

SECOND REGULAR SESSION

SENATE BILL NO. 785

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATORS GOODE AND DOUGHERTY.

Pre-filed December 1, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

3072S.011

AN ACT

To repeal sections 67.1062, 67.1063, 67.1064, 67.1065 and 67.1071, RSMo, relating to the homeless assistance program, and to enact in lieu thereof five new sections relating to the same subject.

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

Section A. Sections 67.1062, 67.1063, 67.1064, 67.1065 and 67.1071, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 67.1062, 67.1063, 67.1064, 67.1065 and 67.1071, to read as follows:

67.1062. As used in sections 67.1062 to 67.1071, unless the context clearly requires otherwise, the following words and phrases mean:

(1) "Agency", an entity which provides housing-related assistance to homeless persons or the repair or replacement of housing structures which are in violation of the county housing code, and shall include not-for-profit housing partnerships as defined in 24 CFR Part 92 or successor regulations;

(2) ["City", any city not within a county;

(3)] "County", [a] **any** county [of the first class having a charter form of government] **and any city not within a county;**

[(4)] **(3)** "Designated authority", the board, commission, agency, or other body designated under the provisions of section 67.1065 as the authority to administer the allocation and distribution of funds to agencies;

[(5)] **(4)** "Homeless", an involuntary state characterized by a lack of

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

habitable housing or shelter.

67.1063. 1. The governing body of the county may provide for a program of assistance to homeless persons, including the repair or replacement of housing structures which are in violation of the county housing code, as provided by sections 67.1062 to 67.1071. The governing body is hereby authorized to [impose by order or ordinance] **utilize three dollars of** the fee provided by subsection 2 or 3 of this section in order to finance this program.

2. In addition to the fees imposed in section 59.319, RSMo, a user fee of [three] **five** dollars shall be charged and collected on all instruments recorded with the recorder of deeds, over and above any other fees required by law, as a condition precedent to the recording of any instrument[, but such fee shall not become effective unless the governing body of the county submits to the voters of the county a proposal to authorize the county to impose such fee and a majority of the votes cast on the proposal are in favor of the proposal].

3. In addition to the fees imposed in section 59.319, RSMo, and in subsection 2 of this section, in any county with a population over nine hundred thousand, a user fee of three dollars shall be charged and collected on all instruments recorded with the recorder of deeds, over and above any other fees required by law, as a condition precedent to the recording of any instrument, but such fee shall not become effective unless the governing body of the county submits to the voters of the county a proposal to authorize the county to impose such fee and a majority of the votes cast on the proposal are in favor of the proposal. If the proposal is approved, the fee shall be forwarded to the executive of the county for distribution to any agency, as defined in section 67.1062, which renovates or rehabilitates housing structures for the purpose of sale at market rates to market-rate buyers.

4. If the governing body of the county establishes a program of assistance to homeless persons provided by sections 67.1062 to 67.1071, three dollars of the fee provided by subsection 2 of this section shall be used to finance the program. The remaining two dollars of the fee shall be forwarded monthly by each recorder of deeds to the state director of revenue, and the fee so forwarded shall be deposited by the director in the state treasury and shall be credited to the Missouri housing trust fund as designated in section 215.034, RSMo.

5. If the governing body of the county does not provide for a program of assistance to homeless persons as authorized in subsection

1 of this section, the total fee collected shall be forwarded monthly by each recorder of deeds to the state director of revenue, and the fee so forwarded shall be deposited by the director in the state treasury and shall be credited to the Missouri housing trust fund as designated in section 215.034, RSMo.

67.1064. At the end of each month, the recorder of deeds shall file a verified report with the governing body of the county of the fees collected pursuant to the provisions of subsection 2 of section 67.1063. The report may be consolidated with the monthly report of other fees collected by the recorder. Upon the filing of the reports the recorder of deeds shall forthwith pay over to the county treasurer [all fees] **three dollars of each fee** collected pursuant to subsection 2 of section 67.1063. The county treasurer shall deposit [all such fees] **three dollars of each fee** in a special fund to be expended only to provide financial assistance to agencies as provided in sections 67.1062 to 67.1071.

67.1065. The governing body of the county shall designate [in the order or ordinance imposing the fees, as provided in sections 67.1063 and 67.1064,] an appropriate board, commission, agency, or other body of the county, as the authority to administer the allocation and distribution of the funds to agencies, in the manner provided in sections 67.1062 to 67.1071. The members of the designated authority may be reimbursed from the special fund for moneys actually and necessarily expended in the performance of their duties under the provisions of sections 67.1062 to 67.1071, but such reimbursement shall not exceed more than two and one-half percent of the fees collected pursuant to sections 67.1063 and 67.1064.

67.1071. An agency that receives funds pursuant to sections 67.1062 to 67.1071 shall file an annual report with the designated authority of the county, on or before the thirty-first day of March of the year following the year in which funds were received. The annual report shall include statistics on the number of persons served by the agency, and shall include the results of an independent audit of expenditures of funds received by the agency pursuant to the provisions of sections 67.1062 to 67.1071. No information contained in the report shall identify any person served by the agency or enable any person to determine the identity of any such person. The designated authority shall compile the reports filed pursuant to this section annually and transmit the compiled report to the governing body of the county [or city] with its estimate of the number of homeless

residing in the county [or city] and its recommendations of programs to reduce homelessness in the county [or city] along with its estimates of the resources necessary to implement and operate such programs.

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