

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1358
96TH GENERAL ASSEMBLY

5325L.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 11.010, 57.104, 67.1860, 67.1862, 67.1864, 67.1866, 67.1868, 67.1870, 67.1872, 67.1874, 67.1878, 67.1880, 67.1886, 67.1888, 67.1890, 67.1892, 67.1894, 67.1896, 67.1898, 94.902, 99.825, 205.042, 250.140, 302.341, and 304.120, RSMo, and to enact in lieu thereof twenty-nine new sections relating to political subdivisions.

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

Section A. Sections 11.010, 57.104, 67.1860, 67.1862, 67.1864, 67.1866, 67.1868, 2 67.1870, 67.1872, 67.1874, 67.1878, 67.1880, 67.1886, 67.1888, 67.1890, 67.1892, 67.1894, 3 67.1896, 67.1898, 94.902, 99.825, 205.042, 250.140, 302.341, and 304.120, RSMo, are repealed 4 and twenty-nine new sections enacted in lieu thereof, to be known as sections 11.010, 11.025, 5 44.035, 57.104, 67.312, 67.313, 67.746, 67.1860, 67.1862, 67.1864, 67.1866, 67.1868, 67.1870, 6 67.1872, 67.1874, 67.1878, 67.1880, 67.1886, 67.1888, 67.1894, 71.009, 94.902, 99.825, 7 205.042, 250.140, 302.341, 304.120, 537.293, and 1, to read as follows:

11.010. The official manual, commonly known as the "Blue Book", compiled and 2 electronically published by the secretary of state on its official website is the official manual of 3 this state, and it is unlawful for any officer or employee of this state **except the secretary of** 4 **state**, or any board, or department or any officer or employee thereof, to cause to be printed, at 5 state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for 6 the secretary of state to publish, or permit to be published in the manual any duplication, or 7 rearrangement of any part of any report, or other document, required to be printed at the expense 8 of the state which has been submitted to and rejected by him or her as not suitable for publication 9 in the manual.

11.025. Notwithstanding any other provision of law, the secretary of state may enter 2 into an agreement directly with a nonprofit organization for such nonprofit organization

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.

3 to print and distribute copies of the official manual. The secretary of state shall provide
4 to the organization the electronic version of the official manual prepared and published
5 under this chapter. The nonprofit organization shall charge a fee for a copy of the official
6 manual to cover the cost of production and distribution.

44.035. The name, address, social security number, as well as any other personal
2 identifying information that is utilized in a voluntary registry of persons with health-
3 related ailments created by a public governmental body to assist individuals in case of a
4 disaster or emergency, shall not be considered a public record under the provisions of
5 chapter 610. Nothing in this section shall authorize a public governmental body to deny
6 a lawful request for such name, address, social security number, or other personal
7 identifying information from a law enforcement agency or any public governmental body
8 that provides firefighting, medical or other emergency services.

57.104. 1. The sheriff of any county [of the first classification not having a charter form
2 of government] may employ an attorney at law to aid and advise him **or her** in the discharge of
3 his **or her** duties and to represent him **or her** in court. The sheriff shall set the compensation for
4 an attorney hired pursuant to this section within the allocation made by the county commission
5 to the sheriff's department for compensation of employees to be paid out of the general revenue
6 fund of the county.

7 2. The attorney employed by a sheriff pursuant to subsection 1 of this section shall be
8 employed at the pleasure of the sheriff.

67.312. In any county with a charter form of government and with more than three
2 hundred thousand but fewer than four hundred fifty thousand inhabitants, if any city,
3 town, village, sewer district, or water supply district does not actually process or treat
4 sewage or wastewater but pays a premium or fee to another entity for such service, the city,
5 town, village, sewer district, or water supply district shall not charge and collect from its
6 customers a premium or fee of more than two hundred percent more than the premium or
7 fee it pays to such other entity without a majority vote of the qualified voters voting
8 thereon.

67.313. 1. If approved by a majority of the voters voting on the proposal, any city,
2 town, village, sewer district, or water supply district located within this state may, by order
3 or ordinance, levy and impose annually, upon lateral sewer service lines providing sewer
4 service to residential property having four or fewer dwelling units within the jurisdiction
5 of such city, town, village, sewer district, or water supply district, a fee not to exceed four
6 dollars per month or forty-eight dollars annually.

7 2. The ballot of submission shall be in substantially the following form:

8 **For the purpose of repair or replacement of lateral sewer service lines extending**
9 **from the residential dwelling to its connection with the public sewer system line, due to**
10 **failure of the line, shall (city, town, village, sewer district, or water supply district) be**
11 **authorized to impose a fee not to exceed four dollars per month or forty-eight dollars**
12 **annually on residential property for each lateral sewer service line providing sewer service**
13 **within the (city, town, village, sewer district, or water supply district) to residential**
14 **property having four or fewer dwelling units for the purpose of paying for the costs of**
15 **necessary lateral sewer service line repairs or replacements?**

16 **3. For the purpose of this section, a lateral sewer service line may be defined by**
17 **local order or ordinance, but shall not include more than the portion of the sewer line**
18 **which extends from the sewer mains owned by the utility or municipality to the point of**
19 **entry into the premises receiving sewer service, and may not include facilities owned by the**
20 **utility or municipality. For purposes of this section, repair may be defined and limited by**
21 **local ordinance, and may include replacement or repairs.**

22 **4. If a majority of the voters voting thereon approve the proposal authorized in**
23 **subsection 1 of this section, the governing body of the city, town, village, sewer district, or**
24 **water supply district may enact an order or ordinance for the collection of such fee. The**
25 **funds collected under such ordinance shall be deposited in a special account to be used**
26 **solely for the purpose of paying for the reasonable costs associated with and necessary to**
27 **administer and carry out the lateral sewer service line repairs as defined in the order or**
28 **ordinance and to reimburse the necessary costs of lateral sewer service line repair or**
29 **replacement. All interest generated on deposited funds shall be accrued to the special**
30 **account established for the repair of lateral sewer service lines.**

31 **5. The city, town, village, sewer district, or water supply district may establish, as**
32 **provided in the order or ordinance, regulations necessary for the administration of**
33 **collections, claims, repairs, replacements and all other activities necessary and convenient**
34 **for the implementation of any order or ordinance adopted and approved under this**
35 **section. The city, town, village, sewer district, or water supply district may administer the**
36 **program or may contract with one or more persons, through a competitive process, to**
37 **provide for administration of any portion of implementation activities of any order or**
38 **ordinance adopted and approved under this section, and reasonable costs of administering**
39 **the program may be paid from the special account established under this section not to**
40 **exceed five percent of the fund on an annual basis.**

