

SECOND REGULAR SESSION

SENATE BILL NO. 670

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Pre-filed December 1, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

3599S.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
2 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
2 with more than six hundred thousand but fewer than seven hundred
3 thousand inhabitants, the court shall stay the sale of any tax parcel to
4 be sold under execution of a tax foreclosure judgment obtained under
5 this chapter, which is the subject of an action filed under sections
6 447.620 to 447.640, provided that the party which has brought such an
7 action has paid into the circuit court the principal amount of all land
8 taxes then due and owing under the tax foreclosure judgment, exclusive
9 of penalties, interest, attorney fees, and court costs, prior to the date
10 of any proposed sale under execution. The party bringing such action
11 shall provide written notice of the filing of the action to the court
12 administrator and file with the circuit court in which the action is
13 pending a certificate that such notice has been provided to the court
14 administrator.**

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

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

32 3. If the party which brought the action under sections 447.620
33 to 447.640 dismisses its action prior to gaining temporary possession of
34 the property, it shall recover any amounts paid into the circuit court
35 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, the party which brought the action under
38 sections 447.620 to 447.640 shall recover from that owner an amount
39 equal to that paid into the court by said party and paid to the county
40 collector under this section, and shall be granted judgment thereon.

✓

Copy