

SECOND REGULAR SESSION

# HOUSE BILL NO. 2898

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE OWEN.

5518H.02I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal sections 140.010, 140.190, 140.250, 140.420, 140.980, 140.981, 140.982, 140.983, 140.984, 140.985, 140.986, 140.987, 140.988, 140.991, 140.994, 140.995, 140.1000, 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, 141.819, 141.980, 141.984, 141.1009, 141.1020, and 249.255, RSMo, and to enact in lieu thereof forty-eight new sections relating to unpaid taxes and fees.

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

Section A. Sections 140.010, 140.190, 140.250, 140.420, 140.980, 140.981, 140.982, 140.983, 140.984, 140.985, 140.986, 140.987, 140.988, 140.991, 140.994, 140.995, 140.1000, 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141.580, 141.610, 141.620, 141.680, 141.700, 141.819, 141.980, 141.984, 141.1009, 141.1020, and 249.255, RSMo, are repealed and forty-eight new sections enacted in lieu thereof, to be known as sections 140.010, 140.190, 140.250, 140.420, 140.980, 140.981, 140.982, 140.983, 140.984, 140.985, 140.986, 140.987, 140.988, 140.991, 140.994, 140.995, 140.1000, 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, 141.819, 141.980, 141.984, 141.1009, 141.1020, and 249.255, to read as follows:

140.010. 1. All real estate upon which the taxes remain unpaid on the first day of January, annually, are delinquent, and the county collector shall enforce the lien of the state

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.

3 thereon, as required by this chapter. Any failure to properly return the delinquent list, as  
4 required by this chapter, in no way affects the validity of the assessment and levy of taxes, nor  
5 of the foreclosure and sale by which the collection of the taxes is enforced, nor in any manner  
6 affects the lien of the state on the delinquent real estate for the taxes unpaid thereon.

7       2. Alternatively, any county may, by adoption of a resolution or order of the county  
8 commission of such county, elect to operate under the provisions of sections 141.210 to  
9 141.810 for any parcel ~~[for which there is an unpaid tax bill for a period of at least two years~~  
10 ~~after the date on which it became delinquent]~~. Any county electing to operate as such shall be  
11 called a "partial opt-in county". No county eligible to establish a land bank agency under  
12 subsection 1 of section 140.981 shall elect to operate as a partial opt-in county unless the  
13 county first elects to establish a land bank agency as provided in subsection 1 of section  
14 140.981. In accordance with section 141.290, after the adoption of such resolution or order  
15 by a county commission, the collector of the county shall decide which tax delinquent parcels  
16 shall proceed according to the provisions of sections 141.210 to 141.810. Such parcels shall  
17 be exempt from the provisions of sections 140.030 to 140.722. The collector shall remove  
18 such parcels from any list of parcels advertised for first, second, third, or post-third sales.

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

5       2. (1) The person or land bank agency offering at said sale to pay the required sum  
6 for a tract shall be considered the purchaser of such land; provided, no sale shall be made to  
7 any person or designated agent who:

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

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

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

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

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

18       (2) No bid shall be received from any person not a resident of the state of Missouri or  
19 a foreign corporation or entity all deemed nonresidents. A nonresident shall file with said  
20 collector an agreement in writing consenting to the jurisdiction of the circuit court of the  
21 county in which such sale shall be made, and also filing with such collector an appointment of

22 some citizen of said county as agent of said nonresident, and consenting that service of  
23 process on such agent shall give such court jurisdiction to try and determine any suit growing  
24 out of or connected with such sale for taxes. After the delinquent auction sale, any certificate  
25 of purchase shall be issued to the agent. After meeting the requirements of section 140.405,  
26 the property shall be conveyed to the agent on behalf of the nonresident, and the agent shall  
27 thereafter convey the property to the nonresident. A collector may preclude a prospective  
28 bidder from participating in a sale for failure to comply with any of the provisions of this  
29 section.

30 3. All such written consents to jurisdiction and selective appointments shall be  
31 preserved by the county collector and shall be binding upon any person or corporation  
32 claiming under the person consenting to jurisdiction and making the appointment herein  
33 referred to; provided further, that in the event of the death, disability or refusal to act of the  
34 person appointed as agent of said nonresident the county clerk shall become the appointee as  
35 agent of said nonresident.

36 4. No person residing in any home rule city with more than seventy-one thousand but  
37 fewer than seventy-nine thousand inhabitants shall be eligible to offer to purchase lands under  
38 this section unless such person has, no later than ten days before the sale date, demonstrated  
39 to the satisfaction of the official charged by law with conducting the sale that the person is not  
40 the owner of any parcel of real property that has two or more violations of the municipality's  
41 building or housing codes. A prospective bidder may make such a demonstration by  
42 presenting statements from the appropriate collection and code enforcement officials of the  
43 municipality. This subsection shall not apply to any taxing authority or land bank agency, and  
44 entities shall be eligible to bid at any sale conducted under this section without making such a  
45 demonstration.

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

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

12 3. If any lands or lots are not sold at such third offering, then the collector shall  
13 advertise or offer such lands or lots for sale once every thirty days.

14           4. A purchaser at any sale subsequent to the third offering of any land or lots, whether  
15 by the collector or a trustee as provided in section 140.260, shall be entitled to the immediate  
16 issuance and delivery of a collector's deed and there shall be no period of redemption from  
17 such post-third year sales; provided, however, before any purchaser at a sale to which this  
18 section is applicable shall be entitled to a collector's deed it shall be the duty of the collector  
19 to demand, and the purchaser to pay, in addition to the purchaser's bid, all taxes due and  
20 unpaid on such lands or lots that become due and payable on such lands or lots subsequent to  
21 the date of the taxes included in such advertisement and sale. The collector's deed or trustee's  
22 deed shall have priority over all other liens or encumbrances on the property sold except for  
23 real property taxes.

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

28           6. In the event the real purchaser at any sale to which this section is applicable shall  
29 be the owner of the lands or lots purchased, or shall be obligated to pay the taxes for the  
30 nonpayment of which such lands or lots were sold, then no collector's deed shall be issued to  
31 such purchaser, or to anyone acting for or on behalf of such purchaser, without payment to the  
32 collector of such additional amount as will discharge in full all delinquent taxes, penalty,  
33 interest and costs.

          140.420. If no person shall redeem the lands sold for taxes prior to the expiration of  
2 the right to redeem, at the expiration thereof, and on production of the certificate of purchase  
3 and upon proof satisfactory to the collector that a purchaser or the purchaser's heirs,  
4 successors, or assigns are authorized to acquire the deed:

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

11           (2) The state of Missouri or any person, taxing authority, tax district, judgment  
12 creditor, or lienholder that had a right, title, interest, claim, or equity of redemption on or to  
13 the lands or that had a lien upon the lands shall be barred and forever foreclosed of such  
14 unclaimed right, title, interest, claim, or equity of redemption in or to the lands and of any lien  
15 upon the lands.

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

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

4           (1) "Land bank agency", an agency established by a county or municipality under the  
5 authority of section 140.981;

6           (2) "Land taxes", taxes on real property or real estate, including the taxes both on the  
7 land and the improvements thereon;

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

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

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

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

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

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

8           2. Any municipality with more than one thousand five hundred inhabitants not  
9 located within a county with more than one million inhabitants may establish a land bank  
10 agency for the management, sale, transfer, and other disposition of interests in real estate  
11 owned by such land bank agency. A municipality may establish a land bank agency by  
12 ordinance, resolution, or rule, as applicable.

13           3. A land bank agency shall not own any interest in real estate located wholly or  
14 partially outside the ~~[city]~~ **municipality or county** that established the land bank.