41 **6. Notwithstanding any other provision of law to the contrary, the collector in any**
42 **city, town, village, sewer district, or water supply district that adopts an order or ordinance**
43 **under this section, who now or hereafter collects any fee to provide for, ensure or**

44 **guarantee the repair of lateral sewer service lines, may add such fee to the general tax levy**
45 **bills of property owners within the city, town, village, sewer district, or water supply**
46 **district. All revenues received on such combined bill which are for the purpose of**
47 **providing for, ensuring or guaranteeing the repair of lateral sewer service lines, shall be**
48 **separated from all other revenues so collected and credited to the appropriate fund or**
49 **account of the city, town, village, sewer district, or water supply district. The collector of**
50 **the city, town, village, sewer district, or water supply district may collect such fee in the**
51 **same manner and to the same extent as the collector now or hereafter may collect**
52 **delinquent real estate taxes and tax bills.**

2 **67.746. 1. The governing body of any county of the third classification without a**
3 **township form of government and with more than twenty-three thousand but fewer than**
4 **twenty-six thousand inhabitants and with a city of the fourth classification with more than**
5 **seven hundred but fewer than eight hundred inhabitants as the county seat may impose,**
6 **by order or ordinance, a surcharge on the rental of canoes, kayaks, rafts, or tubes and the**
7 **daily rental of rooms or accommodations by transient guests of hotels, motels, cabins,**
8 **campsites, or campgrounds within the county. The surcharge authorized in this section**
9 **shall be equal to three percent of the costs of such rentals, and shall be imposed solely for**
10 **the purpose of offsetting the costs of providing emergency services within the county, as**
11 **emergency services are defined in section 190.100. The surcharge authorized in this section**
12 **shall be in addition to all other sales taxes and charges imposed by law, and shall be stated**
13 **separately from all other charges and taxes.**

14 **2. No such order or ordinance adopted under this section shall become effective**
15 **unless the governing body of the county submits to the voters residing within the county**
16 **at a state general, primary, or special election a proposal to authorize the governing body**
17 **to impose a surcharge under this section. If a majority of the votes cast on the question by**
18 **the qualified voters voting thereon are in favor of the question, then the surcharge shall**
19 **become effective on the first day of the second calendar quarter after adoption of the**
20 **surcharge. If a majority of the votes cast on the question by the qualified voters voting**
21 **thereon are opposed to the question, then the surcharge shall not become effective unless**
22 **and until the question is resubmitted under this section to the qualified voters and such**
23 **question is approved by a majority of the qualified voters voting on the question.**

24 **3. All revenue collected under this section shall be deposited in a special trust fund,**
25 **which shall be known as the "County Emergency Services Surcharge Fund", and shall be**
26 **used solely to offset the costs of providing emergency services within the county. Every**
27 **retailer, vendor, operator, and other person who sells goods and services subject to the**
surcharge shall be liable and responsible for the payment of surcharges due and shall make

28 a return and remit such surcharges to the county, at such times and in such manner as the
29 governing body of the county shall prescribe. The collection of the surcharges imposed by
30 this section shall be computed in accordance with schedules or systems approved by the
31 governing body of the county. Such schedules or systems shall be designed so that no
32 surcharge is charged on any sale of one dollar or less.

33 4. The governing body of any county that has adopted the surcharge authorized in
34 this section may submit the question of repeal of the surcharge to the voters on any date
35 available for elections for the county. If a majority of the votes cast on the question by the
36 qualified voters voting thereon are in favor of the repeal, that repeal shall become effective
37 on December thirty-first of the calendar year in which such repeal was approved. If a
38 majority of the votes cast on the question by the qualified voters voting thereon are
39 opposed to the repeal, then the surcharge authorized in this section shall remain effective
40 until the question is resubmitted under this section to the qualified voters and the repeal
41 is approved by a majority of the qualified voters voting on the question.

42 5. Whenever the governing body of any county that has adopted the surcharge
43 authorized in this section receives a petition, signed by a number of registered voters of the
44 county equal to at least ten percent of the number of registered voters of the county voting
45 in the last gubernatorial election, calling for an election to repeal the surcharge imposed
46 under this section, the governing body shall submit to the voters a proposal to repeal the
47 surcharge. If a majority of the votes cast on the question by the qualified voters voting
48 thereon are in favor of the repeal, the repeal shall become effective on December thirty-
49 first of the calendar year in which such repeal was approved. If a majority of the votes cast
50 on the question by the qualified voters voting thereon are opposed to the repeal, then the
51 surcharge authorized in this section shall remain effective until the question is resubmitted
52 under this section to the qualified voters and the repeal is approved by a majority of the
53 qualified voters voting on the question.

54 6. If the surcharge is repealed or terminated by any means, all funds remaining in
55 the special trust fund shall continue to be used solely for the designated purposes, and the
56 county may order retention in the trust fund, for a period of one year, of two percent of the
57 amount collected after receipt of such notice to cover possible refunds or overpayment of
58 the surcharge and to redeem dishonored checks and drafts deposited to the credit of such
59 accounts. After one year has elapsed after the effective date of abolition of the surcharge,
60 the county treasurer or equivalent official shall remit the balance in the account to the
61 general fund of the county and close the special trust fund.

67.1860. Sections 67.1860 to [67.1898] **67.1894** shall be known as the "Missouri Law
2 Enforcement District Act".

67.1862. As used in sections 67.1860 to [67.1898] **67.1894**, the following terms mean:

- 2 (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- 3 (2) "Board", the board of directors of a district;
- 4 (3) "District", a law enforcement district organized [pursuant to] **under** sections 67.1860
- 5 to [67.1898] **67.1894**;
- 6 (4) **"Registered voter", any voter registered within the boundaries of the district**
- 7 **or proposed district.**

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve,
2 maintain and operate one or more projects relating to law enforcement or to assist in such
3 activity.

4 2. A district is a political subdivision of the state.

5 3. A district may be created in any county of the first classification [without a charter
6 form of government and a population of fifty thousand inhabitants or less].

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered
2 voters within the proposed district may file a petition requesting the creation of a district. The
3 petition shall be filed in the circuit court of the county in which the proposed district is located.

4 2. The proposed district area shall be contiguous and may contain any portion of one or
5 more municipalities. **Two areas may be considered contiguous if both are adjacent to the**
6 **shoreline of the same body of water.**

7 3. The petition shall set forth:

8 (1) The name and address of each owner of real property located within the proposed
9 district [or who is a] **and each** registered voter [resident] within the proposed district;

10 (2) A specific description of the proposed district boundaries including a map illustrating
11 such boundaries;

12 (3) A general description of the purpose or purposes for which the district is being
13 formed; and

14 (4) The name of the proposed district.

