land bank agency shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the land bank agency as adequate complainant in such action.

2. Prior to the filing of an action to quiet title the land bank agency shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real property. Service of the complaint to quiet title shall be provided to all such interested parties by the following methods:

(1) First class mail to such identity and address as reasonably ascertainable by an inspection of public records;

(2) In the case of occupied real property by first class mail, addressed to "Occupant";

(3) By posting a copy of the notice on the real property;

(4) By publication in a newspaper of general circulation in the municipality in which the property is located; and

(5) Such other methods as the court may order.

3. As part of the complaint to quiet title, the land bank agency shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

4. The court shall schedule a hearing on the complaint within ninety days following filing of the complaint, and as to all matters upon which an answer was not filed by an interested party the court shall issue its final judgment within one hundred twenty days of the filing of the complaint.

5. A land bank agency shall be authorized to join in a single complaint to quiet title to one or more parcels of real property.

141.1012. A land bank agency may be dissolved as a public body corporate and politic not less than sixty calendar days after an ordinance or resolution for such dissolution is passed by the municipality that established the land bank agency. Not less than sixty calendar days advance written notice of consideration of such an ordinance or resolution of dissolution shall be given to the members of the board of the land bank agency, shall be published in a local newspaper of general circulation within such municipality, and shall be sent certified mail to each trustee of any outstanding bonds of the land bank agency. No land bank agency shall be dissolved while there remains outstanding any bonds, notes or other obligations of the land bank agency unless such bonds, notes or other obligations are paid or defeased pursuant to the resolution, indenture or other financing document under which such bonds, notes or other obligations were issued prior to or simultaneously with such dissolution. Upon dissolution of a land bank agency under this section, all real property, personal property, and other assets of the land bank agency shall be transferred by appropriate written instrument to and shall become the assets of the municipality that established the land bank agency. Such municipality shall act expeditiously to return such real property to the tax rolls and shall market and sell such real property using an open, public method that ensures the best possible prices are realized while ensuring such real property is returned to a suitable, productive use for the betterment of the neighborhoods in which such real property is located. Any such real property that was acquired by the dissolved land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 shall be held by such municipality in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure, and upon the sale or other disposition of any such property by such municipality, the proceeds therefrom shall be applied and distributed in the following order:

- 28 (1) To the payment of the expenses of sale;
- 29 (2) To the reasonable costs incurred by such municipality in maintaining and
30 marketing such property; and
- 31 (3) The balance shall be paid to the respective taxing authorities that, at the time
32 of the distribution, are taxing the real property from which the proceeds are being
33 distributed.

141.1015. A land bank agency shall neither possess nor exercise the power of eminent domain. A land bank agency shall not have the power to tax.

162.485. 1. The provisions of this section shall apply to any school district containing any home rule city with a population of more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants which is located within a county of the first classification that adjoins no other county of the first classification.

2. Notwithstanding any other law, elected members of the board in office on August 28, 2012, shall hold office for the length of term for which they were elected, and any members appointed under section 162.471 to fill vacancies left by elected members in office on August 28, 2012, shall serve for the remainder of the term to which the replaced member was elected.

3. Notwithstanding any other law, no director shall serve more than four three-year terms after August 28, 2012.

190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

YES NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall

25 have no power to impose the tax authorized by this section unless and until the county
26 commission shall again have submitted another proposal to authorize the county commission to
27 impose the tax under the provisions of this section, and such proposal is approved by a majority
28 of the qualified voters voting thereon.

29 4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from
30 the sale at retail of all tangible personal property or taxable services at retail within any county
31 adopting such tax, if such property and services are subject to taxation by the state of Missouri
32 under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior
33 to thirty-six months before operation of the central dispatching of emergency services.

34 5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall
35 apply to the tax imposed under this section.

36 6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year
37 in which the tax imposed pursuant to this section for emergency services is certified by the board
38 to be fully operational. Any revenues collected from the tax authorized under section 190.305
39 shall be credited for the purposes for which they were intended.

40 7. At least once each calendar year, the board shall establish a tax rate, not to exceed the
41 amount authorized, that together with any surplus revenues carried forward will produce
42 sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess
43 of that necessary within a given year shall be carried forward to subsequent years. The board
44 shall make its determination of such tax rate each year no later than September first and shall fix
45 the new rate which shall be collected as provided in this act. Immediately upon making its
46 determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall
47 notify every retailer by mail of the new rate.

