

FIRST REGULAR SESSION

SENATE BILL NO. 368

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR ARTHUR.

0995S.02I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 59.319 and 215.036, RSMo, and to enact in lieu thereof two new sections relating to the Missouri housing trust fund.

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

Section A. Sections 59.319 and 215.036, RSMo, are repealed
2 and two new sections enacted in lieu thereof, to be known as
3 sections 59.319 and 215.036, to read as follows:

59.319. 1. A user fee of four dollars shall be
2 charged and collected by every recorder in this state, over
3 and above any other fees required by law, as a condition
4 precedent to the recording of any instrument. The state
5 portion of the fee shall be forwarded monthly by each
6 recorder of deeds to the state director of revenue, and the
7 fees so forwarded shall be deposited by the director in the
8 state treasury. Two dollars of such fee shall be retained
9 by the recorder and deposited in a recorder's fund and not
10 in county general revenue for record storage, microfilming,
11 and preservation, including anything necessarily pertaining
12 thereto. The recorder's funds shall be kept in a special
13 fund by the treasurer and shall be budgeted and expended at
14 the direction of the recorder and shall not be used to
15 substitute for or subsidize any allocation of general
16 revenue for the operation of the recorder's office without
17 the express consent of the recorder. The recorder's fund
18 may be audited by the appropriate auditing agency, and any

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

19 unexpended balance shall be left in the fund to accumulate
20 from year to year with interest.

21 2. An additional fee of ~~[three]~~ **nine** dollars shall be
22 charged and collected by every recorder in this state, over
23 and above any other fees required by law, as a condition
24 precedent to the recording of any instruments specified in
25 subdivisions (1) and (2) of **subsection 1 of** section 59.330.
26 The fees collected from this additional ~~[three]~~ **nine** dollars
27 per recorded instrument shall be forwarded monthly by each
28 recorder of deeds to the state director of revenue, and the
29 fees so forwarded shall be deposited by the director in the
30 state treasury.

31 3. The state treasurer and the commissioner of
32 administration shall establish an appropriate account within
33 the state treasury and in accordance with the state's
34 accounting methods. Any receipt required by this section to
35 be deposited in the state treasury shall be credited as
36 follows:

37 (1) The amount of one dollar for each fee collected
38 under subsection 1 of this section shall be paid to the
39 state treasurer and credited to the "Missouri Land Survey
40 Fund" which is hereby created to be utilized for the
41 purposes of sections 60.510 to 60.620 and section 60.670.
42 The state treasurer shall be custodian of the fund and may
43 approve disbursements from the fund in accordance with
44 sections 30.170 and 30.180. Any funds previously collected
45 by the state treasurer to be utilized for the purposes of
46 sections 60.510 to 60.620 and section 60.670 shall transfer
47 to the Missouri land survey fund. Any portion of the fund
48 not immediately needed for the purposes authorized shall be
49 invested by the state treasurer as provided by the
50 constitution and laws of this state. All income, interest,

51 and moneys earned from such investments shall be deposited
52 in the Missouri land survey fund. Any unexpended balance in
53 the fund at the end of the fiscal year is exempt from the
54 provisions of section 33.080 relating to the transfer of
55 unexpended balances to the general revenue fund;

56 (2) The amount of one dollar for each fee collected
57 under subsection 1 of this section to an account to be
58 utilized by the secretary of state for additional
59 preservation of local records; and

60 (3) The amount of ~~[three]~~ **nine** dollars collected under
61 subsection 2 of this section into the Missouri housing trust
62 fund as designated in section 215.034.

215.036. 1. Housing trust fund moneys shall be used
2 to financially assist, in whole or in part by loans or
3 grants, the development of housing stock and to provide
4 housing assistance to persons and families with incomes at
5 or below the levels described in subsections 2 and 3 of this
6 section. At least fifty percent of the loan or grant funds
7 awarded over each two-year period, coincident with the
8 biennium described in section 33.080, shall be awarded for
9 such activities and projects for residential occupancy by
10 persons and families with incomes at or below the levels
11 described in subsection 3 of this section.

12 2. Persons or families are eligible under this
13 subsection if the household combined adjusted gross income
14 is equal to or less than ~~[the following percentages]~~ **fifty**
15 **percent** of the median family income for the geographical
16 area[:

Size of Household	Percent of State or Geographic
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20		Area Family
21		Median Income
22	One Person	35%
23	Two Persons	40%
24	Three Persons	45%
25	Four Persons	50%
26	Five Persons	54%
27	Six Persons	58%
28	Seven Persons	62%
29	Eight Persons	66%]

30 As used in this section, the term "geographical area" shall
 31 be based upon the metropolitan area or county designated as
 32 an area by the federal Department of Housing and Urban
 33 Development under section 8 of the United States Housing Act
 34 of 1937, as amended, for purposes of determining fair market
 35 rental rates in which the residential unit is located, or
 36 the median family income for the state of Missouri,
 37 whichever is larger.

38 3. Persons or families are eligible under this
 39 subsection if the household combined adjusted gross income
 40 is equal to or less than [the following percentages] **thirty**
 41 **percent** of the median family income for the geographic area
 42 in which the residential unit is located, or the median
 43 family income for the state of Missouri, whichever is
 44 larger[:

45	Size of Household	Percent of State
46		or Geographic
47		Area Family
48		Median Income
49	One Person	18%
50	Two Persons	20%
51	Three Persons	23%
52	Four Persons	25%
53	Five Persons	27%
54	Six Persons	29%
55	Seven Persons	31%
56	Eight Persons	33%]

57 4. During each two-year period described in subsection
58 1 of this section, at least thirty percent of the funds
59 dispersed under this act shall be allocated to housing
60 provider organizations which qualify as a "not-for-profit"
61 organization as defined in chapter 355 or section
62 42(h) (5) (C) of the Internal Revenue Code of 1986.

63 **5. During each two-year period described in subsection**
64 **1 of this section, no less than fifty percent of the funds**
65 **dispensed under this act shall be allocated to rental**
66 **support projects listed in section 215.038.**

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