15 4. The circuit clerk of the county in which the petition is filed [pursuant to] **under** this
16 section shall present the petition to the judge, who shall thereupon set the petition for hearing not
17 less than thirty days nor more than forty days after the filing. The judge shall cause notice of the
18 time and place of the hearing to be given, by publication on three separate days in one or more
19 newspapers having a general circulation within the county, with the third and final publication
20 to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the
21 information required [pursuant to] **under** subsection 3 of this section. The costs of printing and
22 publication of the notice shall be paid as required [pursuant to] **under** section 67.1870.

23 **5. In the event any owner of real property within the proposed district who is**
24 **named in the petition or any registered voter does not join in the petition or file an entry**
25 **of appearance and waiver of service of process in the case, a copy of the petition shall be**
26 **served upon such owner or registered voter in the manner provided by supreme court rule**
27 **for the service of petitions generally. Any objections to the petition shall be raised by**
28 **answer within the time provided by supreme court rule for the filing of an answer to a**
29 **petition.**

 67.1868. 1. Any owner of real property within the proposed district and any [legal]
2 **registered** voter [who is a resident] within the proposed district may join in or file a petition
3 supporting or answer opposing the creation of the district and seeking a judgment respecting
4 these same issues.

5 2. The court shall hear the case without a jury. If the court determines the petition is
6 defective or the proposed district or its plan of operation is unconstitutional, it shall enter its
7 judgment to that effect and shall refuse to incorporate the district as requested in the pleadings.
8 If the court determines the petition is not legally defective and the proposed district and plan of
9 operation are not unconstitutional, the court shall [determine and declare] **order** the district
10 organized and incorporated and shall approve the plan of operation stated in the petition.

11 3. Any party having filed a petition or answer to a petition may appeal the circuit court's
12 order or judgment in the same manner as provided for other appeals. Any order either refusing
13 to incorporate the district or incorporating the district shall be a final judgment for purposes of
14 appeal.

 67.1870. The costs of filing and defending the petition and all publication and incidental
2 costs incurred in obtaining circuit court certification of the petition for voter approval shall be
3 paid by the petitioners. If a district is organized [pursuant to] **under** sections 67.1860 to
4 [67.1898] **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received
5 by the district.

 67.1872. A district created [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**
2 shall be governed by a board of directors consisting of five members to be elected as provided
3 in section 67.1874.

 67.1874. 1. Within thirty days after the order declaring the district organized has become
2 final, the circuit clerk of the county in which the petition was filed shall give notice by causing
3 publication to be made once a week for two consecutive weeks in a newspaper of general
4 circulation in the county, the last publication of which shall be at least ten days before the day
5 of the meeting required by this section, to call a meeting of the owners of real property and
6 registered voters [resident] within the district at a day and hour specified in a public place in the
7 county in which the petition was filed for the purpose of electing a board of five directors, two

8 to serve one year, two to serve two years, and one to serve three years, to be composed of
9 [residents] **registered voters** of the district.

10 2. The attendees, when assembled, shall organize by [the election of] **electing** a chairman
11 and secretary of the meeting [who] . **The secretary** shall conduct the election.

12 3. **Upon completion of the terms of the initial directors under subsection 1 of this**
13 **section**, each director shall serve for a term of three years and until such director's successor is
14 duly elected and qualified. Successor directors shall be elected in the same manner as the initial
15 directors at a meeting of the [residents] **registered voters** called by the board. [Each successor
16 director shall serve a three-year term.] The remaining directors shall have the authority to elect
17 an interim director to complete any unexpired term of a director caused by resignation or
18 disqualification.

19 4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing,
2 constructing, reconstructing, maintaining and operating one or more projects relating to law
3 enforcement. Such funds may be derived from any funding method which is authorized by
4 sections 67.1860 to [67.1898] **67.1894** and from any other source, including but not limited to
5 funds from federal sources, the state of Missouri or an agency of the state, a political subdivision
6 of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified] **registered** voters
2 voting on the question in the district, the district may impose a property tax in an amount not to
3 exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district
4 board may levy a property tax rate lower than its approved tax rate ceiling and may increase that
5 lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without
6 **new** voter approval. The property tax shall be uniform throughout the district.

7 2. The ballot of submission shall be substantially in the following form:

8 Shall the Law Enforcement District impose a property tax upon all real and
9 tangible personal property within the district at a rate of not more than (insert amount)
10 cents per hundred dollars assessed valuation for the purpose of providing revenue for the
11 development of a project (or projects) in the district (insert general description of the project or
12 projects, if necessary)?

13 YES NO

14

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

17 3. The county collector of each county in which the district is partially or entirely located
18 shall collect the property taxes and special benefit assessments made upon all real property and

19 tangible personal property within that county and the district, in the same manner as other
20 property taxes are collected.

21 4. Every county collector having collected or received district property taxes shall, on
22 or before the fifteenth day of each month and after deducting his or her commissions, remit to
23 the treasurer of that district the amount collected or received by him or her prior to the first day
24 of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor,
25 which he or she shall forward or deliver to the collector. The district treasurer shall deposit such
26 sums into the district treasury, credited to the appropriate project or purpose. The collector and
27 district treasurer shall make final settlement of the district account and commissions owing, not
28 less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to [67.1898]
2 **67.1894** the district shall have the following general powers:

- 3 (1) To contract with the [local] **county** sheriff's department for the provision of services;
- 4 (2) To sue and be sued in its own name, and to receive service of process, which shall
5 be served upon the district secretary;
- 6 (3) To fix compensation of its employees and contractors;
- 7 (4) To purchase any personal property necessary or convenient for its activities;
- 8 (5) To collect and disburse funds for its activities; and
- 9 (6) To exercise such other implied powers necessary or convenient for the district to
10 accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering
2 its legal limits of liability, to protect itself, its officers and its employees from any potential
3 liability and may also obtain such other types of insurance as it deems necessary to protect
4 against loss of its real or personal property of any kind. The cost of this insurance shall be
5 charged against the project.

6 2. The district may also require contractors performing construction or maintenance
7 work on the project and companies providing operational and management services to obtain
8 liability insurance having the district, its directors and employees as additional named insureds.

9 3. **The district may self-insure if it is unable to obtain liability insurance coverage**
10 **at a rate which is economically feasible to the district, considering its resources. However,**
11 the district shall not attempt to self-insure for its potential liabilities unless it finds that it has
12 sufficient funds available to cover any anticipated judgments or settlements and still complete
13 its project without interruption. [The district may self-insure if it is unable to obtain liability
14 insurance coverage at a rate which is economically feasible to the district, considering its
15 resources.]

67.1894. [1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was

36 not authorized by law or that such order of the board was not supported by competent and
37 substantial evidence.