48 8. Immediately upon the affirmative vote of voters of such a county on the ballot
49 proposal to establish a county sales tax pursuant to the provisions of this section, the county
50 commission shall appoint the initial members of a board to administer the funds and oversee the
51 provision of emergency services in the county. Beginning with the general election in 1994, all
52 board members shall be elected according to this section and other applicable laws of this state.
53 At the time of the appointment of the initial members of the board, the commission shall
54 relinquish and no longer exercise the duties prescribed in this chapter with regard to the
55 provision of emergency services and such duties shall be exercised by the board.

56 9. The initial board shall consist of seven members appointed without regard to political
57 affiliation, who shall be selected from, and who shall represent, the fire protection districts,
58 ambulance districts, sheriff's department, municipalities, any other emergency services and the
59 general public. This initial board shall serve until its successor board is duly elected and

60 installed in office. The commission shall ensure geographic representation of the county by
61 appointing no more than four members from each district of the county commission.

62 10. Beginning in 1994, three members shall be elected from each district of the county
63 commission and one member shall be elected at large, such member to be the chairman of the
64 board. Of those first elected, four members from districts of the county commission shall be
65 elected for terms of two years and two members from districts of the county commission and the
66 member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of
67 office shall be four years.

68 11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary,
69 in any county of the first classification with more than two hundred forty thousand three hundred
70 but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone
71 service 911 board appointed by the county under section 190.309 which is in existence on the
72 date the voters approve a sales tax under this section shall continue to exist and shall have the
73 powers set forth under section 190.339.

74 12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the
75 contrary, in any county **that has approved a sales tax under this section and is** of the second
76 classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand
77 three hundred inhabitants [that has approved a sales tax under this section] **or is of the first**
78 **classification with more than fifty thousand but fewer than seventy thousand inhabitants,**
79 the county commission shall appoint the members of the board to administer the funds and
80 oversee the provision of emergency services in the county.

81 (2) The board shall consist of seven members appointed without regard to political
82 affiliation. **Except as provided in subdivision (4) of this subsection,** each member shall be one
83 of the following:

- 84 (a) The head of any of the county's fire protection districts, or a designee;
85 (b) The head of any of the county's ambulance districts, or a designee;
86 (c) The county sheriff, or a designee;
87 (d) The head of any of the police departments in the county, or a designee; and
88 (e) The head of any of the county's emergency management organizations, or a designee.

89 (3) Upon the appointment of the board under this subsection, the board shall have the
90 power provided in section 190.339 and shall exercise all powers and duties exercised by the
91 county commission under this chapter, and the commission shall relinquish all powers and duties
92 relating to the provision of emergency services under this chapter to the board.

93 **(4) In any county of the first classification with more than fifty thousand but fewer**
94 **than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this**
95 **subsection shall be represented on the board by at least one member.**

238.415. 1. A road and bridge revitalization district may be established in the
2 **portion of a home rule city with more than four hundred thousand inhabitants and located**
3 **in more than one county that is located in a county of the first classification with more than**
4 **two hundred thousand but fewer than two hundred sixty thousand inhabitants, after voter**
5 **approval under this section. A road and bridge revitalization district shall exist to**
6 **revitalize, repair, replace, and construct new roads, bridges, and related public**
7 **infrastructure, including storm water control systems. The boundaries of the district may**
8 **be of any dimensions within the portion of the city within such county that may be deemed**
9 **necessary or advisable. The governing body of the municipality may establish such district**
10 **by ordinance and authorize the imposition of a tax to support the district. The ordinance**
11 **shall require the ad valorem tax to be submitted to the voters for reauthorization and shall**
12 **specify the period of time before such reauthorization shall be required, which time period**
13 **shall not be more than ten years. No such ordinance shall become effective unless the**
14 **governing body of the municipality submits to the voters residing within the district at a**
15 **state general, primary, or special election a proposal to authorize the creation of the district**
16 **and the imposition of the tax. The municipality shall include in the ballot a provision for**
17 **a tax to support the district in an amount not to exceed ten cents per one hundred dollars**
18 **assessed valuation of all taxable property within the district pursuant to available statutory**
19 **authority.**

20 **2. The ballot for the proposition in the district shall be in substantially the following**
21 **form:**

