

# HOUSE BILL NO. 369

## 96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GATSCHENBERGER.

1227L.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 67, RSMo, by adding thereto one new section relating to the imposition of fees for the repair of water service lines in certain municipalities.

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

Section A. Chapter 67, RSMo, is amended by adding thereto one new section, to be known as section 67.319, to read as follows:

**67.319. 1. If approved by a majority of the voters voting on the proposal, any city, town, or village located within any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants may, by ordinance, levy and impose annually, upon water service lines providing water service to residential property having four or fewer dwelling units within the jurisdiction of such city, town, or village, a fee not to exceed one dollar per month or twelve dollars annually.**

**2. The ballot of submission shall be in substantially the following form:**

**For the purpose of repair or replacement of water lines extending from the water main to a residential dwelling due to failure of the line, shall..... (city, town, or village) be authorized to impose a fee not to exceed one dollar per month or twelve dollars annually on residential property for each water service line providing water service within the (city, town, or village) to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary water service line repairs or replacements?**

16

G YES

G NO

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.

17           **3. For the purpose of this section, a water service line may be defined by local**  
18 **ordinance, but may not include the water meter or exceed that portion of water piping and**  
19 **related valves and connectors which extends from the water mains owned by the utility or**  
20 **municipality distributing public water supply to the first opportunity for a connection or**  
21 **joint beyond the point of entry into the premises receiving water service, and may not**  
22 **include facilities owned by the utility or municipality distributing public water supply. For**  
23 **purposes of this section, repair may be defined and limited by local ordinance, and may**  
24 **include replacement or repairs.**

25           **4. If a majority of the voters voting thereon approve the proposal authorized in**  
26 **subsection 1 of this section, the governing body of the city, town, or village may enact an**  
27 **ordinance for the collection of such fee. The funds collected under such ordinance shall**  
28 **be deposited in a special account to be used solely for the purpose of paying for the**  
29 **reasonable costs associated with and necessary to administer and carry out the water**  
30 **service line repairs as defined in the ordinance and, if sufficient revenues are available, to**  
31 **reimburse the necessary costs of water service line repair or replacement. All interest**  
32 **generated on deposited funds shall be accrued to the special account established for the**  
33 **repair of water service lines.**

34           **5. The city, town, or village may establish, as provided in the ordinance, regulations**  
35 **necessary for the administration of collections, claims, repairs, replacements and all other**  
36 **activities necessary and convenient for the implementation of any ordinance adopted and**  
37 **approved under this section. The city, town, or village may administer the program or may**  
38 **contract with one or more persons, through a competitive process, to provide for**  
39 **administration of any portion of implementation activities of any ordinance adopted and**  
40 **approved under this section, and reasonable costs of administering the program may be**  
41 **paid from the special account established under this section.**

42           **6. Notwithstanding any other provision of law to the contrary, the collector in any**  
43 **city, town, village or county that adopts an ordinance pursuant to this section, who now or**  
44 **hereafter collects any fee to provide for, ensure or guarantee the repair of water service**  
45 **lines, may add such fee to the general tax levy bills of property owners within the city,**  
46 **town, village or unincorporated area of the county. All revenues received on such**  
47 **combined bill which are for the purpose of providing for, ensuring or guaranteeing the**  
48 **repair of water service lines, shall be separated from all other revenues so collected and**  
49 **credited to the appropriate fund or account of the city, town, village or county. The**  
50 **collector of the city, town, village or county may collect such fee in the same manner and**  
51 **to the same extent as the collector now or hereafter may collect delinquent real estate taxes**  
52 **and tax bills.**