

FIRST REGULAR SESSION

# HOUSE BILL NO. 400

## 102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGIRL.

0820H.021

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 140.170, RSMo, and to enact in lieu thereof one new section relating to delinquent tax notices.

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

Section A. Section 140.170, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 140.170, to read as follows:

140.170. 1. Except for lands described in subsection 7 of this section, the county collector shall cause a copy of the list of delinquent lands and lots to be printed in some newspaper of general circulation published in the county ~~[for three consecutive weeks, one insertion weekly,]~~ **once during the third calendar week** before the sale ~~[-the last insertion to be at least fifteen days prior to the fourth Monday in August].~~ **Thereafter, the list of delinquent lands and lots shall be posted in the courthouse and posted on the county's public website if the county has a public website.**

2. In addition to the names of all record owners or the names of all owners appearing on the land tax book, it is only necessary in the printed and published list to state in the aggregate the amount of taxes, penalty, interest, and cost due thereon, each year separately stated.

3. To the list shall be attached and in like manner printed and published a notice of said lands and lots stating that said land and lots will be sold at public auction to discharge the taxes, penalty, interest, and costs due thereon at the time of sale in or adjacent to the courthouse of such county, on the fourth Monday in August next thereafter, commencing at ten o'clock of said day and continuing from day to day thereafter until all are offered. Such

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 auction may also be conducted by electronic media, including the internet, at the same time  
18 and at the discretion of the county collector.

19 4. The county collector, on or before the day of sale, shall insert at the foot of the list  
20 on his or her record a copy of the notice and certify on his or her record immediately  
21 following the notice the name of the newspaper ~~[of the county]~~ in which the notice was  
22 printed and published and the ~~[dates]~~ **date** of ~~[insertions thereof in the newspaper]~~ **such**  
23 **published notice.**

24 5. The expense of such printing shall be paid out of the county treasury and shall not  
25 exceed the rate provided for in chapter 493, relating to legal publications, notices and  
26 advertisements, and the cost of printing at the rate paid by the county shall be taxed as part of  
27 the costs of the sale of any land or lot contained in the list.

28 6. The county collector shall cause the affidavit of the printer, editor or publisher of  
29 the newspaper in which the list of delinquent lands and notice of sale was published, as  
30 provided by section 493.060, with the list and notice attached, to be recorded in the office of  
31 the recorder of deeds of the county, and the recorder shall not charge or receive any fees for  
32 recording the same.

33 7. The county collector may have a separate list of such lands, without legal  
34 descriptions or the names of the record owners, printed in a newspaper of general circulation  
35 published in such county for three consecutive weeks before the sale of such lands for a parcel  
36 or lot of land that:

37 (1) Has an assessed value of one thousand five hundred dollars or less and has been  
38 advertised previously; or

39 (2) Is a lot in a development of twenty or more lots and such lot has an assessed value  
40 of one thousand five hundred dollars or less.

41

42 The notice shall state that legal descriptions and the names of the record owners of such lands  
43 shall be posted at any county courthouse within the county and the office of the county  
44 collector.

45 8. If, in the opinion of the county collector, an adequate legal description of the  
46 delinquent land and lots cannot be obtained through researching the documents available  
47 through the recorder of deeds, the collector may commission a professional land surveyor to  
48 prepare an adequate legal description of the delinquent land and lots in question. The costs of  
49 any commissioned land survey deemed necessary by the county collector shall be taxed as  
50 part of the costs of the sale of any land or lots contained in the list prepared under this section.

✓