

SENATE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2062  
AN ACT

To repeal sections 140.010, 140.250, 140.420, 140.980, 140.981, 140.982, 140.983, 140.984, 140.985, 140.986, 140.987, 140.988, 140.991, 140.1000, 140.1006, 140.1009, 140.1012, 141.220, 141.230, 141.250, 141.270, 141.290, 141.300, 141.320, 141.330, 141.360, 141.410, 141.440, 141.500, 141.520, 141.535, 141.540, 141.550, 141.560, 141.570, 141.580, 141.610, 141.620, 141.680, 141.700, 141.820, 141.830, 141.840, 141.850, 141.860, 141.870, 141.880, 141.890, 141.900, 141.910, 141.920, 141.930, 141.931, 141.940, 141.950, 141.960, 141.970, 141.980, 141.984, 141.1009, and 249.255, RSMo, and section 140.190 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, and section 140.190 as enacted by house bill no. 821, one hundredth general assembly, first regular session, and to enact in lieu thereof fifty-four new sections relating to the use of real property, with penalty provisions.

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

Section A. Sections 140.010, 140.250, 140.420, 140.980,  
 2 140.981, 140.982, 140.983, 140.984, 140.985, 140.986, 140.987,  
 3 140.988, 140.991, 140.1000, 140.1006, 140.1009, 140.1012,  
 4 141.220, 141.230, 141.250, 141.270, 141.290, 141.300, 141.320,  
 5 141.330, 141.360, 141.410, 141.440, 141.500, 141.520, 141.535,  
 6 141.540, 141.550, 141.560, 141.570, 141.580, 141.610, 141.620,  
 7 141.680, 141.700, 141.820, 141.830, 141.840, 141.850, 141.860,  
 8 141.870, 141.880, 141.890, 141.900, 141.910, 141.920, 141.930,  
 9 141.931, 141.940, 141.950, 141.960, 141.970, 141.980, 141.984,  
 10 141.1009, and 249.255, RSMo, and section 140.190 as enacted by

11 house bill no. 1606, one hundred first general assembly, second  
12 regular session, and section 140.190 as enacted by house bill  
13 no. 821, one hundredth general assembly, first regular session,  
14 are repealed and fifty-four new sections enacted in lieu  
15 thereof, to be known as sections 44.251, 140.010, 140.190,  
16 140.250, 140.420, 140.980, 140.981, 140.982, 140.983, 140.984,  
17 140.985, 140.986, 140.987, 140.988, 140.991, 140.994, 140.995,  
18 140.1000, 140.1009, 140.1012, 141.220, 141.230, 141.250,  
19 141.270, 141.290, 141.300, 141.320, 141.330, 141.360, 141.410,  
20 141.440, 141.500, 141.520, 141.535, 141.540, 141.550, 141.560,  
21 141.570, 141.580, 141.610, 141.620, 141.680, 141.700, 141.821,  
22 141.980, 141.984, 141.1009, 141.1020, 249.255, 436.337,  
23 534.602, 534.604, 535.012, and 569.200, to read as follows:

44.251. 1. This section shall be known and may be  
2 cited as the "Protecting Missouri's Small Businesses Act".

3 2. As used in this section, "shutdown order" means any  
4 order by the state or any agency or political subdivision  
5 thereof to close a business organization that is caused by  
6 any reason outside the business organization's control.

7 3. The general assembly hereby finds and declares the  
8 following:

9 (1) It is an essential function of state government to  
10 protect the public health, welfare, peace, safety, and the  
11 economic viability and well-being of Missourians;

12 (2) One method of protecting Missourians is to  
13 preserve and promote the economic viability, well-being, and  
14 development of businesses in this state;

15 (3) Governmental actions should not be entered into  
16 without careful consideration of and appropriate concern for  
17 the lasting effects that may cause economic loss to  
18 Missourians and businesses in the state;

19 (4) It is the public policy of the state of Missouri  
20 that a political subdivision shall give appropriate

21 consideration to the effects of its actions on the economic  
22 well-being of Missourians and businesses in the state; and

23 (5) To ensure that a political subdivision gives  
24 appropriate consideration to such actions, a political  
25 subdivision shall participate in economic losses caused by  
26 the political subdivision's actions affecting Missourians  
27 and businesses in the state as provided in this section.

28 4. (1) Notwithstanding any other provision of law to  
29 the contrary, beginning January 1, 2025, if any political  
30 subdivision with jurisdiction over a business implements any  
31 shutdown order or orders and the business closes solely due  
32 to such shutdown order or orders for at least fourteen  
33 consecutive days or at least thirty cumulative days, the  
34 following shall apply:

35 (a) Any fee for a business license imposed by the  
36 political subdivision with jurisdiction over the business  
37 shall be waived for the business during the period of the  
38 shutdown order or orders or six months, whichever is  
39 longer. Fees for a business license may be prorated; and

40 (b) The political subdivision with jurisdiction over  
41 the business shall reduce the real and personal property tax  
42 liability of such business based on the number of days the  
43 business was shut down in a given year as follows:

44 a. If the shutdown order or orders end before June  
45 first, the appropriate officials responsible for assessing  
46 and levying real and personal property taxes and providing  
47 statements of taxes due in the political subdivision with  
48 jurisdiction over the business shall calculate the tax  
49 liability of such business as required by law. After such  
50 tax liability is calculated, such officials shall reduce  
51 such tax liability as required in this section. Such  
52 reduction shall be reflected on the statement of taxes due  
53 provided to the taxpayer who is liable for the property

54 taxes of the business. Such appropriate officials shall  
55 follow all procedures for calculating such taxes and  
56 providing such statements provided by law as practicable. A  
57 taxpayer receiving a reduced statement of taxes due shall  
58 make full payment of such reduced taxes before the  
59 delinquency date as provided by law; and

60 b. If the shutdown order or orders remain in effect on  
61 or after June first, the taxpayer who is liable for the  
62 property taxes of the business shall make full payment of  
63 taxes due before the delinquency date as provided by law.  
64 The appropriate officials responsible for assessing and  
65 levying real and personal property taxes and providing  
66 statements of taxes due in the political subdivision with  
67 jurisdiction over the business shall:

68 (i) Notify such taxpayer, at the same time the  
69 taxpayer's statement of taxes due is provided to the  
70 taxpayer as required by law, that the taxpayer may apply for  
71 a refund of a portion of the property tax liability of such  
72 business as provided in this section;

73 (ii) Provide a method of applying for a refund of such  
74 portion of such tax liability, by which the taxpayer shall  
75 provide any information required by the appropriate  
76 officials to assist in the calculation of such portion. A  
77 refund application made as provided in this subparagraph  
78 shall be submitted to the appropriate official no later than  
79 the January fifteenth immediately following the refund  
80 notification;

81 (iii) Calculate the amount of such allowable portion  
82 to be refunded and notify the taxpayer of such amount. All  
83 such calculations for all refund applications shall be  
84 completed no later than the February fifteenth following the  
85 refund notification; and

86           (iv) Make payments of all refunds to all taxpayers  
87 eligible for the refund. All such payments of refunds shall  
88 be completed no later than the March fifteenth immediately  
89 following the refund notification.

90           (2) Notwithstanding any other provision of this  
91 section to the contrary, a taxpayer whose tax liability is  
92 reduced as provided in this subsection and who leases or  
93 rents all or a portion of the taxpayer's affected real  
94 property to one or more renters or lessors shall distribute  
95 such amount by which the tax liability is reduced on a pro  
96 rata basis to such renters or lessors who are current on all  
97 lease or rental payments owed to the taxpayer whose tax  
98 liability is reduced.

99           5. This section shall not be construed to apply to  
100 fees required for a license or certification of an  
101 individual to practice a profession.

102           6. This section shall not be construed as an exemption  
103 of property from taxation requiring the state to provide  
104 restitution or a replacement of revenues lost to a political  
105 subdivision. Any action taken by a political subdivision  
106 that results in a recalculation or refund of taxes or  
107 revenues lost by the political subdivision, or both, shall  
108 be construed as an exercise of the political subdivision's  
109 authority to levy and collect local tax revenues as provided  
110 by state law.

140.010. 1. All real estate upon which the taxes  
2 remain unpaid on the first day of January, annually, are  
3 delinquent, and the county collector shall enforce the lien  
4 of the state thereon, as required by this chapter. Any  
5 failure to properly return the delinquent list, as required  
6 by this chapter, in no way affects the validity of the  
7 assessment and levy of taxes, nor of the foreclosure and  
8 sale by which the collection of the taxes is enforced, nor

9 in any manner affects the lien of the state on the  
10 delinquent real estate for the taxes unpaid thereon.

11 2. Alternatively, any county may, by adoption of a  
12 resolution or order of the county commission of such county,  
13 elect to operate under the provisions of sections 141.210 to  
14 141.810 for any parcel for which there is an unpaid tax bill  
15 for a period of at least two years after the date on which  
16 it became delinquent. Any county electing to operate as  
17 such shall be called a "partial opt-in county". No county  
18 eligible to establish a land bank agency under subsection 1  
19 of section 140.981 shall elect to operate as a partial opt-  
20 in county unless the county first elects to establish a land  
21 bank agency as provided in subsection 1 of section 140.981.  
22 In accordance with section 141.290, after the adoption of  
23 such resolution or order by a county commission, the  
24 collector of the county shall decide which tax delinquent  
25 parcels shall proceed according to the provisions of  
26 sections 141.210 to 141.810. Such parcels shall be exempt  
27 from the provisions of sections 140.030 to 140.722. The  
28 collector shall remove such parcels from any list of parcels  
29 advertised for first, second, third, or post-third sales.

2 [140.190. 1. On the day mentioned in the  
3 notice, the county collector shall commence the  
4 sale of such lands, and shall continue the same  
5 from day to day until each parcel assessed or  
6 belonging to each person assessed shall be sold  
7 as will pay the taxes, interest and charges  
8 thereon, or chargeable to such person in said  
9 county.

10 2. The person or land bank agency offering  
11 at said sale, whether in person or by electronic  
12 media, to pay the required sum for a tract shall  
13 be considered the purchaser of such land;  
14 provided, no sale shall be made to any person or  
15 designated agent who is currently delinquent on  
16 any tax payments on any property, other than a  
17 delinquency on the property being offered for  
sale, and who does not sign an affidavit stating

18 such at the time of sale. Failure to sign such  
19 affidavit as well as signing a false affidavit  
20 may invalidate such sale. No bid shall be  
21 received from any person not a resident of the  
22 state of Missouri or a foreign corporation or  
23 entity all deemed nonresidents. A nonresident  
24 shall file with said collector an agreement in  
25 writing consenting to the jurisdiction of the  
26 circuit court of the county in which such sale  
27 shall be made, and also filing with such  
28 collector an appointment of some citizen of said  
29 county as agent of said nonresident, and  
30 consenting that service of process on such agent  
31 shall give such court jurisdiction to try and  
32 determine any suit growing out of or connected  
33 with such sale for taxes. After the delinquent  
34 auction sale, any certificate of purchase shall  
35 be issued to the agent. After meeting the  
36 requirements of section 140.405, the property  
37 shall be conveyed to the agent on behalf of the  
38 nonresident, and the agent shall thereafter  
39 convey the property to the nonresident.

40 3. All such written consents to  
41 jurisdiction and selective appointments shall be  
42 preserved by the county collector and shall be  
43 binding upon any person or corporation claiming  
44 under the person consenting to jurisdiction and  
45 making the appointment herein referred to;  
46 provided further, that in the event of the  
47 death, disability or refusal to act of the  
48 person appointed as agent of said nonresident  
49 the county clerk shall become the appointee as  
50 agent of said nonresident.

51 4. No person residing in any home rule  
52 city with more than seventy-one thousand but  
53 fewer than seventy-nine thousand inhabitants  
54 shall be eligible to offer to purchase lands  
55 under this section unless such person has, no  
56 later than ten days before the sale date,  
57 demonstrated to the satisfaction of the official  
58 charged by law with conducting the sale that the  
59 person is not the owner of any parcel of real  
60 property that has two or more violations of the  
61 municipality's building or housing codes. A  
62 prospective bidder may make such a demonstration  
63 by presenting statements from the appropriate

64 collection and code enforcement officials of the  
65 municipality. This subsection shall not apply  
66 to any taxing authority or land bank agency, and  
67 entities shall be eligible to bid at any sale  
68 conducted under this section without making such  
69 a demonstration.]

140.190. 1. On the day mentioned in the notice, the  
2 county collector shall commence the sale of such lands, and  
3 shall continue the same from day to day until each parcel  
4 assessed or belonging to each person assessed shall be sold  
5 as will pay the taxes, interest and charges thereon, or  
6 chargeable to such person in said county.

7 2. (1) The person or land bank agency offering at  
8 said sale to pay the required sum for a tract shall be  
9 considered the purchaser of such land; provided, no sale  
10 shall be made to any person or designated agent who:

11 (a) Is currently delinquent on any tax payments on any  
12 property, other than a delinquency on the property being  
13 offered for sale, and who does not sign an affidavit stating  
14 such at the time of sale. Failure to sign such affidavit as  
15 well as signing a false affidavit may invalidate such  
16 sale[.];

17 (b) Is a member of the governing body of a land bank  
18 agency;

19 (c) Is an employee of a land bank agency;

20 (d) Is an elected or appointed official of the  
21 governing body, or an employee of such official, of the  
22 political subdivision in which a land bank agency is  
23 located; or

24 (e) Is related within the second degree of  
25 consanguinity to a person described in paragraphs (b) to (d)  
26 of this subdivision.

27 (2) No bid shall be received from any person not a  
28 resident of the state of Missouri or a foreign corporation  
29 or entity all deemed nonresidents. A nonresident shall file

30 with said collector an agreement in writing consenting to  
31 the jurisdiction of the circuit court of the county in which  
32 such sale shall be made, and also filing with such collector  
33 an appointment of some citizen of said county as agent of  
34 said nonresident, and consenting that service of process on  
35 such agent shall give such court jurisdiction to try and  
36 determine any suit growing out of or connected with such  
37 sale for taxes. After the delinquent auction sale, any  
38 certificate of purchase shall be issued to the agent. After  
39 meeting the requirements of section 140.405, the property  
40 shall be conveyed to the agent on behalf of the nonresident,  
41 and the agent shall thereafter convey the property to the  
42 nonresident. A collector may preclude a prospective bidder  
43 from participating in a sale for failure to comply with any  
44 of the provisions of this section.

45 3. All such written consents to jurisdiction and  
46 selective appointments shall be preserved by the county  
47 collector and shall be binding upon any person or  
48 corporation claiming under the person consenting to  
49 jurisdiction and making the appointment herein referred to;  
50 provided further, that in the event of the death, disability  
51 or refusal to act of the person appointed as agent of said  
52 nonresident the county clerk shall become the appointee as  
53 agent of said nonresident.

54 4. No person residing in any home rule city with more  
55 than seventy-one thousand but fewer than seventy-nine  
56 thousand inhabitants shall be eligible to offer to purchase  
57 lands under this section unless such person has, no later  
58 than ten days before the sale date, demonstrated to the  
59 satisfaction of the official charged by law with conducting  
60 the sale that the person is not the owner of any parcel of  
61 real property that has two or more violations of the  
62 municipality's building or housing codes. A prospective

63 bidder may make such a demonstration by presenting  
64 statements from the appropriate collection and code  
65 enforcement officials of the municipality. This subsection  
66 shall not apply to any taxing authority or land bank agency,  
67 and entities shall be eligible to bid at any sale conducted  
68 under this section without making such a demonstration.

140.250. 1. Whenever any lands have been or shall  
2 hereafter be offered for sale for delinquent taxes,  
3 interest, penalty and costs by the collector of the proper  
4 county for any two successive years and no person shall have  
5 bid therefor a sum equal to the delinquent taxes thereon,  
6 interest, penalty and costs provided by law, then such  
7 county collector shall at the next regular tax sale of lands  
8 for delinquent taxes sell same to the highest bidder, except  
9 the highest bid shall not be less than the sum equal to the  
10 delinquent taxes, interest, penalties, and costs, and there  
11 shall be a ninety-day period of redemption from such sales  
12 as specified in section 140.405.

13 2. A certificate of purchase shall be issued as to  
14 such sales, and the purchaser at such sales shall be  
15 entitled to the issuance and delivery of a collector's deed  
16 upon completion of title search action as specified in  
17 section 140.405.

18 3. If any lands or lots are not sold at such third  
19 offering, then the collector[, in his discretion, need not  
20 again] shall advertise or offer such lands or lots for sale  
21 [more often than once every five years after the third  
22 offering of such lands or lots, and such offering shall toll  
23 the operation of any applicable statute of limitations] once  
24 every thirty days.

25 4. A purchaser at any sale subsequent to the third  
26 offering of any land or lots, whether by the collector or a  
27 trustee as provided in section 140.260, shall be entitled to

28 the immediate issuance and delivery of a collector's deed  
29 and there shall be no period of redemption from such post-  
30 third year sales; provided, however, before any purchaser at  
31 a sale to which this section is applicable shall be entitled  
32 to a collector's deed it shall be the duty of the collector  
33 to demand, and the purchaser to pay, in addition to [his]  
34 the purchaser's bid, all taxes due and unpaid on such lands  
35 or lots that become due and payable on such lands or lots  
36 subsequent to the date of the taxes included in such  
37 advertisement and sale. The collector's deed or trustee's  
38 deed shall have priority over all other liens or  
39 encumbrances on the property sold except for real property  
40 taxes.

41 5. A purchaser at any sale subsequent to the third  
42 offering of any land or lots, whether by the collector or a  
43 trustee as provided in section 140.260, may elect to proceed  
44 under subsection 1 of this section and subsection 6 of  
45 section 140.405 by giving notice to the collector prior to  
46 the issuance of a collector's deed.

47 6. In the event the real purchaser at any sale to  
48 which this section is applicable shall be the owner of the  
49 lands or lots purchased, or shall be obligated to pay the  
50 taxes for the nonpayment of which such lands or lots were  
51 sold, then no collector's deed shall be issued to such  
52 purchaser, or to anyone acting for or on behalf of such  
53 purchaser, without payment to the collector of such  
54 additional amount as will discharge in full all delinquent  
55 taxes, penalty, interest and costs.

140.420. If no person shall redeem the lands sold for  
2 taxes prior to the expiration of the right to redeem, at the  
3 expiration thereof, and on production of the certificate of  
4 purchase and upon proof satisfactory to the collector that a

5 purchaser or [his or her] the purchaser's heirs, successors,  
6 or assigns are authorized to acquire the deed[, ]:

7 (1) The collector of the county in which the sale of  
8 such lands took place shall execute to the purchaser[, his]  
9 or [her] the purchaser's heirs or assigns, in the name of  
10 the state, a conveyance of the real estate so sold, which  
11 shall vest in the grantee an absolute estate in fee simple,  
12 subject, however, to all claims thereon for unpaid taxes  
13 except such unpaid taxes existing at time of the purchase of  
14 said lands and the lien for which taxes was inferior to the  
15 lien for taxes for which said tract or lot of land was sold;  
16 and

17 (2) The state of Missouri or any person, taxing  
18 authority, tax district, judgment creditor, or lienholder  
19 that had a right, title, interest, claim, or equity of  
20 redemption on or to the lands or that had a lien upon the  
21 lands shall be barred and forever foreclosed of such  
22 unclaimed right, title, interest, claim, or equity of  
23 redemption in or to the lands and of any lien upon the lands.

140.980. 1. Sections 140.980 to 140.1015 shall be  
2 known and may be cited as the "Chapter 140 Land Bank Act".

