

FIRST REGULAR SESSION

HOUSE BILL NO. 859

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DIECKHAUS (Sponsor), LAIR, MOLENDORP, PRATT, DUGGER, KOENIG, WILSON (130), WASSON, HOBBS, TILLEY, JONES (89), McNARY, STEVENSON, NANCE, STREAM, SCHOELLER, BROWN (149), FLANIGAN, RIDDLE, GATSCHENBERGER, FRANZ, HOSKINS (121), NIEVES, ZERR, PARKINSON, ROORDA, GUERNSEY, HUMMEL, COLONA, FISCHER (107), HARRIS, SCHUPP, MORRIS, HOLSMAN, KANDER, LeBLANC, LOW, WILSON (119), SMITH (150), RUESTMAN AND JONES (117) (Co-sponsors).

1946L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 67.280, RSMo, and to enact in lieu thereof one new section relating to community codes.

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

Section A. Section 67.280, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.280, to read as follows:

67.280. 1. As used in this section, the following terms mean:

- (1) **"Code"**, any published compilation of rules prepared by various technical trade associations, federal agencies, this state or any agency thereof, but shall be limited to: regulations concerning the construction of buildings and continued occupancy thereof; mechanical, plumbing, and electrical construction; and fire prevention;
- (2) "Community", any county, fire protection district or municipality;
- [(2)] (3) "County", any county in the state;
- [(3)] (4) "Fire protection district", any fire protection district in the state;
- [(4)] (5) "Municipality", any incorporated city, town or village[;
- (5) "Technical code", any published compilation of rules prepared by various technical trade associations, federal agencies, this state or any agency thereof, but shall be limited to: regulations concerning the construction of buildings and continued occupancy thereof; mechanical, plumbing and electrical construction; and fire prevention].

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 2. Any community, if the community otherwise has the power under the law to adopt
15 such an ordinance, may adopt or repeal an ordinance which incorporates by reference the
16 provisions of any code or portions of any code, or any amendment thereof, **[property] properly**
17 identified as to date and source, without setting forth the provisions of such code in full. At least
18 **[three copies] one copy** of such code, portion or amendment which is incorporated or adopted
19 by reference, shall be filed in the office of the clerk of the community and there kept available
20 for public use, inspection, and examination. The filing requirements herein prescribed shall not
21 be deemed to be complied with unless the required copies of such codes, portion, or amendment
22 or public record are filed with the clerk of such community for a period of ninety days prior to
23 the adoption of the ordinance which incorporates such code, portion, or amendment by reference.

24 3. Any ordinance adopting a code, portion, or amendment by reference shall state the
25 penalty for violating such code, portion, or amendment, or any provisions thereof separately, and
26 no part of any such penalty shall be incorporated by reference.

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