

FIRST REGULAR SESSION

# HOUSE BILL NO. 479

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ERVIN.

Read 1<sup>st</sup> time February 8, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1166L.02I

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### AN ACT

To repeal section 67.792, RSMo, and to enact in lieu thereof one new section relating to regional recreational districts.

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

Section A. Section 67.792, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.792, to read as follows:

67.792. 1. A regional recreational district may be created, incorporated and managed as provided in sections 67.792 to 67.799 and may exercise the powers prescribed by sections 67.792 to 67.799. A regional recreational district may include municipalities or territory not in municipalities or both, or territory in one or more counties, if the voters in the proposed district vote, pursuant to section 67.796, to be included in the regional recreational district. No regional recreational district shall be organized pursuant to sections 67.792 to 67.799 if such district contains any portion of, according to the last federal decennial census:

(1) A county of the first classification having a charter form of government and having a population of at least nine hundred thousand inhabitants;

(2) A county of the first classification having a charter form of government and having a population of more than two hundred ten thousand but less than three hundred thousand inhabitants;

(3) A city not within a county; or

(4) A county of the first classification having a population of more than one hundred seventy thousand but less than one hundred seventy-five thousand inhabitants.

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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 Any recreation system or public parks system which exists in whole or in part within a regional  
18 recreational district created pursuant to sections 67.792 to 67.799 shall remain in existence with  
19 the same powers and responsibilities it had prior to the creation of the regional recreational  
20 district. Nothing in this section shall be construed to limit or prohibit later establishment or  
21 cessation of any park or recreation system or any powers and responsibilities of any such park  
22 or recreation system pursuant to state law.

23         2. When a regional recreational district is organized it shall be a body corporate and a  
24 political subdivision of the state, as that term is defined in subdivision (7) of section 67.750, and  
25 shall be known as ". . . . . Regional Recreational District", and in that name may sue and  
26 be sued, issue general revenue bonds and levy and collect taxes within the limitations of sections  
27 67.792 to 67.799.

28         **3. Notwithstanding the provisions of sections 67.792 to 67.799 to the contrary, in**  
29 **any regional recreational district located in whole or in part in any county of the first**  
30 **classification with more than one hundred eighty-four thousand but fewer than one**  
31 **hundred eighty-eight thousand inhabitants, a request to disincorporate the district shall**  
32 **be presented to the county commission or similar authority. The request shall state the**  
33 **name of the district and shall request the disincorporation of the district when:**

34         **(1) The regional recreational district enacts a resolution to disincorporate the**  
35 **district;**

36         **(2) The regional recreational district has no more than one thousand dollars in**  
37 **debt; and**

38         **(3) The regional recreational district has disposed of all real property.**

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40 **If a request is submitted as authorized in this section, and it is the opinion of the county**  
41 **commission that the public good will be advanced by the disincorporation after providing**  
42 **notice and a hearing, the county commission shall disincorporate the regional recreational**  
43 **office.**