

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
29 thereof used solely for maintenance of the improvement, taking into account such assessments and

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

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

19 67.469. A special assessment authorized under the provisions of sections 67.453 to
20 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed
21 on behalf of the city or county assessing the same to the same extent as a tax upon real property.
22 The lien may be foreclosed in the same manner as a tax upon real property by land tax sale
23 pursuant to chapter 140 or, if applicable to that county, chapter 141, or, [by judicial foreclosure
24 proceeding,] at the option of the governing body, by judicial foreclosure proceeding. Upon the
25 foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the
26 entire remaining assessment may become due and payable and may be recoverable in such
27 foreclosure proceeding at the option of the governing body.”; and
28

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