38 5. Any person aggrieved by any decision of the board made pursuant to the provisions
39 of this section may appeal that decision to the circuit court of the county in which the property
40 is located within thirty days of the decision by the board.] **Whenever the district board receives**
41 **a petition, signed by a number of registered voters of the district equal to at least ten**
42 **percent of the number of registered voters of the district, calling for an election to repeal**
43 **the tax imposed under section 67.1880, the board shall submit to the voters of the district**
44 **a proposal to repeal the tax. If a majority of the votes cast on the question by the registered**
45 **voters voting thereon are in favor of the repeal, the repeal shall become effective on**
46 **December thirty-first of the calendar year in which such repeal was approved. If a**
47 **majority of the votes cast on the question by the qualified voters voting thereon are**
48 **opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until**
49 **the question is resubmitted under this section to the registered voters and the repeal is**
50 **approved by a majority of the registered voters voting on the question.**

71.009. Any municipality seeking a voluntary annexation shall have such request
2 **granted by the commission within fourteen days if such municipality demonstrates that:**

3 **(1) A majority of the property owners in the area sought to be annexed, if any,**
4 **support such annexation;**

5 **(2) Such area is consistent with a boundary change proposal adopted by such**
6 **municipality; and**

7 **(3) Such municipality is a service provider for both water and sanitary sewer**
8 **service within the municipality.**

 94.902. 1. **(1) The governing body of the following cities may impose a sales tax as**
2 **provided in this section:**

3 **(a) Any city of the third classification with more than twenty-six thousand three hundred**
4 **but less than twenty-six thousand seven hundred inhabitants[, or] ;**

5 **(b) Any city of the fourth classification with more than thirty thousand three hundred but**
6 **fewer than thirty thousand seven hundred inhabitants[, or] ;**

7 **(c) Any city of the fourth classification with more than twenty-four thousand eight**
8 **hundred but fewer than twenty-five thousand inhabitants[.];**

9 **(d) Any city of the third classification with more than four thousand but fewer than**
10 **four thousand five hundred inhabitants and located in any county of the first classification**
11 **with more than two hundred thousand but fewer than two hundred sixty thousand**
12 **inhabitants.**

13 **(2) The governing body of any city listed in subdivision (1) of this subsection** may
 14 impose, by order or ordinance, a sales tax on all retail sales made in the city which are subject
 15 to taxation under chapter 144. The tax authorized in this section may be imposed in an amount
 16 of up to one-half of one percent, and shall be imposed solely for the purpose of improving the
 17 public safety for such city, including but not limited to expenditures on equipment, city employee
 18 salaries and benefits, and facilities for police, fire and emergency medical providers. The tax
 19 authorized in this section shall be in addition to all other sales taxes imposed by law, and shall
 20 be stated separately from all other charges and taxes. The order or ordinance imposing a sales
 21 tax under this section shall not become effective unless the governing body of the city submits
 22 to the voters residing within the city, at a county or state general, primary, or special election, a
 23 proposal to authorize the governing body of the city to impose a tax under this section.

24 2. The ballot of submission for the tax authorized in this section shall be in substantially
 25 the following form:

26 Shall the city of (city's name) impose a citywide sales tax at
 27 a rate of (insert rate of percent) percent for the purpose of improving the public safety of
 28 the city?

29 YES NO

30
 31 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed
 32 to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the
 33 proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance
 34 or order and any amendments to the order or ordinance shall become effective on the first day
 35 of the second calendar quarter after the director of revenue receives notice of the adoption of the
 36 sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon
 37 are opposed to the proposal, then the tax shall not become effective unless the proposal is
 38 resubmitted under this section to the qualified voters and such proposal is approved by a majority
 39 of the qualified voters voting on the proposal. However, in no event shall a proposal under this
 40 section be submitted to the voters sooner than twelve months from the date of the last proposal
 41 under this section.

42 3. Any sales tax imposed under this section shall be administered, collected, enforced,
 43 and operated as required in section 32.087. All sales taxes collected by the director of the
 44 department of revenue under this section on behalf of any city, less one percent for cost of
 45 collection which shall be deposited in the state's general revenue fund after payment of premiums
 46 for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which
 47 is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust
 48 Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be

49 commingled with any funds of the state. The provisions of section 33.080 to the contrary
 50 notwithstanding, money in this fund shall not be transferred and placed to the credit of the
 51 general revenue fund. The director shall keep accurate records of the amount of money in the
 52 trust fund and which was collected in each city imposing a sales tax under this section, and the
 53 records shall be open to the inspection of officers of the city and the public. Not later than the
 54 tenth day of each month the director shall distribute all moneys deposited in the trust fund during
 55 the preceding month to the city which levied the tax. Such funds shall be deposited with the city
 56 treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by
 57 an appropriation act to be enacted by the governing body of each such city. Expenditures may
 58 be made from the fund for any functions authorized in the ordinance or order adopted by the
 59 governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the
 60 special trust fund shall continue to be used solely for the designated purposes. Any funds in the
 61 special trust fund which are not needed for current expenditures shall be invested in the same
 62 manner as other funds are invested. Any interest and moneys earned on such investments shall
 63 be credited to the fund.

64 4. The director of the department of revenue may authorize the state treasurer to make
 65 refunds from the amounts in the trust fund and credited to any city for erroneous payments and
 66 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of
 67 such cities. If any city abolishes the tax, the city shall notify the director of the action at least
 68 ninety days before the effective date of the repeal, and the director may order retention in the
 69 trust fund, for a period of one year, of two percent of the amount collected after receipt of such
 70 notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and
 71 drafts deposited to the credit of such accounts. After one year has elapsed after the effective date
 72 of abolition of the tax in such city, the director shall remit the balance in the account to the city
 73 and close the account of that city. The director shall notify each city of each instance of any
 74 amount refunded or any check redeemed from receipts due the city.

75 5. The governing body of any city that has adopted the sales tax authorized in this section
 76 may submit the question of repeal of the tax to the voters on any date available for elections for
 77 the city. The ballot of submission shall be in substantially the following form:

78 Shall (insert the name of the city) repeal the sales tax
 79 imposed at a rate of (insert rate of percent) percent for the purpose of improving the public
 80 safety of the city?

81 YES NO

82

83 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become
 84 effective on December thirty-first of the calendar year in which such repeal was approved. If a

85 majority of the votes cast on the question by the qualified voters voting thereon are opposed to
86 the repeal, then the sales tax authorized in this section shall remain effective until the question
87 is resubmitted under this section to the qualified voters, and the repeal is approved by a majority
88 of the qualified voters voting on the question.

