

FIRST REGULAR SESSION

HOUSE BILL NO. 76

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BLAND.

Pre-filed December 8, 2004 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0352L.011

AN ACT

To amend chapter 139, RSMo, by adding thereto one new section relating to installment payments of property taxes in certain charter counties.

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

Section A. Chapter 139, RSMo, is amended by adding thereto one new section, to be
2 known as section 139.051, to read as follows:

**139.051. 1. The county collector in any county with a charter form of government
2 and with more than six hundred thousand but less than seven hundred thousand
3 inhabitants shall allow for the payment of all or any part of current and delinquent real
4 property taxes, in equal monthly or quarterly installments over a period of time not greater
5 than one year. The right to pay such taxes in installments shall be limited to taxpayers who
6 meet all of the following qualifications:**

7 **(1) The taxpayer is the owner in fee of the real property and the real property is
8 used by the owner as the owner's principal residence, or when jointly owned, the property
9 is used by all joint owners as their principal residence; and**

10 **(2) The taxpayer is, at the time of application for installment payments,
11 experiencing a hardship. For the purposes of this section, the term "hardship" includes
12 any of the following:**

13 **(a) Where the taxpayer, or any of the taxpayers if the property is jointly owned, are
14 unemployed or have been unemployed at any time in the three-month period prior to the
15 due date of the real property taxes. Such unemployment may be evidenced by providing
16 the county collector a copy of an unemployment benefit check, receipt, or completed and**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 approved application; and

18 (b) In the case of an individual owner, where the taxpayer has a Missouri adjusted
19 gross income of less than fifteen thousand dollars; in the case of joint ownership, where the
20 combined Missouri adjusted gross income of all the joint owners is less than twenty
21 thousand dollars.

22 2. Any delinquent taxes shall bear interest at the rate provided by section 140.100,
23 RSMo, and shall be subject to the fees provided by law. A monthly or quarterly
24 installment payment shall not be deemed delinquent unless it is beyond thirty days past
25 due.

26 3. The county official charged with the duties of the collector shall issue receipts for
27 any installment payments.

28 4. Installment payments made at any time during a tax year shall not affect the
29 taxpayer's right to protest the amount of such tax payments under applicable provisions
30 of law.

31 5. Subsection 1 of this section shall not apply to payment for real property taxes by
32 financial institutions, as defined in section 381.410, RSMo, who pay tax obligations which
33 they service from escrow accounts, as defined in Title 24, Part 3500, Section 17, Code of
34 Federal Regulation, as amended.