

SECOND REGULAR SESSION

# HOUSE BILL NO. 1751

98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE RODEN.

4967H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal sections 173.260, 190.055, 287.243, 321.017, 321.130, 321.210, and 321.322, RSMo, and to enact in lieu thereof twenty-two new sections relating to public safety.

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

Section A. Sections 173.260, 190.055, 287.243, 321.017, 321.130, 321.210, 321.322, RSMo, are repealed and twenty-two new sections enacted in lieu thereof, to be known as sections 135.1770, 173.260, 190.055, 213.058, 287.243, 321.017, 321.130, 321.210, 321.322, 321.900, 321.902, 321.904, 321.906, 321.908, 321.910, 321.912, 321.914, 321.916, 321.918, 321.920, 321.922, and 321.924, to read as follows:

**135.1770. 1. As used in this section, the term "volunteer firefighter" shall have the same meaning as in section 320.333.**

**2. For all taxable years beginning on or after January 1, 2017, in addition to all other modifications allowed by law, a taxpayer shall be allowed to subtract five hundred dollars of the taxpayer's income from the taxpayer's federal adjusted gross income when determining Missouri adjusted gross income for any year in which the taxpayer has been certified after completing the Basic Fire Fighter training program by the division of fire safety in the tax year for which the deduction is claimed.**

**3. For all taxable years beginning on or after January 1, 2017, in addition to all other modifications allowed by law, a taxpayer shall be allowed to subtract one thousand dollars of the taxpayer's income from the taxpayer's federal adjusted gross income when determining Missouri adjusted gross income for any year in which the taxpayer has been certified after completing both the Fire Fighter I and Fire Fighter II programs by the division of fire safety in the tax year for which the deduction is claimed.**

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.

15           **4. For all taxable years beginning on or after January 1, 2017, in addition to all**  
16 **other modifications allowed by law, a taxpayer who has successfully completed Basic**  
17 **Firefighter Training in a previous tax year shall be allowed to subtract five hundred**  
18 **dollars of the taxpayer's income from the taxpayer's federal adjusted gross income when**  
19 **determining Missouri adjusted gross income for any year in which the taxpayer completed**  
20 **at least eighteen hours of any firefighter training program approved by the office of the**  
21 **state fire marshal in the tax year for which the deduction is claimed. A taxpayer who has**  
22 **successfully completed Basic Firefighter Training and Firefighter I and II certifications in**  
23 **a previous tax year shall be allowed to subtract one thousand dollars of the taxpayer's**  
24 **income from the taxpayer's federal adjusted gross income when determining Missouri**  
25 **adjusted gross income for any year in which the taxpayer completed at least thirty-six**  
26 **hours of any firefighter training program approved by the office of the state fire marshal**  
27 **in the tax year for which the deduction is claimed.**

28           **5. The state fire marshal shall develop or approve existing training programs**  
29 **necessary for volunteer firefighters to claim the deductions authorized in this section, shall**  
30 **establish procedures for providing documentation that the taxpayer is a volunteer**  
31 **firefighter in good standing with a registered fire department as required in chapter 320,**  
32 **and has completed the training requirements of this section, and shall promulgate rules to**  
33 **implement the provisions of this section.**

34           **6. Any taxpayer seeking to claim a deduction under this section shall provide, upon**  
35 **request, documentation demonstrating that the taxpayer is actively engaged as a volunteer**  
36 **firefighter or a volunteer firefighter in training.**

37           **7. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
38 **created under the authority delegated in this section shall become effective only if it**  
39 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
40 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**  
41 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**  
42 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**  
43 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2016,**  
44 **shall be invalid and void.**

45           **8. Under section 23.253 of the Missouri sunset act:**

46           **(1) The provisions of the new program authorized under this section shall**  
47 **automatically sunset on December thirty-first six years after the effective date of this**  
48 **section unless reauthorized by an act of the general assembly; and**

49           **(2) If such program is reauthorized, the program authorized under this section**  
50 **shall automatically sunset on December thirty-first twelve years after the effective date of**  
51 **the reauthorization of this section; and**

52           **(3) This section shall terminate on September first of the calendar year immediately**  
53 **following the calendar year in which the program authorized under this section is sunset.**

173.260. 1. As used in this section, unless the context clearly requires otherwise, the  
2 following terms mean:

3           (1) "Board", the coordinating board for higher education;

4           (2) "Eligible child", the natural, adopted or stepchild of a public safety officer or  
5 employee, as defined in this section, who is less than twenty-four years of age and who is a  
6 dependent of a public safety officer or employee or was a dependent at the time of death or  
7 permanent and total disability of a public safety officer or employee;

8           (3) "Employee", any full-time employee of the department of transportation engaged in  
9 the construction or maintenance of the state's highways, roads and bridges;

10           (4) "Grant", the public safety officer or employee survivor grant as established by this  
11 section;

12           (5) "Institution of postsecondary education", any approved public or private institution  
13 as defined in section 173.205;

14           (6) "Line of duty", any action of a public safety officer, whose primary function is crime  
15 control or reduction, enforcement of the criminal law, or suppression of fires, is authorized or  
16 obligated by law, rule, regulation or condition of employment or service to perform;

17           (7) "Public safety officer", any firefighter, **uniformed employee of the office of the**  
18 **state fire marshal, emergency medical technician as defined in subdivisions (15), (16), (17),**  
19 **(18), and (19) of section 190.100**, police officer, capitol police officer, parole officer, probation  
20 officer, state correctional employee, water safety officer, park ranger, conservation officer or  
21 highway patrolman employed by the state of Missouri or a political subdivision thereof who is  
22 killed or permanently and totally disabled in the line of duty;

23           (8) "Permanent and total disability", a disability which renders a person unable to engage  
24 in any gainful work;

25           (9) "Spouse", the husband, wife, widow or widower of a public safety officer or  
26 employee at the time of death or permanent and total disability of such public safety officer;

27           (10) "Tuition", any tuition or incidental fee or both charged by an institution of  
28 postsecondary education, as defined in this section, for attendance at that institution by a student  
29 as a resident of this state.

30           2. Within the limits of the amounts appropriated therefor, the coordinating board for  
31 higher education shall provide, as defined in this section, a grant for either of the following to  
32 attend an institution of postsecondary education:

33           (1) An eligible child of a public safety officer or employee killed or permanently and  
34 totally disabled in the line of duty; or

35 (2) A spouse of a public safety officer killed or permanently and totally disabled in the  
36 line of duty.

37 3. An eligible child or spouse may receive a grant under this section only so long as the  
38 child or spouse is enrolled in a program leading to a certificate, or an associate or baccalaureate  
39 degree. In no event shall a child or spouse receive a grant beyond the completion of the first  
40 baccalaureate degree or, in the case of a child, age twenty-four years, except that the child may  
41 receive a grant through the completion of the semester or similar grading period in which the  
42 child reaches his twenty-fourth year. No child or spouse shall receive more than one hundred  
43 percent of tuition when combined with similar funds made available to such child or spouse.

44 4. The coordinating board for higher education shall:

45 (1) Promulgate all necessary rules and regulations for the implementation of this section;

46 (2) Determine minimum standards of performance in order for a child or spouse to  
47 remain eligible to receive a grant under this program;

48 (3) Make available on behalf of an eligible child or spouse an amount toward the child's  
49 or spouse's tuition which is equal to the grant to which the child or spouse is entitled under the  
50 provisions of this section;

51 (4) Provide the forms and determine the procedures necessary for an eligible child or  
52 spouse to apply for and receive a grant under this program.

53 5. An eligible child or spouse who is enrolled or has been accepted for enrollment as an  
54 undergraduate postsecondary student at an approved institution of postsecondary education shall  
55 receive a grant in an amount not to exceed the least of the following:

56 (1) The actual tuition, as defined in this section, charged at an approved institution where  
57 the child or spouse is enrolled or accepted for enrollment; or

58 (2) The amount of tuition charged a Missouri resident at the University of Missouri for  
59 attendance as a full-time student, as defined in section 173.205.

60 6. An eligible child or spouse who is a recipient of a grant may transfer from one  
61 approved public or private institution of postsecondary education to another without losing his  
62 entitlement under this section. The board shall make necessary adjustments in the amount of the  
63 grant. If a grant recipient at anytime withdraws from the institution of postsecondary education  
64 so that under the rules and regulations of that institution he is entitled to a refund of any tuition,  
65 fees, or other charges, the institution shall pay the portion of the refund to which he is entitled  
66 attributable to the grant for that semester or similar grading period to the board.