89 6. Whenever the governing body of any city that has adopted the sales tax authorized in
90 this section receives a petition, signed by ten percent of the registered voters of the city voting
91 in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this
92 section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If
93 a majority of the votes cast on the question by the qualified voters voting thereon are in favor of
94 the repeal, that repeal shall become effective on December thirty-first of the calendar year in
95 which such repeal was approved. If a majority of the votes cast on the question by the qualified
96 voters voting thereon are opposed to the repeal, then the tax shall remain effective until the
97 question is resubmitted under this section to the qualified voters and the repeal is approved by
98 a majority of the qualified voters voting on the question.

99 7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall
100 apply to the tax imposed under this section.

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a
2 redevelopment area, or approving a redevelopment plan or redevelopment project, the
3 commission shall fix a time and place for a public hearing as required in subsection 4 of section
4 99.820 and notify each taxing district located wholly or partially within the boundaries of the
5 proposed redevelopment area, plan or project. At the public hearing any interested person or
6 affected taxing district may file with the commission written objections to, or comments on, and
7 may be heard orally in respect to, any issues embodied in the notice. The commission shall hear
8 and consider all protests, objections, comments and other evidence presented at the hearing. The
9 hearing may be continued to another date without further notice other than a motion to be entered
10 upon the minutes fixing the time and place of the subsequent hearing; provided, if the
11 commission is created under subsection 3 of section 99.820, the hearing shall not be continued
12 for more than thirty days beyond the date on which it is originally opened unless such longer
13 period is requested by the chief elected official of the municipality creating the commission and
14 approved by a majority of the commission. Prior to the conclusion of the hearing, changes may
15 be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that
16 each affected taxing district is given written notice of such changes at least seven days prior to
17 the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance
18 approving a redevelopment plan or redevelopment project, or designating a redevelopment area,
19 changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas
20 without a further hearing, if such changes do not enlarge the exterior boundaries of the

21 redevelopment area or areas, and do not substantially affect the general land uses established in
22 the redevelopment plan or substantially change the nature of the redevelopment projects,
23 provided that notice of such changes shall be given by mail to each affected taxing district and
24 by publication in a newspaper of general circulation in the area of the proposed redevelopment
25 not less than ten days prior to the adoption of the changes by ordinance. After the adoption of
26 an ordinance approving a redevelopment plan or redevelopment project, or designating a
27 redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the
28 general land uses established pursuant to the redevelopment plan or changing the nature of the
29 redevelopment project without complying with the procedures provided in this section pertaining
30 to the initial approval of a redevelopment plan or redevelopment project and designation of a
31 redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or
32 redevelopment plan may be held simultaneously.

33 2. [Effective January 1, 2008.] If, after concluding the hearing required under this
34 section, the commission makes a recommendation under section 99.820 in opposition to a
35 proposed redevelopment plan, redevelopment project, or designation of a redevelopment area,
36 or any amendments thereto, a municipality desiring to approve such project, plan, designation,
37 or amendments shall do so only upon a two-thirds majority vote of the governing body of such
38 municipality. **Except that no municipality which is a county with a charter form of**
39 **government and with more than nine hundred fifty thousand inhabitants, a county with**
40 **a charter form of government and with more than three hundred thousand but fewer than**
41 **four hundred fifty thousand inhabitants, or a county with a charter form of government**
42 **and with more than two hundred thousand but fewer than three hundred fifty thousand**
43 **inhabitants, or is located in any such county, shall approve such project, plan, designation,**
44 **or amendments thereto, unless a majority of the commission members vote to make a**
45 **recommendation to approve such project, plan, designation, or amendments, or such**
46 **municipality places the question before the qualified voters of all taxing entities that would**
47 **be affected by the tax increment financing proposal and the question is approved by no less**
48 **than two-thirds of the voters voting thereon upon the next regularly scheduled municipal**
49 **or general election.**

50 3. Tax incremental financing projects within an economic development area shall apply
51 to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers,
52 traffic control systems and devices, water distribution and supply systems, curbing, sidewalks
53 and any other similar public improvements, but in no case shall it include buildings.

205.042. 1. The trustees, within ten days after their appointment or election, shall
2 qualify by taking the oath of civil officers and organize as a board of health center trustees by the
3 election of one of their number as chairman, one as secretary, one as treasurer, and by the

4 election of such other officers as they may deem necessary, but no bond shall be required of
5 them.

6 2. No trustee shall receive any compensation for his services performed, but he may
7 receive reimbursement for any cash expenditures actually made for personal expenses incurred
8 as such trustee, and an itemized statement of all such expenses and money paid out shall be made
9 under oath by each of such trustees and filed with the secretary and allowed only by the
10 affirmative vote of all of the trustees present at a meeting of the board.

11 3. The board of health center trustees shall make and adopt such bylaws, rules and
12 regulations for its own guidance and for the government of the county health center as may be
13 deemed expedient for the economic and equitable conduct thereof. It shall have the exclusive
14 control of the expenditures of all moneys collected to the credit of the county health center fund,
15 and of the purchase of site or sites, the purchase or construction of any county health center
16 buildings, and of the supervision, care and custody of the grounds, rooms or buildings purchased,
17 constructed, leased or set apart for that purpose. All moneys received for the county health
18 center shall be credited to the county health center and deposited in the depository thereof for the
19 sole use of such county health center in accordance with the provisions of sections 205.010 to
20 205.150. All funds received by each county health center shall be paid out [only] **through an**
21 **electronic funds transfer system in an amount within that approved by the board of health**
22 **center trustees or** upon warrants ordered drawn by the treasurer of the board of trustees upon
23 properly authenticated vouchers of the board of health center trustees.

24 4. The board of health center trustees may appoint and remove such personnel as may
25 be necessary and fix their compensation; and shall in general carry out the spirit and intent of
26 sections 205.010 to 205.150 pertaining to establishing and maintaining a county health center.

27 5. The board of health center trustees shall hold meetings at least once each month, and
28 shall keep a complete record of all of its proceedings. Three members of the board shall
29 constitute a quorum for the transaction of business.

30 6. One of the trustees shall visit and examine the county health center at least twice each
31 month.

32 7. When the county health center is established, all personnel and all persons
33 approaching or coming within the limits of same, and all furniture and other articles used or
34 brought there shall be subject to such rules and regulations as the board may prescribe.

35 8. The board of health center trustees shall determine annually the rate of the tax levy,
36 except that the rate so determined shall not exceed the maximum rate authorized by the vote of
37 the people of the county.

38 9. The board of health center trustees may enter into contracts and agreements with
39 federal, state, county, school and municipal governments and with private individuals,

40 partnerships, firms, associations and corporations for the furtherance of health activities, except
41 as hereafter prohibited.