3 2. As used in sections 140.980 to 140.1015, the  
4 following terms mean:

5 (1) ["Ancillary parcel", a parcel of real estate  
6 acquired by a land bank agency other than any sale conducted  
7 under section 140.190, 140.240, or 140.250;

8 (2) "Land bank agency", an agency established by a  
9 [city] county or municipality under the authority of section  
10 140.981;

11 [(3)] (2) "Land taxes", taxes on real property or real  
12 estate, including the taxes both on the land and the  
13 improvements thereon;

14           (3) "Municipality", any incorporated city, town, or  
15 village in this state;

16           (4) "Political subdivision", any county, city, town,  
17 village, school district, library district, or any other  
18 public subdivision or public corporation that has the power  
19 to tax;

20           (5) "Reserve period taxes", land taxes assessed  
21 against any parcel of real estate sold or otherwise disposed  
22 of by a land bank agency for the first three tax years  
23 following such sale or disposition;

24           (6) "Tax bill", real estate taxes and the lien  
25 thereof, whether general or special, levied and assessed by  
26 any taxing authority;

27           (7) "Taxing authority", any governmental, managing,  
28 administering, or other lawful authority, now or hereafter  
29 empowered by law to issue tax bills.

140.981. 1. Any [home rule city with more than  
2 seventy-one thousand but fewer than seventy-nine thousand  
3 inhabitants] county with more than one million inhabitants  
4 may establish a land bank agency for the management, sale,  
5 transfer, and other disposition of interests in real estate  
6 owned by such land bank agency. Any such county may  
7 establish a land bank agency by ordinance, resolution, or  
8 rule, as applicable. Such ordinance, resolution, or rule  
9 shall specify the name of the land bank agency. No county  
10 in which a land bank agency has been established under the  
11 provisions of sections 141.980 to 141.1015 shall elect to  
12 establish a land bank agency under this section.

13           2. Any municipality with more than one thousand five  
14 hundred inhabitants not located within a county with more  
15 than one million inhabitants may establish a land bank  
16 agency for the management, sale, transfer, and other  
17 disposition of interests in real estate owned by such land

18 bank agency. [Any such land bank agency shall be  
19 established to foster the public purpose of returning land,  
20 including land that is in a nonrevenue-generating, nontax-  
21 producing status, to use in private ownership.] A [city]  
22 municipality may establish a land bank agency by ordinance,  
23 resolution, or rule, as applicable.

24 [2.] 3. A land bank agency shall not own any interest  
25 in real estate located wholly or partially outside the city  
26 that established the land bank.

27 [3. The beneficiaries of the land bank agency shall be  
28 the taxing authorities that held or owned tax bills against  
29 the respective parcels of real estate acquired by such land  
30 bank agency pursuant to a sale conducted under section  
31 140.190, 140.240, or 140.250, and their respective interests  
32 in each parcel of real estate shall be to the extent and in  
33 proportion to the priorities determined by the court on the  
34 basis that the principal amount of their respective tax  
35 bills bore to the total principal amount of all of the tax  
36 bills described in the judgment.]

37 4. A land bank agency shall be established for the  
38 purpose of returning land, including land that is in a non-  
39 revenue-generating, non-tax-producing status, to use in  
40 private ownership, or for public use.

41 5. A land bank agency created under the chapter 140  
42 land bank act shall be a public body corporate and politic  
43 and shall have permanent and perpetual duration until  
44 terminated and dissolved in accordance with the provisions  
45 of section 140.1012.

140.982. [The governing body of the city establishing  
2 a land bank agency, or the chief administrative officer of  
3 the city establishing a land bank agency, shall have the  
4 power to organize and reorganize the executive,  
5 administrative, clerical, and other departments of the land

6 bank agency and to fix the duties, powers, and compensation  
7 of all employees, agents, and consultants of the land bank  
8 agency.] 1. If a county establishes a land bank agency

9 under subsection 1 of section 140.981, the members of the  
10 first board of directors of a land bank agency shall be  
11 appointed within ninety days after the effective date of the  
12 ordinance, resolution, or rule passed establishing such land  
13 bank agency. If any appointing authority fails to make any  
14 appointment of a board member within the time the first  
15 appointments are required, the appointment shall be made by  
16 the county council. The following requirements shall apply  
17 to the board of directors:

18 (1) The board of directors shall consist of seven  
19 members:

20 (a) Two of whom shall be appointed by the county  
21 executive, one of whom shall have professional expertise  
22 relevant to the land bank agency;

23 (b) One of whom shall be appointed by the member of  
24 the county council representing the district with the  
25 highest number of tax delinquent parcels. Such board member  
26 shall maintain a primary residence within such district;

27 (c) One of whom shall be appointed by the member of  
28 the county council representing the district with the second  
29 highest number of tax delinquent parcels. Such board member  
30 shall maintain a primary residence within such district;

31 (d) One of whom shall be appointed by consensus of the  
32 county executive and the president of the municipal league  
33 of the county; and

34 (e) Two of whom shall be resident representatives.  
35 Resident representatives shall be appointed by a majority  
36 vote of the other board members, and each resident  
37 representative shall maintain a primary residence within one

38 of the twenty municipalities containing the highest  
39 percentage of tax delinquent parcels;

40 (2) The term of office of a member shall be four  
41 years. Each member's primary residence shall be in the  
42 county that has established the land bank agency. Each  
43 member serves at the pleasure of the member's appointing  
44 authority, may be an employee of the appointing authority,  
45 and shall serve without compensation;

46 (3) No public officer shall be eligible to serve as a  
47 board member. For purposes of this subdivision, "public  
48 officer" means a person who is holding an elected public  
49 office. Any public employee shall be eligible to serve as a  
50 board member;

51 (4) The members of the board shall select annually  
52 from among themselves a chair, a vice chair, a treasurer,  
53 and such other officers as the board may determine and shall  
54 establish the officers' duties, as may be regulated by rules  
55 adopted by the board;

56 (5) The board shall establish rules and requirements  
57 relative to the attendance and participation of members in  
58 its meetings, regular or special. Such rules and  
59 regulations may prescribe a procedure whereby, if any member  
60 fails to comply with such rules and regulations, such member  
61 may be disqualified and removed automatically from office by  
62 no less than a majority vote of the remaining members of the  
63 board, and that member's position shall be vacant as of the  
64 first day of the next calendar month. Any person removed  
65 under the provisions of this subdivision shall be ineligible  
66 for reappointment to the board unless such reappointment is  
67 confirmed unanimously by the board;

68 (6) A vacancy on the board shall be filled in the same  
69 manner as the original appointment. If any appointing  
70 authority fails to make any appointment of a board member

71 within sixty days after any term expires, the appointment  
72 shall be made by the county council;

73 (7) Board members shall serve without compensation.

74 The board may reimburse any member for expenses actually  
75 incurred in the performance of duties on behalf of the land  
76 bank agency;

77 (8) The board shall have the power to organize and  
78 reorganize the executive, administrative, clerical, and  
79 other departments of the land bank agency and to fix the  
80 duties, powers, and compensation of all employees, agents,  
81 and consultants of the land bank agency;

82 (9) The board shall meet in regular session according  
83 to a schedule adopted by the board and also shall meet in  
84 special session as convened by the chair or upon written  
85 notice signed by a majority of the members. The presence of  
86 a majority of total membership, excluding vacancies, shall  
87 constitute a quorum;

88 (10) All actions of the board shall be approved by the  
89 affirmative vote of a majority of the members of that board  
90 present and voting. However, no action of the board shall  
91 be authorized on the following matters unless approved by a  
92 majority of the total board membership:

93 (a) Adoption, amendment, or repeal of bylaws and other  
94 rules and regulations for conduct of the land bank agency's  
95 business;

96 (b) Hiring or firing of any employee or contractor of  
97 the land bank agency. This function may, by majority vote,  
98 be delegated by the board to a specified officer or  
99 committee of the land bank agency under such terms and  
100 conditions and to the extent that the board may specify;

101 (c) Adoption or amendment of the annual budget; and

102 (d) Sale, encumbrance, or alienation of real property,  
103 improvements, or personal property;

104           (11) The governing body of the county establishing a  
105 land bank agency may incur debt, including, without  
106 limitation, borrowing moneys and issuing bonds, notes, or  
107 other obligations to provide funding for the land bank  
108 agency;

109           (12) Members of a board shall not be liable personally  
110 on the bonds or other obligations of the land bank agency,  
111 and the rights of creditors shall be solely against such  
112 land bank agency; and

113           (13) Vote by proxy shall not be permitted. Any member  
114 may request a recorded vote on any resolution or action of  
115 the land bank agency.

116           2. If a municipality establishes a land bank agency  
117 under subsection 1 of section 140.981, the ordinance,  
118 resolution, or rule, as applicable, may specify the  
119 following:

120           (1) The name of the land bank agency;

121           (2) The number of members of the board of directors,  
122 which shall consist of an odd number of members and shall be  
123 no fewer than five members nor more than eleven members;

124           (3) The initial individuals to serve as members of the  
125 board of directors and the length of terms for which the  
126 members are to serve; and

127           (4) The qualifications, manner of selection or  
128 appointment, and terms of office of members of the board.

129           3. A land bank agency may employ a secretary, an  
130 executive director, its own counsel and legal staff,  
131 technical experts, and other agents and employees, permanent  
132 or temporary, as it may require and may determine the  
133 qualifications and fix the compensation and benefits of such  
134 persons. A land bank agency may also enter into contracts  
135 and agreements with political subdivisions for staffing  
136 services to be provided to the land bank agency by political

137 subdivisions or agencies or departments thereof, or for a  
138 land bank agency to provide such staffing services to  
139 political subdivisions or agencies or departments thereof.

140.983. A land bank agency established under the  
2 chapter 140 land bank act shall have all powers necessary or  
3 appropriate to carry out and effectuate the purposes and  
4 provisions of the chapter 140 land bank act, including the  
5 following powers in addition to those herein otherwise  
6 granted:

7 (1) To adopt, amend, and repeal bylaws for the  
8 regulation of its affairs and the conduct of its business;

9 (2) To sue and be sued, in its own name, and plead and  
10 be impleaded in all civil actions including, but not limited  
11 to, actions to clear title to property of the land bank  
12 agency;

13 (3) To adopt a seal and to alter the same at pleasure;

14 (4) To borrow from [private lenders,] the political  
15 [subdivisions, the state, and the federal government]  
16 subdivision establishing the land bank agency, as may be  
17 necessary for the operation and work of the land bank agency;

18 (5) [To issue notes and other obligations according to  
19 the provisions of this chapter;

20 [(6)] To procure insurance or guarantees from political  
21 subdivisions, the state, the federal government, or any  
22 other public or private sources of the payment of any bond,  
23 note, loan, or other obligation, or portion thereof,  
24 incurred by the land bank agency and to pay any fees or  
25 premiums in connection therewith;

26 [(7)] (6) To enter into contracts and other  
27 instruments necessary, incidental, or convenient to the  
28 performance of its duties and the exercise of its powers  
29 including, but not limited to, agreements with other land

30 bank agencies and with political subdivisions for the joint  
31 exercise of powers under this chapter;

32 ~~[(8)]~~ (7) To enter into contracts and other  
33 instruments necessary, incidental, or convenient to:

34 (a) The performance of functions by the land bank  
35 agency on behalf of political subdivisions, or agencies or  
36 departments thereof; or

37 (b) The performance by political subdivisions, or  
38 agencies or departments thereof, of functions on behalf of  
39 the land bank agency;

40 ~~[(9)]~~ (8) To make and execute contracts and other  
41 instruments necessary or convenient to the exercise of the  
42 powers of the land bank agency~~]. Any contract or instrument~~  
43 ~~if signed both by the executive director of the land bank~~  
44 ~~agency and by the secretary, assistant secretary, treasurer,~~  
45 ~~or assistant treasurer of the land bank agency, or by an~~  
46 ~~authorized facsimile signature of any such positions, shall~~  
47 ~~be held to have been properly executed for and on its~~  
48 ~~behalf];~~

49 ~~[(10)]~~ (9) To procure insurance against losses in  
50 connection with the property, assets, or activities of the  
51 land bank agency;

52 ~~[(11)]~~ (10) To invest the moneys of the land bank  
53 agency in the same manner as moneys are invested by the  
54 state treasurer, including amounts deposited in reserve or  
55 sinking funds, at the discretion of the land bank agency in  
56 ~~[instruments,] obligations[, securities,]~~ or property  
57 determined proper by the land bank agency and to name and  
58 use depositories for its moneys;

59 ~~[(12)]~~ (11) To enter into contracts for the management  
60 of~~[, the collection of rent from,]~~ or the sale of the  
61 property of the land bank agency;

62            [(13)] (12) To design, develop for public use,  
63 construct, demolish, reconstruct, rehabilitate, renovate,  
64 relocate, equip, furnish, and otherwise improve real  
65 property or rights or interests in real property held by the  
66 land bank agency;

67            [(14) To fix, charge, and collect rents, fees, and  
68 charges for the use of the property of the land bank agency  
69 and for services provided by the land bank agency;

70            [(15)] (13) To acquire property, whether by purchase,  
71 exchange, gift, lease, or otherwise, except not property not  
72 wholly located in the [city] county or municipality that  
73 established the land bank agency; to grant or acquire  
74 licenses and easements; and to sell, [lease,] grant an  
75 option with respect to, or otherwise dispose of, any  
76 property of the land bank agency;

77            [(16)] (14) To enter into partnerships, joint  
78 ventures, and other collaborative relationships with  
79 political subdivisions and other public and private entities  
80 for the [ownership,] management, development, and  
81 disposition of real property, except not for property not  
82 wholly located in the [city] county or municipality that  
83 established the land bank agency; and

84            [(17)] (15) Subject to the other provisions of this  
85 chapter and all other applicable laws, to do all other  
86 things necessary or convenient to achieve the objectives and  
87 purposes of the land bank agency or other laws that relate  
88 to the purposes and responsibility of the land bank agency.

140.984. 1. The income of a land bank agency shall be  
2 exempt from all taxation by the state and by any of its  
3 political subdivisions. Upon acquiring title to any real  
4 estate, a land bank agency shall immediately notify the  
5 county assessor and the county collector of such ownership[,  
6 and such real estate shall be]; all taxes, special taxes,

7 finest, and fees on such real estate shall be deemed  
8 satisfied by transfer to the land bank agency; and such  
9 property shall be exempt from all taxation during the land  
10 bank agency's ownership thereof, in the same manner and to  
11 the same extent as any other publicly owned real estate.  
12 Upon the sale or other disposition of any real estate held  
13 by it, the land bank agency shall immediately notify the  
14 county assessor and the county collector of such change of  
15 ownership. However, that such tax exemption for improved  
16 and occupied real property held by the land bank agency as a  
17 lessor pursuant to a ground lease shall terminate upon the  
18 first occupancy, and the land bank agency shall immediately  
19 notify the county assessor and the county collector of such  
20 occupancy.

21 2. A land bank agency may acquire real property [or  
22 interests in property] by gift, devise, transfer, exchange,  
23 foreclosure, [lease,] purchase, or [otherwise on terms and  
24 conditions and in a manner the land bank agency considers  
25 proper] pursuant to sections 141.560 to 141.580 or section  
26 141.821, except a land bank agency shall not acquire  
27 property located partially or wholly outside the boundaries  
28 of the county or municipality that established such land  
29 bank agency. For purchases of real property not made  
30 through foreclosure or pursuant to sections 141.560 to  
31 141.580, a land bank agency may only purchase real property  
32 if such property is adjacent to real property already owned  
33 by the land bank agency.

34 3. A land bank agency may acquire property by purchase  
35 contracts, lease purchase agreements, installment sales  
36 contracts, and land contracts and may accept transfers from  
37 political subdivisions upon such terms and conditions as  
38 agreed to by the land bank agency and the political  
39 subdivision. A land bank agency may, for the purpose of

40 adding to a parcel already owned by the land bank agency,  
41 bid on any parcel of real estate offered for sale, offered  
42 at a foreclosure sale under sections 140.220 to 140.250,  
43 [or] offered at a sale conducted under section 140.190,  
44 140.240, or 140.250, or offered at a foreclosure sale under  
45 section 141.550. Notwithstanding any other law to the  
46 contrary, any political subdivision may transfer to the land  
47 bank agency real property and interests in real property of  
48 the political subdivision on such terms and conditions and  
49 according to such procedures as determined by the political  
50 subdivision.

51 4. A land bank agency shall maintain all of its real  
52 property in accordance with the laws and ordinances of the  
53 jurisdictions in which the real property is located.

54 5. Upon issuance of a deed to a parcel of [a  
55 delinquent land tax auction] real estate to a land bank  
56 agency under subsection 4 of section 140.250, subsection 5  
57 of section 140.405, [or] other sale conducted under section  
58 140.190, 140.240, or 140.250 [of a parcel of real estate to  
59 a land bank agency], or section 141.550, the land bank  
60 agency shall pay only the amount of the land bank agency's  
61 bid that exceeds the amount of all tax bills included in the  
62 judgment, interest, penalties, attorney's fees, taxes, and  
63 costs then due thereon. If the real estate is acquired in a  
64 delinquent land tax auction under subsection 4 of section  
65 140.250, subsection 5 of section 140.405, or other sale  
66 conducted under section 140.190, 140.240, or 140.250, such  
67 excess shall be applied and distributed in accordance with  
68 section 140.230. If the real estate is acquired in a  
69 delinquent land tax auction under section 141.550, such  
70 excess shall be applied and distributed in accordance with  
71 subsections 3 and 4 of section 141.580, exclusive of  
72 subdivision (3) of subsection 3 of section 141.580. Upon

73 issuance of a deed, the county collector shall mark the tax  
74 bills included in the judgment as "cancelled by sale to the  
75 land bank" and shall take credit for the full amount of such  
76 tax bills, including principal amount, interest, penalties,  
77 attorney's fees, and costs, on [his or her] the county  
78 collector's books and in [his or her] the county collector's  
79 statements with any other taxing authorities.

80 6. A land bank shall not own real property unless the  
81 property is wholly located within the boundaries of the  
82 [city] county or municipality that established the land bank  
83 agency.

84 7. Within one year of the effective date of the  
85 ordinance, resolution, or rule passed establishing a  
86 municipal land bank agency under subsection 2 of section  
87 140.981, the title to any real property that is located  
88 wholly within the municipality that created the land bank  
89 agency and that is held by a land trust created under  
90 subsection 1 of section 141.821 shall be transferred by deed  
91 from the land trust to such land bank agency, at the land  
92 bank agency's request.

140.985. 1. A land bank agency shall hold in its own  
2 name all real property acquired by such land bank agency  
3 irrespective of the identity of the transferor of such  
4 property.

5 2. A land bank agency shall maintain and make  
6 available for public review and inspection an inventory and  
7 history of all real property the land bank agency holds or  
8 formerly held. This inventory and history shall be  
9 available on the land bank agency's website and include at a  
10 minimum:

- 11 (1) Whether a parcel is available for sale;
- 12 (2) The address of the parcel if an address has been  
13 assigned;

14 (3) The parcel number if no address has been assigned;

15 (4) The month and year that a parcel entered the land  
16 bank agency's inventory;

17 (5) Whether a parcel has sold; **[and]**

18 (6) If a parcel has sold, the name of the person or  
19 entity to which it was sold; and

20 (7) Whether the parcel was acquired by the land bank  
21 agency through judicial foreclosure, nonjudicial  
22 foreclosure, donation, or some other manner.

23 3. The land bank agency shall determine and set forth  
24 in policies and procedures the general terms and conditions  
25 for consideration to be received by the land bank agency for  
26 the transfer of real property and interests in real  
27 property. Consideration may take the form of monetary  
28 payments and secured financial obligations, covenants, and  
29 conditions related to the present and future use of the  
30 property; contractual commitments of the transferee; and  
31 such other forms of consideration as the land bank agency  
32 determines to be in the best interest of **[its purpose]** the  
33 land bank agency.