22 **Shall there be established a Road and Bridge Revitalization District with a tax rate**
23 **of not more than (insert amount) cents per hundred dollars assessed valuation of all**
24 **taxable property within the district for years, unless reauthorized by the voters?**

25 **YES** **NO**

26 **3. In the event that a majority of the voters voting on such proposition in the**
27 **proposed district at such election cast votes for the proposition, then the district shall be**
28 **established and the tax rate shall be in full force and effect as of the first day of the year**
29 **following the year of the election. The results of the election shall be certified by the**
30 **election officials of the city not less than thirty days after the day of election. In the event**
31 **the proposition fails to receive a majority of the votes in the proposed district, then such**

32 **proposition shall not be resubmitted at any election held within one year of the date of the**
33 **election the proposition was rejected.**

321.228. 1. As used in this section, the following terms shall mean:

2 **(1) "Residential construction", new construction and erection of detached single-**
3 **family or two-family dwellings or the development of land to be used for detached single-**
4 **family or two-family dwellings;**

5 **(2) "Residential construction regulatory system", any bylaw, ordinance, order,**
6 **rule, or regulation adopted, implemented, or enforced by any city, town, village, or county**
7 **that pertains to residential construction, to any permitting system, or program relating to**
8 **residential construction, including but not limited to the use or occupancy by the initial**
9 **occupant thereof, or to any system or program for the inspection of residential**
10 **construction. Residential construction regulatory system also includes the whole or any**
11 **part of a nationally recognized model code, with or without amendments specific to such**
12 **city, town, village, or county.**

13 **2. Notwithstanding the provisions of any other law to the contrary, if a city, town,**
14 **village, or county adopts or has adopted, implements, and enforces a residential**
15 **construction regulatory system applicable to residential construction within its jurisdiction,**
16 **any fire protection districts wholly or partly located within such city, town, village, or**
17 **county shall be without power, authority, or privilege to enforce or implement a residential**
18 **construction regulatory system purporting to be applicable to any residential construction**
19 **within such city, town, village, or county. Any such residential construction regulatory**
20 **system adopted by a fire protection district or its board shall be treated as advisory only**
21 **and shall not be enforced by such fire protection district or its board.**

22 **3. Notwithstanding the provisions of any other law to the contrary, fire protection**
23 **districts:**

24 **(1) Shall have final regulatory authority regarding the location and specifications**
25 **of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential**
26 **construction. Nothing in this subdivision shall be construed to require any political**
27 **subdivision supplying water to incur any costs to modify its water supply infrastructure;**
28 **and**

29 **(2) May inspect the alteration, enlargement, replacement or repair of a detached**
30 **single-family or two-family dwelling; and**

31 **(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this**
32 **subsection.**

2 **339.098. Any person who has an appraisal ordered, directly or indirectly, with**
3 **respect to property they own or have a contract to purchase shall have standing to file a**
4 **complaint with the Real Estate Appraiser Commission.**

5 479.011. 1. (1) The following cities may establish an administrative adjudication
6 system under this section:

7 (a) Any city not within a county;

8 (b) Any home rule city with more than four hundred thousand inhabitants and located
9 in more than one county; [and]

10 (c) Any home rule city with more than seventy-three thousand but fewer than
11 seventy-five thousand inhabitants; **and**

12 **(d) Any home rule city with more than one hundred fifty-five thousand but fewer**
13 **than two hundred thousand inhabitants.**

14 (2) The cities listed in subdivision (1) of this subsection may establish, by order or
15 ordinance, an administrative system for adjudicating housing, property maintenance, nuisance,
16 parking, and other civil, nonmoving municipal code violations consistent with applicable state
17 law. Such administrative adjudication system shall be subject to practice, procedure, and
18 pleading rules established by the state supreme court, circuit court, or municipal court. This
19 section shall not be construed to affect the validity of other administrative adjudication systems
20 authorized by state law and created before August 28, 2004.

21 2. The order or ordinance creating the administrative adjudication system shall designate
22 the administrative tribunal and its jurisdiction, including the code violations to be reviewed. The
23 administrative tribunal may operate under the supervision of the municipal court, parking
24 commission, or other entity designated by order or ordinance and in a manner consistent with
25 state law. The administrative tribunal shall adopt policies and procedures for administrative
26 hearings, and filing and notification requirements for appeals to the municipal or circuit court,
27 subject to the approval of the municipal or circuit court.

