

FIRST REGULAR SESSION

# SENATE BILL NO. 308

98TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR CURLS.

Read 1st time January 26, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1680S.011

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## AN ACT

To repeal section 67.399, RSMo, and to enact in lieu thereof one new section relating to Kansas City housing ordinances.

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Section A. Section 67.399, RSMo, is repealed and one new section enacted  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

9 2. The municipality shall designate a municipal officer to investigate any  
10 property that may be subject to the registration fee. The officer shall report his  
11 findings and recommendations, and shall determine whether any such property  
12 shall be subject to the registration fee. Within five business days, the clerk of the  
13 municipality or county with a charter form of government and with more than one  
14 million inhabitants shall notify by mail the owners of property on which the  
15 registration fee has been levied at their last known address according to the  
16 records of the city and the county. The property owner shall have the right to  
17 appeal the decision of the office to the municipal court within thirty days of such  
18 notification. Absent the existence of any valid appeal or request for  
19 reconsideration pursuant to subsection 3 of this section, the registration fee shall  
20 begin to accrue on the beginning of the second calendar quarter after the decision  
21 of the municipal officer.

22 3. Within thirty days of the municipality or county with a charter form of

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

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

48 5. **Nothing in this section shall preempt any governing body of**  
49 **any home rule city with more than four hundred thousand inhabitants**  
50 **and located in more than one county from adopting an ordinance**  
51 **requiring the registration of any parcel of property with one or more**  
52 **vacant structures or any parcel of property in the process of mortgage**  
53 **foreclosure and the payment of a registration fee for such property in**  
54 **an amount determined by the governing body, notwithstanding**  
55 **otherwise applicable provisions of this section, provided the**  
56 **registration fee is approved by a majority of the registered voters of**  
57 **the municipality.**

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