

FIRST REGULAR SESSION

# HOUSE BILL NO. 416

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES PRATT (Sponsor), TILLEY, NIEVES, BRUNS, JONES (117),  
McGHEE, WILDBERGER, ROORDA, FRANZ, SALVA, MEADOWS, ATKINS, CORCORAN,  
SCHARNHORST, JONES (89), SCHOELLER, DIEHL, MOLENDORP AND LEARA (Co-sponsors).

1110L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 320.097, RSMo, and to enact in lieu thereof one new section relating to fire department employee residency requirements.

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

Section A. Section 320.097, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 320.097, to read as follows:

320.097. 1. As used in this section, "fire department" means any agency or organization that provides fire suppression and related activities, including but not limited to fire prevention, rescue, emergency medical services, hazardous material response, dispatching, or special operations to a population within a fixed and legally recorded geographical area.

2. [Upon approval of the board of aldermen,] No employee of a fire department shall, as a condition of employment, be required to reside within a fixed and legally recorded geographical area of the fire department if the only public school district available to the employee within such fire department's geographical area is a public school district that is or has been unaccredited or provisionally accredited in the last five years of such employee's employment. No charter school shall be deemed a public school for purposes of this section.

3. No employee of a fire department who has not resided in such fire department's fixed and legally recorded geographical area, or who has changed such employee's residency because of conditions described in subsection 2 of this section, shall as a condition of employment be required to reside within the fixed and legally recorded geographical area of the fire department if such school district subsequently becomes fully accredited.

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 [4. Unless the voters of a city not within a county vote to supersede this section by the  
17 same majority needed to change the charter of said city by September 1, 2008, this section shall  
18 be in force for the city not within a county. In addition, any employee who resides outside the  
19 city will forfeit one percent of his or her salary for the time the employee is not living in the city  
20 to offset any lost revenue to the city.

21 5. The ballot of submission for this authorization shall be in substantially the following  
22 form:

23 Shall ..... (insert name of city) be allowed to prevent fire department employees from  
24 paying one percent of their salaries to the city in order to reside outside the city limits when the  
25 public school system is or has been unaccredited or provisionally accredited?

26  YES  NO

27

28 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed  
29 to the question, place an "X" in the box opposite "NO".]

