

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 246
93RD GENERAL ASSEMBLY

Reported from the Special Committee on Urban Issues April 12, 2005 with recommendation that House Committee Substitute for Senate Committee Substitute for Senate Bill No. 246 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

1129L.05C

AN ACT

To repeal section 249.255, RSMo, and to enact in lieu thereof four new sections relating to sewer systems.

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

Section A. Section 249.255, RSMo, is repealed and four new sections enacted in lieu thereof, to be known as sections 249.255, 644.584, 644.585, and 644.586, to read as follows:

249.255. 1. [Should a public sewer district created and organized pursuant to constitutional or statutory authority place a lien upon a customer's property for unpaid sewer charges, the lien shall have priority as and be enforced in the same manner as taxes levied for state and county purposes.] **Sewer charges, including both sanitary and stormwater charges, of a public sewer district created and organized under constitutional or statutory authority shall constitute a lien upon a customer's property if the customer fails to pay said user charges when due. The lien shall have priority as and be enforced in the same manner as taxes levied for state and county purposes. The secretary-treasurer of the public sewer district shall certify charges greater than one year but not more than five years, together with any interest and late charges to the collector of revenue of any city not within a county or any county with a charter form of government and with more than one million inhabitants as determined by the location of the subject property. Solely for collection purposes the certified sewer charges shall be placed upon the real property tax bill for the**

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.

14 property served by the sewer connection. The collector of revenue of any city not within
15 a county or any county with a charter form of government and with more than one million
16 inhabitants with jurisdiction over the subject property shall accept payment of the real
17 property tax bill. The lien shall be released within a time period consistent with the
18 processing procedures used by the respective collection authority. All moneys collected as
19 sewer charges, including interest and associated late charges fixed or established in
20 accordance with this subsection shall be kept in a separate and distinct fund established
21 to the credit of the public sewer district. The public sewer district shall reimburse the
22 appropriate government agency for direct and indirect costs associated with the collections
23 process under this subsection, as agreed to by both the public sewer district and each
24 respective government agency. The provisions of this subsection shall only apply to any
25 city not within a county or any county with a charter form of government and with more
26 than one million inhabitants.

27 2. Should the sewer charges of a public sewer district created and organized pursuant to
28 constitutional or statutory authority remain unpaid for a period in excess of three months, the
29 district, after notice to the customer by certified mail, shall have the authority at its discretion to
30 disconnect the customer's sewer line from the district's line or request any private water
31 company, public water supply district, or any municipality supplying water to the premises to
32 discontinue service to the customer until such time as the sewer charges and all related costs of
33 this section are paid.

2 **644.584.** In addition to those sums authorized prior to August 28, 2006, the board
3 of fund commissioners of the state of Missouri, as authorized by section 37(e) of article III
4 of the Constitution of the state of Missouri, may borrow on the credit of this state the sum
5 of ten million dollars in the manner described, and for the purposes set out, in chapter 640,
RSMo, and in this chapter.

2 **644.585.** In addition to those sums authorized prior to August 28, 2006, the board
3 of fund commissioners of the state of Missouri, as authorized by section 37(g) of article III
4 of the Constitution of the state of Missouri, may borrow on the credit of this state the sum
5 of ten million dollars in the manner described, and for the purposes set out, in chapter 640,
RSMo, and in this chapter.

2 **644.586.** In addition to those sums authorized prior to August 28, 2006, the board
3 of fund commissioners of the state of Missouri, as authorized by section 37(h) of article III
4 of the Constitution of the state of Missouri, may borrow on the credit of this state the sum
5 of twenty million dollars in the manner described, and for the purposes set out, in chapter
640, RSMo, and in this chapter.