28 3. The administrative adjudication process authorized in this section shall ensure a fair
29 and impartial review of contested municipal code violations, and shall afford the parties due
30 process of law. The formal rules of evidence shall not apply in any administrative review or
31 hearing authorized in this section. Evidence, including hearsay, may be admitted only if it is the
type of evidence commonly relied upon by reasonably prudent persons in the conduct of their
affairs. The code violation notice, property record, and related documentation in the proper
form, or a copy thereof, shall be prima facie evidence of the municipal code violation. The
officer who issued the code violation citation need not be present.

32 4. An administrative tribunal may not impose incarceration or any fine in excess of the
33 amount allowed by law. Any sanction, fine or costs, or part of any fine, other sanction, or costs,
34 remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures
35 under chapter 536 shall be a debt due and owing the city, and may be collected in accordance
36 with applicable law.

37 5. Any final decision or disposition of a code violation by an administrative tribunal shall
38 constitute a final determination for purposes of judicial review. Such determination is subject
39 to review under chapter 536 or, at the request of the defendant made within ten days, a trial de
40 novo in the circuit court. After expiration of the judicial review period under chapter 536, unless
41 stayed by a court of competent jurisdiction, the administrative tribunal's decisions, findings,
42 rules, and orders may be enforced in the same manner as a judgment entered by a court of
43 competent jurisdiction. Upon being recorded in the manner required by state law or the uniform
44 commercial code, a lien may be imposed on the real or personal property of any defendant
45 entering a plea of nolo contendere, pleading guilty to, or found guilty of a municipal code
46 violation in the amount of any debt due the city under this section and enforced in the same
47 manner as a judgment lien under a judgment of a court of competent jurisdiction. The city may
48 also issue a special tax bill to collect fines issued for housing, property maintenance, and
49 nuisance code violations.

**479.085. Any home rule city with more than one hundred fifty-five thousand but
2 fewer than two hundred thousand inhabitants which owns and operates a municipal court
3 building is authorized to impose a surcharge of ten dollars on all municipal code violations
4 for the purpose of funding the construction, remodel, repair, and maintenance of the
5 municipal court building.**

544.455. 1. Any person charged with a bailable offense, at his or her appearance before
2 an associate circuit judge or judge may be ordered released pending trial, appeal, or other stage
3 of the proceedings against him on his personal recognizance, unless the associate circuit judge
4 or judge determines, in the exercise of his discretion, that such a release will not reasonably
5 assure the appearance of the person as required. When such a determination is made, the
6 associate circuit judge or judge may either in lieu of or in addition to the above methods of
7 release, impose any or any combination of the following conditions of release which will
8 reasonably assure the appearance of the person for trial:

9 (1) Place the person in the custody of a designated person or organization agreeing to
10 supervise him;

11 (2) Place restriction on the travel, association, or place of abode of the person during the
12 period of release;

13 (3) Require the execution of a bail bond with sufficient solvent sureties, or the deposit
14 of cash in lieu thereof;

15 (4) Require the person to report regularly to some officer of the court, or peace officer,
16 in such manner as the associate circuit judge or judge directs;

17 (5) Require the execution of a bond in a given sum and the deposit in the registry of the
18 court of ten percent, or such lesser percent as the judge directs, of the sum in cash or negotiable
19 bonds of the United States or of the state of Missouri or any political subdivision thereof;

20 (6) Place the person on house arrest with electronic monitoring[,] except that all costs
21 associated with the electronic monitoring shall be charged to the person on house arrest. If the
22 judge finds the person unable to afford the costs associated with electronic monitoring, [then]
23 the judge [shall not] **may** order that the person be placed on house arrest with electronic
24 monitoring **if the county commission agrees to pay from the general revenue of the county**
25 **the costs of such monitoring. If the person on house arrest is unable to afford the costs**
26 **associated with electronic monitoring and the county commission does not agree to pay the**
27 **costs of such electronic monitoring, the judge shall not order that the person be placed on**
28 **house arrest with electronic monitoring;**

29 (7) Impose any other condition deemed reasonably necessary to assure appearance as
30 required, including a condition requiring that the person return to custody after specified hours.

31 2. In determining which conditions of release will reasonably assure appearance, the
32 associate circuit judge or judge shall, on the basis of available information, take into account the
33 nature and circumstances of the offense charged, the weight of the evidence against the accused,
34 the accused's family ties, employment, financial resources, character and mental condition, the
35 length of his residence in the community, his record of convictions, and his record of appearance
36 at court proceedings or flight to avoid prosecution or failure to appear at court proceedings.

