

FIRST REGULAR SESSION

HOUSE BILL NO. 895

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RIZZO.

2087L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 347.048, RSMo, and to enact in lieu thereof one new section relating to real property owned by limited liability companies.

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

Section A. Section 347.048, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 347.048, to read as follows:

347.048. 1. **(1)** Any limited liability company that owns and rents or leases real property, or owns unoccupied real property, located within any home rule city with a population of more than four hundred thousand inhabitants which is located in more than one county, shall file with that city's clerk an affidavit listing the name and **street** address of at least one **natural** person who has management control and responsibility for the real property owned and leased or rented by the limited liability company, or owned by the limited liability company and unoccupied.

(2) Except as provided in subdivision (1) of this subsection, any city, town, village, or county may enact an ordinance requiring that any limited liability company that owns and rents or leases real property, or owns unoccupied real property located within the city, town, village, or county to file with the city, town, village, or county clerk an affidavit listing the name and street address of at least one natural person who has management control and responsibility for the real property owned by the limited liability company and leased or rented to another entity or owned by the limited liability company and unoccupied.

(3) Within thirty days following the cessation of management control and responsibility of any natural person named in an affidavit described in this section, the

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.

18 **limited liability company shall file a successor affidavit listing the name and street address**
19 **of a natural person successor.**

20 **2. (1) If a limited liability company required by this section to file an affidavit or**
21 **a successor affidavit fails or refuses to file such completed affidavit with the appropriate**
22 **clerk, any person who is adversely affected by the failure or refusal, or the home rule city,**
23 **other city, town, village, or county, may petition the circuit court in the county where the**
24 **property is located to direct the execution and filing of such document.**

25 **(2) Trial shall be by the court without a jury. The court shall award reasonable**
26 **attorney's fees to the plaintiff upon the court ordering execution and filing of the affidavit.**

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