

SECOND REGULAR SESSION

HOUSE BILL NO. 2551

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROSS.

6215H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 640, RSMo, by adding thereto one new section relating to the sale of land purchased through legal settlement funds.

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

Section A. Chapter 640, RSMo, is amended by adding thereto one new section, to be
2 known as section 640.780, to read as follows:

**640.780. 1. The department of natural resources and all other state departments,
2 agencies, or entities shall sell any and all property interest to land purchased in fiscal years
3 2016 to 2018 through legal settlement funds administered in whole or in part by the
4 department of natural resources. The office of administration shall administer the sale for
5 the selling department, agency, or entity. The purchase price of any properties sold shall
6 be at least equal to the fair market value. Any properties to be sold shall be sold in tracts
7 of at least forty acres, unless the property is located within a recorded scenic easement, in
8 which case the property shall be sold in tracts of at least three hundred acres.**

**9 2. Military veterans and the immediate family members of any member of the
10 military who was killed in action or declared missing in action shall be given preference
11 for the purchase of such property. Any property not purchased by such individuals shall
12 then be offered to members of the general public.**

**13 3. Proceeds from the sale of such property shall be deposited into the Part C early
14 intervention system fund under section 160.925 and shall be used for the purpose of
15 implementing the provisions of sections 160.900 to 16.925.**

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 **4. Any agreement, condition, restriction, dedication, covenant, or other**
17 **encumbrance included in the conveyance of land required in subsection 1 of this section**
18 **shall be considered null, void, and unenforceable upon the effective date of this section.**

19 **5. As a condition of the sale of this property, the purchaser shall agree to the**
20 **following covenant appurtenant, which shall be included in the conveyance following the**
21 **property description and shall remain in effect on this property for a specifically limited**
22 **amount of time as any agency of the state of Missouri exists to permit, restrict, regulate,**
23 **and otherwise harass Missouri citizens and businesses, for the purported purpose of**
24 **environmental restoration, preservation, and protection:**

25 **"Provided that this property shall never be sold to, leased, or otherwise controlled**
26 **by a state or federal agency."**

27 **6. On and after August 28, 2018, the department of natural resources and all other**
28 **state departments, agencies, or entities shall not purchase any property interest through**
29 **legal settlement funds administered in whole or in part by the department of natural**
30 **resources.**

31 **7. Any taxpayer of the state shall have standing to enforce the provisions of this**
32 **section and, in addition to specific performance, shall be entitled to reasonable attorney's**
33 **fees.**

34 **8. The provisions of this section shall be construed to include any leasehold, option**
35 **contracts, or easement rights acquired by any state department, agency, or entity.**

36 **9. The provisions of this section are severable. If any part of this section is declared**
37 **invalid or unconstitutional, it is the intent of the legislature that the remaining portions of**
38 **this section shall remain and be in full force and effect.**

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