

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1420
95TH GENERAL ASSEMBLY

3886L.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 52.230, 139.040, 140.110, 140.150, 140.170, 140.190, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, and 140.420, RSMo, and to enact in lieu thereof fourteen new sections relating to collection of property taxes.

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

Section A. Sections 52.230, 139.040, 140.110, 140.150, 140.170, 140.190, 140.230,
2 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, and 140.420, RSMo, are repealed and
3 fourteen new sections enacted in lieu thereof, to be known as sections 52.230, 139.040, 140.110,
4 140.150, 140.170, 140.190, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, and
5 140.420, to read as follows:

52.230. Each year the collectors of revenue in all counties of the first class not having
2 a charter form of government, and in all second, third and fourth class counties of the state, not
3 under township organization, shall mail to all resident taxpayers, at least thirty days prior to
4 delinquent date, a statement of all real and tangible personal property taxes due and assessed on
5 the current tax books in the name of the taxpayers. Such statement shall also include the amount
6 of real and tangible personal property taxes delinquent at the time of the mailing of the statement,
7 including any interest and penalties associated with the delinquent taxes. Such statement shall
8 declare upon its face, or by an attachment thereto, that they are delinquent at the time such
9 statement is mailed for an amount of real or tangible personal property taxes, or both. **A**
10 **collector of revenue or other collection authority charged with the duty of tax or license**
11 **collection may refuse to accept payment not accompanied by such statement. Refusal by**
12 **the collector of revenue to accept payment not accompanied by such statement shall not**
13 **relieve or delay the levy of interest and penalty on any overdue unpaid tax or license.**
14 Collectors shall also mail tax receipts for all the taxes received by mail.

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.

139.040. A county or city collector, or other collection authority charged with the duty
2 of tax or license collection is authorized but not obligated to accept cash, personal check,
3 business check, money order, credit card, or electronic transfers of funds for any tax or license
4 payable to the county. The collection authority may refuse to accept any medium of exchange
5 at the discretion of the collection authority **including any medium of exchange submitted**
6 **without the statement of property taxes due and assessed as required by section 52.230.**
7 Refusal by the collection authority to accept alternative means of payment beyond those
8 approved by the collection authority shall not relieve an obligor of the obligor's tax or license
9 obligation nor shall it delay the levy of interest and penalty on any overdue unpaid tax or license
10 obligation pending submission of a form or payment approved by the collection authority.

140.110. 1. The collectors of the respective counties shall collect the taxes contained
2 in the back tax book. Any person interested in or the owner of any tract of land or lot contained
3 in the back tax book may redeem the tract of land or town lot, or any part thereof, from the state's
4 lien thereon, by paying to the proper collector the amount of the original taxes, as charged against
5 the tract of land or town lot described in the back tax book together with interest from the day
6 upon which the tax first became delinquent at the rate specified in section 140.100.

7 2. Any payment for personal property taxes received by the county collector shall first
8 be applied to **the oldest of** any back delinquent personal taxes on the back tax book before a
9 county collector accepts any payment for all or any part of personal property taxes due and
10 assessed on the current tax book.

11 3. Any payment for real property taxes received by the county collector shall first be
12 applied to **the oldest of any** back delinquent taxes on the same individual parcel of real estate
13 on the back tax book before a county collector accepts payment for real property taxes due and
14 assessed on the current tax book.

15 4. Subsection 3 of this section shall not apply to payment for real property taxes by
16 financial institutions, as defined in section 381.410, RSMo, who pay tax obligations which they
17 service from escrow accounts, as defined in Title 24, Part 3500, Section 17, Code of Federal
18 Regulations.

140.150. 1. All lands, lots, mineral rights, and royalty interests on which taxes or
2 neighborhood improvement district special assessments are delinquent and unpaid are subject
3 to sale to discharge the lien for the delinquent and unpaid taxes or unpaid special assessments
4 as provided for in this chapter on the fourth Monday in August of each year.