250.140. 1. Sewerage services, water services, or water and sewerage services combined
2 shall be deemed to be furnished to both the occupant and owner of the premises receiving such
3 service and, except as otherwise provided in subsection 2 of this section, the city, town, village,
4 or sewer district or water supply district organized and incorporated under chapter 247 rendering
5 such services shall have power to sue the occupant or owner, or both, of such real estate in a civil
6 action to recover any sums due for such services less any deposit that is held by the city, town,
7 village, or sewer district or water supply district organized and incorporated under chapter 247
8 for such services, plus a reasonable attorney's fee to be fixed by the court.

9 2. When the occupant is delinquent in payment for thirty days, the city, town, village,
10 sewer district, or water supply district shall make a good faith effort to notify the owner of the
11 premises receiving such service of the delinquency and the amount thereof. Notwithstanding any
12 other provision of this section to the contrary, when an occupant is delinquent more than ninety
13 days, the owner shall not be liable for sums due for more than ninety days of service[; provided,
14 however, that in any city not within a county and any home rule city with more than four hundred
15 thousand inhabitants and located in more than one county, until January 1, 2007, when an
16 occupant is delinquent more than one hundred twenty days the owner shall not be liable for sums
17 due for more than one hundred twenty days of service, and after January 1, 2007, when an
18 occupant is delinquent more than ninety days the owner shall not be liable for sums due for more
19 than ninety days]. Any notice of termination of service shall be sent to both the occupant and
20 owner of the premises receiving such service.

21 3. The provisions of this section shall apply only to residences that have their own
22 private water and sewer lines. In instances where several residences share a common water or
23 sewer line, the owner of the real property upon which the residences sit shall be liable for water
24 and sewer expenses.

25 4. Notwithstanding any other provision of law to the contrary, any water provider **or**
26 **premises owner** who terminates service due to delinquency of payment by a consumer shall not
27 be liable for any civil or criminal damages **for termination of such service, nor shall it be**
28 **deemed constructive eviction or forcible entry and detainer.**

29 5. The provisions of this section shall not apply to unapplied-for utility services. As used
30 in this subsection, "unapplied-for utility services" means services requiring application by the
31 property owner and acceptance of such application by the utility prior to the establishment of an
32 account. The property owner is billed directly for the services provided, and as a result, any

33 delinquent payment of a bill becomes the responsibility of the property owner rather than the
34 occupant.

302.341. 1. If a Missouri resident charged with a moving [traffic] violation, **as defined**
2 **in section 302.010**, of this state or any county or municipality of this state fails to dispose of the
3 charges of which the resident is accused through authorized prepayment of fine and court costs
4 and fails to appear on the return date or at any subsequent date to which the case has been
5 continued, or without good cause fails to pay any fine or court costs assessed against the resident
6 for any such violation within the period of time specified or in such installments as approved by
7 the court or as otherwise provided by law, any court having jurisdiction over the charges shall
8 within ten days of the failure to comply inform the defendant by ordinary mail at the last address
9 shown on the court records that the court will order the director of revenue to suspend the
10 defendant's driving privileges if the charges are not disposed of and fully paid within thirty days
11 from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges
12 and fully pay any applicable fines and court costs, the court shall notify the director of revenue
13 of such failure and of the pending charges against the defendant. Upon receipt of this
14 notification, the director shall suspend the license of the driver, effective immediately, and
15 provide notice of the suspension to the driver at the last address for the driver shown on the
16 records of the department of revenue. Such suspension shall remain in effect until the court with
17 the subject pending charge requests setting aside the noncompliance suspension pending final
18 disposition, or satisfactory evidence of disposition of pending charges and payment of fine and
19 court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition
20 of charges and payment of fine and court costs, if applicable, and payment of the reinstatement
21 fee as set forth in section 302.304, the director shall return the license and remove the suspension
22 from the individual's driving record. The filing of financial responsibility with the bureau of
23 safety responsibility, department of revenue, shall not be required as a condition of reinstatement
24 of a driver's license suspended solely under the provisions of this section.

25 2. If any city, town or village **meets the criteria established in subsection 6 of this**
26 **section and** receives more than thirty-five percent of its annual general operating revenue from
27 fines and court costs for [traffic] **cited moving** violations occurring on state highways, **whether**
28 **the violation is adjudicated finally as a moving or nonmoving violation**, all revenues from
29 such violations in excess of thirty-five percent of the annual general operating revenue of the
30 city, town or village shall be sent to the director of the department of revenue and shall be
31 distributed annually to the schools of the county in the same manner that proceeds of all
32 penalties, forfeitures and fines collected for any breach of the penal laws of the state are
33 distributed. For the purpose of this section the words "state highways" shall mean any state or

34 federal highway, including any such highway continuing through the boundaries of a city, town
35 or village with a designated street name other than the state highway number. [The director of
36 the department of revenue shall set forth by rule a procedure whereby excess revenues as set
37 forth above shall be sent to the department of revenue.]

38 **3. The governing body of each city, town, or village that meets the criteria**
39 **established in subsection 6 of this section shall cause to be prepared an annual report of**
40 **the fines and court costs collected for cited moving violations whether finally adjudicated**
41 **as a moving or nonmoving violation occurring on state highways, along with the entity's**
42 **annual general revenue for the year, in such summary form as the department of revenue**
43 **shall prescribe by rule. In the event the fines and court costs exceed thirty-five percent of**
44 **the entity's general operating revenue for the year, the entity shall include with the annual**
45 **report payment of the excess revenues to the director of the department of revenue. The**
46 **payment of excess revenues shall be disbursed as provided in subsection 2 of this section.**
47 If any city, town, or village disputes a determination that it has received excess revenues required
48 to be sent to the department of revenue, such city, town, or village may submit to an annual audit
49 by the state auditor under the authority of article IV, section 13 of the Missouri Constitution.
50 [Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
51 authority delegated in this section shall become effective only if it complies with and is subject
52 to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
53 chapter 536 are nonseverable and if any of the powers vested with the general assembly under
54 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
55 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
56 or adopted after August 28, 2009, shall be invalid and void.]

57 **4. The department of revenue may promulgate rules necessary to implement the**
58 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**
59 **536.010, that is created under the authority delegated in this section shall become effective**
60 **only if it complies with and is subject to all of the provisions of chapter 536 and, if**
61 **applicable, section 536.028. This section and chapter 536 are nonseverable and if any of**
62 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
63 **the effective date, or to disapprove and annul a rule are subsequently held**
64 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
65 **after August 28, 2012, shall be invalid and void.**

66 **5. In the event a city, town, or village that meets the criteria established in**
67 **subsection 6 of this section fails to comply with subsections 2 and 3 of this section, such**
68 **entity shall be subject to a civil penalty in an amount up to one thousand dollars. The**

69 department of revenue shall determine the amount of the penalty by taking into account
70 the size of the entity, the seriousness of the offense, and whether the city, town, or village
71 has violated the provisions of subsections 2 and 3 of this section previously. The director
72 of revenue or his or her designated representative shall administer and enforce the
73 provisions of this section and may develop, prescribe, and issue any forms, notices, or other
74 written documents to enforce such authority and to ensure that every city, town, or village
75 is in compliance with the provisions of subsections 2 and 3 of this section.