34 4. A land bank agency may convey, exchange, sell,  
35 transfer, **[lease,]** grant, release and demise, pledge, and  
36 hypothecate any and all interests in, upon, or to property  
37 of the land bank agency. A land bank agency may gift any  
38 interest in, upon, or to property to the **[city]** county or  
39 municipality that established the land bank agency.

40 5. A **[city]** county or municipality may, in its  
41 resolution **[or]**, ordinance, or rule creating a land bank  
42 agency, establish a hierarchical ranking of priorities for  
43 the use of real property conveyed by such land bank agency,  
44 **[subject to subsection 7 of this section,]** including, but  
45 not limited to:

46 (1) Use for purely public spaces and places;

- 47 (2) [Use for affordable housing;
- 48 (3) Use for retail, commercial, and industrial
- 49 activities;
- 50 (4)] Use as wildlife conservation areas; [and
- 51 (5) Such other uses and in such hierarchical order as
- 52 determined by such city]
- 53 (3) Use as a green field area; and
- 54 (4) To return to private use.

55 If a [city] county or municipality, in its resolution  
56 [or], ordinance, or rule creating a land bank agency,  
57 establishes priorities for the use of real property conveyed  
58 by the land bank agency, such priorities shall be consistent  
59 with and no more restrictive than municipal planning and  
60 zoning ordinances.

61 6. The land bank agency may delegate to officers and  
62 employees the authority to enter into and execute  
63 agreements, instruments of conveyance, and all other related  
64 documents pertaining to the conveyance of property by the  
65 land bank agency.

66 7. [A land bank agency shall only accept written  
67 offers equal to or greater than the full amount of all tax  
68 bills, interest, penalties, attorney's fees, and costs on  
69 real property to purchase the real property held by the land  
70 bank agency.] Any property sold by a land bank agency that  
71 was acquired through purchase, transfer, exchange, or gift  
72 shall be sold.

73 8. When any parcel of real estate acquired by a land  
74 bank agency is sold or otherwise disposed of by such land  
75 bank agency, the proceeds therefrom shall be applied and  
76 distributed in the following order:

- 77 (1) To the payment of the expenses of the sale;
- 78 (2) To fulfill the requirements of the resolution,
- 79 indenture, or other financing documents adopted or entered

80 into in connection with bonds, notes, or other obligations  
81 of the land bank agency, to the extent that such  
82 requirements may apply with respect to such parcel of real  
83 estate;

84 (3) To [the balance to be retained by] the land bank  
85 agency to pay the salaries and other expenses of such land  
86 bank agency and of its employees as provided for in its  
87 annual budget; and

88 (4) Any funds in excess of those necessary to meet the  
89 expenses of the annual budget of the land bank agency in any  
90 fiscal year and a reasonable sum to carry over into the next  
91 fiscal year to assure that sufficient funds will be  
92 available to meet initial expenses for that next fiscal  
93 year[, exclusive of net profit from the sale of ancillary  
94 parcels,] shall be paid to the respective taxing authorities  
95 that, at the time of the distribution, are taxing the real  
96 property from which the proceeds are being distributed.

97 The distributions shall be in proportion to the amounts  
98 of the taxes levied on the properties by the taxing  
99 authorities. Distribution shall be made on January first  
100 and July first of each year, and at such other times as the  
101 land bank agency may determine.

102 [9. When any ancillary parcel is sold or otherwise  
103 disposed of by such land bank agency, the proceeds therefrom  
104 shall be applied and distributed in the following order:

105 (1) To the payment of all land taxes and related  
106 charges then due on such parcel;

107 (2) To the payment of the expenses of sale;

108 (3) To fulfill the requirements of the resolution,  
109 indenture, or other financing documents adopted or entered  
110 into in connection with bonds, notes, or other obligations  
111 of the land bank agency, to the extent that such

112 requirements may apply with respect to such parcel of real  
113 estate;

114 (4) To the balance to be retained by the land bank  
115 agency to pay the salaries and other expenses of such land  
116 bank agency and of its employees as provided for in its  
117 annual budget; and

118 (5) Any funds in excess of those necessary to meet the  
119 expenses of the annual budget of the land bank agency in any  
120 fiscal year, and a reasonable sum to carry over into the  
121 next fiscal year to assure that sufficient funds will be  
122 available to meet initial expenses for that next fiscal  
123 year, shall be paid in accordance with subdivision (4) of  
124 subsection 8 of this section.

125 10. If a land bank agency owns more than five parcels  
126 of real property in a single city block and no written offer  
127 to purchase any of those properties has been submitted to  
128 the agency in the past twelve months, the land bank agency  
129 shall reduce its requested price for those properties and  
130 advertise the discount publicly.]

140.986. 1. No later than ~~[two]~~ five years from the  
2 date it acquired the property, a land bank agency shall  
3 either sell, put to a productive use, or show significant  
4 progress towards selling or putting to a productive use a  
5 parcel of real property. A productive use may be ~~[renting~~  
6 ~~the property;]~~ demolishing all structures of the property~~;~~  
7 ~~restoring property of historic value;]~~ or using the property  
8 for a community garden, park, or other open public space.  
9 No later than eight years from the date it acquired the  
10 property, a land bank agency shall sell, clear, or put such  
11 property to public use.

12 2. The governing body of the ~~[city]~~ county or  
13 municipality may grant the land bank agency a one-year  
14 extension if the body determines by a majority vote that

15 unforeseen circumstances have delayed the sale or productive  
16 use of a parcel of property.

17 3. If a land bank agency owns a parcel of real  
18 property that does not have a productive use after [two]  
19 five years, or does not receive an extension under  
20 subsection 2 of this section, the property shall be offered  
21 for public sale using the procedures under sections 140.170  
22 to 140.190.

140.987. 1. A land bank agency shall [ensure that any  
2 contract for the sale of residential property owned by the  
3 land bank agency shall have a clause that the buyer shall  
4 own the property for three years following the buyer's  
5 purchase of the property from the land bank. The clause  
6 shall state that a violation of those terms makes the buyer  
7 civilly liable to the land bank agency for an amount equal  
8 to twice the sale price of the property] require that any  
9 buyer demonstrate that the buyer is not the owner of any  
10 parcel of real estate within the county or municipality that  
11 created the land bank agency for which a tax bill has been  
12 delinquent for more than one year or is in violation of any  
13 municipal building or housing code, and is not the original  
14 owner or relative of such owner within the second degree of  
15 consanguinity of the parcel sold, transferred, exchanged, or  
16 gifted to the land bank agency.

17 2. No foreign or domestic corporation or limited  
18 liability company that has failed to appoint or maintain a  
19 registered agent under chapter 347 or 351 shall be eligible  
20 to buy property from the land bank agency. No foreign  
21 corporate entity shall be eligible to buy property from the  
22 land bank agency unless it has a certificate of authority to  
23 transact business in Missouri under section 351.572.

24 3. As a condition of the sale or other authorized  
25 conveyance of ownership of any parcel of land owned by the

26 land bank agency to a private owner, such owner may be  
27 required to enter into a contract, which may be secured by a  
28 deed of trust in favor of the land bank agency, stipulating  
29 that such owner or the owner's successor agrees that such  
30 owner or the owner's successor make certain improvements to  
31 the parcel. If the land bank agency finds by resolution  
32 that the terms of the contract have not been satisfied, the  
33 land bank agency shall be authorized to bring suit to  
34 recover damages for the breach and to seek a judicial  
35 foreclosure of the parcel under sections 443.190 to 443.260,  
36 except that upon final judgment of the court, title shall  
37 revert to the land bank agency without necessity of sale.  
38 As an alternative to, or in addition to, seeking a judicial  
39 foreclosure, the land bank agency may, only by gift, assign  
40 or convey its right to foreclose under sections 443.190 to  
41 443.260 to any 501(c)(3) tax-exempt nonprofit organization  
42 or exercise the right of reentry under chapter 524, 527, or  
43 534. The land bank agency or its assignee shall assume  
44 title to the land by filing a copy of the judgment with the  
45 recorder of deeds in the county where the property is  
46 located. Any property redeemed by the land bank agency  
47 under the provisions of this section shall be administered  
48 in the same manner as other property sold to the land bank  
49 agency.

140.988. 1. (1) A land bank agency may receive  
2 funding through grants[, ] and gifts[, and loans] from  
3 political subdivisions, the state, the federal government,  
4 and other public and private sources.

(2) A land bank agency may receive funding through  
6 gifts from any source, provided that the land bank agency  
7 shall not sell or otherwise transfer by any means any real  
8 property held by the land bank agency to the entity from

9 which the land bank agency received a gift pursuant to this  
10 subdivision.

11 2. Except as otherwise provided in [subsections 8 and  
12 9] subsection 7 of section 140.985, a land bank agency may  
13 receive and retain payments for services rendered, [for  
14 rents and leasehold payments received,] for consideration  
15 for disposition of real and personal property, for proceeds  
16 of insurance coverage for losses incurred, for income from  
17 investments, and for any other asset and activity lawfully  
18 permitted to a land bank agency under the chapter 140 land  
19 bank act.

20 3. If a land bank agency sells or otherwise disposes  
21 of a parcel of real estate held by it, any land taxes  
22 assessed against such parcel for the three tax years  
23 following such sale or disposition by such land bank agency  
24 that are collected by the county collector in a calendar  
25 year and not refunded, less the fees provided under section  
26 52.260 and subsection 4 of this section and less the amounts  
27 to be deducted under section 137.720, shall be distributed  
28 by the county collector to such land bank agency no later  
29 than March first of the following calendar year, provided  
30 that land taxes impounded under section 139.031 or otherwise  
31 paid under protest shall not be subject to distribution  
32 under this subsection. Any amount required to be  
33 distributed to a land bank agency under this subsection  
34 shall be subject to offset for amounts previously  
35 distributed to such land bank agency that were assessed,  
36 collected, or distributed in error.

37 4. In addition to any other provisions of law related  
38 to collection fees, the county collector shall collect on  
39 behalf of the county a fee of four percent of reserve period  
40 taxes collected and such fees collected shall be deposited  
41 in the county general fund.

42           5. If a county has established a land bank agency  
43 under subsection 1 of section 140.981, the collector may  
44 collect on behalf of the county a fee for the collection of  
45 delinquent and back taxes of up to five percent on all sums  
46 collected to be added to the face of the tax bill and  
47 collected from the party paying the tax. All fees collected  
48 under the provisions of this subsection shall be paid to the  
49 land bank agency established under subsection 1 of section  
50 140.981.

          140.991. 1. There shall be an annual audit of the  
2 affairs, accounts, expenses, and financial transactions of a  
3 land bank agency by a certified public accountant before  
4 April thirtieth of each year, which accountant shall be  
5 employed by the land bank agency on or before March first of  
6 each year. Certified copies of the audit shall be furnished  
7 to the [city] county or municipality that established the  
8 land bank agency, and the [city] county or municipality  
9 shall post the audit on its public website. Copies of the  
10 audit shall also be available for public inspection at the  
11 office of the land bank agency.

          2. The land bank agency may be performance audited at  
13 any time by the state auditor or by the auditor of the  
14 [city] county or municipality that established the land bank  
15 agency. The [cost] land bank agency shall make copies of  
16 such audit [shall be paid by the land bank agency, and  
17 copies shall be made] available to the public and [posted]  
18 shall post a copy of the audit on the land bank agency's  
19 website within thirty days of the completion of the audit.

140.994. 1. A land bank agency shall have power to  
2 receive funds from bonds issued by the county or  
3 municipality that created the land bank agency, for any of  
4 its corporate purposes. The bonds shall be special, limited  
5 obligations of the county or municipality that created the

6 land bank agency, the principal of and interest on which  
7 shall be payable solely from the income and revenue derived  
8 from the sale, or other disposition of the assets of the  
9 land bank agency, or such portion thereof as may be  
10 designated in the resolution, indenture, or other financing  
11 documents relating to the issuance of the bonds.

12 2. Bonds issued pursuant to this section shall not be  
13 deemed to be an indebtedness within the meaning of any  
14 constitutional or statutory limitation upon the incurring of  
15 indebtedness. The bonds shall not constitute a debt,  
16 liability, or obligation of the state or a pledge of the  
17 full faith and credit or the taxing power of the state and  
18 the bonds shall contain a recital to that effect. Neither  
19 the members of the board nor any person executing the bonds  
20 shall be liable personally on the bonds by reason of the  
21 issuance thereof.

22 3. Bonds issued pursuant to this section shall be  
23 authorized by resolution of the governing body of the county  
24 or municipality establishing the land bank agency, shall be  
25 issued in such form, shall be in such denominations, shall  
26 bear interest at such rate or rates, shall mature on such  
27 dates and in such manner, shall be subject to redemption at  
28 such times and on such terms, and shall be executed by one  
29 or more members of the governing body of the county or  
30 municipality establishing the land bank agency, as provided  
31 in the resolution authorizing the issuance thereof or as set  
32 out in the indenture or other financing document authorized  
33 and approved by such resolution. The governing body of the  
34 county or municipality establishing the land bank agency may  
35 sell such bonds in such manner, either at public or at  
36 private sale, and for such price as the governing body of  
37 the county or municipality establishing the land bank agency

38 may determine to be in the best interests of the land bank  
39 agency.

40 4. A governing body of the county or municipality  
41 establishing the land bank agency may from time to time, as  
42 authorized by resolution of the governing body, issue  
43 refunding bonds for the purpose of refunding, extending, and  
44 unifying all or any part of its valid outstanding bonds.  
45 Such refunding bonds may be payable from any of the sources  
46 identified in subsection 1 of this section and from the  
47 investment of any of the proceeds of the refunding bonds.

48 5. The bonds issued by the governing body of the  
49 county or municipality establishing the land bank agency  
50 shall be negotiable instruments under chapter 400.

51 6. Bonds issued under this section and all income or  
52 interest thereon shall be exempt from all state taxes.

53 7. The governing body of the county or municipality  
54 establishing the land bank agency shall have the power to  
55 issue temporary notes upon the same terms and subject to all  
56 provisions and restrictions applicable to bonds under this  
57 section. Such notes issued by the governing body may be  
58 refunded by notes or bonds authorized under this section.

140.995. Notwithstanding any provision of sections  
2 140.980 to 140.995 to the contrary, a land bank agency may  
3 rent or lease property held by the land bank agency for  
4 community, noncommercial agricultural uses.

140.1000. 1. No board member or employee of a land  
2 bank agency shall receive any compensation, emolument, or  
3 other profit directly or indirectly from the rental,  
4 management, acquisition, sale, demolition, repair,  
5 rehabilitation, use, operation, ownership, or disposition of  
6 any lands held by such land bank agency other than the  
7 salaries, expenses, and emoluments provided for in the  
8 chapter 140 land bank act.

9           2. No member of the board or employee of a land bank  
10 agency shall own, directly or indirectly, any legal or  
11 equitable interest in or to any lands held by such land bank  
12 agency other than the salaries, expenses, and emoluments  
13 provided for in sections 140.980 to 140.1015.

14           3. A violation of this section is a class D felony.

15           4. The land bank agency may adopt supplemental rules  
16 and regulations addressing potential conflicts of interest  
17 and ethical guidelines for board members and land bank  
18 agency employees, provided that such rules and regulations  
19 are not inconsistent with this chapter or any other  
20 applicable law.

21           5. Any person who is related to a board member or  
22 employee of a land bank agency within the second degree of  
23 consanguinity or affinity shall be considered a board member  
24 or employee of a land bank agency for purposes of this  
25 section and subject to its provisions.

          140.1009. 1. A land bank agency shall be authorized  
2 to file an action to quiet title under section 527.150 as to  
3 any real property in which the land bank agency has an  
4 interest. For purposes of any and all such actions, the  
5 land bank agency shall be deemed to be the holder of  
6 sufficient legal and equitable interests, and possessory  
7 rights, so as to qualify the land bank agency as an adequate  
8 petitioner in such action.

9           2. Prior to the filing of an action to quiet title,  
10 the land bank agency shall conduct an examination of title  
11 to determine the identity of any and all persons and  
12 entities possessing a claim or interest in or to the real  
13 property. Service of the petition to quiet title shall be  
14 provided to all such interested parties by the following  
15 methods:

16 (1) Registered or certified mail to such identity and  
17 address as reasonably ascertainable by an inspection of  
18 public records;

19 (2) In the case of occupied real property, by first  
20 class mail addressed to "Occupant";

21 (3) By posting a copy of the notice on the real  
22 property;

23 (4) By publication in a newspaper of general  
24 circulation in the [city] county or municipality in which  
25 the property is located; and

26 (5) Such other methods as the court may order or as  
27 may be required by prevailing motions of due process.

28 3. As part of the petition to quiet title, the land  
29 bank agency shall file an affidavit identifying all parties  
30 potentially having an interest in the real property and the  
31 form of notice provided.

32 4. The court shall schedule a hearing on the petition  
33 within ninety days following filing of the petition and, as  
34 to all matters upon which an answer was not filed by an  
35 interested party, the court shall issue its final judgment  
36 within one hundred twenty days of the filing of the petition.

37 5. A land bank agency shall be authorized to join in a  
38 single petition to quiet title one or more parcels of real  
39 property.

140.1012. 1. A land bank agency [may] shall be  
2 dissolved as a public body corporate and politic no sooner  
3 than sixty calendar days, but no later than one hundred  
4 eighty calendar days, after an ordinance or resolution for  
5 such dissolution is passed by the [city] county or  
6 municipality that established the land bank agency.

7 2. No less than sixty calendar days' advance written  
8 notice of consideration of such an ordinance or resolution  
9 of dissolution shall be given to the land bank agency, shall

10 be published in a local newspaper of general circulation  
11 within such [city] county or municipality, and shall be sent  
12 certified mail to each trustee of any outstanding bonds of  
13 the land bank agency.

14 3. No land bank agency shall be dissolved while there  
15 remains any outstanding bonds, notes, or other obligations  
16 of the land bank agency unless such bonds, notes, or other  
17 obligations are paid or defeased pursuant to the resolution,  
18 indenture, or other financing document under which such  
19 bonds, notes, or other obligations were issued prior to or  
20 simultaneously with such dissolution. Once all outstanding  
21 bonds, notes, or other obligations are satisfied, no new  
22 property shall be purchased by, gifted to, traded to, or  
23 exchanged with the land bank agency. No further debts or  
24 other obligations shall be incurred other than that which is  
25 necessary to sell or put to public use any remaining  
26 property held by the land bank agency. The land bank agency  
27 shall be dissolved within thirty days after all outstanding  
28 bonds, notes, or other obligations are satisfied.

29 4. Upon dissolution of a land bank agency pursuant to  
30 this section, all real property, personal property, and  
31 other assets of the land bank agency shall be transferred by  
32 appropriate written instrument to and shall become the  
33 assets of the [city] county or municipality that established  
34 the land bank agency. Such [city] county or municipality  
35 shall act expeditiously to return such real property to the  
36 tax rolls and shall market and sell such real property using  
37 an open, public method that ensures the best possible prices  
38 are realized while ensuring such real property is returned  
39 to a suitable, productive use for the betterment of the  
40 neighborhood in which such real property is located. [Any  
41 such real property that was acquired by the dissolved land  
42 bank agency pursuant to a sale conducted under section

43 140.190, 140.240, or 140.250 shall be held by the city in  
44 trust for the tax bill owners and taxing authorities having  
45 an interest in any tax liens which were foreclosed, as their  
46 interests may appear in the judgment of foreclosure and,]

47 Upon the sale or other disposition of any such property by  
48 such [city] county or municipality, the proceeds therefrom  
49 shall be applied and distributed in the following order:

50 (1) To the payment of the expenses of sale;  
51 (2) To the reasonable costs incurred by such [city]  
52 county or municipality in maintaining and marketing such  
53 property; and

54 (3) The balance shall be paid to the respective taxing  
55 authorities that, at the time of the distribution, are  
56 taxing the real property from which the proceeds are being  
57 distributed.