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

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

140.982. 1. If a county establishes a land bank agency under subsection 1 of section  
2 140.981, the members of the first board of directors of a land bank agency shall be appointed

3 within ninety days after the effective date of the ordinance, resolution, or rule passed  
4 establishing such land bank agency. ~~[If any appointing authority fails to make any~~  
5 ~~appointment of a board member within the time the first appointments are required, the~~  
6 ~~appointment shall be made by the county council.]~~ The following requirements shall apply to  
7 the board of directors:

8 (1) The board of directors shall consist of seven members **appointed by the county**  
9 **executive under the authority vested in that office by the county charter:**

10 (a) Two of whom shall ~~[be appointed by the county executive, one of whom shall]~~  
11 have professional expertise relevant to the land bank agency;

12 (b) One of whom shall ~~[be appointed by the member of the county council~~  
13 ~~representing the]~~ **represent the county council of the** district with the highest number of tax  
14 delinquent parcels. Such board member shall maintain a primary residence within such  
15 district;

16 (c) One of whom shall ~~[be appointed by the member of the county council~~  
17 ~~representing the]~~ **represent the county council of the** district with the second highest  
18 number of tax delinquent parcels. Such board member shall maintain a primary residence  
19 within such district;

20 (d) One of whom shall ~~[be appointed by consensus of the county executive and the~~  
21 ~~president of]~~ **represent** the municipal league of the county; and

22 (e) Two of whom shall be resident representatives. Resident representatives shall be  
23 appointed by a majority vote of the other board members, and each resident representative  
24 shall maintain a primary residence within one of the twenty municipalities containing the  
25 highest percentage of tax delinquent parcels;

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

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

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

36 (5) The board shall establish rules and requirements relative to the attendance and  
37 participation of members in its meetings, regular or special. Such rules and regulations may  
38 prescribe a procedure whereby, if any member fails to comply with such rules and  
39 regulations, such member may be disqualified and removed automatically from office by no

40 less than a majority vote of the remaining members of the board, and that member's position  
41 shall be vacant as of the first day of the next calendar month. Any person removed under the  
42 provisions of this subdivision shall be ineligible for reappointment to the board unless such  
43 reappointment is confirmed unanimously by the board;

44 (6) A vacancy on the board shall be filled in the same manner as the original  
45 appointment~~]. If any appointing authority fails to make any appointment of a board member~~  
46 ~~within sixty days after any term expires, the appointment shall be made by the county~~  
47 ~~council]~~ **within sixty days and shall be done in compliance with the county charter;**

48 (7) Board members shall serve without compensation. The board may reimburse any  
49 member for expenses actually incurred in the performance of duties on behalf of the land  
50 bank agency;

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

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

58 (10) All actions of the board shall be approved by the affirmative vote of a majority of  
59 the members of that board present and voting. However, no action of the board shall be  
60 authorized on the following matters unless approved by a majority of the total board  
61 membership:

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

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

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

69 (d) Sale, encumbrance, or alienation of real property, improvements, or personal  
70 property;

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

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

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

79 2. If a municipality establishes a land bank agency under subsection 1 of section  
80 140.981, the ordinance, resolution, or rule, as applicable, may specify the following:

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

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

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

86 (4) The qualifications, manner of selection or appointment, **powers**, and terms of  
87 office of members of the board.

88 3. A land bank agency may employ a secretary, an executive director, its own counsel  
89 and legal staff, technical experts, and other agents and employees, permanent or temporary, as  
90 it may require and may determine the qualifications and fix the compensation and benefits of  
91 such persons. A land bank agency may also enter into contracts and agreements with political  
92 subdivisions for staffing services to be provided to the land bank agency by political  
93 subdivisions or agencies or departments thereof, or for a land bank agency to provide such  
94 staffing services to political subdivisions or agencies or departments thereof.

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

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

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

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

10 (4) To borrow from the political subdivision establishing the land bank agency, as  
11 may be necessary for the operation and work of the land bank agency;

12 (5) To procure insurance or guarantees from political subdivisions, the state, the  
13 federal government, or any other public or private sources of the payment of any bond, note,  
14 loan, or other obligation, or portion thereof, incurred by the land bank agency and to pay any  
15 fees or premiums in connection therewith;

16 (6) To enter into contracts and other instruments necessary, incidental, or convenient  
17 to the performance of its duties and the exercise of its powers including, but not limited to,  
18 agreements with other land bank agencies and with political subdivisions for the joint  
19 exercise of powers under this chapter;



- 20 (7) To enter into contracts and other instruments necessary, incidental, or convenient  
21 to:
- 22 (a) The performance of functions by the land bank agency on behalf of political  
23 subdivisions, or agencies or departments thereof; or
- 24 (b) The performance by political subdivisions, or agencies or departments thereof, of  
25 functions on behalf of the land bank agency;
- 26 (8) To make and execute contracts and other instruments necessary or convenient to  
27 the exercise of the powers of the land bank agency;
- 28 (9) To procure insurance against losses in connection with the property, assets, or  
29 activities of the land bank agency;
- 30 (10) To invest the ~~[moneys]~~ **money** of the land bank agency in the same manner as  
31 moneys are invested by the state treasurer, including amounts deposited in reserve or sinking  
32 funds, at the discretion of the land bank agency in obligations or property determined proper  
33 by the land bank agency and to name and use depositories for its moneys;
- 34 (11) To enter into contracts for the management of or the sale of the property of the  
35 land bank agency;
- 36 (12) To design, develop for public use, construct, demolish, reconstruct, rehabilitate,  
37 renovate, relocate, equip, furnish, and otherwise improve real property or rights or interests in  
38 real property held by the land bank agency;
- 39 (13) To acquire property, whether by purchase, exchange, gift, lease, or otherwise,  
40 except not property not wholly located in the county or municipality that established the land  
41 bank agency; to grant or acquire licenses and easements; and to sell, grant an option with  
42 respect to, or otherwise dispose of, any property of the land bank agency;
- 43 (14) To enter into partnerships, joint ventures, and other collaborative relationships  
44 with political subdivisions and other public and private entities for the management,  
45 development, and disposition of real property, except not for property not wholly located in  
46 the county or municipality that established the land bank agency; and
- 47 (15) Subject to the other provisions of this chapter and all other applicable laws, to do  
48 all other things necessary or convenient to achieve the objectives and purposes of the land  
49 bank agency or other laws that relate to the purposes and responsibility of the land bank  
50 agency.

140.984. 1. The income of a land bank agency shall be exempt from all taxation by  
2 the state and by any of its political subdivisions. Upon acquiring title to any real estate, a land  
3 bank agency shall immediately notify the county assessor and the county collector of such  
4 ownership; all taxes, special taxes, fines, and fees on such real estate shall be deemed satisfied  
5 by transfer to the land bank agency; and such property shall be exempt from all taxation  
6 during the land bank agency's ownership thereof, in the same manner and to the same extent

7 as any other publicly owned real estate. Upon the sale or other disposition of any real estate  
8 held by it, the land bank agency shall immediately notify the county assessor and the county  
9 collector of such change of ownership. However, that such tax exemption for improved and  
10 occupied real property held by the land bank agency as a lessor pursuant to a ground lease  
11 shall terminate upon the first occupancy~~[, and]~~. The land bank agency shall immediately  
12 notify the county assessor and the county collector of such occupancy.

13 2. A land bank agency may acquire real property by gift, devise, transfer, exchange,  
14 foreclosure, purchase, or pursuant to sections 141.560 to 141.580 or section 141.819, except a  
15 land bank agency shall not acquire property located partially or wholly outside the boundaries  
16 of the county or municipality that established such land bank agency.

17 3. A land bank agency may acquire property by purchase contracts, lease purchase  
18 agreements, installment sales contracts, and land contracts and may accept transfers from  
19 political subdivisions upon such terms and conditions as agreed to by the land bank agency  
20 and the political subdivision. A land bank agency may bid on any parcel of real estate offered  
21 for sale, offered at a foreclosure sale under sections 140.220 to 140.250, offered at a sale  
22 conducted under section 140.190, 140.240, or 140.250, or offered at a foreclosure sale under  
23 section 141.550. Notwithstanding any other law to the contrary, any political subdivision  
24 may transfer to the land bank agency real property and interests in real property of the  
25 political subdivision on such terms and conditions and according to such procedures as  
26 determined by the political subdivision.

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

29 5. Upon issuance of a deed to a parcel of real estate to a land bank agency under  
30 subsection 4 of section 140.250, subsection 5 of section 140.405, other sale conducted under  
31 section 140.190, 140.240, or 140.250, or section 141.550, the land bank agency shall pay only  
32 the amount of the land bank agency's bid that exceeds the amount of all tax bills included in  
33 the judgment, interest, penalties, attorney's fees, taxes, and costs then due thereon. If the real  
34 estate is acquired in a delinquent land tax auction under subsection 4 of section 140.250,  
35 subsection 5 of section 140.405, or other sale conducted under section 140.190, 140.240, or  
36 140.250, such excess shall be applied and distributed in accordance with section 140.230. If  
37 the real estate is acquired in a delinquent land tax auction under section 141.550, such excess  
38 shall be applied and distributed in accordance with subsections 3 and 4 of section 141.580,  
39 exclusive of subdivision (3) of subsection 3 of section 141.580. Upon issuance of a deed, the  
40 county collector shall mark the tax bills included in the judgment as "cancelled by sale to the  
41 land bank" and shall take credit for the full amount of such tax bills, including principal  
42 amount, interest, penalties, attorney's fees, and costs, on the county collector's books and in  
43 the county collector's statements with any other taxing authorities.

44           6. A land bank shall not own real property unless the property is wholly located  
45 within the boundaries of the county or municipality that established the land bank agency.

46           7. Within one year of the effective date of the ordinance, resolution, or rule passed  
47 establishing a municipal land bank agency under subsection 2 of section 140.981, the title to  
48 any real property that is located wholly within the municipality that created the land bank  
49 agency and that is held by a land trust created under subsection 1 of section 141.819 shall be  
50 transferred by deed from the land trust to such land bank agency, at the land bank agency's  
51 request.