5 2. No real property, lots, mineral rights, or royalty interests shall be sold for state, county
6 or city taxes or special assessments without judicial proceedings, unless the notice of sale
7 contains the names of all record owners thereof, or the names of all owners appearing on the land
8 tax book and all other information required by law. Delinquent taxes or unpaid special

9 assessments, penalty, interest and costs due thereon may be paid to the county collector at any
10 time before the property is sold therefor. **The collector shall send notices to the publicly**
11 **recorded owner of record before any delinquent and unpaid taxes or unpaid special**
12 **assessments as specified in this section subject to sale are published. The first notice shall**
13 **be by first class mail. A second notice shall be sent by certified mail only if the assessed**
14 **valuation of the property is greater than one thousand dollars. If the assessed valuation**
15 **of the property is not greater than one thousand dollars, only the first notice shall be**
16 **required. If any second notice sent by certified mail under this section is returned to the**
17 **collector unsigned, then notice shall be sent before the sale by first class mail to both the**
18 **owner of record and the occupant of the real property. The postage for the mailing of the**
19 **notices shall be paid out of the county treasury, and such costs shall be added to the costs**
20 **of conducting the sale, and the county treasury shall be reimbursed to the extent that such**
21 **postage costs are recovered at the sale. The failure of the taxpayer or the publicly recorded**
22 **owner to receive the notice provided for in this section shall not relieve the taxpayer or**
23 **publicly recorded owner of any tax liability imposed by law.**

24 3. The entry in the back tax book by the county clerk of the delinquent lands, lots,
25 mineral rights, and royalty interests constitutes a levy upon the delinquent lands, lots, mineral
26 rights, and royalty interests for the purpose of enforcing the lien of delinquent and unpaid taxes
27 or unpaid special assessments as provided in section 67.469, RSMo, together with penalty,
28 interest and costs.

140.170. 1. Except for lands described in subsection 7 of this section, the county
2 collector shall cause a copy of the list of delinquent lands and lots to be printed in some
3 newspaper of general circulation published in the county, for three consecutive weeks, one
4 insertion weekly, before the sale, the last insertion to be at least fifteen days prior to the fourth
5 Monday in August.

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

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

14 4. The county collector, on or before the day of sale, shall insert at the foot of the list on
15 his record a copy of the notice and certify on his record immediately following the notice the

16 name of the newspaper of the county in which the notice was printed and published and the dates
17 of insertions thereof in the newspaper.

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

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

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

31 (1) Has an assessed value of [five hundred] **one thousand** dollars or less and has been
32 advertised previously; or

33 (2) Is a lot in a development of twenty or more lots and such lot has an assessed value
34 of [five hundred] **one thousand** dollars or less. The notice shall state that legal descriptions and
35 the names of the record owners of such lands shall be posted at any county courthouse within the
36 county and the office of the county collector.

37 **8. If, in the opinion of the county collector, an adequate legal description of the**
38 **delinquent land and lots cannot be obtained through researching the documents available**
39 **through the recorder of deeds, the collector may commission a professional land surveyor**
40 **to prepare an adequate legal description of the delinquent land and lots in question. The**
41 **costs of any commissioned land survey deemed necessary by the county collector shall be**
42 **taxed as part of the costs of the sale of any land or lots contained in the list prepared under**
43 **this section.**

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 or
3 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. The person offering at said sale to pay the required sum for a tract shall be considered
6 the purchaser of such land; provided, no sale shall be made to any person **or designated agent**
7 who is currently delinquent on any tax payments on any property, other than a delinquency on
8 the property being offered for sale, and who does not sign an affidavit stating such at the time

9 of sale. Failure to sign such affidavit as well as signing a false affidavit may invalidate such sale.
10 No bid shall be received from any person not a resident of the state of Missouri [until such
11 person] **or a foreign corporation or entity all deemed nonresidents. A nonresident** shall file
12 with said collector an agreement in writing consenting to the jurisdiction of the circuit court of
13 the county in which such sale shall be made, and also filing with such collector an appointment
14 of some citizen of said county as agent of said [purchaser] **nonresident**, and consenting that
15 service of process on such agent shall give such court jurisdiction to try and determine any suit
16 growing out of or connected with such sale for taxes. **After the delinquent auction sale, any**
17 **certificate of purchase shall be issued to the agent. After meeting the requirements of**
18 **section 140.405, the property shall be conveyed to the agent on behalf of the nonresident,**
19 **and the agent shall thereafter convey the property to the nonresident.**

20 3. All such written consents to jurisdiction and selective appointments shall be preserved
21 by the county collector and shall be binding upon any person or corporation claiming under the
22 person consenting to jurisdiction and making the appointment herein referred to; provided
23 further, that in the event of the death, disability or refusal to act of the person appointed as agent
24 of said nonresident [purchaser] the county clerk shall become the appointee as agent of said
25 nonresident [purchaser].

