

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Committee Substitute for Senate Bill No. 248, Page 4, Section 67.457, Line 127, by
2 inserting after all of said section and line the following:

3
4 " 67.463. 1. At the hearing to consider the proposed improvements and assessments, the
5 governing body shall hear and pass upon all objections to the proposed improvements and proposed
6 assessments, if any, and may amend the proposed improvements, and the plans and specifications
7 therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing
8 body of the city or county shall order that the improvement be made and direct that financing for the
9 cost thereof be obtained as provided in sections 67.453 to 67.475.

10 2. After construction of the improvement has been completed in accordance with the plans
11 and specifications therefor, the governing body shall compute the final costs of the improvement and
12 apportion the costs among the property benefitted by such improvement in such equitable manner as
13 the governing body shall determine, charging each parcel of property with its proportionate share of
14 the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of
15 general obligation bonds issued or to be issued therefor as special assessments against the property
16 described in the assessment roll.

17 3. After the passage or adoption of the ordinance or resolution assessing the special
18 assessments, the city clerk or county clerk shall mail a notice to each property owner within the
19 district which sets forth a description of each parcel of real property to be assessed which is owned
20 by such owner, the special assessment assigned to such property, and a statement that the property
21 owner may pay such assessment in full, together with interest accrued thereon from the effective date
22 of such ordinance or resolution, on or before a specified date determined by the effective date of the
23 ordinance or resolution, or may pay such assessment in annual installments as provided in subsection
24 4 of this section.

25 4. The special assessments shall be assessed upon the property included therein concurrent
26 with general property taxes, and shall be payable in substantially equal annual installments for a
27 duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition
28 prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter
29 levied and collected in the same manner with the proceeds thereof used solely for maintenance of the
30 improvement, taking into account such assessments and interest thereon, as the governing body
31 determines. The first installment shall be payable after the first collection of general property taxes
32 following the adoption of the assessment ordinance or resolution unless such ordinance or resolution

Action Taken _____ Date _____

1 was adopted and certified too late to permit its collection at such time. All assessments shall bear
2 interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by
3 section 108.170. Interest on the assessment between the effective date of the ordinance or resolution
4 assessing the assessment and the date the first installment is payable shall be added to the first
5 installment. The interest for one year on all unpaid installments shall be added to each subsequent
6 installment until paid. In the case of a special assessment by a city, all of the installments, together
7 with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in
8 one instrument at the same time. Such certification shall be good for all of the installments, and the
9 interest thereon payable as special assessments.

10 5. Special assessments shall be collected and paid over to the city treasurer or county
11 treasurer in the same manner as taxes of the city or county are collected and paid. In any county with
12 a charter form of government and with more than six hundred thousand but fewer than seven
13 hundred thousand inhabitants and any county of the first classification with more than one hundred
14 thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred
15 inhabitants, the county collector may collect a fee as prescribed by section 52.260 for collection of
16 assessments under this section.

17 67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475
18 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf
19 of the city or county assessing the same to the same extent as a tax upon real property. The lien may
20 be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140
21 or [by judicial foreclosure proceeding], if applicable to that county, chapter 141, or at the option of
22 the governing body, by judicial foreclosure proceeding. Upon the foreclosure of any such lien,
23 whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may
24 become due and payable and may be recoverable in such foreclosure proceeding at the option of the
25 governing body."; and

26
27 Further amend said bill by amending the title, enacting clause, and intersectional references
28 accordingly.