141.220. The following words, terms and definitions,  
2 when used in sections 141.210 to 141.810 and sections  
3 141.980 to 141.1015, shall have the meanings ascribed to  
4 them in this section, except where the text clearly  
5 indicates a different meaning:

6 (1) "Ancillary parcel" shall mean a parcel of real  
7 estate acquired by a land bank agency other than:

8 (a) Pursuant to a deemed sale under subsection 3 of  
9 section 141.560;

10 (b) By deed from a land trust under subsection 1 of  
11 section 141.984; or

12 (c) Pursuant to a sale under subdivision (2) of  
13 subsection 2 of section 141.550;

14 (2) "Appraiser" shall mean a state licensed or  
15 certified appraiser licensed or certified pursuant to  
16 chapter 339 who is not an employee of the collector or  
17 collection authority;

18 (3) "Board" or "board of commissioners" shall mean the  
19 board of commissioners of a land bank agency;

20 (4) "Collector" shall mean the collector of the  
21 revenue in any county affected by sections 141.210 to  
22 141.810 and sections 141.980 to 141.1015;

23 (5) "County" shall mean any county in this state  
24 [having a charter form of government, any county of the  
25 first class with a population of at least one hundred fifty  
26 thousand but less than one hundred sixty thousand and any  
27 county of the first class with a population of at least  
28 eighty-two thousand but less than eighty-five thousand];

29 (6) "Court" shall mean the circuit court of any county  
30 affected by sections 141.210 to 141.810 and sections 141.980  
31 to 141.1015;

32 (7) "Delinquent land tax attorney" shall mean a  
33 licensed attorney-at-law, employed or designated by the  
34 collector as hereinafter provided;

35 (8) "Interested party", shall mean any person with a  
36 legal interest in a parcel of land affected by sections  
37 141.210 to 141.810 and sections 141.980 to 141.1015.

38 "Interested party" shall not include:

39 (a) The holder of the benefit or burden of any  
40 easement or right of way;

41 (b) The holder of a benefit or burden of a real  
42 covenant; or

43 (c) A leasehold owner of subsurface mineral, gas, or  
44 oil rights whose interest is properly recorded and whose  
45 interest shall remain unaffected;

46 (9) "Land bank agency", shall mean an agency created  
47 under section 141.980;

48 [(9)] (10) "Land taxes" shall mean taxes on real  
49 property or real estate and shall include the taxes both on  
50 land and the improvements thereon;

51            [(10)] (11) "Land trustees" and "land trust" shall  
52 mean the land trustees and land trust as the same are  
53 created by and described in section 141.700;

54            [(11)] (12) "Municipality" shall include any  
55 incorporated city or town, or a part thereof, located in  
56 whole or in part within a county [of class one or located in  
57 whole or in part within a county with a charter form of  
58 government, which municipality now has or which may  
59 hereafter contain a population of two thousand five hundred  
60 inhabitants or more, according to the last preceding federal  
61 decennial census];

62            [(12)] (13) "Person" shall mean any individual, [male  
63 or female,] firm, copartnership, joint adventure,  
64 association, corporation, estate, trust, business trust,  
65 receiver or trustee appointed by any state or federal court,  
66 trustee otherwise created, syndicate, or any other group or  
67 combination acting as a unit, and the plural as well as the  
68 singular number;

69            [(13)] (14) "Political subdivision" shall mean any  
70 county, city, town, village, school district, library  
71 district, or any other public subdivision or public  
72 corporation having the power to tax;

73            [(14)] (15) "Reserve period taxes" shall mean land  
74 taxes assessed against any parcel of real estate sold or  
75 otherwise disposed of by a land bank agency for the first  
76 three tax years following such sale or disposition;

77            [(15)] (16) "School district", "road district", "water  
78 district", "sewer district", "levee district", "drainage  
79 district", "special benefit district", "special assessment  
80 district", or "park district" shall include those located  
81 within a county as such county is described in this section;

82            [(16)] (17) "Sheriff" and "circuit clerk" shall mean  
83 the sheriff and circuit clerk, respectively, of any county

84 affected by sections 141.210 to 141.810 and sections 141.980  
85 to 141.1015;

86 [(17)] (18) "Tax bill" as used in sections 141.210 to  
87 141.810 and sections 141.980 to 141.1015 shall represent  
88 real estate taxes and the lien thereof, whether general or  
89 special, levied and assessed by any taxing authority;

90 [(18)] (19) "Tax district" shall mean the state of  
91 Missouri and any county, municipality, school district, road  
92 district, water district, sewer district, levee district,  
93 drainage district, special benefit district, special  
94 assessment district, or park district, located in any  
95 municipality or county as herein described;

96 [(19)] (20) "Tax lien" shall mean the lien of any tax  
97 bill as defined in this section;

98 [(20)] (21) "Taxing authority" shall include any  
99 governmental, managing, administering or other lawful  
100 authority, now or hereafter empowered by law to issue tax  
101 bills, the state of Missouri or any county, municipality,  
102 school district, road district, water district, sewer  
103 district, levee district, drainage district, special benefit  
104 district, special assessment district, or park district,  
105 affected by sections 141.210 to 141.810 and sections 141.980  
106 to 141.1015.

141.230. 1. The land tax collection law shall apply  
2 to all counties [of class one which are now operating under  
3 the provisions thereof or which may hereafter elect to] that  
4 have elected to operate under the provisions of sections  
5 141.210 to 141.810 by adoption of a resolution or order of  
6 the county commission of such county[, except that counties  
7 of the first class not having a charter form of government  
8 may not elect to operate under the provisions of sections  
9 141.210 to 141.810].

10           2. Alternatively, any county may, by adoption of a  
11 resolution or order of the county commission of such county,  
12 elect to operate under the provisions of sections 141.210 to  
13 141.810 as a "partial opt-in county". After adoption of any  
14 such resolution or order, the collector for such county may  
15 elect to operate under the provisions of sections 141.210 to  
16 141.810 for any parcel or parcels for which there is an  
17 unpaid tax bill for a period of at least two years after the  
18 date on which it became delinquent.

19           3. No county eligible to establish a land bank agency  
20 under subsection 1 of section 140.981 shall elect to operate  
21 as a partial opt-in county unless having first elected to  
22 establish a land bank agency as provided in subsection 1 of  
23 section 140.981.

24           4. Any county commission so adopting such resolution  
25 or order shall file a certified copy thereof within ten days  
26 after the adoption of said resolution or order with the  
27 clerk of the county commission and with the collector of  
28 revenue for such county, and with the mayor and city  
29 collector or chief financial officer of each municipality in  
30 such county, as defined by section 141.220.

31           [2.] 5. After the adoption of such resolution or order  
32 by such county commission, [any such] each municipality [may  
33 by resolution or ordinance of its proper governing authority  
34 elect to adopt and come within the provisions of the land  
35 tax collection law, and thereafter] shall cooperate with  
36 such county under the provisions of sections 141.210 to  
37 141.810. Any such county [or municipality] which shall, in  
38 the manner provided herein, have elected to come within the  
39 provisions of sections 141.210 to 141.810, in whole or in  
40 part, by adoption of such resolution, order or ordinance,  
41 may, after a period of one year from the effective date of  
42 such resolution, order or ordinance, adopt by similar means

43 a resolution, order or ordinance, rescinding the election to  
44 adopt the provisions of the land tax collection law and  
45 certified copies of such resolution, order or ordinance  
46 shall be filed in the same manner as said original  
47 resolution, order or ordinance; provided, that such  
48 resolution, order or ordinance rescinding or nullifying the  
49 election to adopt the provisions of sections 141.210 to  
50 141.810 shall not become effective for one year thereafter  
51 nor shall it invalidate or in any way affect any proceedings  
52 in rem for foreclosure which may have been instituted under  
53 the provisions of sections 141.210 to 141.810, but all such  
54 actions and proceedings so instituted while the provisions  
55 of said sections were in full force and effect shall be  
56 prosecuted to their conclusion and completion; provided  
57 further, that any county [or municipality] which may have  
58 operated under sections 141.210 to 141.810 prior to the  
59 enactment of this section may hereafter elect to terminate  
60 any further operation under sections 141.210 to 141.810 by  
61 proceeding in manner and form and to the same effect as  
62 though it had originally elected to operate under the  
63 provisions of sections 141.210 to 141.810.

64 [3.] 6. Any [city] municipality located partly within  
65 [and partly without] a [class one] county[, which city and  
66 county now are or hereafter may be operating] electing to  
67 operate in whole or in part under the provisions of sections  
68 141.210 to 141.810[, may collect its delinquent tax bills  
69 imposed against real property located in that part of such  
70 city situated within such class one county, pursuant to the  
71 provisions of sections 141.210 to 141.810] shall cooperate  
72 with such county under the provisions of sections 141.210 to  
73 141.810; provided, however, that tax bills imposed against  
74 real estate[, ] located in that part of such [city]  
75 municipality outside of the limits of any such [class one]

76 county[, ] shall be collected under [the provisions of the  
77 charter of any such city, or under such] other provisions as  
78 may be provided by law.

141.250. 1. The respective liens of the tax bills for  
2 general taxes of the state of Missouri, the county, any  
3 municipality and any school district, for the same tax year,  
4 shall be equal and first liens upon the real estate  
5 described in the respective tax bills thereof; provided,  
6 however, that the liens of such tax bills for the latest  
7 year for which tax bills are unpaid shall take priority over  
8 the liens of tax bills levied and assessed for less recent  
9 years, and the lien of such tax bills shall rate in priority  
10 in the order of the years for which [they] the tax bills are  
11 delinquent, the lien of the tax bill longest delinquent  
12 being junior in priority to the lien of the tax bill for the  
13 next most recent tax year.

2. All tax bills for other than general taxes shall  
15 constitute liens junior to the liens for general taxes upon  
16 the real estate described therein; provided, however, that a  
17 tax bill for other than general taxes, of the more recent  
18 issue shall likewise be senior to any such tax bill of less  
19 recent date.

3. The proceeds derived from the sale of any lands  
21 encumbered with a tax lien or liens[, or held by the land  
22 trustees, or acquired by a land bank agency pursuant to a  
23 deemed sale under subsection 3 of section 141.560, by deed  
24 from a land trust under subsection 1 of section 141.984, or  
25 pursuant to a sale under subdivision (2) of subsection 2 of  
26 section 141.550] shall be distributed to the owners of such  
27 liens in the order of the seniority of the liens[, or their  
28 respective interests as shown by the records of the land  
29 trust or the land bank agency]. Those holding liens of

30 equal rank shall share in direct proportion to the amounts  
31 of their respective liens.

141.270. 1. On or before the fifth day of January in  
2 each year, all taxing authorities and any other tax bill  
3 owner shall[, and any other tax bill owner may,] file with  
4 the collector [eight copies of] a list on a form approved by  
5 the collector[, ] of all parcels of real estate affected by  
6 tax liens held and owned by such taxing authority or person  
7 which have been delinquent for two years or more. Such list  
8 shall also include all delinquent tax bills for any and all  
9 years.

10 2. The taxing authority or person filing such list  
11 shall pay to the collector a filing fee of one dollar and  
12 fifty cents for each parcel of real estate described  
13 therein, which fee shall be charged against each parcel and  
14 collected and accounted for by the collector as other costs.

15 3. No school district nor any other taxing authority  
16 whose taxes are required by law to be collected by the  
17 collector shall file any list nor pay the filing fee herein  
18 provided.

19 4. If the taxes of any taxing authority are two or  
20 more years delinquent, the other taxing authorities [shall,]  
21 and other tax bill owners [may,] shall include in the said  
22 list all tax liens against the said parcel, even though  
23 [they] the taxes are not two years delinquent.

141.290. 1. The collector shall compile lists of all  
2 state, county, school, and other tax bills collectible by  
3 [him which] the collector that are delinquent according to  
4 [his] the collector's records, and [he] the collector shall  
5 combine such lists with the list filed by any taxing  
6 authority or tax bill owner.

7 2. For partial opt-in counties, the collector shall  
8 decide which tax delinquent parcels shall proceed according

9 to the provisions contained herein. The remaining parcels  
10 shall proceed under such other provisions as may be provided  
11 by law.

12 3. The collector shall assign a serial number to each  
13 parcel of real estate in each list and if suit has been  
14 filed in the circuit court of the county on any delinquent  
15 tax bill included in any list, the collector shall give the  
16 court docket number of such suit and some appropriate  
17 designation of the place where such suit is pending, and  
18 such pending suit so listed in any petition filed pursuant  
19 to the provisions of sections 141.210 to 141.810 and  
20 sections 141.980 to 141.1015 shall, without further  
21 procedure or court order, be deemed to be consolidated with  
22 the suit brought under sections 141.210 to 141.810 and  
23 sections 141.980 to 141.1015, and such pending suit shall  
24 thereupon be abated.

25 [3.] 4. The collector shall deliver such combined  
26 lists to the delinquent land tax attorney from time to time  
27 but not later than April [the] first of each year.

28 [4.] 5. The delinquent land tax attorney shall  
29 incorporate such lists in petitions in the form prescribed  
30 in section 141.410, and shall file such petitions with the  
31 circuit clerk not later than June first of each year.

141.300. 1. The collector shall receipt for the  
2 aggregate amount of such delinquent tax bills appearing on  
3 the list or lists filed with [him] the collector under the  
4 provisions of section 141.290, which receipt shall be held  
5 by the owner or holder of the tax bills or by the treasurer  
6 or other corresponding financial officer of the taxing  
7 authority so filing such list with the collector.

8 2. The collector shall, on or before the fifth day of  
9 each month, file with the owner or holder of any tax bill or  
10 with the treasurer or other corresponding financial officer

11 of any taxing authority, a detailed statement, verified by  
12 affidavit, of all taxes collected by [him] the collector  
13 during the preceding month which appear on the list or lists  
14 received by [him] the collector, and shall, on or before the  
15 fifteenth day of the month, pay the same, less [his] the  
16 collector's commissions and costs payable to the county, to  
17 the tax bill owner or holder or to the treasurer or other  
18 corresponding financial officer of any taxing authority;  
19 provided, however, that the collector shall be given credit  
20 for the full amount of any tax bill [which is bid in by the  
21 land trustees and] where title to the real estate described  
22 in such tax bill is taken by [the] a land trust, or which is  
23 bid [in] on by a land bank agency and where title to the  
24 real estate described in such tax bill is taken by such land  
25 bank agency pursuant to a deemed sale under subsection 3 of  
26 section 141.560, or which is included in the bid of a land  
27 bank agency and where title to the real estate described in  
28 such tax bill is taken by such land bank agency pursuant to  
29 a sale under subdivision (2) of subsection 2 of section  
30 141.550.

141.320. 1. The collector shall at [his] the  
2 collector's option appoint a delinquent land tax attorney  
3 [at a compensation of ten thousand dollars per year], to be  
4 compensated as necessary for the performance of the  
5 collector's duties under this chapter, or in counties having  
6 a county counselor, the collector shall at [his] the  
7 collector's option designate the county counselor and such  
8 of [his] the counselor's assistants as shall appear  
9 necessary to act as the delinquent land tax attorney.

2. A delinquent land tax attorney who is not the  
11 county counselor, with the approval of the collector, may  
12 appoint one or more assistant delinquent land tax attorneys  
13 [at salaries of not less than two hundred dollars and not

14 more than four hundred dollars per month,] and such clerical  
15 employees as may be necessary, [at salaries to be fixed by  
16 the collector at not less than three hundred dollars and not  
17 more than four hundred dollars per month] to be compensated  
18 as necessary for the performance of duties under this  
19 chapter; and the appointed delinquent tax attorney may incur  
20 such reasonable expenses as are necessary for the  
21 performance of [his] the attorney's duties.

22 3. The delinquent land tax attorney and [his] the  
23 attorney's assistants shall perform legal services for the  
24 collector and shall act as attorney for [him] the collector  
25 in the prosecution of all suits brought for the collection  
26 of land taxes; but [they] the attorney and the collector  
27 shall not perform legal services for the land trust or any  
28 land bank agency.

29 4. Salaries and expenses of a delinquent land tax  
30 attorney who is not also the county counselor, [his] the  
31 attorney's assistants, and [his] the attorney's employees  
32 shall be paid monthly out of the treasury of the county from  
33 the same funds as employees of the collector whenever the  
34 funds provided for by sections 141.150, 141.270, and 141.620  
35 are not sufficient for such purpose.

36 5. The compensation herein provided shall be the total  
37 compensation for a delinquent land tax attorney who is not  
38 also a county counselor, [his] and the attorney's assistants  
39 and employees[, and when the compensation received by him or  
40 owing to him by the collector exceeds ten thousand dollars  
41 in any one calendar year by virtue of the sums charged and  
42 collected pursuant to the provisions of section 141.150, the  
43 surplus shall be credited and applied by the collector to  
44 the expense of the delinquent land tax attorney and to the  
45 compensation of his assistants and employees, and any sum  
46 then remaining shall be paid into the county treasury on or

47 before the first day of March of each year and credited to  
48 the general revenue fund of the county].

49 6. A delinquent land tax attorney who is not also the  
50 county counselor shall make a return quarterly to the county  
51 commission of such county of all compensation received by  
52 [him] the attorney, and of all amounts owing to [him] the  
53 attorney by the collector, and of all salaries and expenses  
54 of any assistants and employees, stating the same in detail,  
55 and verifying such amounts by [his] affidavit.

56 7. The attorney's fees shall be taxed as costs in the  
57 suit and collected as other costs.

141.330. The collector annually may appoint one  
2 delinquent land tax clerk in each office lawfully maintained  
3 by [him] the collector in the county [at a salary of four  
4 thousand eight hundred dollars per year; except, that in  
5 first class counties not having a charter form of government  
6 the delinquent land tax clerks shall receive salaries of not  
7 less than four thousand eight hundred dollars and not more  
8 than five thousand four hundred dollars per year, payable  
9 monthly out of the treasury of the county from the same  
10 funds from which the collector and his other employees are  
11 paid], to be compensated as necessary for the performance of  
12 the clerk's duties under this chapter.

141.360. All suits for the foreclosure of tax liens  
2 brought by the collector shall name [him] the collector only  
3 by the title of [his] the collector's office and all such  
4 suits shall be brought directly against the real estate  
5 subject to the tax lien or liens to be foreclosed[, and  
6 shall not name any person as defendant].

141.410. 1. A suit for the foreclosure of the tax  
2 liens herein provided for shall be instituted by filing in  
3 the appropriate office of the circuit clerk a petition,  
4 which petition shall contain a caption, a copy of the list

5 so furnished to the delinquent land tax attorney by the  
6 collector, and a prayer. The petition shall name each  
7 person with a legal interest in the parcel of land affected  
8 by the suit, as reasonably discoverable to the collector  
9 from publicly available records. Such petition without  
10 further allegation shall be deemed to be sufficient.

11 2. The caption shall be in the following form:

12 In the Circuit Court of \_\_\_\_\_ County, Missouri,  
13 In the Matter of  
14 Foreclosure of Liens for Delinquent Land Taxes  
15 By Action in Rem.