37 3. An associate circuit judge or judge authorizing the release of a person under this
38 section shall issue an appropriate order containing a statement of the conditions imposed, if any,
39 shall inform such person of the penalties applicable to violations of the conditions of his release
40 and shall advise him that a warrant for his arrest will be issued immediately upon any such
41 violation.

42 4. A person for whom conditions of release are imposed and who after twenty-four hours
43 from the time of the release hearing continues to be detained as a result of his inability to meet
44 the conditions of release, shall, upon application, be entitled to have the condition reviewed by
45 the associate circuit judge or judge who imposed them. The motion shall be determined
46 promptly.

47 5. An associate circuit judge or judge ordering the release of a person on any condition
48 specified in this section may at any time amend his order to impose additional or different
49 conditions of release; except that, if the imposition of such additional or different conditions
50 results in the detention of the person as a result of his inability to meet such conditions or in the
51 release of the person on a condition requiring him to return to custody after specified hours, the
52 provisions of subsection 4 **of this section** shall apply.

53 6. Information stated in, or offered in connection with, any order entered pursuant to this
54 section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

55 7. Nothing contained in this section shall be construed to prevent the disposition of any
56 case or class of cases by forfeiture of collateral security where such disposition is authorized by
57 the court.

58 8. Persons charged with violations of municipal ordinances may be released by a
59 municipal judge or other judge who hears and determines municipal ordinance violation cases
60 of the municipality involved under the same conditions and in the same manner as provided in
61 this section for release by an associate circuit judge.

62 9. A circuit court may adopt a local rule authorizing the pretrial release on electronic
63 monitoring pursuant to subdivision (6) of subsection 1 of this section in lieu of incarceration of
64 individuals charged with offenses specifically identified therein.

557.011. 1. Every person found guilty of an offense shall be dealt with by the court in
2 accordance with the provisions of this chapter, except that for offenses defined outside this code
3 and not repealed, the term of imprisonment or the fine that may be imposed is that provided in
4 the statute defining the offense; however, the conditional release term of any sentence of a term
5 of years shall be determined as provided in subsection 4 of section 558.011.

6 2. Whenever any person has been found guilty of a felony or a misdemeanor the court
7 shall make one or more of the following dispositions of the offender in any appropriate
8 combination. The court may:

- 9 (1) Sentence the person to a term of imprisonment as authorized by chapter 558;
10 (2) Sentence the person to pay a fine as authorized by chapter 560;
11 (3) Suspend the imposition of sentence, with or without placing the person on probation;
12 (4) Pronounce sentence and suspend its execution, placing the person on probation;
13 (5) Impose a period of detention as a condition of probation, as authorized by section
14 559.026.

15 3. Whenever any person has been found guilty of an infraction, the court shall make one
16 or more of the following dispositions of the offender in any appropriate combination. The court
17 may:

- 18 (1) Sentence the person to pay a fine as authorized by chapter 560;
19 (2) Suspend the imposition of sentence, with or without placing the person on probation;
20 (3) Pronounce sentence and suspend its execution, placing the person on probation.
21 4. Whenever any organization has been found guilty of an offense, the court shall make
22 one or more of the following dispositions of the organization in any appropriate combination.
23 The court may:
24 (1) Sentence the organization to pay a fine as authorized by chapter 560;
25 (2) Suspend the imposition of sentence, with or without placing the organization on
26 probation;
27 (3) Pronounce sentence and suspend its execution, placing the organization on probation;
28 (4) Impose any special sentence or sanction authorized by law.
29 5. This chapter shall not be construed to deprive the court of any authority conferred by
30 law to decree a forfeiture of property, suspend or cancel a license, remove a person from office,
31 or impose any other civil penalty. An appropriate order exercising such authority may be
32 included as part of any sentence.
33 6. In the event a sentence of confinement is ordered executed, a court may order that an
34 individual serve all or any portion of such sentence on electronic monitoring[,] ; except that all
35 costs associated with the electronic monitoring shall be charged to the person on house arrest.
36 If the judge finds the person unable to afford the costs associated with electronic monitoring,
37 [then] the judge [shall not] **may** order that the person be placed on house arrest with electronic
38 monitoring **if the county commission agrees to pay the costs of such monitoring. If the**
39 **person on house arrest is unable to afford the costs associated with electronic monitoring**
40 **and the county commission does not agree to pay from the general revenue of the county**
41 **the costs of such electronic monitoring, the judge shall not order that the person be placed**
42 **on house arrest with electronic monitoring.**

