

SECOND REGULAR SESSION

HOUSE BILL NO. 2230

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KOLKMEYER (Sponsor), BROWN,
FITZWATER AND PHILLIPS (Co-sponsors).

6471H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 140.590, RSMo, and to enact in lieu thereof one new section relating to tax sales of land.

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

Section A. Section 140.590, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 140.590, to read as follows:

140.590. **1. Any suit or proceeding against the tax purchaser, his heirs or assigns, for the recovery of lands sold for taxes, or to defeat or avoid a sale or conveyance of lands for taxes, except in cases where the taxes have been paid or the land was not subject to taxation, or has been redeemed as provided by law, shall be commenced within three years from the time of recording the tax deed, and not thereafter; provided, that where the person claiming to own such land shall be an infant, or an incapacitated person, then such suit may be brought [at any time within two years after the removal of such disability] within such three years by the guardian or other representative of such person under a disability.**

2. Any suit or proceeding against a trustee, substitute, or successor trustee designated or appointed under sections 140.260 or 140.270, or against any county, elected official, or appointed body authorized to designate or appoint such trustees that seeks either the recovery of lands sold for taxes or to defeat or avoid a sale or conveyance of lands for taxes shall be commenced within three years from the time of recording the tax deed; provided that if the person claiming to own such land is an infant or incapacitated person, such suit shall be brought within three years by the guardian or other representative of such person under a disability.

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 **3. If suit is not brought within the three year period, title to the property shall be**
18 **vested in the holder of the collector's deed, and any claimant shall be barred from bringing**
19 **an action regardless of type of service of process.**

20 **4. This section shall apply to all properties where a collector's deed was issued.**

✓