16 Collector of Revenue of \_\_\_\_\_ County, Missouri,  
17 Plaintiff

18 -vs.-

19 Parcels of Land Encumbered with Delinquent Tax  
20 Liens

21 Defendants

22 3. The petition shall contain at least the following  
23 information:

24 (1) The identity of the petitioner and the name and  
25 address of the collector;

26 (2) The parcel's common street address;

27 (3) A full legal description for the parcel;

28 (4) The tax identification number of the parcel;

29 (5) The period of tax delinquency; and

30 (6) The principal amount of delinquent taxes, together  
31 with interest, penalties, and fees.

32 4. The petition shall conclude with a prayer that all  
33 tax liens upon such real estate be foreclosed; that the  
34 court determine the amounts and priorities of all tax bills,  
35 together with interest, penalties, costs, and attorney's

36 fees; that the court order such real estate to be sold by  
37 the sheriff at public sale as provided by sections 141.210  
38 to 141.810 and sections 141.980 to 141.1015 and that  
39 thereafter a report of such sale be made by the sheriff to  
40 the court for further proceedings under sections 141.210 to  
41 141.810 and sections 141.980 to 141.1015.

42 [4.] 5. The delinquent land tax attorney within ten  
43 days after the filing of any such petition shall forward by  
44 United States registered mail to each person or taxing  
45 authority having filed a list of delinquent tax bills with  
46 the collector as provided by sections 141.210 to 141.810 and  
47 sections 141.980 to 141.1015 a notice of the time and place  
48 of the filing of such petition and of the newspaper in which  
49 the notice of publication has been or will be published.

50 [5.] 6. The petition when so filed shall have the same  
51 force and effect with respect to each parcel of real estate  
52 therein described, as a separate suit instituted to  
53 foreclose the tax lien or liens against any one of said  
54 parcels of real estate.

141.440. 1. The collector shall also cause to be  
2 prepared and sent by restricted, registered or certified  
3 mail with postage prepaid, within thirty days after the  
4 filing of such petition, a [brief] notice of the [filing of  
5 the suit] petition, to the persons named in the petition as  
6 being the last known persons in whose names tax bills  
7 affecting the respective parcels of real estate described in  
8 said petition were last billed or charged on the books of  
9 the collector, or the last known owner of record, if  
10 different, and to the addresses of said persons upon said  
11 records of the collector. The terms "restricted",  
12 "registered" or "certified mail" as used in this section  
13 mean mail which carries on the face thereof in a conspicuous  
14 place, where it will not be obliterated, the endorsement

15 "DELIVER TO ADDRESSEE ONLY", and which also requires a  
16 return receipt or a statement by the postal authorities that  
17 the addressee refused to receive and receipt for such mail.  
18 If the notice is returned to the collector by the postal  
19 authorities as undeliverable for reasons other than the  
20 refusal by the addressee to receive and receipt for the  
21 notice as shown by the return receipt, then the collector  
22 shall make a search of the records maintained by the county,  
23 including those kept by the recorder of deeds, to discern  
24 the name and address of any person who, from such records,  
25 appears as a successor to the person to whom the original  
26 notice was addressed, and to cause another notice to be  
27 mailed to such person. The collector shall prepare and file  
28 with the circuit clerk at least thirty days before judgment  
29 is entered by the court on the petition an affidavit  
30 reciting to the court any name, address and serial number of  
31 the tract of real estate affected by any such notices of  
32 suit that are undeliverable because of an addressee's  
33 refusal to receive and receipt for the same, or of any  
34 notice otherwise nondeliverable by mail, or in the event  
35 that any name or address does not appear on the records of  
36 the collector, then of that fact. The affidavit in addition  
37 to the recitals set forth above shall also state reason for  
38 the nondelivery of such notice.

39 2. The collector shall prepare and send, by first-  
40 class mail, a copy of the petition within thirty days after  
41 the filing of such a petition to the occupant of such parcel  
42 or property.

141.500. 1. After the trial of the issues, the court  
2 shall, as promptly as circumstances permit, render  
3 judgment. If the court finds that no tax bill upon the land  
4 collectible by the collector or the relator was delinquent  
5 when the suit was instituted or tried, then the judgment of

6 the court shall be that the cause be dismissed as to the  
7 parcels of real estate described in the tax bill; or, if the  
8 evidence warrant, the judgment may be for the principal  
9 amount of the delinquent tax bills upon the real estate upon  
10 which suit was brought, together with interest, penalties,  
11 attorney's and appraiser's fees and costs computed as of the  
12 date of the judgment. The judgment may recite the amount of  
13 each tax bill, the date when it began to bear interest, and  
14 the rate of such interest, together with the rate and amount  
15 of penalties, attorney's and appraiser's fees not to exceed  
16 fifteen dollars. It may decree that the lien upon the  
17 parcels of real estate described in the tax bill be  
18 foreclosed and such real estate sold by the sheriff, and the  
19 cause shall be continued for further proceedings, as herein  
20 provided.

21 2. The collector [may, at his option,] shall cause to  
22 be prepared and sent by restricted, registered or certified  
23 mail with postage prepaid, within thirty days after the  
24 rendering of such judgment, a brief notice of such judgment  
25 and the availability of a written redemption contract  
26 pursuant to section 141.530 to the persons named in the  
27 judgment as being the last known persons in whose names tax  
28 bills affecting the respective parcels of real estate  
29 described in such judgment were last billed or charged on  
30 the books of the collector, or the last known owner of  
31 record, if different, and to the addresses of such persons  
32 upon the records of the collector. The terms "restricted",  
33 "registered" or "certified mail" as used in this section  
34 mean mail which carries on the face thereof in a conspicuous  
35 place, where it will not be obliterated, the endorsement,  
36 "DELIVER TO ADDRESSEE ONLY", and which also requires a  
37 return receipt or a statement by the postal authorities that  
38 the addressee refused to receive and receipt for such mail.

39 If the notice is returned to the collector by the postal  
40 authorities as undeliverable for reasons other than the  
41 refusal by the addressee to receive and receipt for the  
42 notice as shown by the return receipt, then the collector  
43 shall make a search of the records maintained by the county,  
44 including those kept by the recorder of deeds, to discern  
45 the name and address of any person who, from such records,  
46 appears as a successor to the person to whom the original  
47 notice was addressed, and to cause another notice to be  
48 mailed to such person. The collector shall prepare and file  
49 with the circuit clerk prior to confirmation hearings an  
50 affidavit reciting to the court any name, address and serial  
51 number of the tract of real estate affected of any such  
52 notices of judgment that are undeliverable because of an  
53 addressee's refusal to receive and receipt for the same, or  
54 of any notice otherwise nondeliverable by mail, or in the  
55 event that any name or address does not appear on the  
56 records of the collector, then of that fact. The affidavit  
57 in addition to the recitals set forth above shall also state  
58 reason for the nondelivery of such notice.

59 3. The collector shall prepare and send to the  
60 occupant of such parcel or property, by first-class mail, a  
61 copy of the judgment of foreclosure within thirty days after  
62 the date of such judgment.

141.520. 1. After the judgment of foreclosure has  
2 been entered, or, after a motion for a new trial has been  
3 overruled, or, if an appeal be taken from such judgment and  
4 the judgment has been affirmed, after the sheriff shall have  
5 been notified by any party to the suit that such judgment  
6 has been affirmed on appeal and that the mandate of the  
7 appellate court is on file with the circuit clerk, there  
8 shall be a waiting period of six months before any  
9 advertisement of sheriff's sale shall be published.

10           2. If any such parcel of real estate be not redeemed,  
11 or if no written contract providing for redemption be made  
12 within six months after the date of the judgment of  
13 foreclosure, if no motion for rehearing be filed, and, if  
14 filed, within six months after such motion may have been  
15 overruled, or, if an appeal be taken from such judgment and  
16 the judgment be affirmed, within six months after the  
17 sheriff shall have been notified by any party to the suit  
18 that such judgment has been affirmed on appeal and that the  
19 mandate of the appellate court is on file with the circuit  
20 clerk, the sheriff shall commence to advertise the real  
21 estate described in the judgment and shall fix the date of  
22 sale within thirty days after the date of the first  
23 publication of the notice of sheriff's sale as herein  
24 provided, and shall at such sale proceed to sell the real  
25 estate.

26           3. Any provisions of this chapter to the contrary  
27 notwithstanding, the owner of any parcel of real property  
28 against which a judgment has been rendered shall not have  
29 the right to redeem such property from said judgment if at  
30 the time of judgment such property is assessed as  
31 residential property and the judgment finds the property has  
32 been vacant for a period of not less than six months prior  
33 to the judgment. After a judgment as provided for in this  
34 section becomes final, the waiting period shall not apply to  
35 such judgment and a sale under execution of the judgment  
36 shall be immediately held as provided under the applicable  
37 provisions of this chapter.

38           4. In partial opt-in counties, no later than one  
39 hundred twenty days prior to the sheriff's sale, the  
40 collector shall obtain from a licensed title company or  
41 attorney a title search that includes all conveyances,  
42 liens, and charges against the real estate involved in the

43 suit for any parcel of real estate against which the  
44 collector has obtained a judgment under section 141.500 and  
45 for which it has been decreed that the lien upon the parcel  
46 of real estate described in the tax bill be foreclosed and  
47 such real estate sold by the sheriff. The charge of such  
48 title search may be recovered from the proceeds of the sale  
49 under section 141.580.

50 5. After obtaining or conducting a title search, the  
51 collector shall initiate a search of the following records  
52 to identify and locate interested parties and addresses  
53 reasonably calculated to apprise interested parties of the  
54 suit:

- 55 (1) Land title records in the office of the county  
56 recorder of deeds;
- 57 (2) Tax records in the office of the local treasurer;
- 58 (3) Tax records in the office of the local assessor;
- 59 (4) A search of court records in Missouri CaseNet; and
- 60 (5) For a business entity, records filed with the  
61 secretary of state.

62 The collector may also incur reasonable costs for web-based  
63 investigatory searches to supplement the search for  
64 interested parties and addresses. The reasonable cost of  
65 locating interested parties and addresses for notice may be  
66 recovered from the proceeds of the sale under section  
67 141.580.

68 6. No later than thirty days prior to the sheriff's  
69 sale, the collector shall send notice of the sale to all  
70 interested parties at the address most likely to apprise  
71 interested parties of the sale. The notice shall provide  
72 the date, time, and place of the sale and shall also state  
73 that the parcel may be redeemed prior to the sale as  
74 specified in sections 141.420 and 141.530. The notice  
75 required by this subsection shall be mailed first class,

76 postage prepaid. The cost of notice under this subsection  
77 may be recovered from the proceeds of the sale under section  
78 141.580.

79 7. No later than twenty days prior to the sheriff's  
80 sale, the sheriff shall enter upon the parcel subject to  
81 foreclosure of these tax liens and post a written  
82 informational notice in a conspicuous location, attached to  
83 a structure, and intended to be visible by the nearest  
84 public right-of-way. This notice shall describe the parcel  
85 and advise that it is the subject of delinquent land tax  
86 collection proceedings brought under sections 141.210 to  
87 141.810 and sections 141.980 to 141.1015 and that it may be  
88 sold for the payment of delinquent taxes at a sale to be  
89 held at a certain time, date, and place and shall also  
90 contain the tax identification number and the phone number  
91 and address of the collector as well as a prohibition  
92 against removal unless the parcel has been redeemed. The  
93 notice shall be not less than eight inches by ten inches and  
94 shall be laminated or otherwise sufficiently weatherproof to  
95 withstand normal exposure to rain, snow, and other  
96 conditions. The sheriff shall document, by time-stamped  
97 photograph, compliance with this section, make such  
98 documentation generally available upon request, and provide  
99 verification by affidavit of compliance with this section.  
100 The cost of notice under this subsection may be recovered  
101 from the proceeds of the sale under section 141.580.

102 8. In addition to the other notice requirements of  
103 this section, no later than twenty days prior to the  
104 sheriff's sale, the sheriff shall attempt in-person notice  
105 that shall describe the parcel and advise that it is the  
106 subject of delinquent land tax collection proceedings  
107 brought under sections 141.210 to 141.810 and sections  
108 141.980 to 141.1015; that shall state that it may be sold

109 for the payment of delinquent taxes at a sale to be held at  
110 a certain time, date, and place; and that shall also contain  
111 the tax identification number and the phone number and  
112 address of the collector. In-person notice may be provided  
113 to any person found at the parcel. The sheriff shall note  
114 the date and time of attempted notice and the name,  
115 description, or other identifying information regarding the  
116 person to whom notice was attempted. The sheriff shall  
117 document compliance with this section, make such  
118 documentation generally available upon request, and provide  
119 verification by affidavit of compliance with this section.  
120 The cost of notice under this subsection may be recovered  
121 from the proceeds of the sale under section 141.580.

141.535. 1. [In any county with a charter form of  
2 government and with more than six hundred thousand but fewer  
3 than seven hundred thousand inhabitants] If a parcel is the  
4 subject of an action filed under sections 447.620 to  
5 447.640, the court shall stay the sale of any tax parcel to  
6 be sold under execution of a tax foreclosure judgment  
7 obtained under this chapter, [which is the subject of an  
8 action filed under sections 447.620 to 447.640,] provided  
9 that the party which has brought such an action has paid  
10 into the circuit court the principal amount of all land  
11 taxes then due and owing under the tax foreclosure judgment,  
12 exclusive of penalties, interest, attorney fees, and court  
13 costs, prior to the date of any proposed sale under  
14 execution. The party bringing such action shall provide  
15 written notice of the filing of the action to the court  
16 administrator and file with the circuit court in which the  
17 action is pending a certificate that such notice has been  
18 provided to the court administrator. If the party that  
19 brought the action under sections 447.620 to 447.640  
20 dismisses its action prior to gaining temporary possession

21 of the property, it shall recover any amounts paid into the  
22 circuit court under this subsection.

23 2. [Upon the granting by the court of temporary  
24 possession of any property under section 447.632 and again  
25 upon the approval by the court of a sheriff's deed under  
26 section 447.625, the circuit court shall direct payment to  
27 the county collector of all principal land taxes theretofore  
28 paid into the circuit court. In addition,] In any order  
29 granting a sheriff's deed under section 447.625 or a  
30 judicial deed under section 447.640, the court shall also  
31 order the permanent extinguishment of liability against the  
32 grantee [of the sheriff's deed,] and [all] the grantee's  
33 successors in interest [; excepting however, any defendant in  
34 such action,] for penalties, interest, attorney fees, and  
35 court costs arising from actions to collect delinquent land  
36 taxes due on the subject property. The funds paid into the  
37 court for land taxes under subsection 1 of this section  
38 shall then be paid to the county collector.

39 3. If an owner of such a property moves the court for  
40 restoration of possession of the subject property under  
41 section 447.638, the owner shall pay into the circuit court  
42 all land tax amounts currently due and owing on the  
43 property, including all statutory penalties, interest,  
44 attorney fees, and court costs retroactive to the date of  
45 accrual, and in the event that an owner of the tax parcel  
46 regains possession under section 447.638, funds deposited by  
47 the owner under this subsection shall be paid to the county  
48 collector, and funds paid into the court by a party under  
49 subsection 1 of this section shall be paid out in full to  
50 the payer.

51 [3. If the party which brought the action under  
52 sections 447.620 to 447.640 dismisses its action prior to  
53 gaining temporary possession of the property, it shall

54 recover any amounts paid into the circuit court prior to  
55 that date for principal land taxes.

56 4. In the event that an owner of the tax parcel  
57 regains possession under section 447.638, the party which  
58 brought the action under sections 447.620 to 447.640 shall  
59 recover from that owner an amount equal to that paid into  
60 the court by said party and paid to the county collector  
61 under this section, and shall be granted judgment thereon.]

141.540. 1. In any county at a certain front door of  
2 whose courthouse sales of real estate are customarily made  
3 by the sheriff under execution, the sheriff shall advertise  
4 for sale and sell the respective parcels of real estate  
5 ordered sold by [him or her] the sheriff pursuant to any  
6 judgment of foreclosure by any court pursuant to sections  
7 141.210 to 141.810 and 141.980 to 141.1015 at any of such  
8 courthouses, but the sale of such parcels of real estate  
9 shall be held at the same front door as sales of real estate  
10 are customarily made by the sheriff under execution.

11 2. Such advertisements may include more than one  
12 parcel of real estate, and shall be in substantially the  
13 following form:

14 NOTICE OF SHERIFF'S  
15 SALE UNDER JUDGMENT OF  
16 FORECLOSURE OF LIENS FOR  
17 DELINQUENT LAND TAXES  
18 No. \_\_\_\_\_  
19 In the Circuit Court of \_\_\_\_\_ County, Missouri.  
20 In the Matter of Foreclosure of Liens for  
21 Delinquent Land Taxes  
22 Collector of Revenue of \_\_\_\_\_ County, Missouri,  
23 Plaintiff,  
24 vs.

25 Parcels of Land encumbered with Delinquent Tax  
26 Liens, Defendants.

27 WHEREAS, judgment has been rendered against  
28 parcels of real estate for taxes, interest,  
29 penalties, attorney's fees and costs with the  
30 serial numbers of each parcel of real estate, the  
31 description thereof, the name of the person  
32 appearing in the petition in the suit, and the  
33 total amount of the judgment against each such  
34 parcel for taxes, interest, penalties, attorney's  
35 fees and costs, all as set out in said judgment  
36 and described in each case, respectively, as  
37 follows: (Here set out the respective serial  
38 numbers, descriptions, names and total amounts of  
39 each judgment, next above referred to.) and,

40 WHEREAS, such judgment orders such real estate  
41 sold by the undersigned sheriff, to satisfy the  
42 total amount of such judgment, including interest,  
43 penalties, attorney's fees and costs,

44 NOW, THEREFORE,

45 Public Notice is hereby given that I \_\_\_\_\_,  
46 Sheriff of \_\_\_\_\_ County, Missouri, will sell such  
47 real estate, parcel by parcel, at public auction,  
48 to the highest bidder, for cash, between the hours  
49 of nine o'clock A.M. and five o'clock P.M., at the  
50 \_\_\_\_\_ front door of the \_\_\_\_\_ County Courthouse  
51 in \_\_\_\_\_, Missouri, on \_\_\_\_\_, the \_\_\_\_\_ day of  
52 \_\_\_\_\_, 20\_\_\_\_\_, and continuing from day to day  
53 thereafter, to satisfy the judgment as to each  
54 respective parcel of real estate sold. If no  
55 acceptable bids are received as to any parcel of  
56 real estate, said parcel shall be sold to the Land  
57 Trust of \_\_\_\_\_ (insert name of County), Missouri  
58 or Land Bank of [the City of] \_\_\_\_\_ (insert name  
59 of municipality or county), Missouri.

60 Any bid received shall be subject to confirmation  
61 by the court.

62

63 \_\_\_\_\_  
64 Sheriff of \_\_\_\_\_ County,  
65 Missouri

65 \_\_\_\_\_

66 Delinquent Land Tax Attorney  
67 Address: \_\_\_\_\_  
68 First Publication \_\_\_\_\_, 20\_\_\_\_\_

69 3. Such advertisement shall be published four times,  
70 once a week, upon the same day of each week during  
71 successive weeks prior to the date of such sale, in a daily  
72 newspaper of general circulation regularly published in the  
73 county, qualified according to law for the publication of  
74 public notices and advertisements.

75 [4. In addition to the provisions herein for notice  
76 and advertisement of sale, the county collector shall enter  
77 upon the property subject to foreclosure of these tax liens  
78 and post a written informational notice in any conspicuous  
79 location thereon. This notice shall describe the property  
80 and advise that it is the subject of delinquent land tax  
81 collection proceedings before the circuit court brought  
82 pursuant to sections 141.210 to 141.810 and 141.980 to  
83 141.1015 and that it may be sold for the payment of  
84 delinquent taxes at a sale to be held at ten o'clock a.m.,  
85 date and place, and shall also contain a file number and the  
86 address and phone number of the collector. If the collector  
87 chooses to post such notices as authorized by this  
88 subsection, such posting must be made not later than the  
89 fourteenth day prior to the date of the sale.