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

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

- 7           (1) Whether a parcel is available for sale;
- 8           (2) The address of the parcel if an address has been assigned;
- 9           (3) The parcel number if no address has been assigned;
- 10          (4) The month and year that a parcel entered the land bank agency's inventory;
- 11          (5) Whether a parcel has sold;
- 12          (6) If a parcel has sold, the name of the person or entity to which it was sold; and
- 13          (7) Whether the parcel was acquired by the land bank agency through judicial  
14 foreclosure, nonjudicial foreclosure, donation, or some other manner.

15           3. The land bank agency shall determine and set forth in policies and procedures the  
16 general terms and conditions for consideration to be received by the land bank agency for the  
17 transfer of real property and interests in real property. Consideration may take the form of  
18 monetary payments and secured financial obligations, covenants, and conditions related to the  
19 present and future use of the property; contractual commitments of the transferee; and such  
20 other forms of consideration as the land bank agency determines to be in the best interest of  
21 the land bank agency.

22           4. A land bank agency may convey, exchange, sell, transfer, grant, release and  
23 demise, pledge, and hypothecate any and all interests in, upon, or to property of the land bank  
24 agency. A land bank agency may gift any interest in, upon, or to property to the county or  
25 municipality that established the land bank agency.

26           5. A county or municipality may, in its resolution, ordinance, or rule creating a land  
27 bank agency, establish a hierarchical ranking of priorities for the use of real property  
28 conveyed by such land bank agency, including, but not limited to:

- 29          (1) Use for purely public spaces and places;

30 (2) Use as wildlife conservation areas;

31 (3) Use as a green field area; and

32 (4) To return to private use.

33

34 If a county or municipality, in its resolution, ordinance, or rule creating a land bank agency,  
35 establishes priorities for the use of real property conveyed by the land bank agency, such  
36 priorities shall be consistent with and no more restrictive than municipal planning and zoning  
37 ordinances.

38 6. The land bank agency may delegate to officers and employees the authority to  
39 enter into and execute agreements, instruments of conveyance, and all other related  
40 documents pertaining to the conveyance of property by the land bank agency.

41 7. Any property sold by a land bank agency that was acquired through purchase,  
42 transfer, exchange, or gift shall be sold.

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

46 (1) To the payment of the expenses of the sale;

47 (2) To fulfill the requirements of the resolution, indenture, or other financing  
48 documents adopted or entered into in connection with bonds, notes, or other obligations of the  
49 land bank agency, to the extent that such requirements may apply with respect to such parcel  
50 of real estate;

51 (3) To the land bank agency to pay the salaries and other expenses of such land bank  
52 agency and of its employees as provided for in its annual budget; and

53 (4) Any funds in excess of those necessary to meet the expenses of the annual budget  
54 of the land bank agency in any fiscal year and a reasonable sum to carry over into the next  
55 fiscal year to assure that sufficient funds will be available to meet initial expenses for that  
56 next fiscal year shall be paid to the respective taxing authorities that, at the time of the  
57 distribution, are taxing the real property from which the proceeds are being distributed. The  
58 distributions shall be in proportion to the amounts of the taxes levied on the properties by the  
59 taxing authorities. Distribution shall be made on January first and July first of each year, and  
60 at such other times as the land bank agency may determine.

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

7           2. The governing body of the county or municipality may grant the land bank agency  
8 a one-year extension if the body determines by a majority vote that unforeseen circumstances  
9 have delayed the sale or productive use of a parcel of property.

10           3. If a land bank agency owns a parcel of real property that does not have a productive  
11 use after five years, or does not receive an extension under subsection 2 of this section, the  
12 property shall be offered for public sale using the procedures under sections 140.170 to  
13 140.190.

140.987. 1. A land bank agency shall require that any buyer demonstrate that the  
2 buyer is not the owner of any parcel of real estate within the county or municipality that  
3 created the land bank agency for which a tax bill has been delinquent for more than one year  
4 or is in violation of any municipal building or housing code~~], and is not the original owner or~~  
5 ~~relative of such owner within the second degree of consanguinity of the parcel sold,~~  
6 ~~transferred, exchanged, or gifted to the land bank agency].~~

7           2. No foreign or domestic corporation or limited liability company that has failed to  
8 appoint or maintain a registered agent under chapter 347 or 351 shall be eligible to buy  
9 property from the land bank agency. No foreign corporate entity shall be eligible to buy  
10 property from the land bank agency unless it has a certificate of authority to transact business  
11 in Missouri under section 351.572.

12           3. As a condition of the sale or other authorized conveyance of ownership of any  
13 parcel of land owned by the land bank agency to a private owner, such owner may be required  
14 to enter into a contract, which may be secured by a deed of trust in favor of the land bank  
15 agency, stipulating that such owner or the owner's successor agrees that such owner or the  
16 owner's successor make certain improvements to the parcel. If the land bank agency finds by  
17 resolution that the terms of the contract have not been satisfied, the land bank agency shall be  
18 authorized to bring suit to recover damages for the breach and to seek a judicial foreclosure of  
19 the parcel under sections 443.190 to 443.260, except that upon final judgment of the court,  
20 title shall revert to the land bank agency without necessity of sale. As an alternative to, or in  
21 addition to, seeking a judicial foreclosure, the land bank agency may, only by gift, assign or  
22 convey its right to foreclose under sections 443.190 to 443.260 to any 501(c)(3) tax-exempt  
23 nonprofit organization or exercise the right of reentry under chapter 524, 527, or 534. The  
24 land bank agency or its assignee shall assume title to the land by filing a copy of the judgment  
25 with the recorder of deeds in the county where the property is located. Any property  
26 redeemed by the land bank agency under the provisions of this section shall be administered  
27 in the same manner as other property sold to the land bank agency.

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

4 (2) A land bank agency may receive funding through gifts from any source, provided  
5 that the land bank agency shall not sell or otherwise transfer by any means any real property  
6 held by the land bank agency to the entity from which the land bank agency received a gift  
7 ~~[pursuant to this subdivision]~~.

8 2. Except as otherwise provided in subsection 7 of section 140.985, a land bank  
9 agency may receive and retain payments for services rendered, for consideration for  
10 disposition of real and personal property, for proceeds of insurance coverage for losses  
11 incurred, for income from investments, and for any other asset and activity lawfully permitted  
12 to a land bank agency under the chapter 140 land bank act.

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

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

27 5. If a county has established a land bank agency under subsection 1 of section  
28 140.981, the collector may collect on behalf of the county a fee for the collection of  
29 delinquent and back taxes of up to five percent on all sums collected to be added to the face of  
30 the tax bill and collected from the party paying the tax. All fees collected under the  
31 provisions of this subsection shall be paid to the land bank agency established under  
32 subsection 1 of section 140.981.

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

8           2. The land bank agency may be performance audited at any time by the state auditor  
9 or by the auditor of the county or municipality that established the land bank agency. The  
10 land bank agency shall make copies of such audit available to the public and shall post a copy  
11 of the audit on the land bank agency's website within thirty days of the completion of the  
12 audit.

140.994. 1. A land bank agency shall have power to receive funds from bonds issued  
2 by the county or municipality that created the land bank agency, for any of its ~~corporate~~  
3 purposes. The bonds shall be special, limited obligations of the county or municipality that  
4 created the land bank agency, the principal of and interest on which shall be payable solely  
5 from the income and revenue derived from the sale, or other disposition of the assets of the  
6 land bank agency, or such portion thereof as may be designated in the resolution, indenture, or  
7 other financing documents relating to the issuance of the bonds.

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

14           3. Bonds issued pursuant to this section shall be authorized by resolution of the  
15 governing body of the county or municipality establishing the land bank agency, shall be  
16 issued in such form, shall be in such denominations, shall bear interest at such rate or rates,  
17 shall mature on such dates and in such manner, shall be subject to redemption at such times  
18 and on such terms, and shall be executed by one or more members of the governing body of  
19 the county or municipality establishing the land bank agency, as provided in the resolution  
20 authorizing the issuance thereof or as set out in the indenture or other financing document  
21 authorized and approved by such resolution. The governing body of the county or  
22 municipality establishing the land bank agency may sell such bonds in such manner, either at  
23 public or at private sale, and for such price as the governing body of the county or  
24 municipality establishing the land bank agency may determine to be in the best interests of the  
25 land bank agency.

26           4. A governing body of the county or municipality establishing the land bank agency  
27 may from time to time, as authorized by resolution of the governing body, issue refunding  
28 bonds for the purpose of refunding, extending, and unifying all or any part of its valid  
29 outstanding bonds. Such refunding bonds may be payable from any of the sources identified  
30 in subsection 1 of this section and from the investment of any of the proceeds of the refunding  
31 bonds.

