

ASSESSORS:
COUNTY RECORDS:
PROPERTY ASSESSMENT:
RECORDS:
SUNSHINE LAW:

Property record cards prepared and retained by a county assessor are public records as defined by Section 610.010(4), RSMo Supp. 1990, to be made available for inspection and copying as provided in Section 610.023, RSMo Supp. 1990.

May 16, 1991

OPINION NO. 117-91

The Honorable Dennis Ziegenhorn
Representative, District 157
State Capitol Building, Room 413B
Jefferson City, Missouri 65101

Dear Representative Ziegenhorn:

This opinion is in response to your question asking whether property record cards maintained by a county assessor's office are public records. A sample property record card is attached as Exhibit A.

It is our understanding that a property record card in the form of that attached as Exhibit A or a variation thereof is used by county assessors to assist them in performing the duties of their office. We find no statutes specifically requiring county assessors to keep property record cards.

Chapter 610, RSMo, is commonly referred to as the Sunshine Law. Section 610.010(2), RSMo Supp. 1990, defines a "public governmental body" as:

610.010. Definitions.--As used in sections 610.010 to 610.030 and 610.100 to 610.115, unless the context otherwise indicates, the following terms mean:

* * *

(2) "Public governmental body", any legislative, administrative governmental entity created by the constitution or statutes of this state, by order or ordinance of any political subdivision or

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district, or by executive order, including
. . . .

* * *

The office of county assessor is a "legislative, administrative governmental entity created by the constitution or statutes of this state" and is, therefore, a "public governmental body" as defined in Section 610.010(2). See Charlier v. Corum, 774 S.W.2d 518 (Mo. App. 1989) (A county sheriff is a public governmental body, because the office of sheriff is an administrative entity created by state statute.)

Section 610.010(4), RSMo Supp. 1990, defines a "public record" as follows:

(4) "Public record", any record retained by or of any public governmental body including any report, survey, memorandum, or other document or study prepared and presented to the public governmental body by a consultant or other professional service paid for in whole or in part by public funds;

A property record card prepared and retained by a county assessor is a "public record" as defined in Section 610.010(4).

All provisions within Chapter 610, RSMo, must be construed in accordance with the statement of public policy contained in Section 610.011, RSMo Supp. 1990:

610.011. Liberal construction of law to be public policy.--1. It is the public policy of this state that meetings, records, votes, actions, and deliberations of public governmental bodies be open to the public unless otherwise provided by law. Sections 610.010 to 610.028 shall be liberally construed and their exceptions strictly construed to promote this public policy.

2. Except as otherwise provided by law, all public meetings of public governmental bodies shall be open to the public as set forth in section 610.020, all public records of public governmental bodies shall be open to the public for inspection and copying as set forth in

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sections 610.023 to 610.026, and all public votes of public governmental bodies shall be recorded as set forth in section 610.015.

Section 610.021, RSMo Supp. 1990, lists fifteen exceptions authorizing a public governmental body to close meetings, records and votes. No exception specifically relates to property record cards. Section 610.021(14), RSMo Supp. 1990, authorizes closure of "[r]ecords which are protected from disclosure by law." However, we find no provisions within Chapter 53, RSMo, relating to county assessors, which either require or allow closure of a property record card. Accordingly, we conclude that property record cards are public records to be made available for inspection and copying as provided in Section 610.023, RSMo Supp. 1990.

CONCLUSION

It is the opinion of this office that property record cards prepared and retained by a county assessor are public records as defined by Section 610.010(4), RSMo Supp. 1990, to be made available for inspection and copying as provided in Section 610.023, RSMo Supp. 1990.

Very truly yours,



WILLIAM L. WEBSTER
Attorney General

Attachment: Exhibit A

COUNTY MO.

Improvement No	1	2	3	4	5	6	7
Type of Structure	Code Description	Code Description	Code Description	Code Description	Code Description	Code Description	Code Description
Year Built							
Refr							
Effective Date							