140.230. 1. When real estate has been sold for taxes or other debt by the sheriff or
2 collector of any county within the state of Missouri, and the same sells for a greater amount than
3 the debt or taxes and all costs in the case it shall be the duty of the sheriff or collector of the
4 county, when such sale has been or may hereafter be made, to make a written statement
5 describing each parcel or tract of land sold by him for a greater amount than the debt or taxes and
6 all costs in the case together with the amount of surplus money in each case. The statement shall
7 be subscribed and sworn to by the sheriff or collector making it before some officer competent
8 to administer oaths within this state, and then presented to the county commission of the county
9 where the sale has been or may be made; and on the approval of the statement by the
10 commission, the sheriff or collector making the same shall pay the surplus money into the county
11 treasury, take the receipt in duplicate of the treasurer for the [overplus] **surplus** of money and
12 retain one of the duplicate receipts himself and file the other with the county commission, and
13 thereupon the commission shall charge the treasurer with the amount.

14 2. The treasurer shall place such moneys **in the county treasury to be held for the use**
15 **and benefit of the person entitled to such moneys or** to the credit of the school fund of the
16 county, to be held in trust for the term of three years for the **publicly recorded** owner or owners
17 **of the property sold at the delinquent land tax auction** or their legal representatives. At the
18 end of three years, if such fund shall not be called for, then it shall become a permanent school
19 fund of the county.

20 3. County commissions shall compel owners or agents to make satisfactory proof of their
21 claims before receiving their money; provided, that no county shall pay interest to the claimant
22 of any such fund.

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 next
5 regular tax sale of lands for delinquent taxes sell same to the highest bidder, **except the highest**
6 **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 section
8 140.405.

9 2. [No] A certificate of purchase shall [issue] **be issued** as to such sales, [but] **and** the
10 purchaser at such sales shall be entitled to the issuance and delivery of a collector's deed upon
11 completion of 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, in his
13 discretion, need not again advertise or offer such lands or lots for sale more often than once every
14 five years after the third offering of such lands or lots, and such offering shall toll the operation
15 of any applicable statute of limitations.

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

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

140.260. 1. It shall be lawful for the county commission of any county, and the
2 comptroller, mayor and president of the board of assessors of the city of St. Louis, to designate
3 and appoint a suitable person or persons with discretionary authority to bid at all sales to which

4 section 140.250 is applicable, and to purchase at such sales all lands or lots necessary to protect
5 all taxes due and owing and prevent their loss to the taxing authorities involved from inadequate
6 bids.

7 2. Such person or persons so designated are hereby declared as to such purchases and
8 as titleholders pursuant to collector's deeds issued on such purchases, to be trustees for the
9 benefit of all funds entitled to participate in the taxes against all such lands or lots so sold.

10 3. Such person or persons so designated shall not be required to pay the amount bid on
11 any such purchase but the collector's deed issuing on such purchase shall recite the delinquent
12 taxes for which said lands or lots were sold, the amount due each respective taxing authority
13 involved, and that the grantee in such deed or deeds holds title as trustee for the use and benefit
14 of the fund or funds entitled to the payment of the taxes for which said lands or lots were sold.

15 4. The costs of all collectors' deeds, the recording of same and the advertisement of such
16 lands or lots shall be paid out of the county treasury in the respective counties and such fund as
17 may be designated therefor by the authorities of the city of St. Louis.

18 5. All lands or lots so purchased shall be sold and deeds ordered executed and delivered
19 by such trustees upon order of the county commission of the respective counties and the
20 comptroller, mayor and president of the board of assessors of the city of St. Louis, and the
21 proceeds of such sales shall be applied, first, to the payment of the costs incurred and advanced,
22 and the balance shall be distributed pro rata to the funds entitled to receive the taxes on the lands
23 or lots so disposed of, **as provided in section 140.230.**

24 6. Upon appointment of any such person or persons to act as trustee as herein designated
25 a certified copy of the order making such appointment shall be delivered to the collector, and if
26 such authority be revoked a certified copy of the revoking order shall also be delivered to the
27 collector.

28 7. Compensation to trustees as herein designated shall be payable solely from proceeds
29 derived from the sale of lands purchased by them as such trustees and shall be fixed by the
30 authorities herein designated, but not in excess of ten percent of the price for which any such
31 lands and lots are sold by the trustees; provided further, that if at any such sale any person bid
32 a sufficient amount to pay in full all delinquent taxes, penalties, interest and costs, then the
33 trustees herein designated shall be without authority to further bid on any such land or lots. **If**
34 **a third party is a successful bidder and there are excess proceeds, such proceeds shall be**
35 **distributed as provided in section 140.230.**

36 8. If the county commission of any county does not designate and appoint a suitable
37 person or persons as trustee or trustees, so appointed, or the trustee or trustees do not accept
38 property after the third offering where no sale occurred then it shall be at the discretion of the

39 collector to sell such land subsequent to the third offering of such land and lots at any time and
40 for any amount.

