

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 2680, Pages 1-3, Section 321.310, Lines 1-64, and Page 3, Section
2 321.330, Lines 1-11, by deleting all of said sections and lines from the bill and inserting in lieu
3 thereof the following:

4
5 "321.315. 1. Notwithstanding any other provision of this chapter or chapter 72, any owner
6 of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire
7 protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire
8 protection district and one fire department, may petition the circuit court in the county in which the
9 real property is located requesting a declaratory judgment under sections 527.010 to 527.130 as to
10 which one fire protection district or fire department has jurisdiction over the property regarding the
11 provision of fire protection and emergency services and the levy of taxes. Two or more owners of
12 real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire
13 protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire
14 protection district and one fire department, may jointly petition the circuit court.

15 2. The fire protection district or fire department that is found not to have jurisdiction over
16 the real property that is the subject of the declaratory judgment shall be liable for the costs of the
17 action, including reasonable attorney fees, to the other parties to the action.

18 3. Any person as defined in section 527.130 that is aggrieved by the judgment and decree of
19 the circuit court may appeal in like manner as appeals are taken in other civil cases.

20 527.130. The word "person", wherever used in sections 527.010 to 527.130, shall be
21 construed to mean any person, including a minor represented by next friend or guardian ad litem
22 and any other person under disability lawfully represented, partnership, joint-stock company,
23 corporation, unincorporated association or society, fire protection district, or municipal or other
24 corporation of any character whatsoever.

25 Section B. Because immediate action is necessary to prevent citizens of this state from
26 double taxation for fire protection services, the enactment of section 321.315 and the repeal and
27 reenactment of section 527.130 of section A of this act is deemed necessary for the immediate
28 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an
29 emergency act within the meaning of the constitution, and the enactment of section 321.315 and the
30 repeal and reenactment of section 527.130 of section A of this act shall be in full force and effect
31 upon its passage and approval."; and

32
33 Further amend said bill by amending the title, enacting clause, and intersectional references
34 accordingly.

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____