90 5. The collector shall, concurrently with the  
91 beginning of the publication of sale, cause to be prepared  
92 and sent by restricted, registered or certified mail with  
93 postage prepaid, a brief notice of the date, location, and  
94 time of sale of property in foreclosure of tax liens  
95 pursuant to sections 141.210 to 141.810 and 141.980 to  
96 141.1015, to the persons named in the petition as being the  
97 last known persons in whose names tax bills affecting the

98 respective parcels of real estate described in said petition  
99 were last billed or charged on the books of the collector,  
100 or the last known owner of record, if different, and to the  
101 addresses of said persons upon said records of the  
102 collector. The terms "restricted", "registered" or  
103 "certified mail" as used in this section mean mail which  
104 carries on the face thereof in a conspicuous place, where it  
105 will not be obliterated, the endorsement, "DELIVER TO  
106 ADDRESSEE ONLY", and which also requires a return receipt or  
107 a statement by the postal authorities that the addressee  
108 refused to receive and receipt for such mail. If the notice  
109 is returned to the collector by the postal authorities as  
110 undeliverable for reasons other than the refusal by the  
111 addressee to receive and receipt for the notice as shown by  
112 the return receipt, then the collector shall make a search  
113 of the records maintained by the county, including those  
114 kept by the recorder of deeds, to discern the name and  
115 address of any person who, from such records, appears as a  
116 successor to the person to whom the original notice was  
117 addressed, and to cause another notice to be mailed to such  
118 person. The collector shall prepare and file with the  
119 circuit clerk prior to confirmation hearings an affidavit  
120 reciting to the court any name, address and serial number of  
121 the tract of real estate affected of any such notices of  
122 sale that are undeliverable because of an addressee's  
123 refusal to receive and receipt for the same, or of any  
124 notice otherwise nondeliverable by mail, or in the event  
125 that any name or address does not appear on the records of  
126 the collector, then of that fact. The affidavit in addition  
127 to the recitals set forth above shall also state reason for  
128 the nondelivery of such notice.

129         6. The collector may, at his or her option,  
130 concurrently with the beginning of the publication of sale,

131 cause to be prepared and sent by restricted, registered or  
132 certified mail with postage prepaid, a brief notice of the  
133 date, location, and time of sale of property in foreclosure  
134 of tax liens pursuant to sections 141.210 to 141.810, to the  
135 mortgagee or security holder, if known, of the respective  
136 parcels of real estate described in said petition, and to  
137 the addressee of such mortgagee or security holder according  
138 to the records of the collector. The terms "restricted",  
139 "registered" or "certified mail" as used in this section  
140 mean mail which carries on the face thereof in a conspicuous  
141 place, where it will not be obliterated, the endorsement,  
142 "DELIVER TO ADDRESSEE ONLY", and which also requires a  
143 return receipt or a statement by the postal authorities that  
144 the addressee refused to receive and receipt for such mail.  
145 If the notice is returned to the collector by the postal  
146 authorities as undeliverable for reasons other than the  
147 refusal by the addressee to receive and receipt for the  
148 notice as shown by the return receipt, then the collector  
149 shall make a search of the records maintained by the county,  
150 including those kept by the recorder of deeds, to discern  
151 the name and address of any security holder who, from such  
152 records, appears as a successor to the security holder to  
153 whom the original notice was addressed, and to cause another  
154 notice to be mailed to such security holder. The collector  
155 shall prepare and file with the circuit clerk prior to  
156 confirmation hearings an affidavit reciting to the court any  
157 name, address and serial number of the tract of real estate  
158 affected by any such notices of sale that are undeliverable  
159 because of an addressee's refusal to receive and receipt for  
160 the same, or of any notice otherwise nondeliverable by mail,  
161 and stating the reason for the nondelivery of such notice.]

141.550. 1. The sale shall be conducted, the  
2 sheriff's return thereof made, and the sheriff's deed

3 pursuant to the sale executed, all as provided in the case  
4 of sales of real estate taken under execution except as  
5 otherwise provided in sections 141.210 to 141.810 and  
6 sections 141.980 to 141.1015, and provided that such sale  
7 need not occur during the term of court or while the court  
8 is in session.

9         2. The following provisions shall apply to any sale  
10 pursuant to this section [of property located within any  
11 municipality contained wholly or partially within a county  
12 with a population of over six hundred thousand and less than  
13 nine hundred thousand]:

14             (1) The sale shall be held on the day for which it is  
15 advertised, between the hours of nine o'clock a.m. and five  
16 o'clock p.m. and continued day to day thereafter to satisfy  
17 the judgment as to each respective parcel of real estate  
18 sold. For partial opt-in counties, the sale shall be held  
19 on the fourth Monday in August of each year between the  
20 hours of nine o'clock a.m. and five o'clock p.m. and  
21 continued day to day thereafter to satisfy the judgment as  
22 to each respective parcel of real estate sold;

23             (2) The sale shall be conducted publicly, by auction,  
24 for ready money. The parcel shall be sold to the highest  
25 bidder [shall be the purchaser unless], provided that the  
26 highest bid is [less than] equal to or greater than the full  
27 amount of all tax bills [included in] due and owing on the  
28 parcel, which may differ from the judgment[, ] amount; plus  
29 interest[.]; penalties[.]; attorney's fees and costs; and a  
30 nonreimbursable, two-hundred-dollar bidder fee. Such bidder  
31 fee shall be paid to the land trust or land bank agency for  
32 the municipality or county in which the parcel is situated.  
33 The bid amount shall not include any amounts for debts owed  
34 to any sewer district then due thereon[.];

35           (3) No person shall be eligible to bid at the time of  
36 the sale unless such person has, no later than ten days  
37 before the sale date, demonstrated to the satisfaction of  
38 the official charged by law with conducting the sale that he  
39 or she is not the owner of any parcel of real estate in the  
40 county which is affected by a tax bill which has been  
41 delinquent for more than six months [and is not the owner of  
42 any parcel of real property with two or more violations of  
43 the municipality's building or housing codes]. A  
44 prospective bidder may make such a demonstration by  
45 presenting statements from the appropriate collection [and  
46 code enforcement] officials of the [municipality] county.  
47 [Notwithstanding this provision, any taxing authority or  
48 land bank agency shall be eligible to bid at any sale  
49 conducted under this section without making such a  
50 demonstration.] The official charged with conducting the  
51 sale may require prospective bidders to submit an affidavit  
52 attesting to the requirements of this subdivision and is  
53 expressly authorized to permanently preclude any prospective  
54 bidder from participating in the sale for failure to comply  
55 with the provisions of this subdivision; and

56           (4) No foreign or domestic corporation or limited  
57 liability company that has failed to appoint or maintain a  
58 registered agent under chapter 347 or 351 shall be eligible  
59 to bid at the time of the sale. No foreign corporate entity  
60 shall be eligible to bid at the time of the sale unless it  
61 has a certificate of authority to transact business in  
62 Missouri under section 351.572. The official charged with  
63 conducting the sale may require prospective bidders to  
64 submit an affidavit attesting to the requirements of this  
65 subdivision and is expressly authorized to permanently  
66 preclude any prospective bidder from participating in the

67 sale for failure to comply with the provisions of this  
68 subdivision.

69 3. The following provisions shall apply to any sale  
70 under this section of property located within any  
71 municipality contained wholly or partially within a county  
72 with a population of over six hundred thousand inhabitants  
73 and fewer than nine hundred thousand inhabitants:

74 (1) No person shall be eligible to bid at the time of  
75 the sale unless such person has, no later than ten days  
76 before the sale date, demonstrated to the satisfaction of  
77 the official charged by law with conducting the sale that  
78 the person is not the owner of any parcel of real property  
79 with two or more violations of the municipality's building  
80 or housing codes. A prospective bidder may make such a  
81 demonstration by presenting statements from the appropriate  
82 code enforcement officials of the municipality; and

83 (2) Notwithstanding the provisions of subdivision (1)  
84 of this subsection, any taxing authority or land bank agency  
85 shall be eligible to bid at the sale without making the  
86 demonstration described in subdivision (1) of this  
87 subsection.

88 4. Such sale shall convey the whole interest of every  
89 person having or claiming any right, title or interest in or  
90 lien upon such real estate, whether such person has answered  
91 or not, subject to rights-of-way thereon of public utilities  
92 upon which tax has been otherwise paid, and subject to the  
93 lien thereon, if any, of the United States of America.

94 [4.] 5. The collector shall advance the sums necessary  
95 to pay for the publication of all advertisements required by  
96 sections 141.210 to 141.810 and sections 141.980 to 141.1015  
97 and shall be allowed credit therefor in [his or her] the  
98 collector's accounts with the county. The collector shall  
99 give credit in such accounts for all such advances recovered

100 by [him or her] the collector. Such expenses of publication  
101 shall be apportioned pro rata among and taxed as costs  
102 against the respective parcels of real estate described in  
103 the judgment; provided, however, that none of the costs  
104 herein enumerated, including the costs of publication, shall  
105 constitute any lien upon the real estate after such sale.

141.560. 1. If, when the sheriff offers the  
2 respective parcels of real estate for sale, there be no  
3 bidders for any parcel, or there be insufficient time or  
4 opportunity to sell all of the parcels of real estate so  
5 advertised, the sheriff shall adjourn such sale from day to  
6 day at the same place and commencing at the same hour as  
7 when first offered and shall announce that such real estate  
8 will be offered or reoffered for sale at such time and place.

9 2. With respect to any parcel of real estate not  
10 located wholly within a county or municipality that [is an  
11 appointing authority] has established a land bank agency  
12 under section [141.981] 140.981 or 141.980, in the event no  
13 bid equal to the full amount of all tax bills [included in]  
14 due and owing on the parcel, which may differ from the  
15 judgment[, ] amount; plus interest[, ]; penalties[, ];  
16 attorney's fees and costs [then due thereon]; and a  
17 nonreimbursable, two-hundred-dollar bidder fee that shall be  
18 received at such sale after any parcel of real estate has  
19 been offered for sale on three different days, which need  
20 not be successive, the land [trustees] trust shall be deemed  
21 to have bid the full amount of all tax bills included in the  
22 judgment, interest, penalties, attorney's fees and costs  
23 then due, and if no other bid be then received by the  
24 sheriff in excess of the bid of the [trustees] land trust,  
25 and the sheriff shall so announce at the sale, then the bid  
26 of the [trustees] land trust shall be announced as  
27 accepted. The sheriff shall report any such bid or bids so

28 made by the land [trustees] trust in the same way as [his]  
29 the sheriff's report of other bids is made. [The land trust  
30 shall pay any penalties, attorney's fees or costs included  
31 in the judgment of foreclosure of such parcel of real  
32 estate, when such parcel is sold or otherwise disposed of by  
33 the land trust.] Upon confirmation by the court of such bid  
34 at such sale by such land [trustees] trust, the collector  
35 shall mark the tax bills so bid by the land [trustees] trust  
36 as "cancelled by sale to the land trust" and shall take  
37 credit for the full amount of such tax bills, including  
38 principal amount, interest, penalties, attorney's fees, and  
39 costs, on [his] the collector's books and in [his] the  
40 collector's statements with any other taxing authorities.

41 3. With respect to any parcel of real estate located  
42 wholly within a county or municipality that [is an  
43 appointing authority under section 141.981] has established  
44 a land bank agency under section 140.981 or 141.980, in the  
45 event no bid equal to the full amount of all tax bills  
46 [included in] due and owing on the parcel, which may differ  
47 from the judgment[, ] amount; plus interest[, ]; penalties[, ];  
48 attorney's fees and costs [then due thereon]; and a  
49 nonreimbursable, two-hundred-dollar bidder fee that shall be  
50 received at such sale after such parcel of real estate has  
51 been offered for sale on three different days, which need  
52 not be successive, the land bank agency [for which said  
53 municipality is an appointing authority] established under  
54 section 140.981 or 141.980 shall be deemed to have bid the  
55 full amount of all tax bills included in the judgment,  
56 interest, penalties, attorney's fees and costs then due, and  
57 the sheriff shall so announce at the sale, then the bid of  
58 the land bank agency shall be announced as accepted. The  
59 sheriff shall report any such bid or bids so made by such  
60 land bank agency in the same way as [his] the sheriff's

61 report of other bids is made. Upon confirmation by the  
62 court of such bid at such sale by such land bank agency, the  
63 collector shall mark the tax bills so bid by such land bank  
64 agency as "cancelled by sale to the land bank" and shall  
65 take credit for the full amount of such tax bills, including  
66 principal amount, interest, penalties, attorney's fees, and  
67 costs, on [his] the collector's books and in [his] the  
68 collector's statements with any other taxing authorities.

141.570. [1. The title to any real estate which shall  
2 vest in the land trust under the provisions of sections  
3 141.210 to 141.810 and sections 141.980 to 141.1015 shall be  
4 held by the land trust of such county in trust for the tax  
5 bill owners and taxing authorities having an interest in any  
6 tax liens which were foreclosed, as their interests may  
7 appear in the judgment of foreclosure. The title to any  
8 real estate acquired by a land bank agency pursuant to a  
9 deemed sale under subsection 3 of section 141.560, by deed  
10 from a land trust under subsection 1 of section 141.984, or  
11 pursuant to a sale under subdivision (2) of subsection 2 of  
12 section 141.550 shall be held in trust for the tax bill  
13 owners and taxing authorities having an interest in any tax  
14 liens which were foreclosed, as their interests may appear  
15 in the judgment of foreclosure.

16 [2.] The title to any real estate which shall vest in  
17 any purchaser, upon confirmation of such sale by the court,  
18 or in any land bank agency or land trust, shall be an  
19 absolute estate in fee simple, subject to rights-of-way  
20 thereon of public utilities on which tax has been otherwise  
21 paid, and subject to any lien thereon of the United States  
22 of America, if any, and all persons and interested parties,  
23 including the state of Missouri, any taxing authority or tax  
24 district, as defined herein, judgment creditors,  
25 lienholders, infants, incapacitated and disabled persons as

26 defined in chapter 475, and nonresidents who may have had  
27 any right, title, interest, claim, or equity of redemption  
28 in or to, or lien upon, such lands, shall be barred and  
29 forever foreclosed of all such right, title, interest,  
30 claim, lien or equity of redemption, and the court shall  
31 order immediate possession of such real estate be given to  
32 such purchaser; provided, however, that such title shall  
33 also be subject to the liens of any tax bills [which may  
34 have attached to such parcel of real estate prior to the  
35 time of the filing of the petition affecting such parcel of  
36 real estate not then delinquent, or] which may have attached  
37 after the [filing of the petition and prior to] sheriff's  
38 sale [and not included in any answer to such petition], but  
39 if such parcel of real estate is deemed sold to the land  
40 trust pursuant to subsection 2 of section 141.560, or deemed  
41 sold to a land bank agency pursuant to subsection 3 of  
42 section 141.560, or sold to a land bank agency pursuant to  
43 subdivision (2) of subsection 2 of section 141.550, the  
44 title thereto shall be free of any such liens to the extent  
45 of the interest of any taxing authority in such real estate;  
46 provided further, that [such title shall not be subject to  
47 the lien of special tax bills which have attached to the  
48 parcel of real estate prior to November 22, 1943, but] the  
49 lien of [such] special tax bills shall attach to the  
50 proceeds of the sheriff's sale, if any, or [to the proceeds  
51 of the ultimate sale of such parcel by the land trust or  
52 land bank agency] shall otherwise be forever barred and  
53 foreclosed.

141.580. 1. Within six months after the sheriff sells  
2 any parcel of real estate, the court shall, upon its own  
3 motion or upon motion of any interested party, set the cause  
4 down for hearing to confirm or set aside the foreclosure  
5 sale thereof, even though such parcels are not all of the

6 parcels of real estate described in the notice of sheriff's  
7 foreclosure sale. Notice of the hearing, or of the court  
8 moving to confirm the foreclosure sale, shall be sent by any  
9 interested party to each person who was sent notice of the  
10 sale and to any interested parties as required by prevailing  
11 notions of due process. At the time of such hearing, the  
12 sheriff shall make report of the sale, and the court shall  
13 hear evidence of the value of the property offered on behalf  
14 of any interested party to the suit, and shall forthwith  
15 determine whether an adequate consideration has been paid  
16 for each such parcel. The court's judgment shall include a  
17 specific finding that adequate notice was provided to all  
18 interested parties under prevailing notions of due process  
19 and sections 141.210 to 141.810 and sections 141.980 to  
20 141.1015, reciting the notice efforts of the collector,  
21 sheriff, and tax sale purchaser. Nothing in this section  
22 shall be interpreted to preclude a successful tax sale  
23 purchaser from asserting a claim to quiet title to the bid-  
24 upon parcel under section 527.150.

25 2. For this purpose the court shall have power to  
26 summon any city or county official or any private person to  
27 testify as to the reasonable value of the property, and if  
28 the court finds that adequate consideration has been paid,  
29 the court shall confirm the sale and order the sheriff to  
30 issue a deed to the purchaser. If the court finds that the  
31 consideration paid is inadequate, the court shall confirm  
32 the sale if the purchaser increases **[his]** the purchaser's  
33 bid to such amount as the court deems to be adequate and  
34 makes such additional payment, or if all tax bills included  
35 in the judgment, interest, penalties, attorney's fees and  
36 costs then due thereon are not paid in full by one or more  
37 interested parties to the suit. If the court finds that the  
38 consideration is inadequate, but the purchaser declines to

39 increase [his] the purchaser's bid to such amount as the  
40 court deems adequate and make such additional payment, then  
41 the sale shall be disapproved if all tax bills included in  
42 the judgment, interest, penalties, attorney's fees and costs  
43 then due thereon are paid in full by one or more interested  
44 parties to the suit, the lien of the judgment continued, and  
45 such parcel of real estate shall be again advertised and  
46 offered for sale by the sheriff to the highest bidder at  
47 public auction for cash at any subsequent sheriff's  
48 foreclosure sale. Unless the court requires evidence of the  
49 value of the property conveyed to land trust or a land bank  
50 agency, none shall be required, and the amount bid by the  
51 land [trustees] trust or such land bank agency shall be  
52 deemed adequate consideration.

53 3. [Except as otherwise provided in subsection 6 of  
54 section 141.984,] If the sale is confirmed, the court shall  
55 order the proceeds of the sale applied in the following  
56 order:

57 (1) To the payment of the costs of the publication of  
58 the notice of foreclosure and of the sheriff's foreclosure  
59 sale;

60 (2) To the payment of all of the collector's and  
61 sheriff's costs including appraiser's fee and attorney's  
62 fees;

63 (3) To the payment of all tax bills adjudged to be due  
64 in the order of their priority, including principal,  
65 interest and penalties thereon, except in the event of a  
66 sale to any land bank agency, for which this subdivision  
67 shall not apply.

68 If, after such payment, there is any sum remaining of the  
69 proceeds of the sheriff's foreclosure sale, the court shall  
70 thereupon try and determine the other issues in the suit in  
71 accordance with section 141.480. If any answering parties

72 have specially appealed as provided in section 141.570, the  
73 court shall retain the custody of such funds pending  
74 disposition of such appeal, and upon disposition of such  
75 appeal shall make such distribution. If there are not  
76 sufficient proceeds of the sale to pay all claims in any  
77 class described, the court shall order the same to be paid  
78 pro rata in accordance with the priorities.

79 4. If there are any funds remaining of the proceeds  
80 after the sheriff's sale and after the distribution of such  
81 funds as herein set out and no person entitled to any such  
82 funds, whether or not a party to the suit, shall, within two  
83 years after such sale, appear and claim the funds, [they]  
84 the funds shall be distributed to the appropriate taxing  
85 authorities, except in partial opt-in counties, where the  
86 funds shall be distributed to the school fund for the county.