140.290. 1. After payment shall have been made the county collector shall give the
2 purchaser a certificate in writing, to be designated as a certificate of purchase, which shall carry
3 a numerical number and which shall describe the land so purchased, each tract or lot separately
4 stated, the total amount of the tax, with penalty, interest and costs, and the year or years of
5 delinquency for which said lands or lots were sold, separately stated, and the aggregate of all
6 such taxes, penalty, interest and costs, and the sum bid on each tract.

7 2. If the purchaser bid for any tract or lot of land a sum in excess of the delinquent tax,
8 penalty, interest and costs for which said tract or lot of land was sold, such excess sum shall also
9 be noted in the certificate of purchase, in a separate column to be provided therefor. Such
10 certificate of purchase shall also recite the name and address of the owner or reputed owner if
11 known, and if unknown then the party or parties to whom each tract or lot of land was assessed,
12 together with the address of such party, if known, and shall also have incorporated therein the
13 name and address of the purchaser. Such certificate of purchase shall also contain the true date
14 of the sale and the time when the purchaser will be entitled to a deed for said land, if not
15 redeemed as in this chapter provided, and the rate of interest that such certificate of purchase
16 shall bear, which rate of interest shall not exceed the sum of ten percent per annum. Such
17 certificate shall be authenticated by the county collector, who shall record the same in a
18 permanent record book in his office before delivery to the purchaser.

19 3. Such certificate shall be assignable, but no assignment thereof shall be valid unless
20 endorsed on such certificate and acknowledged before some officer authorized to take
21 acknowledgment of deeds and an entry of such assignment entered in the record of said
22 certificate of purchase in the office of the county collector.

23 4. For each certificate of purchase issued, including the recording of the same, the county
24 collector shall be entitled to receive and retain a fee of fifty cents, to be paid by the purchaser and
25 treated as a part of the cost of the sale, and so noted on the certificate. For noting any assignment
26 of any certificate the county collector shall be entitled to a fee of twenty-five cents, to be paid
27 by the person requesting such recital of assignment, and which shall not be treated as a part of
28 the cost of the sale. **For each certificate of purchase issued, as a part of the cost of the sale,
29 the purchaser shall pay to the collector the fee necessary to record such certificate of
30 purchase in the office of the county recorder. The collector shall record the certificate of
31 purchase before delivering such certificate of purchase to the purchaser.**

32 5. No collector shall be authorized to issue a certificate of purchase to any nonresident
33 of the state of Missouri [or to enter a recital of any assignment of such certificate upon his record
34 to a nonresident of the state, until such purchaser or assignee of such purchaser, as the case may

35 be, shall have complied] , **however, any nonresident as described in subsection 2 of section**
36 **140.190 may appoint an agent, and such agent shall comply** with the provisions of section
37 140.190 pertaining to a nonresident [purchasers].

38 **6. This section shall not apply to any post-third year tax sale, except for**
39 **nonresidents as provided in subsection 5 of this section.**

140.310. 1. The purchaser of any tract or lot of land at sale for delinquent taxes,
2 homesteads excepted, shall at any time after one year from the date of sale be entitled to the
3 immediate possession of the premises so purchased during the redemption period provided for
4 in this law, unless sooner redeemed; provided, however, any owner or occupant of any tract or
5 lot of land purchased may retain possession of said premises by making a written assignment of,
6 or agreement to pay, rent certain or estimated to accrue during such redemption period or so
7 much thereof as shall be sufficient to discharge the bid of the purchaser with interest thereon as
8 provided in the certificate of purchase.

9 2. The purchaser, his heirs or assigns, may enforce his rights under said written
10 assignment or agreement in any manner now authorized or hereafter authorized by law for the
11 collection of delinquent and unpaid rent; provided further, nothing herein contained shall
12 operate to the prejudice of any owner not in default and whose interest in the tract or lot of land
13 is not encumbered by the certificate of purchase, nor shall it prejudice the rights of any occupant
14 of any tract or lot of land not liable to pay taxes thereon nor such occupant's interest in any
15 planted, growing or unharvested crop thereon.

16 3. Any additions or improvements made to any tract or lot of land by any occupant
17 thereof, as tenant or otherwise, and made prior to such tax sale, which such occupant would be
18 permitted to detach and remove from the land under his contract of occupancy shall also, to the
19 same extent, be removable against the purchaser, his heirs or assigns.