67 7. If an eligible child or spouse is granted financial assistance under any other student  
68 aid program, public or private, the full amount of such aid shall be reported to the board by the  
69 institution and the eligible child or spouse.

70 8. Nothing in this section shall be construed as a promise or guarantee that a person will  
71 be admitted to an institution of postsecondary education or to a particular institution of

72 postsecondary education, will be allowed to continue to attend an institution of postsecondary  
73 education after having been admitted, or will be graduated from an institution of postsecondary  
74 education.

75 9. A public safety officer who is permanently and totally disabled shall be eligible for  
76 a grant pursuant to the provisions of this section.

77 10. An eligible child of a public safety officer or employee, spouse of a public safety  
78 officer or public safety officer shall cease to be eligible for a grant pursuant to this section when  
79 such public safety officer or employee is no longer permanently and totally disabled.

190.055. 1. The board of directors of a district shall possess and exercise all of its  
2 legislative and executive powers. Within thirty days after the election of the initial directors, the  
3 board shall meet. The time and place of the first meeting of the board shall be designated by the  
4 county commission. At its first meeting and after each election of new board members the board  
5 shall elect a chairman from its members and select a secretary, treasurer and such officers or  
6 employees as it deems expedient or necessary for the accomplishment of its corporate objectives.  
7 The secretary and treasurer need not be members of the board. At the meeting the board, by  
8 ordinance, shall define the first and subsequent fiscal years of the district, and shall adopt a  
9 corporate seal and bylaws, which shall determine the times for the annual election of officers and  
10 of other regular and special meetings of the board and shall contain the rules for the transaction  
11 of other business of the district and for amending the bylaws.

12 2. Each board member of any district shall devote such time to the duties of the office  
13 as the faithful discharge thereof may require, including educational programs provided by the  
14 state and each board member may be reimbursed for actual expenditures in the performance of  
15 his or her duties on behalf of the district.

16 3. The secretary and treasurer, if members of the board of directors, may each receive  
17 additional compensation for the performance of their duties as secretary or treasurer as the board  
18 shall deem reasonable and necessary; provided that, such additional compensation shall not  
19 exceed one thousand dollars per year.

20 4. Each board member may receive an attendance fee not to exceed one hundred dollars  
21 for attending each regularly or specially called board meeting. Such member shall not be paid  
22 for attending more than two meetings in any calendar month, except that in a county of the first  
23 classification having a charter form of government, such member shall not be paid for attending  
24 more than four such meetings in any calendar month. In addition, the chairman of the board may  
25 receive fifty dollars for attending each regularly or specially called board meeting, but such  
26 chairman shall not be paid the additional fee for attending more than two meetings in any  
27 calendar month.

28 5. The compensation authorized by subsections 3 and 4 of this section shall only apply:

29 (1) If such compensation is approved by the board of such district; and

30 (2) To any elected term of any board member beginning after August 28, 2000.

31 **6. Notwithstanding any other provision of law to the contrary, individual board**  
32 **members shall not be eligible for employment by the board within twelve months of**  
33 **termination of service as a member of the board unless such employment is on a volunteer**  
34 **basis or without compensation.**

**213.058. 1. The provisions of this section may be cited as the "Pregnant Public**  
2 **Safety Workers Fairness Act". The provisions of this section shall apply only to public**  
3 **safety employees. For purposes of this section, "public safety employee" means an**  
4 **employee of the state or of a political subdivision whose principal duties include services**  
5 **requiring specialized training in the area of police protection, firefighting services, or**  
6 **emergency medical services for any area within the jurisdiction of the state or the political**  
7 **subdivision.**

8 **2. It shall be unlawful for an employer of a public safety employee to refuse to hire,**  
9 **to segregate, or to act with respect to recruitment, hiring, promotion, renewal of**  
10 **employment, selection for training or apprenticeship, discharge, discipline, tenure or**  
11 **terms, privileges or conditions of employment on the basis of pregnancy, childbirth, or**  
12 **medical or common conditions related to pregnancy or childbirth. Women who are public**  
13 **safety employees and are affected by pregnancy, childbirth, or medical or common**  
14 **conditions related to pregnancy or childbirth shall be treated the same for all employment-**  
15 **related purposes, including receipt of benefits under fringe benefit programs, as other**  
16 **persons not so affected but similar in their ability or inability to work, regardless of the**  
17 **source of inability to work or employment classification or status. The following actions**  
18 **or inactions on behalf of an employer shall be considered unlawful under this section:**