610.021. Except to the extent disclosure is otherwise required by law, a public
2 governmental body is authorized to close meetings, records and votes, to the extent they relate
3 to the following:
4 (1) Legal actions, causes of action or litigation involving a public governmental body
5 and any confidential or privileged communications between a public governmental body or its
6 representatives and its attorneys. However, any minutes, vote or settlement agreement relating
7 to legal actions, causes of action or litigation involving a public governmental body or any agent
8 or entity representing its interests or acting on its behalf or with its authority, including any
9 insurance company acting on behalf of a public government body as its insured, shall be made
10 public upon final disposition of the matter voted upon or upon the signing by the parties of the

11 settlement agreement, unless, prior to final disposition, the settlement agreement is ordered
12 closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the
13 action clearly outweighs the public policy considerations of section 610.011, however, the
14 amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed;
15 provided, however, in matters involving the exercise of the power of eminent domain, the vote
16 shall be announced or become public immediately following the action on the motion to
17 authorize institution of such a legal action. Legal work product shall be considered a closed
18 record;

19 (2) Leasing, purchase or sale of real estate by a public governmental body where public
20 knowledge of the transaction might adversely affect the legal consideration therefor. However,
21 any minutes, vote or public record approving a contract relating to the leasing, purchase or sale
22 of real estate by a public governmental body shall be made public upon execution of the lease,
23 purchase or sale of the real estate;

24 (3) Hiring, firing, disciplining or promoting of particular employees by a public
25 governmental body when personal information about the employee is discussed or recorded.
26 However, any vote on a final decision, when taken by a public governmental body, to hire, fire,
27 promote or discipline an employee of a public governmental body shall be made available with
28 a record of how each member voted to the public within seventy-two hours of the close of the
29 meeting where such action occurs; provided, however, that any employee so affected shall be
30 entitled to prompt notice of such decision during the seventy-two-hour period before such
31 decision is made available to the public.

32 As used in this subdivision, the term "personal information" means information relating to the
33 performance or merit of individual employees;

34 (4) The state militia or national guard or any part thereof;

35 (5) Nonjudicial mental or physical health proceedings involving identifiable persons,
36 including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or
37 treatment;

38 (6) Scholastic probation, expulsion, or graduation of identifiable individuals, including
39 records of individual test or examination scores; however, personally identifiable student records
40 maintained by public educational institutions shall be open for inspection by the parents,
41 guardian or other custodian of students under the age of eighteen years and by the parents,
42 guardian or other custodian and the student if the student is over the age of eighteen years;

43 (7) Testing and examination materials, before the test or examination is given or, if it
44 is to be given again, before so given again;

45 (8) Welfare cases of identifiable individuals;

- 46 (9) Preparation, including any discussions or work product, on behalf of a public
47 governmental body or its representatives for negotiations with employee groups;
- 48 (10) Software codes for electronic data processing and documentation thereof;
- 49 (11) Specifications for competitive bidding, until either the specifications are officially
50 approved by the public governmental body or the specifications are published for bid;
- 51 (12) Sealed bids and related documents, until the bids are opened; and sealed proposals
52 and related documents or any documents related to a negotiated contract until a contract is
53 executed, or all proposals are rejected;
- 54 (13) Individually identifiable personnel records, performance ratings or records
55 pertaining to employees or applicants for employment, except that this exemption shall not apply
56 to the names, positions, salaries and lengths of service of officers and employees of public
57 agencies once they are employed as such, and the names of private sources donating or
58 contributing money to the salary of a chancellor or president at all public colleges and
59 universities in the state of Missouri and the amount of money contributed by the source;
- 60 (14) Records which are protected from disclosure by law;
- 61 (15) Meetings and public records relating to scientific and technological innovations in
62 which the owner has a proprietary interest;
- 63 (16) Records relating to municipal hotlines established for the reporting of abuse and
64 wrongdoing;
- 65 (17) Confidential or privileged communications between a public governmental body
66 and its auditor, including all auditor work product; however, all final audit reports issued by the
67 auditor are to be considered open records pursuant to this chapter;
- 68 (18) Operational guidelines and policies developed, adopted, or maintained by any public
69 agency responsible for law enforcement, public safety, first response, or public health for use in
70 responding to or preventing any critical incident which is or appears to be terrorist in nature and
71 which has the potential to endanger individual or public safety or health. Nothing in this
72 exception shall be deemed to close information regarding expenditures, purchases, or contracts
73 made by an agency in implementing these guidelines or policies. When seeking to close
74 information pursuant to this exception, the agency shall affirmatively state in writing that
75 disclosure would impair its ability to protect the safety or health of persons, and shall in the same
76 writing state that the public interest in nondisclosure outweighs the public interest in disclosure
77 of the records. This exception shall sunset on December 31, [2012] **2016**;
- 78 (19) Existing or proposed security systems and structural plans of real property owned
79 or leased by a public governmental body, and information that is voluntarily submitted by a
80 nonpublic entity owning or operating an infrastructure to any public governmental body for use

