

FIRST REGULAR SESSION

SENATE BILL NO. 399

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Read 1st time February 19, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

2016S.011

AN ACT

To amend chapter 141, RSMo, by adding thereto one new section relating to the compromise of taxes and penalties for properties subject to certain actions as abandoned property.

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

Section A. Chapter 141, RSMo, is amended by adding thereto one new section, to be known as section 141.535, to read as follows:

141.535. 1. In any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the court shall stay the sale of any tax parcel to be sold under execution of a tax foreclosure judgment obtained under this chapter, which is the subject of an action filed under sections 447.620 to 447.640, RSMo, provided that the party which has brought such an action has paid into the circuit court the principal amount of all land taxes then due and owing under the tax foreclosure judgment, exclusive of penalties, interest, attorney fees, and court costs, prior to the date of any proposed sale under execution. The party bringing such action shall provide written notice of the filing of the action to the court administrator and file with the circuit court in which the action is pending a certificate that such notice has been provided to the court administrator.

2. Upon the granting by the court of temporary possession of any property under section 447.632, RSMo, and again upon the approval by the court of a sheriff's deed under section 447.625, RSMo, the circuit court shall direct payment to the county collector of all principal land taxes theretofore paid into the circuit court. In addition, in any order granting a sheriff's deed under section 447.625, RSMo, the court shall

21 also order the permanent extinguishment of liability against the
22 grantee of the sheriff's deed, and all successors in interest; excepting
23 however, any defendant in such action, for penalties, interest, attorney
24 fees, and court costs arising from actions to collect delinquent land
25 taxes due on the subject property. The funds paid into the court for
26 land taxes shall then be paid to the county collector. If an owner of
27 such a property moves the court for restoration of the subject property
28 under section 447.638, RSMo, the owner shall pay into the circuit court
29 all land tax amounts currently due and owing on the property,
30 including all statutory penalties, interest, attorney fees, and court costs
31 retroactive to the date of accrual.

32 3. If the party which brought the action under sections 447.620
33 to 447.640, RSMo, dismisses its action prior to gaining temporary
34 possession of the property, it shall recover any amounts paid into the
35 circuit court prior to that date for principal land taxes.

36 4. In the event that an owner of the tax parcel regains possession
37 under section 447.638, RSMo, the party which brought the action under
38 sections 447.620 to 447.640, RSMo, shall recover from that owner an
39 amount equal to that paid into the court by said party and paid to the
40 county collector under this section, and shall be granted judgment
41 thereon.

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