76 6. The provisions of subsections 2, 3, 4, and 5 of this section shall only apply to any
77 city, town, or village with:

78 (1) Less than two million dollars in general revenue, excluding fines and court costs
79 collected for cited moving violations whether finally adjudicated as a moving or nonmoving
80 violation; and

81 (2) Fines and court costs from cited moving violations, whether finally adjudicated
82 as a moving or nonmoving violation, in excess of seventy thousand dollars.

304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations
2 for motor vehicles within the limits of such municipalities. No person who is not a resident of
3 such municipality and who has not been within the limits thereof for a continuous period of more
4 than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown
5 by competent evidence that there was posted at the place where the boundary of such
6 municipality joins or crosses any highway a sign displaying in black letters not less than four
7 inches high and one inch wide on a white background the speed fixed by such municipality so
8 that such sign may be clearly seen by operators and drivers from their vehicles upon entering
9 such municipality.

10 2. Municipalities, by ordinance, may:

11 (1) Make additional rules of the road or traffic regulations to meet their needs and traffic
12 conditions;

13 (2) Establish one-way streets and provide for the regulation of vehicles thereon;

14 (3) Require vehicles to stop before crossing certain designated streets and boulevards;

15 (4) Limit the use of certain designated streets and boulevards to passenger vehicles,

16 **except that each municipality shall allow at least one street, with lawful traffic movement**
17 **and access from both directions, to be available for use by commercial vehicles to access**
18 **any roads in the state highway system. Under no circumstances shall the provisions of this**
19 **subdivision be construed to authorize municipalities to limit the use of all streets in the**
20 **municipality;**

21 (5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid
22 rubber tires;

23 (6) Regulate the parking of vehicles on streets by the installation of parking meters for
24 limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory
25 method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

26 (7) Require the use of signaling devices on all motor vehicles; and

27 (8) Prohibit sound producing warning devices, except horns directed forward.

28 3. No ordinance shall be valid which contains provisions contrary to or in conflict with
29 this chapter, except as herein provided.

30 4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the
31 vehicle is being permissively used by a lessee and is illegally parked or operated if the registered
32 owner-lessor of such vehicle furnishes the name, address and operator's license number of the
33 person renting or leasing the vehicle at the time the violation occurred to the proper municipal
34 authority within three working days from the time of receipt of written request for such
35 information. Any registered owner-lessor who fails or refuses to provide such information
36 within the period required by this subsection shall be liable for the imposition of any fine
37 established by municipal ordinance for the violation. Provided, however, if a leased motor
38 vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused
39 by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal
40 parking of such vehicle.

41 **5. No ordinance shall deny the use of commercial vehicles on all streets within the**
42 **municipality.**

537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a
2 **public street or highway in a manner which is legal under state and local law shall not**
3 **constitute a public or private nuisance, and shall not be the basis of a civil action for public**
4 **or private nuisance.**

5 **2. No individual or business entity shall be subject to any civil action in law or**
6 **equity for a public or private nuisance on the basis of such individual or business entity**
7 **legally using vehicles on a public street or highway. Any actions by a court in this state to**
8 **enjoin the use of a public street or highway in violation of this section and any damages**
9 **awarded or imposed by a court, or assessed by a jury, against an individual or business**
10 **entity for public or private nuisance in violation of this section shall be null and void.**

11 **3. Notwithstanding any other provision of law, nothing in this section shall be**
12 **construed to limit civil liability for compensatory damages arising from physical injury to**
13 **another human being.**

Section 1. 1. The governor is hereby authorized and empowered to vacate the existing one acre easement made on May 25, 1971, between the state and the City of Sedalia, Missouri, located at 2600 West 16th Street, and is hereby authorized and empowered to grant to the City of Sedalia, Missouri, an easement to construct, reconstruct, alter, replace, maintain, and operate a fire station and an entrance thereto on and over certain state owned property more particularly described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 45 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI; THENCE N 86°29'52"W ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 939 FEET TO THE POINT OF BEGINNING OF THE PARCEL CONVEYED TO THE STATE OF MISSOURI IN VOLUME 289 AT PAGE 242 IN THE PETTIS COUNTY RECORDERS OFFICE, AND AS SHOWN ON A SURVEY IN PLAT CABINET B AT PAGE 775 TO THE POINT OF BEGINNING; THENCE CONTINUING N 86°29'52"W ALONG SAID SOUTH LINE, 323 FEET TO THE EASTERLY RIGHT OF WAY OF THE MISSOURI PACIFIC RAILROAD COMPANY DESCRIBED IN VOLUME 140 AT PAGE 298, AND AS SHOWN ON SAID SURVEY IN PLAT CABINET B AT PAGE 775; THENCE N 2°24'46"E ALONG SAID RIGHT OF WAY, 387.32 FEET; THENCE S 87°36'42"E, 323 FEET TO THE EAST LINE OF SAID PROPERTY DESCRIBED IN VOLUME 289 AT PAGE 242; THENCE S 2°24'41"W ALONG SAID EAST LINE, 393.60 FEET TO THE POINT OF BEGINNING, CONTAINING 2.9 ACRES, MORE OR LESS, RESERVING TO THE STATE OF MISSOURI INGRESS AND EGRESS TO THE NORTH 2.1 ACRES MORE OR LESS OF THE PARCEL DESCRIBED IN VOLUME 289 AT PAGE 242.

EXCEPTING THEREFROM THE RIGHT OF WAY FOR HIGHWAY Y AS SHOWN ON SAID SURVEY IN PLAT CABINET B AT PAGE 775, AND THE MISSOURI DEPARTMENT OF TRANSPORTATIONS PLANS FOR STATE HIGHWAY Y.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

[67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this

3 section; but any change of boundaries of the district shall not impair or affect its
4 organization or its rights in or to property, or any of its rights or privileges
5 whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien
6 or charge for or upon which it might be liable or chargeable had any change of
7 boundaries not been made.