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

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

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

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

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

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

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

11          4. The land bank agency may adopt supplemental rules and regulations addressing  
12 potential conflicts of interest and ethical guidelines for board members and land bank agency  
13 employees, provided that such rules and regulations are not inconsistent with this chapter or  
14 any other applicable law.

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

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

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



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

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

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

14 (4) By publication in a newspaper of general circulation in the county or municipality  
15 in which the property is located; and

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

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

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

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

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

5 2. ~~[No less than sixty calendar days' advance written notice of consideration of]~~ If  
6 such an ordinance or resolution of dissolution **is being considered, no less than sixty**  
7 **calendar days advance written notice** shall be given to the land bank agency, shall be  
8 published in a local newspaper of general circulation within such county or municipality, and  
9 shall be sent certified mail to each trustee of any outstanding bonds of the land bank agency.

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

20           4. Upon dissolution of a land bank agency pursuant to this section, all real property,  
21 personal property, and other assets of the land bank agency shall be transferred by appropriate  
22 written instrument to and shall become the assets of the county or municipality that  
23 established the land bank agency. Such county or municipality shall act expeditiously to  
24 return such real property to the tax rolls and shall market and sell such real property using an  
25 open, public method that ensures the best possible prices are realized while ensuring such real  
26 property is returned to a suitable, productive use for the betterment of the neighborhood in  
27 which such real property is located. Upon the sale or other disposition of any such property  
28 by such county or municipality, the proceeds therefrom shall be applied and distributed in the  
29 following order:

30           (1) To the payment of the expenses of sale;

31           (2) To the reasonable costs incurred by such county or municipality in maintaining  
32 and marketing such property; and

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

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

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

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

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

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

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

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

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

15           (5) "County" shall mean any county in this state;

16           (6) "Court" shall mean the circuit court of any county affected by sections 141.210 to  
17 141.810 and sections 141.980 to 141.1015;

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

20           (8) "Interested party", shall mean any person with a legal interest in a parcel of land  
21 affected by sections 141.210 to 141.810 and sections 141.980 to 141.1015. Interested party  
22 shall not include:

- 23 (a) The holder of the benefit or burden of any easement or right of way;
- 24 (b) The holder of a benefit or burden of a real covenant; or
- 25 (c) A leasehold owner of subsurface mineral, gas, or oil rights whose interest is
- 26 properly recorded and whose interest shall remain unaffected;
- 27 (9) "Land bank agency", shall mean ~~an~~ **any** agency created under section 141.980;
- 28 (10) "Land taxes" shall mean taxes on real property or real estate and shall include the
- 29 taxes both on land and the improvements thereon;
- 30 (11) "Land trustees" and "land trust" shall mean the land trustees and land trust as the
- 31 same are created by and described in section 141.700;
- 32 (12) "Municipality" shall include any incorporated city or town, or a part thereof,
- 33 located in whole or in part within a county;
- 34 (13) "Person" shall mean any individual, firm, copartnership, joint adventure,
- 35 association, corporation, estate, trust, business trust, receiver or trustee appointed by any state
- 36 or federal court, trustee otherwise created, syndicate, or any other group or combination
- 37 acting as a unit, and the plural as well as the singular number;
- 38 (14) "Political subdivision" shall mean any county, city, town, village, school district,
- 39 library district, or any other public subdivision or public corporation having the power to tax;
- 40 (15) "Reserve period taxes" shall mean land taxes assessed against any parcel of real
- 41 estate sold or otherwise disposed of by a land bank agency for the first three tax years
- 42 following such sale or disposition;
- 43 (16) "School district", "road district", "water district", "sewer district", "levee
- 44 district", "drainage district", "special benefit district", "special assessment district", or "park
- 45 district" shall include those located within a county as such county is described in this section;
- 46 (17) "Sheriff" and "circuit clerk" shall mean the sheriff and circuit clerk, respectively,
- 47 of any county affected by sections 141.210 to 141.810 and sections 141.980 to 141.1015;
- 48 (18) "Tax bill" as used in sections 141.210 to 141.810 and sections 141.980 to
- 49 141.1015 shall represent real estate taxes and the lien thereof, whether general or special,
- 50 levied and assessed by any taxing authority;
- 51 (19) "Tax district" shall mean the state of Missouri and any county, municipality,
- 52 school district, road district, water district, sewer district, levee district, drainage district,
- 53 special benefit district, special assessment district, or park district, located in any municipality
- 54 or county as herein described;
- 55 (20) "Tax lien" shall mean the lien of any tax bill as defined in this section;
- 56 (21) "Taxing authority" shall include any governmental, managing, administering or
- 57 other lawful authority, now or hereafter empowered by law to issue tax bills, the state of
- 58 Missouri or any county, municipality, school district, road district, water district, sewer

59 district, levee district, drainage district, special benefit district, special assessment district, or  
60 park district, affected by sections 141.210 to 141.810 and sections 141.980 to 141.1015.

141.230. 1. The land tax collection law shall apply to all counties that have elected to  
2 operate under the provisions of sections 141.210 to 141.810 by adoption of a resolution or  
3 order of the county commission of such county.

4 2. Alternatively, any county may, by adoption of a resolution or order of the county  
5 commission of such county, elect to operate under the provisions of sections 141.210 to  
6 141.810 as a partial opt-in county. After adoption of any such resolution or order, the  
7 collector for such county may elect to operate under the provisions of sections 141.210 to  
8 141.810 for any parcel ~~[or parcels for which there is an unpaid tax bill for a period of at least~~  
9 ~~two years after the date on which it became delinquent]~~.

10 3. No county eligible to establish a land bank agency under subsection 1 of section  
11 140.981 shall elect to operate as a partial opt-in county unless having first elected to establish  
12 a land bank agency as provided in subsection 1 of section 140.981.

13 4. Any county commission so adopting such resolution or order shall file a certified  
14 copy thereof within ten days after the adoption of said resolution or order with the clerk of the  
15 county commission and with the collector of revenue for such county, and with the mayor and  
16 city collector or chief financial officer of each municipality in such county, as defined by  
17 section 141.220.

18 5. After the adoption of such resolution or order by such county commission, each  
19 municipality shall cooperate with such county under the provisions of sections 141.210 to  
20 141.810. Any such county which shall, in the manner provided herein, have elected to come  
21 within the provisions of sections 141.210 to 141.810, in whole or in part, by adoption of such  
22 resolution, order or ordinance, may, after a period of one year from the effective date of such  
23 resolution, order or ordinance, adopt by similar means a resolution, order or ordinance,  
24 rescinding the election to adopt the provisions of the land tax collection law and certified  
25 copies of such resolution, order or ordinance shall be filed in the same manner as said original  
26 resolution, order or ordinance; provided, that such resolution, order or ordinance rescinding or  
27 nullifying the election to adopt the provisions of sections 141.210 to 141.810 shall not  
28 become effective for one year thereafter nor shall it invalidate or in any way affect any  
29 proceedings in rem for foreclosure which may have been instituted under the provisions of  
30 sections 141.210 to 141.810, but all such actions and proceedings so instituted while the  
31 provisions of said sections were in full force and effect shall be prosecuted to their conclusion  
32 and completion; provided further, that any county which may have operated under sections  
33 141.210 to 141.810 prior to the enactment of this section may hereafter elect to terminate any  
34 further operation under sections 141.210 to 141.810 by proceeding in manner and form and to

35 the same effect as though it had originally elected to operate under the provisions of sections  
36 141.210 to 141.810.

37 6. Any municipality located partly within a county electing to operate in whole or in  
38 part under the provisions of sections 141.210 to 141.810 shall cooperate with such county  
39 under the provisions of sections 141.210 to 141.810; provided, however, that tax bills  
40 imposed against real estate located in that part of such municipality outside of the limits of  
41 any such county shall be collected under other provisions as may be provided by law.

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

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

13 3. The proceeds derived from the sale of any lands encumbered with a tax lien or liens  
14 shall be distributed to the owners of such liens in the order of the seniority of the liens. Those  
15 holding liens of equal rank shall share in direct proportion to the amounts of their respective  
16 liens.

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

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

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

11 4. If the taxes of any taxing authority are two or more years delinquent, the other  
12 taxing authorities and other tax bill owners shall include in the said list all tax liens against  
13 the said parcel, even though the taxes are not two years delinquent.

141.290. 1. The collector shall compile lists of all state, county, school, and other tax bills collectible by the collector that are delinquent according to the collector's records, and the collector shall combine such lists with the list filed by any taxing authority or tax bill owner.

2. For partial opt-in counties, the collector shall decide which tax delinquent parcels shall proceed according to the provisions contained ~~herein~~ **in this chapter**. The remaining parcels shall proceed under such other provisions as may be provided by law.