81 by that body to devise plans for protection of that infrastructure, the public disclosure of which
82 would threaten public safety:

83 (a) Records related to the procurement of or expenditures relating to security systems
84 purchased with public funds shall be open;

85 (b) When seeking to close information pursuant to this exception, the public
86 governmental body shall affirmatively state in writing that disclosure would impair the public
87 governmental body's ability to protect the security or safety of persons or real property, and shall
88 in the same writing state that the public interest in nondisclosure outweighs the public interest
89 in disclosure of the records;

90 (c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the
91 receiving agency within ninety days of submission to determine if retention of the document is
92 necessary in furtherance of a state security interest. If retention is not necessary, the documents
93 shall be returned to the nonpublic governmental body or destroyed;

94 (d) This exception shall sunset on December 31, [2012] **2016**;

95 (20) Records that identify the configuration of components or the operation of a
96 computer, computer system, computer network, or telecommunications network, and would
97 allow unauthorized access to or unlawful disruption of a computer, computer system, computer
98 network, or telecommunications network of a public governmental body. This exception shall
99 not be used to limit or deny access to otherwise public records in a file, document, data file or
100 database containing public records. Records related to the procurement of or expenditures
101 relating to such computer, computer system, computer network, or telecommunications network,
102 including the amount of moneys paid by, or on behalf of, a public governmental body for such
103 computer, computer system, computer network, or telecommunications network shall be open;

104 (21) Credit card numbers, personal identification numbers, digital certificates, physical
105 and virtual keys, access codes or authorization codes that are used to protect the security of
106 electronic transactions between a public governmental body and a person or entity doing business
107 with a public governmental body. Nothing in this section shall be deemed to close the record
108 of a person or entity using a credit card held in the name of a public governmental body or any
109 record of a transaction made by a person using a credit card or other method of payment for
110 which reimbursement is made by a public governmental body; and

111 (22) Records submitted by an individual, corporation, or other business entity to a public
112 institution of higher education in connection with a proposal to license intellectual property or
113 perform sponsored research and which contains sales projections or other business plan
114 information the disclosure of which may endanger the competitiveness of a business.

Section 1. 1. The provisions of this section shall apply to any school district containing any home rule city with a population of more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants which is located within a county of the first classification that adjoins no other county of the first classification.

2. Beginning with the April 2013 municipal election, candidates for school board election in which more than one seat on the school board is open shall declare their candidacy for a particular seat on the school board. When more than one seat is open, the election authority shall designate the open seats by letter so that the candidates for the school board are required to run for a particular seat that is so designated. The declaration of candidacy for a particular seat shall be made in accordance with the procedures of section 162.281. Candidates shall also be nominated for a designated seat by petition in accordance with section 162.491.

3. Notwithstanding any other law, no director shall serve more than four three-year terms after August 28, 2012.

Section 2. If new lateral sewer pipes or water service lines are installed or connected from or to an underground facility, as defined in section 219.015, or if such infrastructure is repaired, replaced, or rehabilitated, the contractor, utility, or person conducting the installation, connection, repair, replacement, or rehabilitation shall be required to use trace wire, or a similar device capable of being located by an above surface detection system designed to give approximate locations of the underground lateral sewer pipe or water service line, to mark the location of such pipes and lines in those areas that are located within a public right-of-way, easement, or street.

Section B. Because immediate action is necessary to allow counties to amend budgets in fiscal years in which counties experience a decline of funds, the repeal and reenactment of section 50.622 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 50.622 of this act shall be in full force and effect upon its passage and approval.

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