

FIRST REGULAR SESSION

HOUSE BILL NO. 1281

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PARKINSON.

2613H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 79, RSMo, by adding thereto one new section relating to proposed ordinances.

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

Section A. Chapter 79, RSMo, is amended by adding thereto one new section, to be known as section 79.136, to read as follows:

79.136. 1. In any city of the fourth classification in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, a proposed ordinance may be submitted to the board of aldermen by petition signed by at least ten percent of the registered voters voting for mayor at the last municipal election. The petition shall contain, in addition to the requisite number of valid signatures, the full text of the ordinance sought to be passed and a request that the ordinance be submitted to a vote of the people if not passed by the board of aldermen.

2. The signatures to the petition need not all be appended to one paper, but each signer shall add to his or her signature his or her place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he or she believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

3. Within ten days from the date of filing such petition, the city clerk shall examine and ascertain whether the petition is signed by the requisite number of voters and, if necessary, the board of aldermen shall allow the clerk extra help for such purpose. The clerk shall attach a certificate of examination to the petition. If by the clerk's certificate

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.

19 the petition is shown to be insufficient, the petition may be amended within ten days from
20 the date of the issuance of the clerk's certificate. The clerk shall, within ten days after such
21 amendment, make like examination of the amended petition. If the second certificate
22 shows the petition to be insufficient, the petition shall be returned to the person filing it,
23 without prejudice to the filing of a new petition to the same effect. If the petition is deemed
24 to be sufficient, the clerk shall submit it to the board of aldermen without delay.

25 4. Upon receipt of the petition and certificate from the clerk, the board of aldermen
26 shall either:

27 (1) Pass such ordinance without alteration within twenty days after attachment of
28 the clerk's certificate to the accompanying petition; or

29 (2) Submit the question without alteration to the voters at the next municipal
30 election or, if the petition has been signed by twenty-five percent or more of the registered
31 voters voting for mayor at the last municipal election, the board of aldermen shall
32 immediately submit the question without alteration to the voters of the city.

33 5. The question shall be submitted in substantially the following form:

34 Shall the following ordinance be (adopted) (repealed)? (Set out ordinance)

35 If a majority of the voters vote in favor thereof, such ordinance shall thereupon become a
36 valid and binding ordinance of the city.

37 6. Any number of proposed ordinances may be voted upon at the same election, in
38 accordance with the provisions of this section.

39 7. Any ordinance in effect that was proposed by petition cannot be repealed except
40 by a vote of the people. The board of aldermen may submit a proposition for the repeal
41 of any such ordinance or for amendments thereto, to be voted upon at any municipal
42 election; and should such proposition receive a majority of the votes cast thereon, such
43 ordinance shall thereby be repealed or amended accordingly. The board of aldermen may
44 amend an ordinance proposed by petition without a vote of the people, but the original
45 purpose of the ordinance may not be changed by such amendment.

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