87 5. Any county operating under the provisions of  
88 sections 141.210 to 141.810 and sections 141.980 to 141.1015  
89 may elect to allocate a portion of its share of the proceeds  
90 toward a fund for the purpose of defending against claims  
91 challenging the sufficiency of notice provisions under this  
92 section.

93 6. Any interested party, other than the sheriff's sale  
94 purchaser, who moves the court to set aside a sheriff's sale  
95 after the issuance of a sheriff's deed made under the  
96 provisions of sections 141.210 to 141.810 and sections  
97 141.980 to 141.1015 shall be required to pay into the court  
98 the redemption amount otherwise necessary under sections  
99 141.420 and 141.530 prior to the court hearing any such  
100 motion to set aside.

141.610. Each court administrator's or sheriff's deed  
2 given pursuant to the provisions of the land tax collection  
3 law shall be [presumptive] prima facie evidence that the  
4 suit and all proceedings therein and all proceedings prior

5 thereto from and including assessment of the lands affected  
6 thereby and all notices required by law were regular and in  
7 accordance with all provisions of the law relating thereto.  
8 The court administrator or sheriff shall record its deed and  
9 shall collect said recording fee at the time of sale.

10 [After one year from the date of the court administrator's  
11 foreclosure sale, the presumption shall be conclusive  
12 pursuant to sections 141.210 to 141.810. Notwithstanding  
13 section 516.010, no suit to set aside or to attack the  
14 validity of any such court administrator's or sheriff's deed  
15 shall be commenced or maintained unless the suit is filed  
16 within one year from the date of the court administrator's  
17 foreclosure sale.]

141.620. 1. In addition to all amounts due on any tax  
2 bill, including principal, interest, penalties, attorney's  
3 fees and costs, as now fixed by law, there shall be imposed  
4 and charged as a part of the costs on each such tax bill a  
5 suit penalty of five percent of the principal amount of the  
6 tax bill to be due to the collector upon the filing of the  
7 petition with the circuit clerk.

8 2. The collector shall set up a separate fund in [his]  
9 the collector's accounts to which [he] the collector shall  
10 credit such five percent suit penalties when paid, together  
11 with all other penalties and costs recovered under this  
12 action, and shall retain such portion thereof as may be  
13 needed for the purpose of paying the expenses and costs  
14 required to be advanced under sections 141.210 to 141.810,  
15 including compensation to the delinquent land tax attorney,  
16 [his] the attorney's assistants, and stenographic and  
17 clerical help, and funds for the costs of publication,  
18 notices, for court costs, sheriff's expenses and other costs  
19 hereunder, and shall transfer the remainder of such funds  
20 annually, on January first of each year, to the land

21 [trustees] trust for the use and expenses of the land  
22 trust. Where no land trust exists, the collector shall  
23 retain the remainder of such funds.

141.680. 1. Except for partial opt-in counties, the  
2 remedies and procedures set forth in sections 141.210 to  
3 141.810 shall be the exclusive remedies and procedures  
4 available for the collection of delinquent and back land  
5 taxes in a county electing to come under or which has come  
6 under their authority. Sections 141.210 to 141.810 shall  
7 not be affected nor infringed upon by any other laws or  
8 parts of law in conflict herewith.

2. Any taxing authority or owner of any tax bill is  
10 hereby prohibited from advertising for sale or selling any  
11 parcel of real estate for the collection of delinquent land  
12 taxes due thereon, except after judgment of a court having  
13 jurisdiction ordering such advertising or sale, when such  
14 parcel is at such time included in any petition filed  
15 pursuant to the provisions of this law.

3. At the option of the taxing authority or tax bill  
17 owner, all claims for land taxes against any parcel of real  
18 estate, which has been included in any petition filed under  
19 this law, where such taxes have become due and payable after  
20 any tax list or petition thereon has been filed, may be  
21 asserted by amended petition or by answer filed before  
22 judgment, and, if allowed by the court, shall be included in  
23 the judgment against such parcel of real estate.

141.700. In all counties electing to operate under  
2 sections 141.210 to 141.810 prior to January 1, 2025, there  
3 is hereby created a commission for the management, sale and  
4 other disposition of tax delinquent lands, which commission  
5 shall be known as "The Land Trust of \_\_\_\_\_ County,  
6 Missouri", and the members thereof shall be known as land  
7 trustees. Such land trust shall have and exercise all the

8 powers that are conferred by sections 141.210 to 141.810  
9 necessary and incidental to the effective management, sale  
10 or other disposition of real estate acquired under and by  
11 virtue of the foreclosure of the lien for delinquent real  
12 estate taxes, as provided in said sections, and in the  
13 exercise of such powers, the land trust shall be deemed to  
14 be a public corporation acting in a governmental capacity.  
15 Where a county has elected to establish a land bank agency  
16 under subsection 1 of section 140.981, no such land trust  
17 shall be created under sections 141.700 to 141.810.

2 141.821. 1. In all partial opt-in counties, prior to  
3 a confirmation by a court of a deemed bid under subsection 2  
4 of section 141.560, a trust shall be created for the  
5 management, sale, and other disposition of tax delinquent  
6 lands, which shall be known as "The Land Trust of  
7 County, Missouri", and the board of which shall be known as  
8 land trustees. The county commission of such county shall  
9 appoint by resolution or order one or three land trustees.  
10 The first appointed land trustee shall serve for a term of  
11 two years and the remaining land trustees shall serve for  
12 terms of three years respectively, as applicable.  
13 Thereafter, land trustees shall be appointed by the county  
14 commission for a term of office of two years, except that  
15 all vacancies shall be filled for an unexpired term.

16 2. If a county elected to establish a land bank agency  
17 under subsection 1 of section 140.981, no such land trust  
18 shall be created under sections 141.700 to 141.821.

19 3. Such land trust, by majority vote of the land  
20 trustees, shall have the power and duty to sell, exchange,  
21 or otherwise dispose of real estate, provided, however, that  
22 any such sale, exchange, or disposal shall be for  
23 consideration equal to or in excess of two-thirds of the  
appraised value of such real estate so sold or conveyed, and

24 if such consideration is less than two-thirds of the  
25 appraised value of such real estate, the land trust shall  
26 first procure a majority vote of the county commission.

27 4. (1) The land trust shall set up accounts relating  
28 to the operation and management of the land trust.

29 (2) When any parcel of real estate is sold or  
30 otherwise disposed of by the land trust, the proceeds  
31 therefrom shall be applied and distributed in the following  
32 order:

33 (a) To the payment of the expenses of sale;

34 (b) To the costs of the care, improvement, operation,  
35 acquisition, demolition, management, and administration of  
36 parcels of real estate owned by the land trust; and

37 (c) To the county's general fund.

38 5. No land trustee shall receive any compensation,  
39 emolument, or other profit directly or indirectly from the  
40 rental, management, acquisition, sale, demolition, repair,  
41 rehabilitation, use, operation, ownership, or disposition of  
42 any lands held by such land trust.

141.980. 1. (1) Sections 141.980 to 141.1015 shall  
2 be known and may be cited as the "Chapter 141 Municipal Land  
3 Bank Act".

4 (2) Any municipality located wholly or partially  
5 within a county [in which a land trust created under section  
6 141.700 was operating on January 1, 2012,] electing to  
7 operate wholly under the provisions of sections 141.210 to  
8 141.810 may establish a land bank agency for the management,  
9 sale, transfer, and other disposition of interests in real  
10 estate owned by such land bank agency. Any such land bank  
11 agency created shall be created to foster the public purpose  
12 of returning land, including land that is in a nonrevenue-  
13 generating, nontax-producing status to use in private  
14 ownership or for public use. Such land bank agency shall be

15 established by ordinance or resolution as applicable. Such  
16 land bank agency shall not own any interest in real estate  
17 that is located wholly or partially outside such  
18 establishing municipality. [Such land bank agency shall not  
19 be authorized to sell more than five contiguous parcels to  
20 the same entity in the course of a year.] No municipality in  
21 a partial opt-in county is eligible to establish a land bank  
22 agency under this section.

23 2. The beneficiaries of the land bank agency shall be  
24 the taxing authorities that held or owned tax bills against  
25 the respective parcels of real estate acquired by such land  
26 bank agency pursuant to a deemed sale under subsection 3 of  
27 section 141.560, by deed from a land trust under subsection  
28 1 of section 141.984, or pursuant to a sale under  
29 subdivision (2) of subsection 2 of section 141.550 included  
30 in the judgment of the court, and [their] the beneficiaries'  
31 respective interests in each parcel of real estate shall be  
32 to the extent and in the proportion and according to the  
33 priorities determined by the court on the basis that the  
34 principal amount of [their] the beneficiaries' respective  
35 tax bills bore to the total principal amount of all of the  
36 tax bills described in the judgment.

37 3. Each land bank agency created pursuant to this  
38 chapter shall be a public body corporate and politic, and  
39 shall have permanent and perpetual duration until terminated  
40 and dissolved in accordance with the provisions of section  
41 141.1012.

141.984. 1. Within one year of the effective date of  
2 the ordinance or resolution passed establishing a land bank  
3 agency under this chapter, title to any real property held  
4 by a land trust created pursuant to section 141.700 that is  
5 located wholly within the municipality that created the land

6 bank agency shall be transferred by deed to such land bank  
7 agency.

8 2. The income of a land bank agency shall be exempt  
9 from all taxation by the state and by any of its political  
10 subdivisions. Upon acquiring title to any real estate, a  
11 land bank agency shall immediately notify the county  
12 assessor and the collector of such ownership, and such real  
13 estate shall be exempt from all taxation during the land  
14 bank agency's ownership thereof, in the same manner and to  
15 the same extent as any other publicly owned real estate, and  
16 upon the sale or other disposition of any real estate held  
17 by it, such land bank agency shall immediately notify the  
18 county assessor and the collector of such change of  
19 ownership; provided however, that such tax exemption for  
20 improved and occupied real property held by such land bank  
21 agency as lessor pursuant to a ground lease shall terminate  
22 upon the first such occupancy, and such land bank agency  
23 shall immediately notify the county assessor and the  
24 collector of such occupancy.

25 3. Subject to the limitation set forth in subsection 1  
26 of section 141.980, a land bank agency may acquire real  
27 property or interests in property by gift, devise, transfer,  
28 exchange, foreclosure, [lease,] purchase, or [otherwise on  
29 terms and conditions and in a manner the land bank agency  
30 considers proper] pursuant to sections 141.560 to 141.580 or  
31 section 141.821. A land bank agency may only purchase real  
32 property for the purpose of adding to a parcel already owned  
33 by the land bank agency.

34 4. Subject to the limitation set forth in subsection 1  
35 of section 141.980, a land bank agency may acquire property  
36 by purchase contracts, [lease purchase agreements,]  
37 installment sales contracts, and land contacts, and may  
38 accept transfers from political subdivisions upon such terms

39 and conditions as agreed to by the land bank agency and the  
40 political subdivision. Subject to the limitation set forth  
41 in subsection 1 of section 141.980, a land bank agency may  
42 bid on any parcel of real estate offered for sale at a  
43 sheriff's foreclosure sale held in accordance with section  
44 141.550 [provided that if the bid is not a deemed bid under  
45 subsection 3 of section 141.560, such parcel must be located  
46 within a low- to moderate-income area designated as a target  
47 area for revitalization by the municipality that created the  
48 land bank agency]. Notwithstanding any other law to the  
49 contrary, but subject to the limitation set forth in  
50 subsection 1 of section 141.980, any political subdivision  
51 may transfer to the land bank agency real property and  
52 interests in real property of the political subdivision on  
53 such terms and conditions and according to such procedures  
54 as determined by the political subdivision.

55 5. A land bank agency shall maintain all of its real  
56 property in accordance with the laws and ordinances of the  
57 jurisdictions in which the real property is located.

58 6. Upon confirmation under section 141.580 of a  
59 sheriff's foreclosure sale of a parcel of real estate to a  
60 land bank agency under subdivision (2) of subsection 2 of  
61 section 141.550, said land bank agency shall pay the amount  
62 of the land bank agency's bid that exceeds the amount of all  
63 tax bills included in the judgment, interest, penalties,  
64 attorney's fees and costs then due thereon. Such excess  
65 shall be applied and distributed in accordance with  
66 subsections 3 and 4 of section 141.580, exclusive of  
67 subdivision (3) of subsection 3 thereof. Upon such  
68 confirmation by the court, the collector shall mark the tax  
69 bills included in the judgment as "cancelled by sale to the  
70 land bank" and shall take credit for the full amount of such  
71 tax bills, including principal amount, interest, penalties,

72 attorney's fees, and costs, on [his] the collector's books  
73 and in [his] the collector's statements with any other  
74 taxing authorities.

141.1009. 1. A land bank agency shall be authorized  
2 to file an action to quiet title pursuant to section 527.150  
3 as to any real property in which the land bank agency has an  
4 interest. For purposes of any and all such actions the land  
5 bank agency shall be deemed to be the holder of sufficient  
6 legal and equitable interests, and possessory rights, so as  
7 to qualify the land bank agency as adequate petitioner in  
8 such action.

9 2. Prior to the filing of an action to quiet title the  
10 land bank agency shall conduct an examination of title to  
11 determine the identity of any and all persons and entities  
12 possessing a claim or interest in or to the real property.  
13 Service of the petition to quiet title shall be provided to  
14 all such interested parties by the following methods:

15 (1) Registered or certified mail to such identity and  
16 address as reasonably ascertainable by an inspection of  
17 public records;

18 (2) In the case of occupied real property by first  
19 class mail, addressed to "Occupant";

20 (3) By posting a copy of the notice on the real  
21 property;

22 (4) By publication in a newspaper of general  
23 circulation in the municipality in which the property is  
24 located; and

25 (5) Such other methods as the court may order or as  
26 may be required by prevailing notions of due process.

27 3. As part of the petition to quiet title the land  
28 bank agency shall file an affidavit identifying all parties  
29 potentially having an interest in the real property, and the  
30 form of notice provided.

31 4. The court shall schedule a hearing on the petition  
32 within ninety days following filing of the petition, and as  
33 to all matters upon which an answer was not filed by an  
34 interested party the court shall issue its final judgment  
35 within one hundred twenty days of the filing of the petition.

36 5. A land bank agency shall be authorized to join in a  
37 single petition to quiet title one or more parcels of real  
38 property.

141.1020. Notwithstanding any provision of sections  
2 141.980 to 141.1020 to the contrary, a land bank agency may  
3 rent or lease property held by the land bank agency for  
4 community, noncommercial agricultural uses.

249.255. 1. Should a public sewer district created  
2 and organized pursuant to constitutional or statutory  
3 authority place a lien upon a customer's property for unpaid  
4 sewer charges, the lien, once properly recorded, shall have  
5 priority [as and be enforced in the same manner as] above  
6 all liens except for those taxes levied for state and county  
7 purposes.

8 2. Should the sewer charges of a public sewer district  
9 created and organized pursuant to constitutional or  
10 statutory authority remain unpaid for a period in excess of  
11 three months, the district, after notice to the customer by  
12 certified mail, shall have the authority at its discretion  
13 to disconnect the customer's sewer line from the district's  
14 line or request any private water company, public water  
15 supply district, or any municipality supplying water to the  
16 premises to discontinue service to the customer until such  
17 time as the sewer charges and all related costs of this  
18 section are paid.

436.337. Notwithstanding any other provision of law to  
2 the contrary, no political subdivision shall require a  
3 property owner to have a home inspection conducted of a

4 residential property prior to the sale of the property.  
5 This provision shall not apply to any inspection requirement  
6 of new construction or occupancy permits.

2 534.602. 1. For purposes of this section, the  
3 following terms mean:

4 (1) "Petitioner", the property owner, or an authorized  
5 agent of a property owner, of property containing a  
6 residential dwelling who has filed a verified petition under  
7 the provisions of this section;

8 (2) "Respondent", the person or persons unlawfully  
9 occupying property containing a residential dwelling,  
10 against whom a verified petition has been filed;

11 (3) "Unlawful occupant" or "unlawful occupants", any  
12 person or persons who detain, occupy, or trespass on  
13 property containing a residential dwelling without the  
14 permission of the property owner, who otherwise have no  
15 legal right to occupy the property under state law, and who  
16 are not afforded any protections provided to a tenant under  
17 state law.

18 2. Notwithstanding any provision of this chapter to  
19 the contrary, a property owner or his or her authorized  
20 agent may seek relief for the removal of a person or persons  
21 unlawfully occupying property containing a residential  
22 dwelling under this section by filing a verified petition in  
23 the county or city not within a county where the property is  
24 located.

25 3. Except as provided in subsection 6 of this section,  
26 clerks of the court under the supervision of a circuit clerk  
27 shall explain to the property owner or his or her authorized  
28 agent not represented by counsel the procedures for filing  
29 all forms and pleadings necessary for the presentation of  
30 his or her petition to the court. Notice of the fact that  
clerks will provide such assistance shall be conspicuously

31 posted in the clerks' offices. The location of the office  
32 where a petition can be filed shall be conspicuously posted  
33 in the court building. The performance of duties prescribed  
34 in this section shall not constitute the practice of law as  
35 defined in section 484.010. All duties of the clerk  
36 prescribed in this section shall be performed without cost  
37 to the litigants. The supreme court may promulgate rules as  
38 necessary to govern conduct of court clerks under this  
39 section and shall provide forms for petitions and written  
40 instructions on filling out all forms and pleadings  
41 necessary for the presentation of the petition to the court.

42 4. Filing fees and court costs under this section  
43 shall be the same as filing fees and court costs required  
44 when filing a claim in associate circuit court.

45 5. (1) Upon the filing of a verified petition under  
46 this section, and for good cause shown in the verified  
47 petition, the court shall immediately issue an ex parte  
48 order to remove the respondent. The assertion of sufficient  
49 evidence that the person or persons are unlawfully occupying  
50 property containing a residential dwelling shall constitute  
51 good cause for purposes of this section. The verified  
52 petition shall set forth the following:

53 (a) The petitioner is the property owner or authorized  
54 agent of the property owner;

55 (b) The property that is being occupied includes a  
56 residential dwelling;

57 (c) An unlawful occupant or unlawful occupants have  
58 entered and remain or continue to reside on the property  
59 owner's property;

60 (d) The real property was not open to members of the  
61 public at the time the unlawful occupant or unlawful  
62 occupants entered;

63           (e) The unlawful occupant or unlawful occupants are  
64 occupying the property without the permission of the  
65 property owner and are not guests of the property owner nor  
66 otherwise authorized to make use of the property;

67           (f) The property owner has directed the unlawful  
68 occupant or unlawful occupants to leave the property and the  
69 unlawful occupant or unlawful occupants have failed or  
70 refused to vacate the premises;

71           (g) The property has not been leased to any person for  
72 three consecutive months, and the unlawful occupant or  
73 unlawful occupants are not current or former tenants of the  
74 property pursuant to any agreement with the property owner;

75           (h) The unlawful occupant or unlawful occupants are  
76 not immediate family members of the property owner; and

77           (i) There is no pending litigation related to the real  
78 property between the property owner and any known unlawful  
79 occupant or unlawful occupants.

80           (2) An ex parte order to have the unlawful occupant or  
81 unlawful occupants removed from property containing a  
82 residential dwelling entered by the court shall take effect  
83 when entered and shall remain in effect until there is valid  
84 service of process and a hearing is held on the motion.

85 Such hearing shall be held within twenty-four hours of  
86 filing the verified petition unless good cause is shown for  
87 a delay. The court shall deny the ex parte order and  
88 dismiss the petition if the petitioner is not authorized to  
89 seek relief or does not show good cause.