20 4. Any rent collected by the purchaser, his heirs or assigns, shall operate as a payment
21 upon the amount due the holder of such certificate of purchase, and such amount or amounts,
22 together with the date paid and by whom shall be endorsed as a credit upon said certificate, and
23 which said sums shall be taken into consideration in the redemption of such land, as provided
24 for in this chapter.

25 5. Any purchaser, heirs or assigns, in possession within the period of redemption against
26 whom rights of redemption are exercised shall be protected in the value of any planted, growing
27 and/or unharvested crop on the lands redeemed in the same manner as such purchaser, heirs or
28 assigns would be protected in valuable and lasting improvements made upon said lands after the
29 period of redemption and referred to in section 140.360.

30 **6. The one-year redemption period shall not apply to third year tax sales, but the**
31 **ninety-day redemption period as provided in section 140.405 shall apply to such sales.**

32 **There shall be no redemption period for a post-third year tax sale, or any offering**
33 **thereafter.**

140.340. 1. The owner or occupant of any land or lot sold for taxes, or any other persons
2 having an interest therein, may redeem the same at any time during the one year next ensuing,
3 in the following manner: by paying to the county collector, for the use of the purchaser, his heirs
4 or assigns, the full sum of the purchase money named in his certificate of purchase and all the
5 cost of the sale, **including the cost to record the certificate of purchase as required in section**
6 **140.290, the fee necessary for the collector to record the release of such certificate of**
7 **purchase, and the cost of the title search and mailings of notification required in sections**
8 **140.150 to 140.405**, together with interest at the rate specified in such certificate, not to exceed
9 ten percent annually, except on a sum paid by a purchaser in excess of the delinquent taxes due
10 plus costs of the sale, no interest shall be owing on the excess amount, with all subsequent taxes
11 which have been paid thereon by the purchaser, his heirs or assigns, with interest at the rate of
12 eight percent per annum on such taxes subsequently paid, and in addition thereto the person
13 redeeming any land shall pay the costs incident to entry of recital of such redemption.

14 2. Upon deposit with the county collector of the amount necessary to redeem as herein
15 provided, it shall be the duty of the county collector to mail to the purchaser, his heirs or assigns,
16 at the last post office address if known, and if not known, then to the address of the purchaser
17 as shown in the record of the certificate of purchase, notice of such deposit for redemption.

18 3. Such notice, given as herein provided, shall stop payment to the purchaser, his heirs
19 or assigns, of any further interest or penalty.

20 4. In case the party purchasing said land, his heirs or assigns, fails to take a tax deed for
21 the land so purchased within six months after the expiration of the one year next following the
22 date of sale, no interest shall be charged or collected from the redemptioner after that time.

140.405. 1. Any person purchasing property at a delinquent land tax auction shall not
2 acquire the deed to the real estate, as provided for in section **140.250 or 140.420**, until the person
3 meets [with the following requirement or until such person makes affidavit that a title search has
4 revealed no publicly recorded deed of trust, mortgage, lease, lien or claim on the real estate] **the**
5 **requirements of this section, except that such requirements shall not apply to post-third**
6 **year sales, which shall be conducted under subsection 4 of section 140.250. The purchaser**
7 **shall obtain a title search report from a licensed attorney or licensed title company**
8 **detailing the ownership and encumbrances on the property. Such title search report shall**
9 **be declared invalid if the effective date is more than one hundred twenty days from the**
10 **date the purchaser applies for a collector's deed under section 140.250 or 140.420.**

11 2. At least ninety days prior to the date when a purchaser is authorized to acquire the
12 deed, the purchaser shall notify **the owner of record and** any person who holds a publicly

13 recorded **unreleased** deed of trust, mortgage, lease, lien, **judgment**, or **any other publicly**
14 **recorded** claim upon that real estate of [the latter person's right to redeem such person's publicly
15 recorded security or claim] **such person's right to redeem the property**. Notice shall be sent
16 by **both first class mail and** certified mail **return receipt requested** to [any such person,
17 including one who was the publicly recorded owner of the property sold at the delinquent land
18 tax auction previous to such sale, at] such person's last known available address. [Failure of the
19 purchaser to comply with this provision shall result in such purchaser's loss of all interest in the
20 real estate.] **If the certified mail return receipt is returned signed, the first class mail notice**
21 **is not returned, the first class mail notice is refused where noted by the United States Postal**
22 **Service, or any combination thereof, notice shall be presumed received by the recipient.**
23 **At the conclusion of the applicable redemption period, the purchaser shall make an**
24 **affidavit in accordance with subsection 4 of this section.**

