

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 1468

AN ACT

To repeal section 88.073, RSMo, and to enact in lieu thereof two new sections relating to condemnation of property of religious organizations.

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

Section A. Section 88.073, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 67.015 and 88.073, to read as follows:

67.015. Notwithstanding any other provision of law to the contrary, government entities shall not have the right to condemn lands owned by a church, synagogue, mosque, or other religious organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code unless such condemnation is for the development of a public utility, as defined in section 386.020.

88.073. 1. Cities shall have the right to condemn lands, except for lands owned by a church, synagogue, mosque, or other religious organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code unless such condemnation is for the development of a public utility, as defined in section 386.020, under the provisions of sections 88.010 to 88.070 and pay for the same out of any funds available out of the city treasury without any assessments for benefits, or to advance the amount of damages awarded at the time pending the proceedings and thereupon take possession of the property and to be reimbursed from the benefits assessed when the same are collected.

2. Whenever the charter of any constitutional charter city makes provision for the condemnation of property for public purposes and assessment of benefits therefor, such city may elect to proceed with such condemnation or assessment, or both, in the manner provided in sections 88.010 to 88.070 or to proceed in the manner provided in its charter, except for lands owned by a church, synagogue, mosque, or other religious organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code unless such condemnation is for the development of a public utility, as defined in section 386.020.