

FIRST REGULAR SESSION

# HOUSE BILL NO. 289

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PROUDIE.

1167H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 347.048, RSMo, and to enact in lieu thereof one new section relating to limited liability companies.

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

Section A. Section 347.048, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 347.048, to read as follows:

347.048. 1. (1) Any limited liability company that owns and rents or leases real property, or owns unoccupied real property, located within:

(a) Any home rule city with a population of more than four hundred thousand inhabitants which is located in more than one county;

(b) Any home rule city with more than one hundred sixteen thousand but fewer than one hundred fifty-five thousand inhabitants; ~~or~~

(c) Any home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants; **or**

(d) **Any county with more than one million inhabitants**

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11 shall file with that city's **or county's** clerk an affidavit listing the name and street address of at  
12 least one natural person who has management control and responsibility for the real property  
13 owned and leased or rented by the limited liability company, or owned by the limited liability  
14 company and unoccupied.

15 (2) Within thirty days following the cessation of management control and  
16 responsibility of any natural person named in an affidavit described in this section, the

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 limited liability company shall file a successor affidavit listing the name and street address of  
18 a natural person successor.

19         2. No limited liability company shall be charged a fee for filing an affidavit or  
20 successor affidavit required under this section.

21         3. If a limited liability company required by this section to file an affidavit or a  
22 successor affidavit fails or refuses to file such completed affidavit with the appropriate clerk,  
23 any person who is adversely affected by the failure or refusal, **the county**, or the home rule  
24 city may petition the circuit court in the county where the property is located to direct the  
25 execution and filing of such document.

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