

FIRST REGULAR SESSION

SENATE BILL NO. 131

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SMITH.

Pre-filed December 18, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

0826S.01I

AN ACT

To repeal section 67.399, RSMo, and to enact in lieu thereof one new section relating to vacant property registration fees.

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

Section A. Section 67.399, RSMo, is repealed and one new section enacted

2 in lieu thereof, to be known as section 67.399, to read as follows:

67.399. 1. The governing body of any municipality or county with a
2 charter form of government and with more than one million inhabitants may, by
3 ordinance, establish a semiannual registration fee not to exceed two hundred
4 dollars which shall be charged to the owner of any parcel of residential property
5 improved by a residential structure, or commercial property improved by a
6 structure containing multiple dwelling units, that is vacant, has been vacant for
7 at least six months, and is characterized by violations of applicable housing codes
8 established by such municipality, **except that the governing body of any**
9 **city not within a county may, by ordinance, establish a semiannual**
10 **registration fee of not more than two thousand dollars to be charged to**
11 **the owner of any such property.**

12 2. The municipality shall designate a municipal officer to investigate any
13 property that may be subject to the registration fee. The officer shall report his
14 findings and recommendations, and shall determine whether any such property
15 shall be subject to the registration fee. Within five business days, the clerk of the
16 municipality or county with a charter form of government and with more than one
17 million inhabitants shall notify by mail the owners of property on which the
18 registration fee has been levied at their last known address according to the
19 records of the city and the county. The property owner shall have the right to
20 appeal the decision of the office to the municipal court within thirty days of such

21 notification. Absent the existence of any valid appeal or request for
22 reconsideration pursuant to subsection 3 of this section, the registration fee shall
23 begin to accrue on the beginning of the second calendar quarter after the decision
24 of the municipal officer.

25 3. Within thirty days of the municipality or county with a charter form of
26 government and with more than one million inhabitants making such notification,
27 the property owner may complete any improvements to the property that may be
28 necessary to revoke the levy of the registration fee, and then may request a
29 reinspection of the property and a reconsideration of the levy of the registration
30 fee by the municipality or county with a charter form of government and with
31 more than one million inhabitants. If the municipal or county officer revokes the
32 registration fee, no such assessment shall be made and the matter shall be
33 considered closed. If the officer affirms the assessment of the registration fee, the
34 property owner shall have the right to appeal the reconsideration decision of the
35 officer to the municipal court within thirty days of such decision. Absent the
36 existence of any valid appeal to the municipal court or other court of competent
37 jurisdiction, the registration fee shall begin to accrue on the beginning of the
38 second calendar quarter after the reconsideration decision of the municipal
39 governing body.

40 4. The municipal governing body shall establish by ordinance procedures
41 for payment of the registration fee and penalties for delinquent payments of such
42 fees. Any registration fees which are delinquent for a period of one year shall
43 become a lien on the property and shall be subject to foreclosure proceedings in
44 the same manner as delinquent real property taxes. The owner of the property
45 against which the assessment was originally made shall be able to redeem the
46 property only by presenting evidence that the violations of the applicable housing
47 code cited by the municipal officers have been cured and presenting payment of
48 all registration fees and penalties. Upon bona fide sale of the property to an
49 unrelated party said lien shall be considered released and the delinquent
50 registration fee forgiven.

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