90           (3) Failure to serve an ex parte order on the  
91 respondent shall not affect the validity or enforceability  
92 of such order.

93           6. (1) If the court is unavailable after business  
94 hours or on holidays or weekends, a verified petition for  
95 removal of the unlawful occupant or unlawful occupants from

96 property under this section may be filed before any  
97 available court in the city or county having jurisdiction to  
98 hear the petition under the guidelines developed under this  
99 subdivision (3) of this subsection.

100 (2) All papers in connection with the filing of a  
101 petition or the granting of an ex parte order under this  
102 section shall be certified by such court or the clerk within  
103 the next regular business day to the circuit court having  
104 jurisdiction to hear the petition.

105 (3) The supreme court shall develop guidelines that  
106 ensure a verified petition under this section may be filed  
107 on holidays, evenings, and weekends.

108 7. Any ex parte order granted under this section shall  
109 be to protect the petitioner from trespass by an unlawful  
110 occupant or unlawful occupants and may include such terms as  
111 the court reasonably deems necessary to ensure the  
112 petitioner's safety including, but not limited to:

113 (1) Restraining the respondent from committing or  
114 threatening to commit any act of violence, molestation,  
115 stalking, assault, or disturbing the peace of the petitioner  
116 or the petitioner's property, including violence against a  
117 pet;

118 (2) Restraining the respondent from entering the  
119 petitioner's premises or dwelling unit or coming within a  
120 certain proximity of the petitioner's premises or dwelling  
121 unit; and

122 (3) Restraining the respondent from communicating with  
123 the petitioner in any manner or through any medium.

124 8. When the court has, after a hearing on the  
125 petition, issued an order for relief to permanently exclude  
126 an unlawful occupant or unlawful occupants from the  
127 petitioner's property, it may additionally:

128           (1) Permanently restrain the respondent from  
129 committing or threatening to commit any act of violence,  
130 molestation, stalking, assault, or disturbing the peace of  
131 the petitioner or the petitioner's property, including  
132 violence against a pet;

133           (2) Permanently restrain the respondent from entering  
134 the petitioner's premises or dwelling unit or coming within  
135 a certain proximity of the petitioner's premises or dwelling  
136 unit;

137           (3) Permanently restrain the respondent from  
138 communicating with the petitioner in any manner or through  
139 any medium;

140           (4) Permanently expel the respondent from occupying  
141 the petitioner's premises or dwelling unit;

142           (5) Permanently expel the respondent's personal  
143 property from the petitioner's premises or dwelling unit;

144           (6) Order the respondent to pay all costs of repair to  
145 the petitioner's premises or dwelling unit relating to  
146 damages caused by the respondent;

147           (7) Order the respondent to pay all costs associated  
148 with service of any ex parte order authorized against the  
149 respondent; or

150           (8) Order the respondent to pay court costs.

151           9. A verified petition seeking an ex parte order under  
152 this section shall contain allegations relating to those  
153 orders and shall pray for the orders desired.

154           10. Once the court grants an order under this section,  
155 the sheriff of the county or city not within a county in  
156 which the property is located shall enforce such order by  
157 removing the respondent from the property.

158           11. If appropriate, the sheriff may arrest any person  
159 found in the dwelling for trespass, outstanding warrants, or  
160 any other legal cause.

161           12. The sheriff is entitled to the same fee for the  
162 service of the ex parte order granted under this section as  
163 if the sheriff were serving a writ of possession under  
164 section 57.280. After the sheriff serves the order, the  
165 property owner or authorized agent may request that the  
166 sheriff stand by to keep the peace while the property owner  
167 or agent of the property owner changes the locks and removes  
168 the personal property of the unlawful occupants from the  
169 premises to or near the property line. When such a request  
170 is made, the sheriff may charge a reasonable hourly rate,  
171 and the person requesting the sheriff to stand by and keep  
172 the peace is responsible for paying the reasonable hourly  
173 rate set by the sheriff. The sheriff shall not be liable to  
174 the unlawful occupant or occupants or to any other party for  
175 the loss, destruction, or damage of property. The property  
176 owner or his or her authorized agent shall not be liable to  
177 an unlawful occupant or any other party for the loss,  
178 destruction, or damage to the personal property unless the  
179 removal was wrongful.

180           13. A person may bring a civil cause of action if the  
181 person was removed from the property under this section  
182 without just cause. Such person may seek restored  
183 possession to the real property, actual damages to personal  
184 property when personal property was removed, statutory  
185 damages in the amount of one thousand dollars, and  
186 reimbursement of court costs. Any damages authorized under  
187 this subsection shall be offset by any damages to the real  
188 property inflicted by the person who was removed from the  
189 real property without just cause. Such damages to real  
190 property shall be proven by the property owner. Awards of  
191 actual damages shall not exceed the value of the damaged  
192 personal property.

193           14. The provisions of this section do not limit the  
194 rights of a property owner or limit the authority of a law  
195 enforcement officer to arrest an unlawful occupant for  
196 trespassing, vandalism, theft, or other crimes.

197           15. All proceedings under this section are in addition  
198 to any other available civil or criminal remedies, unless  
199 otherwise specifically provided in this section.

200           16. (1) The court shall retain jurisdiction over the  
201 ex parte order or full order of protection issued under this  
202 section for its entire duration. The court may schedule  
203 compliance review hearings to monitor the respondent's  
204 compliance with the order.

205           (2) The terms of the ex parte order or full order of  
206 protection issued under this section are enforceable by all  
207 remedies available at law for the enforcement of a judgment,  
208 and the court may punish a respondent who willfully violates  
209 the ex parte order to the same extent as provided by law for  
210 contempt of the court in any other suit or proceeding  
211 cognizable by the court.

534.604. 1. When a law enforcement officer has  
2 probable cause to believe that a party, against whom an ex  
3 parte order under section 534.602 has been entered and who  
4 has notice of such order entered, has committed an act in  
5 violation of such order, the law enforcement officer shall  
6 arrest the offending party-respondent regardless of whether  
7 the violation occurred in the presence of the arresting law  
8 enforcement officer.

9           2. In an arrest in which a law enforcement officer  
10 acted in good faith reliance on this section, the arresting  
11 and assisting law enforcement officers and their employing  
12 entities and superiors shall be immune from liability in any  
13 civil action alleging false arrest, false imprisonment, or  
14 malicious prosecution.

15           3. A violation of the terms and conditions of an ex  
16 parte order under section 534.602 shall be a class E  
17 felony. For the purposes of this subsection, in addition to  
18 the notice provided by actual service of the order, a party  
19 is deemed to have notice of an ex parte order under section  
20 534.602 if:

21           (1) The law enforcement officer responding to a call  
22 of a violation of an ex parte order under section 534.602  
23 presented a copy of the ex parte order to the respondent; or

24           (2) Notice is given by actual communication to the  
25 respondent in a manner reasonably likely to advise the  
26 respondent.

27           4. Nothing in this section shall be interpreted as  
28 creating a civil cause of action for damages to enforce the  
29 provisions set forth in this section.

535.012. No county, municipality, or other political  
2 subdivision shall impose or enforce a moratorium on eviction  
3 proceedings unless specifically authorized by state law.

569.200. 1. A person commits the offense of criminal  
2 mischief if he or she unlawfully detains, occupies, or  
3 trespasses upon a residential dwelling.

4           2. The offense of criminal mischief is a class E  
5 felony.

          [140.1006. 1. If any ancillary parcel is  
2 acquired by a land bank agency and is encumbered  
3 by a lien or claim for real property taxes owed  
4 to a taxing authority, such taxing authority may  
5 elect to contribute to the land bank agency all  
6 or any portion of such taxes that are  
7 distributed to and received by such taxing  
8 authority.

9           2. To the extent that a land bank agency  
10 receives payments or credits of any kind  
11 attributable to liens or claims for real  
12 property taxes owed to a taxing authority, the  
13 land bank agency shall remit the full amount of  
14 the payments to the county collector for

15 distribution to the appropriate taxing  
16 authority.]

[141.820. In all cities not within a  
2 county, which now have or may hereafter have a  
3 population in excess of seven hundred thousand  
4 inhabitants, the collection of delinquent and  
5 back taxes shall be regulated and controlled by  
6 the provisions of sections 141.820 to 141.970.]

[141.830. 1. The collectors of such  
2 cities not within a county shall proceed to  
3 collect the taxes contained in the back tax book  
4 or recorded list of the delinquent land and lots  
5 in the collector's office as herein required.

6 2. Any person interested in or the owner  
7 of any tract of land or lot contained in the  
8 back tax book or in the recorded list of  
9 delinquent lands and lots in the collector's  
10 office may redeem such tract of land or town  
11 lot, or any part thereof, from the state's or  
12 such city's lien thereon, by paying to the  
13 proper collector the amount of the original  
14 taxes, together with interest from the date of  
15 delinquency at the rate of ten percent per annum  
16 and the costs until January 1, 1983, and  
17 beginning on January 1, 1983, at the rate of two  
18 percent per month, not to exceed eighteen  
19 percent per annum and the costs.

20 3. If suit shall have been commenced  
21 against any person owing taxes on any tract of  
22 land or town lot for the collection of taxes,  
23 the person desiring to redeem any such land  
24 before judgment, in addition to the original  
25 tax, interest and costs including attorney's fee  
26 accruing under this law, shall pay to the city  
27 collector all necessary costs incurred in the  
28 court where the suit is pending, and the city  
29 collector shall account to the clerk of the  
30 court in which such suit is filed for the court  
31 costs so collected.]

[141.840. The provisions of the law with  
2 reference to the compromise of taxes shown on  
3 the back tax book or recorded list of delinquent  
4 land and lots in the collector's office shall  
5 apply to and shall also authorize the compromise

6 of any judgment for taxes after the same had  
7 been rendered therefor and up to that time when  
8 the property shall be sold under execution  
9 issued on said judgment; such compromise to be  
10 authorized by the same officials and under the  
11 same conditions as set forth under existing law  
12 for the compromise of taxes.]

[141.850. 1. If any of the lands or town  
2 lots contained in the back tax book or list of  
3 delinquent lands or lots remain unredeemed on  
4 the first day of January, the collector shall  
5 file suit in the circuit court against such  
6 lands or lots to enforce the lien of the state  
7 and city.

8 2. The collector shall note opposite such  
9 tract in the back tax book the fact that suit  
10 has been commenced and the person against whom  
11 commenced.

12 3. When summons has been issued against  
13 any defendant and the officer to whom it is  
14 directed makes return that the defendant cannot  
15 be found, and the court is satisfied that  
16 summons cannot be served; and in all cases where  
17 it is alleged in the petition or in an affidavit  
18 subsequently filed, that the defendants or any  
19 one of them are nonresidents of the state of  
20 Missouri, the court or clerk of the court in  
21 vacation shall issue an order that notice of  
22 such action be given the defendant by  
23 publication.

24 4. The proof of publication may be made by  
25 filing in the court an affidavit of the  
26 publisher of the newspaper or of any person who  
27 would be a competent witness in the cause.

28 5. If the defendant does not appear and  
29 defend, judgment by default shall be rendered,  
30 which judgment shall be as binding and effectual  
31 against the property as if there had been  
32 personal service on the defendant.]

[141.860. The sheriff may appoint the  
2 collector his deputy sheriff, and when so  
3 appointed he may serve all process in suits  
4 commenced under sections 141.820 to 141.970 with  
5 like effect as the sheriff himself might do.]

2 [141.870. 1. The collector, with the  
3 approval of the mayor, may employ such attorneys  
4 as he deems necessary to collect such taxes and  
5 to prosecute suits for taxes.

6 2. Such attorneys shall receive as total  
7 compensation, a sum, not to exceed six percent  
8 of the amount of taxes actually collected and  
9 paid into the treasury, and an additional sum  
10 not to exceed two dollars for each suit filed  
11 when publication is not necessary, and not to  
12 exceed five dollars where publication is  
13 necessary, as may be agreed upon in writing and  
14 approved by the mayor, before such services are  
15 rendered.

16 3. The attorney fees shall be taxed as  
costs in the suit and collected as other costs.]

2 [141.880. 1. The collector may employ  
3 some competent and reliable abstractor of his  
4 city to prepare memorandums of abstract to the  
5 land described in the tax bills furnished by the  
6 collector.

7 2. The abstracts shall show all  
8 conveyances, liens and charges against such real  
9 estate as shown by the records of such city, and  
10 shall be certified by the abstractor.

11 3. The abstracts shall be delivered to the  
12 tax attorney who shall file them with the  
13 petitions and shall become the property of the  
14 purchaser at the tax sale.

15 4. The abstractor shall receive as  
16 compensation a sum not to exceed five dollars  
17 for each abstract furnished which sum shall be  
18 taxed as costs and paid as other costs in the  
case.]

2 [141.890. No action for recovery of taxes  
3 against real estate shall be commenced, had or  
4 maintained, unless action therefor shall be  
commenced within five years after delinquency.]

2 [141.900. 1. All actions commenced under  
3 the provisions of sections 141.820 to 141.970  
4 shall be prosecuted in the name of the state of  
5 Missouri, at the relation and to the use of the  
6 collector, and against the owner of the  
property, if known, and if not known, then

7 against the last owner of record as shown by the  
8 city records at the time the suit was brought.

9 2. All lands owned by the same person or  
10 persons may be included in one petition and in  
11 one count thereof, for the taxes for all such  
12 years as taxes may be due thereon, and the  
13 petition shall show the different years for  
14 which taxes are due, as well as the several  
15 kinds of taxes or funds to which they are due,  
16 with the respective amounts due to each fund;  
17 all of which shall be set forth in a tax bill of  
18 said back taxes, duly authenticated by the  
19 certificate of the collector and filed with the  
20 petition; and the tax bill or bills, so  
21 certified, shall be prima facie evidence that  
22 the amount claimed in said suit is just and  
23 correct.

24 3. All notices and process in suits under  
25 sections 141.820 to 141.970 shall be sued out  
26 and served in the same manner as in civil  
27 actions in circuit courts; and in case of suits  
28 against nonresident unknown parties, or other  
29 owners on whom service cannot be had by ordinary  
30 summons, the proceedings shall be the same as  
31 now provided by law in civil actions affecting  
32 real or personal property. In all suits under  
33 sections 141.820 to 141.970, the general laws of  
34 the state as to practice and proceedings in  
35 civil cases shall apply so far as applicable and  
36 not contrary to sections 141.820 to 141.970.]

[141.910. The judgment, if against the  
2 defendant, shall describe the land upon which  
3 taxes are found to be due; shall state the  
4 amount of taxes and interest found to be due  
5 upon each tract or lot, and the year or years  
6 for which the same are due, up to the rendition  
7 thereof, and shall decree that the lien of the  
8 state be enforced, and that the real estate, or  
9 so much thereof as may be necessary to satisfy  
10 such judgment, interest and costs, be sold, and  
11 a special fieri facias shall be issued thereon,  
12 subject to the provisions herein contained,  
13 which shall be executed as in other cases of  
14 special judgment and execution, and said  
15 judgment shall be a first lien upon said land.]

2 [141.920. The lien of general tax  
3 judgments provided for in sections 141.820 to  
4 141.970 shall be a continuing lien and shall not  
5 be barred by lapse of time or limitation, but  
6 shall terminate only upon payment as herein  
provided, or sale under execution.]

2 [141.930. After judgment shall have been  
3 rendered, no execution shall be levied thereon  
4 nor sale under said execution had for a period  
5 of two years from the date of entry of such  
6 judgment, during which time the owner of the  
7 property against which judgment has been  
8 rendered, or any person having an interest  
9 therein, may redeem the property from said  
10 judgment by paying the amount of the judgment,  
11 interest and costs, or the amount set as a  
12 compromise payment under the terms of this law,  
13 and if such payment be made, the judgment shall  
be released and the taxes marked paid.]

2 [141.931. Any provisions of this chapter  
3 to the contrary notwithstanding, the owner of  
4 any parcel of real property against which a  
5 judgment has been rendered shall not have the  
6 right to redeem such property from said judgment  
7 if at the time of judgment such property is  
8 assessed as residential property and the  
9 judgment finds the property has been vacant for  
10 a period of not less than six months prior to  
11 the judgment. After a judgment as provided for  
12 in this section becomes final, a sale under  
13 execution of the judgment shall be immediately  
14 held as provided under the applicable provisions  
of this chapter.]

2 [141.940. 1. Whenever a sale under  
3 execution on a tax judgment shall be had, the  
4 sheriff shall announce that such sale is subject  
5 to the approval of the court, and the sheriff  
6 shall report the sale and the amount of the bid  
7 to the court in which judgment was rendered, and  
8 the court shall appoint two disinterested and  
9 competent appraisers, who shall appraise the  
10 value of the property and the improvements  
thereon.]

11           2. If the amount bid by the purchaser at  
12 the execution sale shall exceed fifty percent of  
13 the value of the property, the court shall  
14 confirm the sale, and the sheriff shall execute  
15 a deed for the property.

16           3. If the amount bid by the purchaser is  
17 less than fifty percent of the appraised value  
18 of the property, and the title which would be  
19 acquired by the purchaser is subject to other  
20 taxes, which are a lien superior to the lien of  
21 the taxes for which the judgment was rendered,  
22 and the combined amount of such prior liens and  
23 the amount bid by the purchaser shall exceed  
24 fifty percent of the appraised value of the  
25 property, the court shall likewise confirm the  
26 sale, and the sheriff shall execute a deed to  
27 the purchaser.

28           4. If the amount bid, together with prior  
29 tax liens, if any, shall be less than fifty  
30 percent of the appraised value of the property,  
31 the court may require the purchaser to increase  
32 his bid to an amount equal to fifty percent of  
33 such appraised value, and if the purchaser  
34 agrees so to do, and makes such additional  
35 payment, the sale shall be approved, and the  
36 sheriff shall execute and deliver a deed to the  
37 purchaser, but if the purchaser declines to  
38 increase his bid and make such additional  
39 payment, the sale shall be disapproved and the  
40 lien of the judgment continued, subject to the  
41 issuance of subsequent executions.]

          [141.950. The sheriff shall, subject to  
2 the provisions of section 141.940, execute to  
3 the purchasers of real estate under sections  
4 141.820 to 141.970, a deed for the property  
5 sold, which shall be acknowledged before the  
6 circuit court of the city not within a county,  
7 as in ordinary cases, and which shall convey a  
8 title in fee to such purchaser of the real  
9 estate therein named, and shall be prima facie  
10 evidence of title, and that the matters and  
11 things therein stated are true.]

          [141.960. 1. Fees shall be allowed for  
2 services rendered under the provisions of  
3 sections 141.820 to 141.970, as follows:

4 (1) To the collector, two percent on all  
5 sums collected and twenty-five cents per tract  
6 for making the back tax books;

7 (2) To the circuit clerk, sheriff and  
8 printer, such fees as are allowed by law for  
9 like services in civil cases.

10 2. Such fees shall be taxed as costs and  
11 collected from the person redeeming such tract  
12 or from the proceeds of sale.

13 3. In no case shall the state or city be  
14 liable for any such costs nor shall the  
15 commissioner of administration allow any claim  
16 for costs incurred under sections 141.820 to  
17 141.970.]

2 [141.970. The general law relating to  
3 taxation and the collection of delinquent taxes,  
4 as now existing, shall apply to cities not  
5 within any county insofar as not inconsistent  
6 with the provisions of sections 141.820 to  
7 141.970, except that cities not within any  
8 county may hereafter elect to operate under the  
9 provisions of chapter 140, the general law  
10 relating to the collection of delinquent taxes,  
11 by the enactment of an ordinance by the  
legislative body of such city.]