

FIRST REGULAR SESSION

HOUSE BILL NO. 649

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PLOCHER.

1382H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 140.230, RSMo, and to enact in lieu thereof one new section relating to foreclosure proceeds.

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

Section A. Section 140.230, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 140.230, to read as follows:

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

2. The treasurer shall place such moneys in the county treasury to be held for the use and benefit of the person entitled to such moneys or to the credit of the school fund of the county, to be held in trust for the term of three years for the publicly recorded **record lien holders or for the owner** or owners of the property sold at the time of the delinquent land tax auction or their

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 legal representatives. **The surplus shall be first distributed to the record lien holders, if any,**
19 **then to the owner or owners of the property.** At the end of three years, if [~~such fund shall~~]
20 **any funds have** not [~~be~~] **been distributed or** called for as part of a redemption or collector's
21 deed issuance, then [~~it~~] **such funds** shall become a permanent school fund of the county.

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

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