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

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

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

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

2. The collector shall, on or before the fifth day of each month, file with the owner or holder of any tax bill or with the treasurer or other corresponding financial officer of any taxing authority, a detailed statement, verified by affidavit, of all taxes collected by the collector during the preceding month which appear on the list or lists received by the collector, and shall, on or before the fifteenth day of the month, pay the same, less the collector's commissions and costs payable to the county, to the tax bill owner or holder or to the treasurer or other corresponding financial officer of any taxing authority; provided, however, that the collector shall be given credit for the full amount of any tax bill where title to the real estate described in such tax bill is taken by a land trust, or which is bid on by a land bank agency and where title to the real estate described in such tax bill is taken by such land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, or which is included in the bid of a land bank agency and where title to the real estate described in such

18 tax bill is taken by such land bank agency pursuant to a sale under subdivision (2) of  
19 subsection 2 of section 141.550.

141.320. 1. The collector shall, at the collector's option, appoint a delinquent land tax  
2 attorney, to be compensated as necessary for the performance of the collector's duties under  
3 this chapter, or in counties having a county counselor, the collector shall, at the collector's  
4 option, designate the county counselor and such of the counselor's assistants as shall appear  
5 necessary to act as the delinquent land tax attorney.

6 2. A delinquent land tax attorney who is not the county counselor, with the approval  
7 of the collector, may appoint one or more assistant delinquent land tax attorneys and such  
8 clerical employees as may be necessary, to be compensated as necessary for the performance  
9 of duties under this chapter; and the appointed delinquent tax attorney may incur such  
10 reasonable expenses as are necessary for the performance of the attorney's duties.

11 3. The delinquent land tax attorney and the attorney's assistants shall perform legal  
12 services for the collector and shall act as attorney for the collector in the prosecution of all  
13 suits brought for the collection of land taxes; but the attorney and the collector shall not  
14 perform legal services for the land trust or any land bank agency.

15 4. Salaries and expenses of a delinquent land tax attorney who is not also the county  
16 counselor, the attorney's assistants, and the attorney's employees shall be paid monthly out of  
17 the treasury of the county from the same funds as employees of the collector whenever the  
18 funds provided for by sections 141.150, 141.270, and 141.620 are not sufficient for such  
19 purpose.

20 5. The compensation herein provided shall be the total compensation for a delinquent  
21 land tax attorney who is not also a county counselor, and the attorney's assistants and  
22 employees.

23 6. A delinquent land tax attorney who is not also the county counselor shall make a  
24 return quarterly to the county commission of such county of all compensation received by the  
25 attorney, and of all amounts owing to the attorney by the collector, and of all salaries and  
26 expenses of any assistants and employees, stating the same in detail, and verifying such  
27 amounts by affidavit.

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

141.330. The collector [~~annually~~] may appoint one delinquent land tax clerk in each  
2 office lawfully maintained by the collector in the county, to be compensated as necessary for  
3 the performance of the clerk's duties under this chapter.

141.360. All suits for the foreclosure of tax liens brought by the collector shall name  
2 the collector only by the title of the collector's office, and all such suits shall be brought  
3 directly against the real estate subject to the tax lien or liens to be foreclosed.

141.410. 1. A suit for the foreclosure of the tax liens herein provided for shall be instituted by filing in the appropriate office of the circuit clerk a petition~~[, which]~~. Such petition shall contain a caption, a copy of the list so furnished to the delinquent land tax attorney by the collector, and a prayer. The petition shall name each person with a legal interest in the parcel of land affected by the suit, as reasonably discoverable to the collector from publicly available records. Such petition without further allegation shall be deemed to be sufficient.

2. The caption shall be in the following form:

In the Circuit Court of \_\_\_\_\_ County, Missouri,

In the Matter of

Foreclosure of Liens for Delinquent Land Taxes

By Action in Rem.

Collector of Revenue of \_\_\_\_\_ County, Missouri,

Plaintiff

-vs.-

Parcels of Land Encumbered with Delinquent Tax Liens

Defendants

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

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

(2) The parcel's common street address;

(3) A full legal description for the parcel;

(4) The tax identification number of the parcel;

(5) The period of tax delinquency; and

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

4. The petition shall conclude with a prayer that all tax liens upon such real estate be foreclosed; that the court determine the amounts and priorities of all tax bills, together with interest, penalties, costs, and attorney's fees; that the court order such real estate to be sold by the sheriff at public sale as provided by sections 141.210 to 141.810 and sections 141.980 to 141.1015 and that thereafter a report of such sale be made by the sheriff to the court for further proceedings under sections 141.210 to 141.810 and sections 141.980 to 141.1015.

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



37           6. The petition when so filed shall have the same force and effect with respect to each  
38 parcel of real estate therein described, as a separate suit instituted to foreclose the tax lien or  
39 liens against any one of said parcels of real estate.

141.440. 1. **Within thirty days after the filing of such petition**, the collector shall  
2 ~~[also]~~ cause to be prepared and sent by restricted, registered or certified mail with postage  
3 prepaid, ~~[within thirty days after the filing of such petition,]~~ a notice of the petition, to the  
4 persons named in the petition as being the last known persons in whose names tax bills  
5 affecting the respective parcels of real estate described in said petition were last billed or  
6 charged on the books of the collector, or the last known owner of record, if different, and to  
7 the addresses of said persons upon said records of the collector. The terms "restricted",  
8 "registered" or "certified mail" as used in this section mean mail which carries on the face  
9 thereof in a conspicuous place, where it will not be obliterated, the endorsement "DELIVER  
10 TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the  
11 postal authorities that the addressee refused to receive and receipt for such mail. If the notice  
12 is returned to the collector by the postal authorities as undeliverable for reasons other than the  
13 refusal by the addressee to receive and receipt for the notice as shown by the return receipt,  
14 then the collector shall make a search of the records maintained by the county, including those  
15 kept by the recorder of deeds, to discern the name and address of any person who, from such  
16 records, appears as a successor to the person to whom the original notice was addressed, and  
17 to cause another notice to be mailed to such person. The collector shall prepare and file with  
18 the circuit clerk at least thirty days before judgment is entered by the court on the petition an  
19 affidavit reciting to the court any name, address and serial number of the tract of real estate  
20 affected by any such notices of suit that are undeliverable because of an addressee's refusal to  
21 receive and receipt for the same, or of any notice otherwise nondeliverable by mail, or in the  
22 event that any name or address does not appear on the records of the collector, then of that  
23 fact. The affidavit in addition to the recitals set forth above shall also state reason for the  
24 nondelivery of such notice.

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

141.500. 1. After the trial of the issues, the court shall, as promptly as circumstances  
2 permit, render judgment. If the court finds that no tax bill upon the land collectible by the  
3 collector or the relator was delinquent when the suit was instituted or tried, then the judgment  
4 of the court shall be that the cause be dismissed as to the parcels of real estate described in the  
5 tax bill~~[s-or]~~. If the evidence warrant, the judgment may be for the principal amount of the  
6 delinquent tax bills upon the real estate upon which suit was brought, together with interest,  
7 penalties, attorney's and appraiser's fees and costs computed as of the date of the judgment.  
8 The judgment may recite the amount of each tax bill, the date when it began to bear interest,

9 and the rate of such interest, together with the rate and amount of penalties, attorney's and  
10 appraiser's fees not to exceed fifteen dollars. It may decree that the lien upon the parcels of  
11 real estate described in the tax bill be foreclosed and such real estate sold by the sheriff, and  
12 the cause shall be continued for further proceedings, as herein provided.

13 2. The collector shall cause to be prepared and sent by restricted, registered or  
14 certified mail with postage prepaid, within thirty days after the rendering of such judgment, a  
15 brief notice of such judgment and the availability of a written redemption contract pursuant to  
16 section 141.530 to the persons named in the judgment as being the last known persons in  
17 whose names tax bills affecting the respective parcels of real estate described in such  
18 judgment were last billed or charged on the books of the collector, or the last known owner of  
19 record, if different, and to the addresses of such persons upon the records of the collector.  
20 The terms "restricted", "registered" or "certified mail" as used in this section mean mail which  
21 carries on the face thereof in a conspicuous place, where it will not be obliterated, the  
22 endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt  
23 or a statement by the postal authorities that the addressee refused to receive and receipt for  
24 such mail. If the notice is returned to the collector by the postal authorities as undeliverable  
25 for reasons other than the refusal by the addressee to receive and receipt for the notice as  
26 shown by the return receipt, then the collector shall make a search of the records maintained  
27 by the county, including those kept by the recorder of deeds, to discern the name and address  
28 of any person who, from such records, appears as a successor to the person to whom the  
29 original notice was addressed, and to cause another notice to be mailed to such person. The  
30 collector shall prepare and file with the circuit clerk prior to confirmation hearings an  
31 affidavit reciting to the court any name, address and serial number of the tract of real estate  
32 affected of any such notices of judgment that are undeliverable because of an addressee's  
33 refusal to receive and receipt for the same, or of any notice otherwise nondeliverable by mail,  
34 or in the event that any name or address does not appear on the records of the collector, then  
35 of that fact. The affidavit in addition to the recitals set forth above shall also state reason for  
36 the nondelivery of such notice.

