

FIRST REGULAR SESSION

# HOUSE BILL NO. 703

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SAGER, CARNAHAN, MOORE, HARRIS (110),  
GRAHAM AND SUTHERLAND (Co-sponsors).

Read 1<sup>st</sup> time March 19, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1942L.021

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### AN ACT

To repeal section 59.319, RSMo, and to enact in lieu thereof three new sections relating to the lifetime home grant program.

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

Section A. Section 59.319, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 59.319, 215.264, and 215.265, to read as follows:

59.319. 1. A user fee of four dollars shall be charged and collected by every recorder in this state, over and above any other fees required by law, as a condition precedent to the recording of any instrument. The state portion of the fee shall be forwarded monthly by each recorder of deeds to the state director of revenue, and the fees so forwarded shall be deposited by the director in the state treasury. Two dollars of such fee shall be retained by the recorder and deposited in a recorder's fund and not in county general revenue for record storage, microfilming, and preservation, including anything necessarily pertaining thereto. The recorder's funds shall be kept in a special fund by the treasurer and shall be budgeted and expended at the direction of the recorder and shall not be used to substitute for or subsidize any allocation of general revenue for the operation of the recorder's office without the express consent of the recorder. The recorder's fund may be audited by the appropriate auditing agency, and any unexpended balance shall be left in the fund to accumulate from year to year with interest.

2. An additional fee of three dollars shall be charged and collected by every recorder in this state, over and above any other fees required by law, as a condition precedent to the recording of any instruments specified in subdivisions (1) and (2) of section 59.330. The fees collected from this additional three dollars per recorded instrument shall be forwarded monthly by each recorder of deeds to the state director of revenue, and the fees so forwarded shall be deposited by the director in the state treasury.

19           **3. An additional fee of one dollar shall be charged and collected by every recorder**  
20 **in this state, over and above any other fees required by law, as a condition precedent to the**  
21 **recording of any instruments specified in subdivisions (1) and (2) of section 59.330. The**  
22 **fee collected from this additional dollar per recorded instrument shall be forwarded**  
23 **monthly by each recorder of deeds to the state director of revenue, and the fees so**  
24 **forwarded shall be deposited by the director in the state treasury.**

25           **4. The state treasurer and the commissioner of administration shall establish an**  
26 **appropriate account within the state treasury and in accordance with the state's accounting**  
27 **methods. Any receipt required by this section to be deposited in the general revenue fund shall**  
28 **be credited as follows: the amount of one dollar for each fee collected under subsection 1 of this**  
29 **section to an account to be utilized for the purposes of sections 60.500 to 60.610, RSMo; the**  
30 **amount of one dollar for each fee collected under subsection 1 of this section to an account to**  
31 **be utilized by the secretary of state for additional preservation of local records; and the amount**  
32 **of three dollars collected under subsection 2 of this section into the Missouri housing trust fund**  
33 **as designated in section 215.034, RSMo, and the amount of one dollar collected pursuant to**  
34 **subsection 3 of this section into the lifetime home fund as established in section 215.264,**  
35 **RSMo.**

**215.264. 1. The "Lifetime Home Fund" is hereby established in the state treasury.**  
2 **At the conclusion of each fiscal year, the state treasurer shall allocate all moneys in the**  
3 **lifetime home fund to the Missouri housing development commission for disbursement and**  
4 **investment as directed in this section. Moneys deposited in the fund shall include the**  
5 **designated funds received from the user fee established in section 59.319, RSMo, and any**  
6 **other amounts which may be received from grants, gifts, bequests, the state or federal**  
7 **government, or any other source. Moneys in the fund shall be used solely for the purposes**  
8 **established in section 215.265.**

9           **2. All administrative costs of the lifetime home program incurred by the Missouri**  
10 **housing development commission shall be paid from this fund, which costs annually shall**  
11 **not exceed two percent of the net annual revenues received into the fund.**

12           **3. In administering the lifetime home fund, the Missouri housing development**  
13 **commission shall commit or expend the money annually deposited into the fund and all**  
14 **interest earned on the fund. All money annually deposited in and interest earned on the**  
15 **housing trust fund shall be expended solely for the purposes established in section 215.265.**

16           **4. The unexpended balance existing in the fund at the end of any biennium year**  
17 **shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of**  
18 **unexpended balances to the general revenue fund.**

**215.265. 1. On or after January 1, 2004, any individual who submits an application**

2 with the Missouri housing development commission pursuant to this section, and who  
3 builds a universally designed lifetime home within any county, city, town, or village of this  
4 state shall be granted a one-time payment in an amount equal to five thousand dollars.

5 2. To receive a five thousand dollar grant from the lifetime home fund pursuant to  
6 this section, an individual shall voluntarily elect to submit an application to the Missouri  
7 housing development commission along with any documentation deemed necessary by the  
8 commission. The Missouri housing development commission shall, upon receipt of an  
9 application and appropriate documentation, issue to such qualified individuals a check in  
10 the amount of five thousand dollars and shall be payable from the lifetime home fund  
11 established pursuant to section 215.264. No other fund shall be liable for any payment  
12 authorized by this section.

13 3. The Missouri housing development commission is authorized to promulgate any  
14 rules necessary for the implementation of this section. Any rule or portion of a rule as that  
15 term is defined in section 536.010, RSMo, that is created under the authority delegated in  
16 this section shall become effective only if it complies with and is subject to all of the  
17 provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section  
18 and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general  
19 assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to  
20 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
21 rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be  
22 invalid and void.

23 4. If the commission receives more applications for such grants than there are funds  
24 in the lifetime home fund established pursuant to section 215.264, then the commission  
25 shall, by rule, determine the method of distribution of grants authorized for universally  
26 designed lifetime homes.

27 5. As used in this section, "universally designed lifetime home" means a single  
28 family residential dwelling containing no-step building entry, located on an accessible route  
29 from parking area (compliant with ANSI A117.1-1998-1002.3 and 1002.4) with the thirty-  
30 six inch entry door (compliant with ANSI A117.1-1998-404 with the exception of door  
31 width). The kitchen (compliant with ANSI A117.1-1998-1002.12), bathroom (compliant  
32 with ANSI A117.1-1998-1002.11), and laundry (compliant with ANSI A117.1-1998-1002.10)  
33 and at least one bedroom shall also be located on an accessible route (compliant with ANSI  
34 A117.1-1998-1002.3 and 1002.4) with minimum thirty-six inch interior doors (compliant  
35 with ANSI A117.1-1998-404 with the exception of door width). All interior door hardware  
36 shall be lever hardware (compliant with ANSI A117.1-1998-404.2.7). All closets that  
37 require users to pass through the closet doorway to access the contents of the closet shall

38 **have minimum thirty-six inch doors, and all closets permitting access to the contents of the**  
39 **closet without entering the closet shall have no door restrictions. All hallways located on**  
40 **an accessible route shall be forty-two inches clear in width.**