8 2. The boundaries may be changed as follows:

9 (1) Twenty-five percent of the number of voters who voted in the most
10 recent gubernatorial election in the area to be annexed or deannexed may file
11 with the board a petition in writing praying that such real property be included
12 within, or removed from, the district. The petition shall describe the property to
13 be included in, or removed from, the district and shall describe the property
14 owned by the petitioners and shall be deemed to give assent of the petitioners to
15 the inclusion in, or removal from, the district of the property described in the
16 petition. Such petition shall be in substantially the form set forth for petitions in
17 chapter 116; provided that, in the event that there are more than twenty-five
18 property owners or taxpaying electors signing the petition, it shall be deemed
19 sufficient description of their property in the petition as required in this section
20 to list the addresses of such property; or

21 (2) All of the owners of any territory or tract of land near or adjacent to
22 a district in the case of annexation, or all of the owners of any territory or tract of
23 land within a district in the case of deannexation, who own all of the real estate
24 in such territory or tract of land may file a petition with the board praying that
25 such real property be included in, or removed from, the district. The petition
26 shall describe the property owned by the petitioners and shall be deemed to give
27 assent of the petitioners to the inclusion in, or removal from, the district of the
28 property described in the petition.

29 3. The secretary of the board shall cause notice of the filing of any
30 petition filed pursuant to this section to be given and published in the county in
31 which the property is located, which notice shall recite the filing of such petition,
32 the number of petitioners, a general description of the boundaries of the area
33 proposed to be included or removed and the prayer of the petitioners; giving
34 notice to all persons interested to appear at the office of the board at the time
35 named in the notice and show cause in writing, if any they have, why the petition
36 should not be granted. The board shall at the time and place mentioned, or at
37 such time or times to which the hearing may be adjourned, proceed to hear the
38 petition and all objections thereto presented in writing by any person showing
39 cause why the petition should not be granted. The failure of any person interested
40 to show cause in writing why such petition shall not be granted shall be deemed
41 as an assent on his or her part to the inclusion of such lands in, or removal of
42 such lands from, the district as prayed for in the petition.

43 4. If the board deems it for the best interest of the district, it shall grant
44 the petition, but if the board determines in the case of annexation that some

45 portion of the property mentioned in the petition cannot as a practical matter be
 46 served by the district, or if it deems in the case of annexation that it is in the best
 47 interest of the district that some portion of the property in the petition not be
 48 included in the district, or if in the case of deannexation it deems that it is
 49 impracticable for any portion of the property to be deannexed from the district,
 50 then the board shall grant the petition in part only. If the petition is granted, the
 51 board shall make an order to that effect and file the petition with the circuit clerk.
 52 Upon the order of the court having jurisdiction over the district, the property shall
 53 be included in, or removed from, the district. If the petition contains the
 54 signatures of all the owners of the property pursuant to the provisions of
 55 subdivision (2) of subsection 2 of this section, the property shall be included in,
 56 or removed from, the district upon the order of the court. If the petition contains
 57 the signatures of twenty-five percent of the number of voters who voted in the
 58 most recent gubernatorial election in the area to be annexed or deannexed
 59 pursuant to subdivision (1) of subsection 2 of this section, the property shall be
 60 included in, or removed from, the district subject to the election provided in
 61 section 67.1892. The circuit court having jurisdiction over the district shall
 62 proceed to make any such order including such additional property within the
 63 district, or removing such property from the district, as is provided in the order
 64 of the board, unless the court shall find that such order of the board was not
 65 authorized by law or that such order of the board was not supported by competent
 66 and substantial evidence.

67 5. Any person aggrieved by any decision of the board made pursuant to
 68 the provisions of this section may appeal that decision to the circuit court of the
 69 county in which the property is located within thirty days of the decision by the
 70 board.]
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2 [67.1892. 1. If the petition to add or remove any territory or tract of land
 3 to the district contained fewer than all of the signatures required pursuant to
 4 subdivision (2) of subsection 2 of section 67.1890, the decree of extension or
 5 retraction of boundaries shall not become final and conclusive until it has been
 6 submitted to an election of the voters residing within the boundaries described
 7 in such decree and until it has been assented to by a majority vote of the voters
 8 in the newly included area, or the area to be removed, voting on the question.
 9 The decree shall also provide for the holding of the election to vote on the
 10 proposition of extending or retracting the boundaries of the district, and shall fix
 the date for holding the election.

11 2. The question shall be submitted in substantially the following form:

12 Shall the boundaries of the Law Enforcement District be
 13 (extended to include/retracted to remove) the following described property?
 14 (Describe property)

15 YES NO

16 3. If a majority of the voters voting on the proposition vote in favor of the
 17 extension or retraction of the boundaries of the district, then the court shall enter
 18 its further order declaring the decree of extension or retraction of the boundaries
 19 to be final and conclusive. In the event, however, that the court finds that a
 20 majority of the voters voting thereon voted against the proposition to extend or
 21 retract the boundaries of the district, then the court shall enter its further order
 22 declaring the decree of extension or retraction of boundaries to be void and of no
 23 effect.]
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2 [67.1896. 1. If the petition filed pursuant to section 67.1894 contained
 3 fewer than all of the signatures required pursuant to subdivision (2) of subsection
 4 2 of section 67.1894, the termination of taxation authority shall not become final
 5 and conclusive until it has been submitted to an election of the voters residing
 6 within the district and until it has been assented to by at least four-sevenths of the
 7 voters in the district voting on the question. The decree shall also provide for the
 8 holding of the election to vote on the proposition, and shall fix the date for
 9 holding the election.

10 2. The question shall be submitted in substantially the following form:
 11 Shall the authority of the Law Enforcement District to adopt
 12 property taxes be terminated?
 13 YES NO

14 3. If four-sevenths of the voters voting on the proposition vote in favor
 15 of such termination, then the court shall enter its further order declaring the
 16 termination of such authority, and all such taxes that are being assessed in the
 17 current calendar year pursuant to such authority, to be final and conclusive. In
 18 the event, however, that the court finds that less than four-sevenths of the voters
 19 voting thereon voted against the proposition to terminate such authority, then the
 20 court shall enter its further order declaring the decree of termination of such
 21 district's taxing authority to be void and of no effect.]

2 [67.1898. 1. Whenever a petition signed by not less than ten percent of
 3 the registered voters in any district organized pursuant to sections 67.1860 to
 4 67.1898 is filed with the circuit court having jurisdiction over the district, setting
 5 forth all the relevant facts pertaining to the district, and alleging that the further
 6 operation of the district is not in the best interests of the inhabitants of the
 7 district, and that the district should, in the interest of the public welfare and
 8 safety, be dissolved, the circuit court shall have authority, after hearing evidence
 9 submitted on such question, to order a submission of the question, after having
 10 caused publication of notice of a hearing on such petition in the same manner as
 11 the notice required in section 67.1874, in substantially the following form:

12 Shall (Insert the name of the law enforcement district)
 Law Enforcement District be dissolved?

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YES NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.]

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