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

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

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

17           3. Any provisions of this chapter to the contrary notwithstanding, the owner of any  
18 parcel of real property against which a judgment has been rendered shall not have the right to  
19 redeem such property from said judgment if at the time of judgment such property is assessed  
20 as residential property and the judgment finds the property has been vacant for a period of not  
21 less than six months prior to the judgment. After a judgment as provided for in this section  
22 becomes final, the waiting period shall not apply to such judgment and a sale under execution  
23 of the judgment shall be immediately held as provided under the applicable provisions of this  
24 chapter.

25           4. In partial opt-in counties, no later than one hundred twenty days prior to the  
26 sheriff's sale, the collector shall obtain from a licensed title company or attorney a title search  
27 that includes all conveyances, liens, and charges against the real estate involved in the suit for  
28 any parcel of real estate against which the collector has obtained a judgment under section  
29 141.500 and for which it has been decreed that the lien upon the parcel of real estate described  
30 in the tax bill be foreclosed and such real estate sold by the sheriff. The charge of such title  
31 search may be recovered from the proceeds of the sale under section 141.580.

32           5. After obtaining or conducting a title search, the collector shall initiate a search of  
33 the following records to identify and locate interested parties and addresses reasonably  
34 calculated to apprise interested parties of the suit:

- 35           (1) Land title records in the office of the county recorder of deeds;  
36           (2) Tax records in the office of the local treasurer;  
37           (3) Tax records in the office of the local assessor;  
38           (4) A search of court records in Missouri CaseNet; and  
39           (5) For a business entity, records filed with the secretary of state.

40

41 The collector may also incur reasonable costs for web-based investigatory searches to  
42 supplement the search for interested parties and addresses. The reasonable cost of locating

43 interested parties and addresses for notice may be recovered from the proceeds of the sale  
44 under section 141.580.

45         6. No later than thirty days prior to the sheriff's sale, the collector shall send notice of  
46 the sale to all interested parties at the address most likely to apprise interested parties of the  
47 sale. The notice shall provide the date, time, and place of the sale and shall also state that the  
48 parcel may be redeemed prior to the sale as specified in sections 141.420 and 141.530. The  
49 notice required by this subsection shall be mailed first class, postage prepaid. The cost of  
50 notice under this subsection may be recovered from the proceeds of the sale under section  
51 141.580.

52         7. No later than twenty days prior to the sheriff's sale, the sheriff shall enter upon the  
53 parcel subject to foreclosure of these tax liens and post a written informational notice in a  
54 conspicuous location, attached to a structure, and intended to be visible by the nearest public  
55 right-of-way. This notice shall describe the parcel and advise that it is the subject of  
56 delinquent land tax collection proceedings brought under sections 141.210 to 141.810 and  
57 sections 141.980 to 141.1015 and that it may be sold for the payment of delinquent taxes at a  
58 sale to be held at a certain time, date, and place and shall also contain the tax identification  
59 number and the phone number and address of the collector as well as a prohibition against  
60 removal unless the parcel has been redeemed. The notice shall be not less than eight inches  
61 by ten inches and shall be laminated or otherwise sufficiently weatherproof to withstand  
62 normal exposure to rain, snow, and other conditions. The sheriff shall document, by time-  
63 stamped photograph, compliance with this section, make such documentation generally  
64 available upon request, and provide verification by affidavit of compliance with this section.  
65 The cost of notice under this subsection may be recovered from the proceeds of the sale under  
66 section 141.580.

67         8. In addition to the other notice requirements of this section, no later than twenty  
68 days prior to the sheriff's sale, the sheriff shall attempt in-person notice that shall describe the  
69 parcel and advise that it is the subject of delinquent land tax collection proceedings brought  
70 under sections 141.210 to 141.810 and sections 141.980 to 141.1015; that shall state that it  
71 may be sold for the payment of delinquent taxes at a sale to be held at a certain time, date, and  
72 place; and that shall also contain the tax identification number and the phone number and  
73 address of the collector. In-person notice may be provided to any person found at the parcel.  
74 The sheriff shall note the date and time of attempted notice and the name, description, or other  
75 identifying information regarding the person to whom notice was attempted. The sheriff shall  
76 document compliance with this section, make such documentation generally available upon  
77 request, and provide verification by affidavit of compliance with this section. The cost of  
78 notice under this subsection may be recovered from the proceeds of the sale under section  
79 141.580.

141.535. 1. If a parcel is the subject of an action filed under sections 447.620 to 447.640, the court shall stay the sale of any tax parcel to be sold under execution of a tax foreclosure judgment obtained under this chapter, provided that the party which has brought such an action has paid into the circuit court the principal amount of all ~~land~~ **delinquent** taxes then due and owing under the tax foreclosure judgment, exclusive of penalties, interest, attorney fees, and court costs, prior to the date of any proposed sale under execution. The party bringing such action shall provide written notice of the filing of the action to the court administrator and file with the circuit court in which the action is pending a certificate that such notice has been provided to the court administrator. If the party that brought the action under sections 447.620 to 447.640 dismisses its action prior to gaining temporary possession of the property, it shall recover any amounts paid into the circuit court under this subsection.

2. In any order granting a sheriff's deed under section 447.625 or a judicial deed under section 447.640, the court shall also order the permanent extinguishment of liability against the grantee and the grantee's successors in interest for penalties, interest, attorney fees, and court costs arising from actions to collect delinquent land taxes due on the subject property. The funds paid into the court for land taxes under subsection 1 of this section shall then be paid to the county collector.

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

141.540. 1. In any county at a certain front door of whose courthouse sales of real estate are customarily made by the sheriff under execution, the sheriff shall advertise for sale and sell the respective parcels of real estate ordered sold by the sheriff pursuant to any judgment of foreclosure by any court pursuant to sections 141.210 to 141.810 and 141.980 to 141.1015 at any of such courthouses~~[-but-]~~. The sale of such parcels of real estate shall be held at the same front door as sales of real estate are customarily made by the sheriff under execution.

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

NOTICE OF SHERIFF'S  
SALE UNDER JUDGMENT OF  
FORECLOSURE OF LIENS FOR  
DELINQUENT LAND TAXES

No. \_\_\_\_\_

In the Circuit Court of \_\_\_\_\_ County, Missouri.

In the Matter of Foreclosure of Liens for Delinquent Land Taxes

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

vs.

Parcels of Land encumbered with Delinquent Tax Liens,

Defendants.

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

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

NOW, THEREFORE,

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

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

\_\_\_\_\_

49 Sheriff of \_\_\_\_\_ County,  
50 Missouri

51 \_\_\_\_\_  
52 Delinquent Land Tax Attorney

53 Address: \_\_\_\_\_

54 First Publication \_\_\_\_\_, 20\_\_\_\_

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

141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the  
2 sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate  
3 taken under execution, except as otherwise provided in sections 141.210 to 141.810 and  
4 sections 141.980 to 141.1015, and provided that such sale need not occur during the term of  
5 court or while the court is in session.

6 2. The following provisions shall apply to any sale pursuant to this section:

7 (1) The sale shall be held on the day for which it is advertised, between the hours of  
8 nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the  
9 judgment as to each respective parcel of real estate sold. For partial opt-in counties, the sale  
10 shall be held on the fourth Monday in August of each year between the hours of nine o'clock  
11 a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to  
12 each respective parcel of real estate sold;

13 (2) The sale shall be conducted publicly, by auction, for ready money. The parcel  
14 shall be sold to the highest bidder, provided that the highest bid is equal to or greater than the  
15 full amount of all tax bills due and owing on the parcel, which may differ from the judgment  
16 amount; plus interest; penalties; attorney's fees and costs; and a nonreimbursable, two-  
17 hundred-dollar bidder fee. Such bidder fee shall be paid to the land trust or land bank agency  
18 for the municipality or county in which the parcel is situated. The bid amount shall not  
19 include any amounts for debts owed to any sewer district then due thereon;

20 (3) No person shall be eligible to bid at the time of the sale unless such person has, no  
21 later than ten days before the sale date, demonstrated to the satisfaction of the official charged  
22 by law with conducting the sale that he or she is not the owner of any parcel of real estate in  
23 the county which is affected by a tax bill which has been delinquent for more than six months.  
24 A prospective bidder may make such a demonstration by presenting statements from the  
25 appropriate collection officials of the county. The official charged with conducting the sale  
26 may require prospective bidders to submit an affidavit attesting to the requirements of this

27 subdivision and is expressly authorized to permanently preclude any prospective bidder from  
28 participating in the sale for failure to comply with the provisions of this subdivision; and

29 (4) No foreign or domestic corporation or limited liability company that has failed to  
30 appoint or maintain a registered agent under chapter 347 or 351 shall be eligible to bid at the  
31 time of the sale. No foreign corporate entity shall be eligible to bid at the time of the sale  
32 unless it has a certificate of authority to transact business in Missouri under section 351.572.  
33 The official charged with conducting the sale may require prospective bidders to submit an  
34 affidavit attesting to the requirements of this subdivision and is expressly authorized to  
35 permanently preclude any prospective bidder from participating in the sale for failure to  
36 comply with the provisions of this subdivision.