Information By: Owner Mgr

Field Work By No: _____ Date: / /

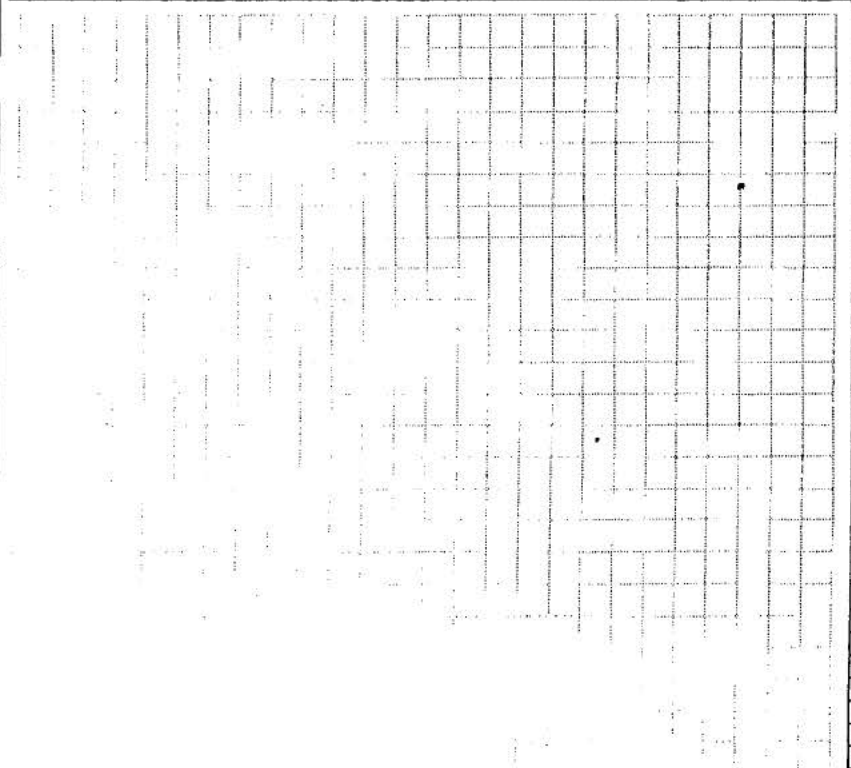
Other: _____ Date: / /

Name: _____

Review By No: _____ Date: / /

Building No	1	1	1	2	2	2	3	3	3	4	4	4	Rents
No of Apts.													
No of Rooms													
No of Bed Rms													
Stories													

Name of Property:



Property Address: _____ City: _____

Code		Description	Unit	1	2	3	4	Code		Description	Unit	1	2	3	4	Code		Description	Unit	1	2	3	4		
FOUNDATION																									
1	Slab							ROOF MATERIAL		1	Sheet Metal	2				ADJUSTMENTS									
2	Piers							2	Roll Comp.	2					1	Apt Equip									
3	Cont. Wall							3	B.U./ T. & G.	3					2	Special Use									
4	Conc. Block							4	Shingle, Asp	4					3	Height									
5	Brick							5	Shingle, Asb	5					4	Partitions									
6	Concrete							6	Cement Tile	6					5	Front / Int									
7	Stone							7	Clay Tile	7					6	Fr. Timber									
8	Wood							9	Slate	11					7	Fr. Open Steel									
EXTERIOR WALLS																									
1	Wall Board	15						10	Corr. Asb.	8					8	Fr. Reinf Conc									
2	Composition	15						11	Enam Metal	8					9	Fr. Fire Proof St									
3	Sheet Metal	16						12	Wood Shingles	6					10	Shape / Design									
4	Wood Fr. Asb.	30						FLOORS		1	Plywood	3			ELECTRICITY										
5	Wd. Fr. Stucco	28						2	S. Pine	5					1	None	0								
6	Wd. Fr. No Sh.	30						3	Conc. On Grade	6					2	Minimum	1								
7	C. B. Plain	31						4	Conc. & Tile	7					3	Average	3								
9	C. B. Stucco	33						5	Conc. Raised	8					4	Maximum	5								
11	Wd. Sheathing	33						6	Terrazzo	9					PLUMBING										
12	Brick On Wd.	38						7	D. Pine	10					1	None	0								
13	Brick On Msny	38						8	Hardwood	12					2	Poor	5								
14	B" Brick	38						9	Pre. Cst. Conc.	12					3	Avg.	8								
15	12" Brick	41						10	Parquet	15					4	Good	11								
16	Reinf. Conc.	43						11	Quarry Tile	17					5	Exc.	14								
21	Ext. Plywood	30						12	Ceramic Tile	17					EXTRA FEATURES										
22	Ext. Hdbd. Pnl.	30						13	Marble	24					Plumbing		No	Amt	No	Amt	No	Amt	No	Amt	
23	C. B. & B.	43						14	Carpet & U.	12					1	2 Fix Avg									
27	Aluminum	33						21	Earth	0					2	3 Fix Avg									
32	Hardboard Lap	33						22	Torginal	9					3	4 Fix Avg									
33	Vinyl	33						23	S.P. & A. Tile	6					4	2 Fix Good									
34	Permastone	38						INTERIOR FINISH		1	Unfinished	0			5	3 Fix Good									
35	Prestressed T.	40						2	Painted	5					6	4 Fix Good									
37	Wood Sh.	45						3	Wd. or Ceil. Bd.	15					7	2 Fix Exc									
ROOF TYPE																									
1	Flat Shed	7						4	Wall Board	18					8	3 Fix Exc									
2	Hip	8						5	Plaster No Furr	24					9	4 Fix Exc									
3	Cable	8						6	Plaster & Furr	30					TOTAL										
4	Sawtooth	8						7	Drywall	30					X INDEX										
5	Gambrel	9						8	Wood Panel	35					CONDITION ADJUSTMENT										
6	Mansard	9						15	Av. Ply. Panel	24					Imp	Ply	Adjustment		± %		Adjusted				
7	Monitor	9						16	Good Ply. Panel	30					Value										
8	Pre-Stress Conc.	10						17	Acc Ceil	30															
9	Wd Tr. Wd Dk	13						18	Susp Ceil	34															
10	B. J. B. Rigid Ins.	14																							
13	Stl Truss Rgin.	23																							
14	Stl Truss Pr Dk.	26																							
15	B. J. & Wd. Deck	8																							

Bldg	Improvement	Class Scale	Class Units	Const Units	Total Units	Base Rate	Adj. Rate	Index	Sq Ft Cost	Base Area	Adjusted Area	Base Cost	Extra Features	Replacement Cost	Condition	Adjustment	Value
1																	
2																	
3																	
4																	
5																	
6																	
7																	