

FIRST REGULAR SESSION

HOUSE BILL NO. 93

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CASEY (Sponsor), ROORDA,
FRAME AND MEADOWS (Co-sponsors).

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D. ADAM CRUMBLISS, Chief Clerk

0418L.01I

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Section A. Section 182.015, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 182.015, to read as follows: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 any county of the state may establish by its order a county library district without a petition or submission to the voters as provided in section 182.010, provided such district conforms otherwise to the provisions of that section and does not include any part of a regional library system established pursuant to other provisions of this chapter. In the event a district is so established, the county commission shall propose an annual rate of taxation within the limitations prescribed by section 182.010, which proposal shall be submitted to a vote of the people in the same manner as though the district were formed under the provisions of that section.

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

15 subdistrict in the same manner as other county library taxes are levied and collected pursuant to
16 section 182.020. Such funds shall be used to [operate a branch library] **provide library services**
17 in the subdistrict of the 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 may be expanded as provided in this subsection. Whenever not less than ten**
22 **percent of registered voters residing in an area in such county adjacent to an existing**
23 **subdistrict desire to be annexed into the subdistrict, such registered voters shall file a**
24 **petition with the governing body of the county requesting, subject to the official approval**
25 **of the existing county library board, the expansion of the subdistrict. The petition shall**
26 **contain the following information:**

27 (a) The name and residence of each petitioner; and

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

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

35 (a) A description of the proposed boundaries of the subdistrict;

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

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

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

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51 **If a majority of the votes cast on the question by the qualified voters voting thereon and**
52 **residing in the existing subdistrict and a majority of the votes cast on the question by the**
53 **qualified voters voting thereon and residing in the area proposed to be annexed into the**
54 **subdistrict are in favor of the question, then the expansion of the subdistrict and the**
55 **imposition of the tax within the area of expansion shall become effective on the first day**
56 **of the second calendar quarter immediately following the vote. If a majority of the votes**
57 **cast on the question by the qualified voters voting thereon in either the existing subdistrict**
58 **or in the area proposed to be annexed into the subdistrict are opposed to the question, then**
59 **the expansion of the subdistrict and the imposition of the tax shall not become effective**
60 **unless and until the question is resubmitted under this subsection to the qualified voters**
61 **and such question is approved by the required majorities of the qualified voters voting on**
62 **the question under this subsection.**

63 **(3) The governing body of any county that has expanded subdistrict boundaries or**
64 **imposed a tax increase authorized in this subsection may submit the question of repeal of**
65 **the expansion of boundaries and the accompanying imposition of the tax in the area of**
66 **expansion to the voters of the subdistrict on any date available for elections for the county.**

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68 **If a majority of the votes cast on the question by the qualified voters voting thereon are in**
69 **favor of repeal, that repeal shall become effective on December thirty-first of the calendar**
70 **year in which such repeal was approved. If a majority of the votes cast on the question by**
71 **the qualified voters voting thereon are opposed to the repeal, then the expansion of**
72 **boundaries and the imposition of the tax as authorized in this subsection shall remain**
73 **effective until the question is resubmitted under this subsection to the qualified voters and**
74 **the repeal is approved by a majority of the qualified voters voting on the question.**

75 **(4) Whenever the governing body of any county that has expanded subdistrict**
76 **boundaries or imposed a tax as authorized in this subsection receives a petition, signed by**
77 **ten percent of the registered voters of the library subdistrict, calling for an election to**
78 **repeal the expansion of boundaries and the accompanying imposition of the tax in the area**
79 **of expansion under this subsection, the governing body shall submit to the voters of the**
80 **subdistrict a proposal to repeal the expansion and the accompanying imposition of the tax.**
81 **The ballot of submission shall be in substantially the same form as provided in subdivision**
82 **(4) of this subsection. If a majority of the votes cast on the question by the qualified voters**
83 **voting thereon are in favor of the repeal, the repeal shall become effective on December**
84 **thirty-first of the calendar year in which such repeal was approved. If a majority of the**
85 **votes cast on the question by the qualified voters voting thereon are opposed to the repeal,**
86 **then the expansion of boundaries and the imposition of the tax as authorized in this**

87 subsection shall remain effective until the question is resubmitted under this subsection to
88 the qualified voters and the repeal is approved by a majority of the qualified voters voting
89 on the question.

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