

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 28

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HARRIS (110) (Sponsor), WILDBERGER, OXFORD, FRAME,
MEADOWS, DOUGHERTY, CHAPPELLE-NADAL, EMERY, LAMPE, LEMBKE, SCHIEFFER,
McGHEE AND QUINN (9) (Co-sponsors).

Read 1st time March 14, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0858L.01I

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 21 of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to protection from public nuisances.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next
2 following the first Monday in November, 2008, or at a special election to be called by the
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for
4 adoption or rejection, the following amendment to article VI of the Constitution of the state of
5 Missouri:

Section A. Section 21, article VI, Constitution of Missouri, is repealed and one new
2 section adopted in lieu thereof, to be known as section 21, to read as follows:

3 Section 21. Laws may be enacted, and any city or county operating under a constitutional
4 charter may enact ordinances[, providing for the clearance, replanning, reconstruction,
5 redevelopment and rehabilitation of blighted, substandard or insanitary areas, and for recreational
6 and other facilities incidental or appurtenant thereto, and for taking or permitting the taking, by
7 eminent domain, of property for such purposes, and when so taken the fee simple title to the
8 property shall vest in the owner, who may sell or otherwise dispose of the property subject to
9 such restrictions as may be deemed in the public interest] **which protect property owners from**

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.

10 public nuisances, as defined by common law. In the event that an owner of property is
11 found by a court of competent jurisdiction to be harboring such nuisance and has not fully
12 abated such nuisance within a reasonable time after final judgment, any political
13 subdivision of the state in which a nuisance exists may expend public funds to abate the
14 nuisance and impose a lien on the offending property limited to an amount equal to the
15 costs of abatement and reasonable interest on such costs. Enforcement of the lien may be
16 accomplished in the same manner as tax liens are enforced.

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