

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 400

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGIRL.

0820H.02P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 64.231 and 140.170, RSMo, and to enact in lieu thereof two new sections relating to delinquent tax notices.

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

Section A. Sections 64.231 and 140.170, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 64.231 and 140.170, to read as follows:

64.231. 1. The county planning board shall have power to make, adopt and may
2 publish an official master plan for the county for the purpose of bringing about coordinated
3 physical development in accordance with present and future needs. The master plan shall be
4 developed so as to conserve the natural resources of the county, to ensure efficient
5 expenditure of public funds, and to promote the health, safety, convenience, prosperity and
6 general welfare of the inhabitants. The master plan may include, among other things, a land
7 use plan, studies and recommendations relative to the locations, character and extent of
8 highways, railroads, bus, streetcar and other transportation routes, bridges, public buildings,
9 schools, sewers, parks and recreation facilities, parkways, forests, wildlife refuges, dams and
10 projects affecting conservation of natural resources. The county planning board may adopt
11 the master plan in whole or in part, and subsequently amend or extend the adopted plan or any
12 portion thereof. Before the adoption, amendment or extension of the plan or portion thereof,
13 the board shall hold at least one public hearing thereon, fifteen days' notice of the time and
14 place of which shall be published in at least one newspaper having general circulation within
15 the county, and notice of the hearing shall also be posted **on the county's website and in at**
16 **least two conspicuous places in each township** at least fifteen days in advance thereof [~~in at~~

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 ~~least two conspicuous places in each township~~. The hearing may be adjourned from time to
18 time. The adoption of the plan shall be by resolution carried by not less than a majority vote
19 of the full membership of the county planning board. After the adoption of the master plan an
20 attested copy shall be certified to the county clerk and a copy shall be recorded in the office of
21 the recorder of deeds.

22 2. The master plan, with the accompanying maps, diagrams, charts, descriptive
23 matter, and reports, shall include the plans specified by this section which are appropriate to
24 the county and which may be made the basis for its physical development. The master plan
25 may comprise any, all, or any combination of the plans specified in this section, for all or any
26 part of the county.

140.170. 1. Except for lands described in subsection 7 of this section, the county
2 collector shall cause a copy of the list of delinquent lands and lots to be printed in some
3 newspaper of general circulation published in the county [~~for three consecutive weeks, one~~
4 ~~insertion weekly,~~] **once during the third calendar week** before the sale [~~the last insertion to~~
5 ~~be at least fifteen days prior to the fourth Monday in August~~]. **Thereafter, the list of**
6 **delinquent lands and lots shall be posted in the courthouse and posted on the county's**
7 **public website if the county has a public website. In counties without a newspaper of**
8 **general circulation, the county collector shall post a copy of the list of delinquent lands**
9 **and lots on the county website or in the county courthouse in an area viewable by the**
10 **public for three consecutive weeks before the sale.**

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

15 3. To the list shall be attached and in like manner printed and published a notice of
16 said lands and lots stating that said land and lots will be sold at public auction to discharge the
17 taxes, penalty, interest, and costs due thereon at the time of sale in or adjacent to the
18 courthouse of such county, on the fourth Monday in August next thereafter, commencing at
19 ten o'clock of said day and continuing from day to day thereafter until all are offered. Such
20 auction may also be conducted by electronic media, including the internet, at the same time
21 and at the discretion of the county collector.

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

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

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

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

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

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

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

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

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