

SECOND REGULAR SESSION

# HOUSE BILL NO. 2120

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PRATT.

Read 1st time March 30, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5122L.02I

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### AN ACT

To repeal sections 139.050, 139.052, and 139.053, RSMo, and to enact in lieu thereof two new sections relating to payment of property taxes.

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

Section A. Sections 139.050, 139.052, and 139.053, RSMo, are repealed and two new  
2 sections enacted in lieu thereof, to be known as sections 139.050 and 139.053, to read as follows:

139.050. 1. In all constitutional charter cities in this state which have seven hundred  
2 thousand inhabitants or more, all current and all delinquent general, school and city taxes, **except**  
3 **real property taxes, which shall be paid as provided in section 135.053, RSMo,** may be paid  
4 entirely, or in installments of at least twenty-five percent of the taxes, and the delinquent taxes  
5 shall bear interest at the rate provided by section 140.100, RSMo, and shall be subject to the fees  
6 provided by law.

7 2. The director of revenue shall issue receipts for the partial payments.

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

139.053. 1. The governing body of [any] **each** county[, excluding township counties,  
2 may] **shall** by ordinance or order provide for the payment of all or any part of current real and  
3 personal property taxes which are owed[, at the option of the taxpayer, on an annual, semiannual

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.

4 or quarterly basis at such times as determined by such governing body] **by June thirtieth of**  
5 **each year.**

6 2. The ordinance shall provide the method by which the amount of property taxes owed  
7 for the current tax year in which the payments are to be made shall be estimated. The collector  
8 shall submit to the governing body the procedures by which taxes will be collected pursuant to  
9 the ordinance or order. The estimate shall be based on the previous tax year's liability. A  
10 taxpayer's payment schedule shall be based on the estimate divided by the number of pay periods  
11 in which payments are to be made. The taxpayer shall at the end of the tax year pay any amounts  
12 owed in excess of the estimate for such year. The county shall at the end of the tax year refund  
13 to the taxpayer any amounts paid in excess of the property tax owed for such year. No interest  
14 shall be paid by the county on excess amounts owed to the taxpayer. Any refund paid the  
15 taxpayer pursuant to this subsection shall be an amount paid by the county only once in a  
16 calendar year.

17 3. [If a taxpayer fails to make an installment payment of a portion of the real or personal  
18 property taxes owed to the county, then such county may charge the taxpayer interest on the  
19 amount of property taxes still owed for that year.

20 4. Any] **Each** governing body enacting the ordinance or order specified in this section  
21 shall first agree to provide the county collector with reasonable and necessary funds to  
22 implement the ordinance or order.

23 [5.] **4.** Subsection 1 of this section shall not apply to payment for real property taxes by  
24 financial institutions, as defined in section 381.410, RSMo, who pay tax obligations which they  
25 service from escrow accounts, as defined in Title 24, Part 3500, Section 17, Code of Federal  
26 Regulation, as amended.

2 [139.052. 1. The governing body of any county may by ordinance or  
3 order provide for the payment of all or any part of current and delinquent real  
4 property taxes, in such installments and on such terms as the governing body  
5 deems appropriate. Additionally, the county legislative body may limit the right  
6 to pay such taxes in installments to certain classes of taxpayers, as may be  
7 prescribed by ordinance or order. Any delinquent taxes shall bear interest at the  
8 rate provided by section 140.100, RSMo, and shall be subject to the fees provided  
9 by law.

10 2. The county official charged with the duties of the collector shall issue  
11 receipts for any installment payments.

12 3. Installment payments made at any time during a tax year shall not  
13 affect the taxpayer's right to protest the amount of such tax payments under  
14 applicable provisions of law.

15 4. Subsection 1 of this section shall not apply to payment for real  
property taxes by financial institutions, as defined in section 381.410, RSMo,

16           who pay tax obligations which they service from escrow accounts, as defined in  
17           Title 24, Part 3500, Section 17, Code of Federal Regulation, as amended.]

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