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

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

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

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

54 5. The collector shall advance the sums necessary to pay for the publication of all  
55 advertisements required by sections 141.210 to 141.810 and sections 141.980 to 141.1015  
56 and shall be allowed credit therefor in the collector's accounts with the county. The collector  
57 shall give credit in such accounts for all such advances recovered by the collector. Such  
58 expenses of publication shall be apportioned pro rata among and taxed as costs against the  
59 respective parcels of real estate described in the judgment; provided, however, that none of  
60 the costs herein enumerated, including the costs of publication, shall constitute any lien upon  
61 the real estate after such sale.

141.560. 1. If, when the sheriff offers the respective parcels of real estate for sale,  
2 there ~~[be]~~ **are** no bidders for any parcel, or there ~~[be]~~ **is** insufficient time or opportunity to sell



3 all of the parcels of real estate so advertised, the sheriff shall adjourn such sale from day to  
4 day at the same place and commencing at the same hour as when first offered and shall  
5 announce that such real estate will be offered or reoffered for sale at such time and place.

6         2. With respect to any parcel of real estate not located wholly within a county or  
7 municipality that has established a land bank agency under section 140.981 or 141.980, in the  
8 event no bid equal to the full amount of all tax bills due and owing on the parcel, which may  
9 differ from the judgment amount; plus interest; penalties; attorney's fees and costs; and a  
10 nonreimbursable, two-hundred-dollar bidder fee that shall be received at such sale after any  
11 parcel of real estate has been offered for sale on three different days, which need not be  
12 successive, the land trust shall be deemed to have bid the full amount of all tax bills included  
13 in the judgment, interest, penalties, attorney's fees and costs then due, and if no other bid be  
14 then received by the sheriff in excess of the bid of the land trust, and the sheriff shall so  
15 announce at the sale, then the bid of the land trust shall be announced as accepted. The sheriff  
16 shall report any such bid or bids so made by the land trust in the same way as the sheriff's  
17 report of other bids is made. Upon confirmation by the court of such bid at such sale by such  
18 land trust, the collector shall mark the tax bills so bid by the land trust as "cancelled by sale to  
19 the land trust" and shall take credit for the full amount of such tax bills, including principal  
20 amount, interest, penalties, attorney's fees, and costs, on the collector's books and in the  
21 collector's statements with any other taxing authorities.

22         3. With respect to any parcel of real estate located wholly within a county or  
23 municipality that has established a land bank agency under section 140.981 or 141.980, in the  
24 event no bid equal to the full amount of all tax bills due and owing on the parcel, which may  
25 differ from the judgment amount; plus interest; penalties; attorney's fees and costs; and a  
26 nonreimbursable, two-hundred-dollar bidder fee that shall be received at such sale after such  
27 parcel of real estate has been offered for sale on three different days, which need not be  
28 successive, the land bank agency established under section 140.981 or 141.980 shall be  
29 deemed to have bid the full amount of all tax bills included in the judgment, interest,  
30 penalties, attorney's fees and costs then due, and the sheriff shall so announce at the sale, then  
31 the bid of the land bank agency shall be announced as accepted. The sheriff shall report any  
32 such bid or bids so made by such land bank agency in the same way as the sheriff's report of  
33 other bids is made. Upon confirmation by the court of such bid at such sale by such land bank  
34 agency, the collector shall mark the tax bills so bid by such land bank agency as "cancelled by  
35 sale to the land bank" and shall take credit for the full amount of such tax bills, including  
36 principal amount, interest, penalties, attorney's fees, and costs, on the collector's books and in  
37 the collector's statements with any other taxing authorities.

141.570. The title to any real estate which shall vest in any purchaser[;] upon  
2 confirmation of such sale by the court, or in any land bank agency or land trust, shall be an

3 absolute estate in fee simple, subject to rights-of-way thereon of public utilities on which tax  
4 has been otherwise paid, and subject to any lien thereon of the United States of America, if  
5 any, and all persons and interested parties, including the state of Missouri, any taxing  
6 authority or tax district, as defined herein, judgment creditors, lienholders, infants,  
7 incapacitated and disabled persons as defined in chapter 475, and nonresidents who may  
8 have had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such  
9 lands, shall be barred and forever foreclosed of all such right, title, interest, claim, lien or  
10 equity of redemption, and the court shall order immediate possession of such real estate be  
11 given to such purchaser; provided, however, that such title shall also be subject to the liens of  
12 any tax bills which may have attached after the sheriff's sale, but if such parcel of real estate is  
13 deemed sold to the land trust pursuant to subsection 2 of section 141.560, or deemed sold to a  
14 land bank agency pursuant to subsection 3 of section 141.560, or sold to a land bank agency  
15 pursuant to subdivision (2) of subsection 2 of section 141.550, the title thereto shall be free of  
16 any such liens to the extent of the interest of any taxing authority in such real estate; provided  
17 further, that the lien of special tax bills shall attach to the proceeds of the sheriff's sale, if any,  
18 or shall otherwise be forever barred and foreclosed.

141.580. 1. Within six months after the sheriff sells any parcel of real estate, the  
2 court shall, upon its own motion or upon motion of any interested party, set the cause ~~down~~  
3 for hearing to confirm or set aside the foreclosure sale thereof, even though such parcels are  
4 not all of the parcels of real estate described in the notice of sheriff's foreclosure sale. Notice  
5 of the hearing, or of the court moving to confirm the foreclosure sale, shall be sent by any  
6 interested party to each person who was sent notice of the sale and to any interested parties as  
7 required by prevailing notions of due process. At the time of such hearing, the sheriff shall  
8 make report of the sale, and the court shall hear evidence of the value of the property offered  
9 on behalf of any interested party to the suit, and shall forthwith determine whether an  
10 adequate consideration has been paid for each such parcel. The court's judgment shall include  
11 a specific finding that adequate notice was provided to all interested parties under prevailing  
12 notions of due process and sections 141.210 to 141.810 and sections 141.980 to 141.1015,  
13 reciting the notice efforts of the collector, sheriff, and tax sale purchaser. Nothing in this  
14 section shall be interpreted to preclude a successful tax sale purchaser from asserting a claim  
15 to quiet title to the bid-upon parcel under section 527.150.

16 2. For this purpose the court shall have power to summon any city or county official  
17 or any private person to testify as to the reasonable value of the property, and if the court finds  
18 that adequate consideration has been paid, the court shall confirm the sale and order the  
19 sheriff to issue a deed to the purchaser. If the court finds that the consideration paid is  
20 inadequate, the court shall confirm the sale if the purchaser increases the purchaser's bid to  
21 such amount as the court deems to be adequate and makes such additional payment, or if all

22 tax bills included in the judgment, interest, penalties, attorney's fees and costs then due  
23 thereon are not paid in full by one or more interested parties to the suit. If the court finds that  
24 the consideration is inadequate, but the purchaser declines to increase the purchaser's bid to  
25 such amount as the court deems adequate and make such additional payment, then the sale  
26 shall be disapproved if all tax bills included in the judgment, interest, penalties, attorney's fees  
27 and costs then due thereon are paid in full by one or more interested parties to the suit, the lien  
28 of the judgment continued, and such parcel of real estate shall be again advertised and offered  
29 for sale by the sheriff to the highest bidder at public auction for cash at any subsequent  
30 sheriff's foreclosure sale. Unless the court requires evidence of the value of the property  
31 conveyed to land trust or a land bank agency, none shall be required, and the amount bid by  
32 the land trust or such land bank agency shall be deemed adequate consideration.

33 3. If the sale is confirmed, the court shall order the proceeds ~~of~~ **from** the sale  
34 applied in the following order:

35 (1) To the payment of the costs of the publication of the notice of foreclosure and of  
36 the sheriff's foreclosure sale;

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

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

42

43 If, after such payment, there is any sum remaining of the proceeds of the sheriff's foreclosure  
44 sale, the court shall thereupon try and determine the other issues in the suit in accordance with  
45 section 141.480. If any answering parties have specially appealed as provided in section  
46 141.570, the court shall retain the custody of such funds pending disposition of such appeal,  
47 and upon disposition of such appeal shall make such distribution. If there are not sufficient  
48 proceeds of the sale to pay all claims in any class described, the court shall order the same to  
49 be paid pro rata in accordance with the priorities.

