

SECOND REGULAR SESSION

HOUSE BILL NO. 1942

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PARSON.

4781L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 190.309, RSMo, and to enact in lieu thereof one new section relating to emergency telephone board members in certain counties.

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

Section A. Section 190.309, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 190.309, to read as follows:

190.309. 1. Any county may establish an "Emergency Telephone Service 911 Board", referred to in this section as the "board". The powers and duties of the board may be defined by order or ordinance of the county. Such powers shall include, but not be limited to:

(1) Planning a 911 system;

(2) Coordinating and supervising the implementation, upgrading, or maintenance of the system, including the establishment of equipment specifications and coding systems;

(3) Receiving moneys from any emergency telephone service tax levy authorized by the governing body of the county pursuant to section 190.305, and authorizing disbursements from such moneys collected;

(4) Hiring any staff necessary for the implementation or upgrade of the system.

2. Members of the board shall be appointed by the governing body of the county, and shall be known as the board of directors of the emergency service telephone 911 board. The governing body shall appoint eleven persons to the board. At least six of such members shall represent public safety agencies, **except in any county of the third classification without a township form of government and with more than twenty-six thousand nine hundred but fewer than twenty-seven thousand inhabitants, which shall have at least seven members representing the following public safety agencies:**

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.

- 18 **(1) County sheriff;**
19 **(2) County presiding commissioner;**
20 **(3) Chief of police of the county seat of the county;**
21 **(4) Mayor of the county seat of the county;**
22 **(5) President of the fire association of the county;**
23 **(6) Chief executive officer of the memorial hospital located in the county seat of the**
24 **county; and**
25 **(7) Director of emergency services of the memorial hospital located in the county**
26 **seat of the county.**

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28 At least nine of the board members shall be residents of the county described in subsection 1 of
29 this section or a county adjoining such county. All board members shall be appointed to serve
30 for a term of three years, except that of the first board appointed, five members shall be
31 appointed for one-year terms, three members for two-year terms and three members for
32 three-year terms. Board members may be reappointed. The members of the board shall not
33 receive compensation for their services, but may be reimbursed for their actual and necessary
34 expenses.

35 3. The administrative control and management of the county emergency telephone 911
36 service shall rest solely with the board, and the board shall employ all necessary personnel, fix
37 their compensation, and provide suitable quarters and equipment for the operation of the facility
38 from funds made available for this purpose. Employees of the board shall be eligible for
39 membership in the Missouri local government employees' retirement system pursuant to sections
40 70.600 to 70.755, RSMo.

41 4. The board may contract to provide services relating in whole or in part to emergency
42 telephone 911 service and for such purpose may expend the tax funds or other funds.

43 5. The board shall elect a chairman, vice chairman, treasurer, and such other officers as
44 it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety
45 bond, in an amount to be determined and in a form to be approved by the board, for the faithful
46 performance of the treasurer's duties and faithful accounting of all moneys that may come into
47 the treasurer's hands. The treasurer shall enter into the surety bond with a surety company
48 authorized to do business in Missouri, and the cost of such bond shall be paid by the board.

49 6. The board shall set rules for establishment and operation of the emergency 911
50 system, and shall do all other things necessary to carry out the purposes of sections 190.300 to
51 190.320.

52 7. The board may contract with any not-for-profit corporation including any corporation
53 which is incorporated for the purpose of implementing the provisions of sections 190.300 to
54 190.320.

55 8. The board may accept any gift of property or money for the use and benefit of the
56 emergency telephone 911 service in the county, and the board is authorized to sell or exchange
57 any such property which the board believes would be to the benefit of the service so long as the
58 proceeds are used exclusively for emergency telephone services. The board shall have exclusive
59 control of all gifts, property or money the board may accept; of all interest or other proceeds
60 which may accrue from the investment of such gifts or money or from the sale of such property;
61 of all tax revenues collected by the county on behalf of the emergency telephone 911 services;
62 and of all other funds granted, appropriated, or loaned to the board by the federal government,
63 the state, or its political subdivisions so long as these resources are used solely to benefit the
64 emergency telephone service in the county.

65 9. Any board member may, following notice and an opportunity to be heard, be removed
66 from office by a majority vote of the other members of the board for any of the following
67 grounds:

68 (1) Failure to attend five consecutive meetings, without good cause;

69 (2) Conduct prejudicial to the good order and efficient operation of the emergency
70 telephone service; or

71 (3) Neglect of duty.

72 10. The chairman of the board shall preside at such removal hearing, unless the chairman
73 is the person sought to be removed, in which case the hearing shall be presided over by another
74 member elected by the majority vote of the other board members. All interested parties may
75 present testimony and arguments at such hearing, and the witnesses shall be sworn by oath or
76 affirmation before testifying. Any interested party may, at his or her own expense, record the
77 proceedings.

78 11. Vacancies on the board occasioned by removals, resignations or otherwise shall be
79 reported by the board chairman to the governing body of the county and shall be filled in like
80 manner as original appointments; except that, if the vacancy occurs during an unexpired term,
81 the appointment shall be for only the unexpired portion of that term.

82 12. Individual board members shall not be eligible for employment by the board within
83 twelve months of termination of service as a member of the board.

84 13. No person shall be employed by the board who is related within the fourth degree
85 of consanguinity or affinity to any member of the board.

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