

FIRST REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

# HOUSE BILL NO. 652

## 95TH GENERAL ASSEMBLY

1609L.01T

2009

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### AN ACT

To repeal section 1.020, RSMo, and to enact in lieu thereof one new section relating to the definition of certified mail.

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

Section A. Section 1.020, RSMo, is repealed and one new section enacted in lieu thereof,  
2 to be known as section 1.020, to read as follows:

1.020. As used in the statutory laws of this state, unless otherwise specially provided or  
2 unless plainly repugnant to the intent of the legislature or to the context thereof:

3 (1) **"Certified mail" or "certified mail with return receipt requested", includes**  
4 **certified mail carried by the United States Postal Service, or any parcel or letter carried**  
5 **by an overnight, express, or ground delivery service that allows a sender or recipient to**  
6 **electronically track its location and provides record of the signature of the recipient;**

7 (2) "County or circuit attorney" means prosecuting attorney;

8 [(2)] (3) "Executor" includes administrator where the subject matter applies to an  
9 administrator;

10 [(3)] (4) "General election" means the election required to be held on the Tuesday  
11 succeeding the first Monday of November, biennially;

12 [(4)] (5) "Guardian", if used in a section in a context relating to property rights or  
13 obligations, means "conservator of the estate" as defined in chapter 475, RSMo. "Guardianship",  
14 if used in a section in a context relating to rights and obligations other than property rights or  
15 obligations, means "guardian of the person" as defined in chapter 475, RSMo;

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 [(5)] (6) "Handicap" means a mental or physical impairment that substantially limits one  
17 or more major life activities, whether the impairment is congenital or acquired by accident,  
18 injury, or disease, and where the impairment is verified by medical findings;

19 [(6)] (7) "Heretofore" means any time previous to the day when the statute containing  
20 it takes effect; and "hereafter" means the time after the statute containing it takes effect;

21 [(7)] (8) "In vacation" includes any adjournment of court for more than one day  
22 whenever any act is authorized to be done by or any power given to a court, or judge thereof in  
23 vacation, or whenever any act is authorized to be done by or any power given to a clerk of any  
24 court in vacation;

25 [(8)] (9) "Incompetent", if used in a section in a context relating to actual occupational  
26 ability without reference to a court adjudication of incompetency, means the actual ability of a  
27 person to perform in that occupation. "Incompetent", if used in a section in a context relating  
28 to the property rights and obligations of a person, means a "disabled person" as defined in  
29 chapter 475, RSMo. "Incompetent", if used in a section in a context relating to the rights and  
30 obligations of a person other than property rights and obligations, means an "incapacitated  
31 person" as defined in chapter 475, RSMo;

32 [(9)] (10) "Justice of the county court" means commissioner of the county commission;

33 [(10)] (11) "Month" and "year". "Month" means a calendar month, and "year" means a  
34 calendar year unless otherwise expressed, and is equivalent to the words "year of our Lord";

35 [(11)] (12) The word "person" may extend and be applied to bodies politic and corporate,  
36 and to partnerships and other unincorporated associations;

37 [(12)] (13) "Personal property" includes money, goods, chattels, things in action and  
38 evidences of debt;

39 [(13)] (14) "Place of residence" means the place where the family of any person  
40 permanently resides in this state, and the place where any person having no family generally  
41 lodges;

42 [(14)] (15) "Preceding" and "following", when used by way of reference to any section  
43 of the statutes, mean the section next preceding or next following that in which the reference is  
44 made, unless some other section is expressly designated in the reference;

45 [(15)] (16) "Property" includes real and personal property;

46 [(16)] (17) "Real property" or "premises" or "real estate" or "lands" is coextensive with  
47 lands, tenements and hereditaments;

48 [(17)] (18) "State", when applied to any of the United States, includes the District of  
49 Columbia and the territories, and the words "United States" includes such district and territories;

50 [(18)] (19) "Under legal disability" includes persons within the age of minority or of  
51 unsound mind or imprisoned;

52            [(19)] **(20)** "Ward", if used in a section in a context relating to the property rights and  
53 obligations of a person, means a "protectee" as defined in chapter 475, RSMo. "Ward", if used  
54 in a section in a context relating to the rights and obligations of a person other than property  
55 rights and obligations, means a "ward" as defined in chapter 475, RSMo;

56            [(20)] **(21)** "Will" includes the words "testament" and "codicil";

57            [(21)] **(22)** "Written" and "in writing" and "writing word for word" includes printing,  
58 lithographing, or other mode of representing words and letters, but in all cases where the  
59 signature of any person is required, the proper handwriting of the person, or his mark, is  
60 intended.

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