50 4. If there are any funds remaining of the proceeds after the sheriff's sale and after the  
51 distribution of such funds as herein set out and no person entitled to any such funds, whether  
52 or not a party to the suit, shall, within two years after such sale, appear and claim the funds,  
53 the funds shall be distributed to the appropriate taxing authorities, except in partial opt-in  
54 counties, where the funds shall be distributed to the school fund for the county.

55 5. Any county operating under the provisions of sections 141.210 to 141.810 and  
56 sections 141.980 to 141.1015 may elect to allocate a portion of its share of the proceeds  
57 toward a fund for the purpose of defending against claims challenging the sufficiency of  
58 notice provisions under this section.

59           6. Any interested party, other than the sheriff's sale purchaser, who moves the court to  
60 set aside a sheriff's sale after the issuance of a sheriff's deed made under the provisions of  
61 sections 141.210 to 141.810 and sections 141.980 to 141.1015 shall be required to pay into  
62 the court the redemption amount otherwise necessary under sections 141.420 and 141.530  
63 prior to the court hearing any such motion to set aside.

          141.610. Each court administrator's or sheriff's deed given pursuant to the provisions  
2 of the land tax collection law shall be prima facie evidence that the suit and all proceedings  
3 therein and all proceedings prior thereto~~[-from and]~~, including assessment of the lands  
4 affected thereby and all notices required by law were regular and in accordance with all  
5 provisions of the law relating thereto. The court administrator or sheriff shall record its deed  
6 and shall collect said recording fee at the time of sale.

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

6           2. The collector shall set up a separate fund in the collector's accounts to which the  
7 collector shall credit such five percent suit penalties when paid, together with all other  
8 penalties and costs recovered under this action, and shall retain such portion thereof as may  
9 be needed for the purpose of paying the expenses and costs required to be advanced under  
10 sections 141.210 to 141.810, including compensation to the delinquent land tax attorney, the  
11 attorney's assistants, and stenographic and clerical help, and funds for the costs of publication,  
12 notices, for court costs, sheriff's expenses and other costs hereunder, and shall transfer the  
13 remainder of such funds annually, on January first of each year, to the land trust for the use  
14 and expenses of the land trust. Where no land trust exists, the collector shall retain the  
15 remainder of such funds.

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

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

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

          141.700. In all counties electing to operate under sections 141.210 to 141.810 prior to  
2 January 1, 2025, there is hereby created a commission for the management, sale, and other  
3 disposition of tax delinquent lands, which commission shall be known as "The Land Trust of  
4 \_\_\_\_\_ County, Missouri", and the members thereof shall be known as land trustees. Such  
5 land trust shall have and exercise all the powers that are conferred by sections 141.210 to  
6 141.810 necessary and incidental to the effective management, sale or other disposition of  
7 real estate acquired under and by virtue of the foreclosure of the lien for delinquent real estate  
8 taxes, as provided in said sections, and in the exercise of such powers, the land trust shall be  
9 deemed to be a public corporation acting in a governmental capacity. Where a county has  
10 elected to establish a land bank agency under subsection 1 of section 140.981, no such land  
11 trust shall be created under sections 141.700 to 141.810.

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

10           2. If a county elected to establish a land bank agency under subsection 1 of section  
11 140.981, no such land trust shall be created under sections 141.700 to 141.819.

12           3. Such land trust, by majority vote of the land trustees, shall have the power and duty  
13 to sell, exchange, or otherwise dispose of real estate, provided, however, that any such sale,  
14 exchange, or disposal shall be for consideration equal to or in excess of two-thirds of the  
15 appraised value of such real estate so sold or conveyed, and if such consideration is less than  
16 two-thirds of the appraised value of such real estate, the land trust shall first procure a  
17 majority vote of the county commission.

18           4. (1) The land trust shall set up accounts relating to the operation and management  
19 of the land trust.

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

- 22 (a) To the payment of the expenses of sale;
- 23 (b) To the costs of the care, improvement, operation, acquisition, demolition,
- 24 management, and administration of parcels of real estate owned by the land trust; and
- 25 (c) To the county's general fund.
- 26 5. No land trustee shall receive any compensation, emolument, or other profit directly
- 27 or indirectly from the rental, management, acquisition, sale, demolition, repair, rehabilitation,
- 28 use, operation, ownership, or disposition of any lands held by such land trust.

141.980. 1. (1) Sections 141.980 to 141.1015 shall be known ~~[and may be cited]~~ as

2 the "Chapter 141 Municipal Land Bank Act".

3 (2) Any municipality located wholly or partially within a county electing to operate

4 wholly under the provisions of sections 141.210 to 141.810 may establish a land bank agency

5 for the management, sale, transfer, and other disposition of interests in real estate owned by

6 such land bank agency. Any such land bank agency created shall be created to foster the

7 public purpose of returning land, including land that is in a nonrevenue-generating, nontax-

8 producing status to use in private ownership or for public use. Such land bank agency shall

9 be established by ordinance or resolution as applicable. Such land bank agency shall not own

10 any interest in real estate that is located wholly or partially outside such establishing

11 municipality. No municipality in a partial opt-in county is eligible to establish a land bank

12 agency under this section.

13 2. The beneficiaries of the land bank agency shall be the taxing authorities that held

14 or owned tax bills against the respective parcels of real estate acquired by such land bank

15 agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land

16 trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of

17 subsection 2 of section 141.550 included in the judgment of the court, and the beneficiaries'

18 respective interests in each parcel of real estate shall be to the extent and in the proportion and

19 according to the priorities determined by the court on the basis that the principal amount of

20 the beneficiaries' respective tax bills bore to the total principal amount of all of the tax bills

21 described in the judgment.

22 3. Each land bank agency created pursuant to this chapter shall be a public body

23 corporate and politic, and shall have permanent and perpetual duration until terminated and

24 dissolved in accordance with the provisions of section 141.1012.

141.984. 1. Within one year of the effective date of the ordinance or resolution

2 passed establishing a land bank agency under this chapter, title to any real property held by a

3 land trust created pursuant to section 141.700 that is located wholly within the municipality

4 that created the land bank agency shall be transferred by deed to such land bank agency.

5 2. The income of a land bank agency shall be exempt from all taxation by the state

6 and by any of its political subdivisions. Upon acquiring title to any real estate, a land bank

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

16 3. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank  
17 agency may acquire real property or interests in property by gift, devise, transfer, exchange,  
18 foreclosure, purchase, or ~~[pursuant to sections 141.560 to 141.580 or section 141.819. A land~~  
19 ~~bank agency may only purchase real property for the purpose of adding to a parcel already~~  
20 ~~owned by the land bank agency]~~ **or otherwise on terms and conditions and in a manner**  
21 **the land bank agency considers proper.**

22 4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank  
23 agency may acquire property by purchase contracts, installment sales contracts, and land  
24 contracts, and may accept transfers from political subdivisions upon such terms and conditions  
25 as agreed to by the land bank agency and the political subdivision. Subject to the limitation  
26 set forth in subsection 1 of section 141.980, a land bank agency may bid on any parcel of real  
27 estate offered for sale at a sheriff's foreclosure sale held in accordance with section 141.550.  
28 Notwithstanding any other law to the contrary, but subject to the limitation set forth in  
29 subsection 1 of section 141.980, any political subdivision may transfer to the land bank  
30 agency real property and interests in real property of the political subdivision on such terms  
31 and conditions and according to such procedures as determined by the political subdivision.

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

34 6. Upon confirmation under section 141.580 of a sheriff's foreclosure sale of a parcel  
35 of real estate to a land bank agency under subdivision (2) of subsection 2 of section 141.550,  
36 said land bank agency shall pay the amount of the land bank agency's bid that exceeds the  
37 amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs  
38 then due thereon. Such excess shall be applied and distributed in accordance with subsections  
39 3 and 4 of section 141.580, exclusive of subdivision (3) of subsection 3 thereof. Upon such  
40 confirmation by the court, the collector shall mark the tax bills included in the judgment as  
41 "cancelled by sale to the land bank" and shall take credit for the full amount of such tax bills,  
42 including principal amount, interest, penalties, attorney's fees, and costs, on the collector's  
43 books and in the collector's statements with any other taxing authorities.

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

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

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

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

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

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

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

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

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

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

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

249.255. 1. Should a public sewer district created and organized pursuant to constitutional or statutory authority place a lien upon a customer's property for unpaid sewer charges, the lien, once properly recorded, shall have priority above all liens except for those taxes levied for state and county purposes.

2. Should the sewer charges of a public sewer district created and organized pursuant to constitutional or statutory authority remain unpaid for a period in excess of three months, the district, after notice to the customer by certified mail, shall have the authority at its discretion, to disconnect the customer's sewer line from the district's line or request any



9 private water company, public water supply district, or any municipality supplying water to  
10 the premises to discontinue service to the customer until such time as the sewer charges and  
11 all related costs of this section are paid.

✓