

SECOND REGULAR SESSION

HOUSE BILL NO. 1931

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CASEY (Sponsor), ROORDA, MEADOWS, HARRIS (110),
FRAME, JOHNSON (90) AND WAGNER (Co-sponsors).

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STEPHEN S. DAVIS, Chief Clerk

4293L.011

AN ACT

To repeal section 182.015, RSMo, and to enact in lieu thereof one new section relating to county library subdistricts.

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

Section A. Section 182.015, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 182.015, to read as follows:

182.015. 1. In addition to the provisions of section 182.010, the county commission of
2 any county of the state may establish by its order a county library district without a petition or
3 submission to the voters as provided in section 182.010, provided such district conforms
4 otherwise to the provisions of that section and does not include any part of a regional library
5 system established pursuant to other provisions of this chapter. In the event a district is so
6 established, the county commission shall propose an annual rate of taxation within the limitations
7 prescribed by section 182.010, which proposal shall be submitted to a vote of the people in the
8 same manner as though the district were formed under the provisions of that section.

9 2. Where the county library district of any county is not operating a library within such
10 county, the county commission may divide the county library district into subdistricts. In the
11 event the subdistricts are established, the county commission shall propose an annual rate of
12 taxation, which proposal shall be submitted to a vote of the people residing in the subdistrict in
13 the same manner as provided for in section 182.010. If a majority of the votes cast on the
14 question are for the tax as submitted, the tax shall be levied and collected on property within the
15 subdistrict in the same manner as other county library taxes are levied and collected pursuant to

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.

16 section 182.020. Such funds shall be used to operate a branch library in the subdistrict of the
17 county library district.

18 3. Where a tax has not been approved by the voters within a five-year period from the
19 establishment of a library district, such library district shall be dissolved.

20 4. (1) **The boundaries of any subdistrict established under this section in any**
21 **county of the first classification with more than one hundred ninety-eight thousand but**
22 **fewer than one hundred ninety-nine thousand two hundred inhabitants may be expanded**
23 **as provided in this subsection. Whenever not less than ten percent of registered voters**
24 **residing in an area in such county adjacent to an existing subdistrict desire to be annexed**
25 **into the subdistrict, such registered voters shall file a petition with the governing body of**
26 **the county requesting, subject to the official approval of the existing county library board,**
27 **the expansion of the subdistrict. The petition shall contain the following information:**

28 (a) **The name and residence of each petitioner; and**

29 (b) **A specific description of the proposed subdistrict boundaries, including a map**
30 **illustrating the boundaries.**

31 (2) **Upon the filing of a petition under this subsection, subject to the official**
32 **approval of the existing county library board, the governing body of the county may, by**
33 **resolution, approve the expansion of the subdistrict. Any resolution to expand such**
34 **subdistrict adopted by the governing body of the county shall contain the following**
35 **information:**

36 (a) **A description of the proposed boundaries of the subdistrict;**

37 (b) **The time and place of a hearing to be held to consider expansion of the**
38 **subdistrict; and**

39 (c) **The rate of tax to be imposed in the area of expansion and voted on within the**
40 **proposed subdistrict, if any.**

41

42 **Following the hearing required in this subsection, if the existing library board approves**
43 **the expansion, and if the governing body of the county determines that expansion is in the**
44 **best interest of the current subdistrict, then the governing body may, by order or**
45 **ordinance, provide for the expansion of the subdistrict and for any imposition of the**
46 **existing subdistrict tax rate within the area of expansion. The order or ordinance shall not**
47 **become effective unless the governing body of the county submits to the voters residing**
48 **within the proposed subdistrict, at a state general, primary, or special election, a proposal**
49 **to authorize the governing body of the county to expand the boundaries of the subdistrict**
50 **and, if necessary, to impose the existing subdistrict tax rate within the area of expansion.**

51 (3) **The ballot of submission for the subdistrict expansion and imposition of the tax**
52 **authorized in this subsection shall be in substantially the following form:**

53 Shall (insert the name of the county) expand the boundaries of the (insert
 54 the name of the library subdistrict) subdistrict and impose the tax of (insert rate) for
 55 the county library subdistrict in the area of expansion?

56

57 YES NO

58

59 **If you are in favor of the question, place an "X" in the box opposite "YES". If you are**
 60 **opposed to the question, place an "X" in the box opposite "NO".**

61

62 **If a majority of the votes cast on the question by the qualified voters voting thereon and**
 63 **residing in the existing subdistrict and a majority of the votes cast on the question by the**
 64 **qualified voters voting thereon and residing in the area proposed to be annexed into the**
 65 **subdistrict are in favor of the question, then the expansion of the subdistrict and the**
 66 **imposition of the tax within the area of expansion shall become effective on the first day**
 67 **of the second calendar quarter immediately following the vote. If a majority of the votes**
 68 **cast on the question by the qualified voters voting thereon in either the existing subdistrict**
 69 **or in the area proposed to be annexed into the subdistrict are opposed to the question, then**
 70 **the expansion of the subdistrict and the imposition of the tax shall not become effective**
 71 **unless and until the question is resubmitted under this subsection to the qualified voters**
 72 **and such question is approved by the required majorities of the qualified voters voting on**
 73 **the question under this subsection.**

74 (4) The governing body of any county that has expanded subdistrict boundaries or
 75 imposed a tax increase authorized in this subsection may submit the question of repeal of
 76 the expansion of boundaries and the accompanying imposition of the tax in the area of
 77 expansion to the voters of the subdistrict on any date available for elections for the county.
 78 The ballot of submission shall be in substantially the following form:

79 Shall (insert the name of the county) repeal the expansion of boundaries and
 80 the accompanying imposition of the tax in the area of expansion imposed at a rate of
 81 (insert rate) for the (insert the name of the library subdistrict) subdistrict?

82

83 YES NO

84

85 **If you are in favor of the question, place an "X" in the box opposite "YES". If you are**
 86 **opposed to the question, place an "X" in the box opposite "NO".**

87

88 **If a majority of the votes cast on the question by the qualified voters voting thereon are in**
 89 **favor of repeal, that repeal shall become effective on December thirty-first of the calendar**

90 year in which such repeal was approved. If a majority of the votes cast on the question by
91 the qualified voters voting thereon are opposed to the repeal, then the expansion of
92 boundaries and the imposition of the tax as authorized in this subsection shall remain
93 effective until the question is resubmitted under this subsection to the qualified voters and
94 the repeal is approved by a majority of the qualified voters voting on the question.

95 (5) Whenever the governing body of any county that has expanded subdistrict
96 boundaries or imposed a tax as authorized in this subsection receives a petition, signed by
97 ten percent of the registered voters of the library subdistrict, calling for an election to
98 repeal the expansion of boundaries and the accompanying imposition of the tax in the area
99 of expansion under this subsection, the governing body shall submit to the voters of the
100 subdistrict a proposal to repeal the expansion and the accompanying imposition of the tax.
101 The ballot of submission shall be in substantially the same form as provided in subdivision
102 (4) of this subsection. If a majority of the votes cast on the question by the qualified voters
103 voting thereon are in favor of the repeal, the repeal shall become effective on December
104 thirty-first of the calendar year in which such repeal was approved. If a majority of the
105 votes cast on the question by the qualified voters voting thereon are opposed to the repeal,
106 then the expansion of boundaries and the imposition of the tax as authorized in this
107 subsection shall remain effective until the question is resubmitted under this subsection to
108 the qualified voters and the repeal is approved by a majority of the qualified voters voting
109 on the question.

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