25 **3. If the owner of record or any other publicly recorded claim on the property**
26 **intends to transfer ownership or execute any additional liens or encumbrances on the**
27 **property, such owner shall first redeem such property under section 140.340. The failure**
28 **to comply with redeeming the property first before executing any of such actions or**
29 **agreements on the property shall require the owner of record or any other publicly**
30 **recorded claim on the property to reimburse the purchaser for the total bid as recorded**
31 **on the certificate of purchase and all the costs of the sale required in sections 140.150 to**
32 **140.405.**

33 **4. In the case that both the certified notice return receipt card is returned unsigned**
34 **and the first class mail is returned for any reason except refusal, where the notice is**
35 **returned undeliverable, then the purchaser shall attempt additional notice and certify in**
36 **the purchaser's affidavit to the collector that such additional notice was attempted and by**
37 **what means.**

38 **5. The purchaser shall notify the county collector by affidavit of the date that every**
39 **required notice was sent to the owner of record and, if applicable, any other publicly**
40 **recorded claim on the property. To the affidavit, the purchaser shall attach a copy of a**
41 **valid title search report as described in subsection 1 of this section as well as completed**
42 **copies of the following for each recipient:**

- 43 **(1) First class mail;**
- 44 **(2) Certified mail notice;**
- 45 **(3) Addressed envelopes as they appeared immediately before mailing;**
- 46 **(4) Certified mail receipt as it appeared upon its return; and**
- 47 **(5) Any returned regular mailed envelopes.**

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49 **As provided in this section, at such time the purchaser notifies the collector by affidavit**
50 **that all the ninety days' notice requirements of this section have been met, the purchaser**
51 **is authorized to acquire the deed, provided that a collector's deed shall not be acquired**
52 **before the expiration date of the redemption period as provided in section 140.340.**

53 **6. If any real estate is purchased at a third-offering tax auction and has a publicly**
54 **recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly**
55 **recorded claim upon the real estate under this section, the purchaser of said property [at a**
56 **third-offering tax auction shall notify anyone with a publicly recorded deed of trust, mortgage,**
57 **lease, lien or claim upon the real estate pursuant to this section] shall within forty-five days**
58 **after the purchase at the sale notify such person of the person's right to redeem the**
59 **property within ninety days from the postmark date on the notice. Notice shall be sent by**
60 **both first class mail and certified mail return receipt requested to such person's last known**
61 **available address. [Once] The purchaser [has notified] shall notify the county collector by**
62 **affidavit [that proper notice has been given, anyone with a publicly recorded deed of trust,**
63 **mortgage, lease, lien or claim upon the property] of the date the required notice was sent to**
64 **the owner of record and, if applicable, any other publicly recorded claim on the property,**
65 **that such person shall have ninety days to redeem said property or be forever barred from**
66 **redeeming said property.**

67 **7. If the county collector chooses to have the title search done then the county collector**
68 **[must comply with all provisions of this section, and] may charge the purchaser the cost of the**
69 **title search before giving the purchaser a deed pursuant to section 140.420.**

70 **8. If the property is redeemed, the person redeeming the property shall pay the**
71 **costs incurred by the purchaser in providing notice under this section. Recoverable costs**
72 **on any property sold at a tax sale shall include the title search, postage, and costs for the**
73 **recording of any certificate of purchase issued and for recording the release of such**
74 **certificate of purchase and all the costs of the sale required in sections 140.150 to 140.405.**

75 **9. Failure of the purchaser to comply with this section shall result in such**
76 **purchaser's loss of all interest in the real estate.**

140.420. If no person shall redeem the lands sold for taxes within **the applicable**
2 **redemption period of one year from the date of the sale or within the ninety-day notice as**
3 **specified in section 140.405 for a third-year tax sale, at the expiration thereof, and on**
4 **production of the certificate of purchase, the collector of the county in which the sale of such**
5 **lands took place shall execute to the purchaser, his heirs or assigns, in the name of the state, a**
6 **conveyance of the real estate so sold, which shall vest in the grantee an absolute estate in fee**
7 **simple, subject, however, to all claims thereon for unpaid taxes except such unpaid taxes existing**

8 at time of the purchase of said lands and the lien for which taxes was inferior to the lien for taxes
9 for which said tract or lot of land was sold.

✓