

SECOND REGULAR SESSION

# HOUSE BILL NO. 1545

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE RIZZO.

Read 1<sup>st</sup> time January 21, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3979L.011

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### AN ACT

To repeal section 238.207, RSMo, and to enact in lieu thereof one new section relating to transportation development districts.

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

Section A. Section 238.207, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 238.207, to read as follows:

238.207. 1. Whenever the creation of a district is desired, not less than fifty registered voters from each county partially or totally within the proposed district, [except public streets,] may file a petition requesting the creation of a district. However, if no persons eligible to be registered voters reside within the district, the owners of record of all of the real property, **except public streets**, located within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of any county partially or totally within the proposed district.

2. Alternatively, the governing body of any local transportation authority within any county in which a proposed project may be located may file a petition in the circuit court of that county, requesting the creation of a district.

3. The proposed district area shall be contiguous and may contain all or any portion of one or more municipalities and counties. Property separated only by public streets shall be considered contiguous.

4. The petition shall set forth:

(1) The name, voting residence and county of residence of each individual petitioner, or, if no persons eligible to be registered voters reside within the proposed district, the name and

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 address of each owner of record of real property located within the proposed district, or shall  
18 recite that the petitioner is the governing body of a local transportation authority acting in its  
19 official capacity;

20 (2) The name and address of each respondent. Respondents must include the  
21 commission and each affected local transportation authority within the proposed district, except  
22 a petitioning local transportation authority;

23 (3) A specific description of the proposed district boundaries including a map illustrating  
24 such boundaries;

25 (4) A general description of each project proposed to be undertaken by that district,  
26 including a description of the approximate location of each project;

27 (5) The name of the proposed district;

28 (6) The number of members of the board of directors of the proposed district, which shall  
29 be not less than five or more than fifteen;

30 (7) A statement that the terms of office of initial board members shall be staggered in  
31 approximately equal numbers to expire in one, two or three years;

32 (8) If the petition was filed by registered voters or by a governing body, a request that  
33 the question be submitted to the qualified voters within the limits of the proposed district  
34 whether they will establish a transportation development district to develop a specified project  
35 or projects;

36 (9) A proposal for funding the district initially, pursuant to the authority granted in  
37 sections 238.200 to 238.275, together with a request that the funding proposal be submitted to  
38 the qualified voters residing within the limits of the proposed district; provided, however, the  
39 funding method of special assessments may also be approved as provided in subsection 1 of  
40 section 238.230; and

41 (10) A statement that the proposed district shall not be an undue burden on any owner  
42 of property within the district and is not unjust or unreasonable.