

**HOUSE** \_\_\_\_\_ **AMENDMENT NO.** \_\_\_\_\_

**Offered By**

1 AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 67.095, Line 31,  
2 by inserting after all of said section, the following:

3 “67.463. 1. At the hearing to consider the proposed improvements and assessments, the  
4 governing body shall hear and pass upon all objections to the proposed improvements and  
5 proposed assessments, if any, and may amend the proposed improvements, and the plans and  
6 specifications therefor, or assessments as to any property, and thereupon by ordinance or  
7 resolution the governing body of the city or county shall order that the improvement be made and  
8 direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

9 2. After construction of the improvement has been completed in accordance with the  
10 plans and specifications therefor, the governing body shall compute the final costs of the  
11 improvement and apportion the costs among the property benefitted by such improvement in such  
12 equitable manner as the governing body shall determine, charging each parcel of property with its  
13 proportionate share of the costs, and by resolution or ordinance, assess the final cost of the  
14 improvement or the amount of general obligation bonds issued or to be issued therefor as special  
15 assessments against the property described in the assessment roll.

16 3. After the passage or adoption of the ordinance or resolution assessing the special  
17 assessments, the city clerk or county clerk shall mail a notice to each property owner within the  
18 district which sets forth a description of each parcel of real property to be assessed which is  
19 owned by such owner, the special assessment assigned to such property, and a statement that the  
20 property owner may pay such assessment in full, together with interest accrued thereon from the  
21 effective date of such ordinance or resolution, on or before a specified date determined by the  
22 effective date of the ordinance or resolution, or may pay such assessment in annual installments as  
23 provided in subsection 4 of this section.

24 4. The special assessments shall be assessed upon the property included therein  
25 concurrent with general property taxes, and shall be payable in substantially equal annual  
26 installments for a duration stated in the ballot measure prescribed in subsection 2 of section  
27 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an  
28 assessment in each year thereafter levied and collected in the same manner with the proceeds

1 thereof used solely for maintenance of the improvement, taking into account such assessments and  
2 interest thereon, as the governing body determines. The first installment shall be payable after the  
3 first collection of general property taxes following the adoption of the assessment ordinance or  
4 resolution unless such ordinance or resolution was adopted and certified too late to permit its  
5 collection at such time. All assessments shall bear interest at such rate as the governing body  
6 determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the  
7 assessment between the effective date of the ordinance or resolution assessing the assessment and  
8 the date the first installment is payable shall be added to the first installment. The interest for one  
9 year on all unpaid installments shall be added to each subsequent installment until paid. In the  
10 case of a special assessment by a city, all of the installments, together with the interest accrued or  
11 to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the  
12 same time. Such certification shall be good for all of the installments, and the interest thereon  
13 payable as special assessments.

14 5. Special assessments shall be collected and paid over to the city treasurer or county  
15 treasurer in the same manner as taxes of the city or county are collected and paid. In any county  
16 not having a township organization [of the first classification with more than one hundred  
17 thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred  
18 inhabitants], the county collector may collect a fee as prescribed by section 52.260 for collection  
19 of assessments under this section.

20 67.469. A special assessment authorized under the provisions of sections 67.453 to  
21 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed  
22 on behalf of the city or county assessing the same to the same extent as a tax upon real property.  
23 The lien may be foreclosed in the same manner as a tax upon real property by land tax sale  
24 pursuant to chapter 140 or, if applicable to that county, chapter 141, or, [by judicial foreclosure  
25 proceeding,] at the option of the governing body, by judicial foreclosure proceeding. Upon the  
26 foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the  
27 entire remaining assessment may become due and payable and may be recoverable in such  
28 foreclosure proceeding at the option of the governing body.”; and

29  
30 Further amend said bill by amending the title, enacting clause, and intersectional references  
31 accordingly.