

SECOND REGULAR SESSION

HOUSE BILL NO. 1912

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DUNN (Sponsor), MCCANN BEATTY, MIMS, PETERS,
RUNIONS, MORGAN, LAFAVER, RIZZO, MCMANUS,
CARPENTER AND SWEARINGEN (Co-sponsors).

6123H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 67.399, RSMo, and to enact in lieu thereof one new section relating to Kansas City housing ordinances.

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

Section A. Section 67.399, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.399, to read as follows:

67.399. 1. The governing body of any municipality or county with a charter form of government and with more than one million inhabitants may, by ordinance, establish a semiannual registration fee not to exceed two hundred dollars which shall be charged to the owner of any parcel of residential property improved by a residential structure, or commercial property improved by a structure containing multiple dwelling units, that is vacant, has been vacant for at least six months, and is characterized by violations of applicable housing codes established by such municipality.

2. The municipality shall designate a municipal officer to investigate any property that may be subject to the registration fee. The officer shall report his findings and recommendations, and shall determine whether any such property shall be subject to the registration fee. Within five business days, the clerk of the municipality or county with a charter form of government and with more than one million inhabitants shall notify by mail the owners of property on which the registration fee has been levied at their last known address according to the records of the city and the county. The property owner shall have the right to appeal the decision of the office to the municipal court within thirty days of such notification. Absent the existence of any valid

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.

16 appeal or request for reconsideration pursuant to subsection 3 of this section, the registration fee
17 shall begin to accrue on the beginning of the second calendar quarter after the decision of the
18 municipal officer.

19 3. Within thirty days of the municipality or county with a charter form of government
20 and with more than one million inhabitants making such notification, the property owner may
21 complete any improvements to the property that may be necessary to revoke the levy of the
22 registration fee, and then may request a reinspection of the property and a reconsideration of the
23 levy of the registration fee by the municipality or county with a charter form of government and
24 with more than one million inhabitants. If the municipal or county officer revokes the
25 registration fee, no such assessment shall be made and the matter shall be considered closed. If
26 the officer affirms the assessment of the registration fee, the property owner shall have the right
27 to appeal the reconsideration decision of the officer to the municipal court within thirty days of
28 such decision. Absent the existence of any valid appeal to the municipal court or other court of
29 competent jurisdiction, the registration fee shall begin to accrue on the beginning of the second
30 calendar quarter after the reconsideration decision of the municipal governing body.

31 4. The municipal governing body shall establish by ordinance procedures for payment
32 of the registration fee and penalties for delinquent payments of such fees. Any registration fees
33 which are delinquent for a period of one year shall become a lien on the property and shall be
34 subject to foreclosure proceedings in the same manner as delinquent real property taxes. The
35 owner of the property against which the assessment was originally made shall be able to redeem
36 the property only by presenting evidence that the violations of the applicable housing code cited
37 by the municipal officers have been cured and presenting payment of all registration fees and
38 penalties. Upon bona fide sale of the property to an unrelated party said lien shall be considered
39 released and the delinquent registration fee forgiven.

40 **5. Nothing in this section shall preempt any governing body of any home rule city**
41 **with more than four hundred thousand inhabitants and located in more than one county**
42 **from adopting an ordinance requiring the registration of any parcel of property with one**
43 **or more vacant structures or any parcel of property in the process of mortgage foreclosure**
44 **and the payment of a registration fee for such property in an amount determined by said**
45 **governing body, notwithstanding otherwise applicable provisions of this section, provided**
46 **such registration fee is approved by a majority of the registered voters of said municipality.**

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