19 **(1) If after a job applicant or employee, including a part- time, full-time, or**  
20 **probationary employee, requests a reasonable accommodation, for an employer not to**  
21 **make reasonable accommodations for any medical or common condition of a job applicant**  
22 **or employee related to pregnancy or childbirth, unless the employer can demonstrate that**  
23 **the accommodation would impose an undue hardship on the ordinary operation of the**  
24 **business of the employer. The employer may request documentation from the employee's**  
25 **healthcare provider concerning the need for the requested reasonable accommodation or**  
26 **accommodations to the same extent documentation is requested for conditions related to**  
27 **disability if the employer's request for documentation is job-related and consistent with**  
28 **business necessity. The employer may require only the medical justification for the**  
29 **requested accommodation or accommodations, a description of the reasonable**  
30 **accommodation or accommodations medically advisable, the date the reasonable**  
31 **accommodation or accommodations became medically advisable, and the probable**  
32 **duration of the reasonable accommodation or accommodations. It is the duty of the**

33 individual seeking a reasonable accommodation or accommodations to submit to the  
34 employer any documentation that is requested in accordance with this subdivision.  
35 Notwithstanding the provisions of this subdivision, the employer may require  
36 documentation by the employee's healthcare provider to determine compliance with other  
37 laws. The employee and employer shall engage in a timely, good faith, and meaningful  
38 exchange to determine effective reasonable accommodations;

39 (2) For an employer to deny employment opportunities or benefits to, or take  
40 adverse action against, an otherwise qualified job applicant or employee, including a part-  
41 time, full-time, or probationary employee, if the denial or adverse action is based on the  
42 need of the employer to make reasonable accommodations to the known medical or  
43 common conditions related to the pregnancy or childbirth of the applicant or employee;

44 (3) For an employer to require a job applicant or employee, including a part-time,  
45 full-time, or probationary employee, affected by pregnancy, childbirth, or medical or  
46 common conditions related to pregnancy or childbirth to accept an accommodation when  
47 the applicant or employee did not request an accommodation and the applicant or  
48 employee chooses not to accept the employer's accommodation;

49 (4) For an employer to require an employee, including a part-time, full-time, or  
50 probationary employee, to take leave under any leave law or policy of the employer if  
51 another reasonable accommodation can be provided to the known medical or common  
52 conditions related to the pregnancy or childbirth of an employee. No employer shall fail  
53 or refuse to reinstate the employee affected by pregnancy, childbirth, or medical or  
54 common conditions related to pregnancy or childbirth to her original job or to an  
55 equivalent position with equivalent pay and accumulated seniority, retirement, fringe  
56 benefits, and other applicable service credits upon her signifying her intent to return or  
57 when her need for reasonable accommodation ceases, unless the employer can demonstrate  
58 that the accommodation would impose an undue hardship on the ordinary operation of the  
59 business of the employer.

60 3. For the purposes of this section, "reasonable accommodations" means  
61 reasonable modifications or adjustments to the job application process or work  
62 environment, or to the manner or circumstances under which the position desired or held  
63 is customarily performed, that enable an applicant or employee affected by pregnancy,  
64 childbirth, or medical or common conditions related to pregnancy or childbirth to be  
65 considered for the position the applicant desires or to perform the essential functions of  
66 that position, and may include, but is not limited to more frequent or longer bathroom  
67 breaks, breaks for increased water intake, and breaks for periodic rest; private  
68 nonbathroom space for expressing breast milk and breastfeeding; seating; assistance with  
69 manual labor; light duty; temporary transfer to a less strenuous or hazardous position; the

70 **provision of an accessible worksite; acquisition or modification of equipment; job**  
71 **restructuring; a part-time or modified work schedule; appropriate adjustment or**  
72 **modifications of examinations, training materials, or policies; reassignment to a vacant**  
73 **position; time off to recover from conditions related to childbirth; and leave necessitated**  
74 **by pregnancy, childbirth, or medical or common conditions resulting from pregnancy or**  
75 **childbirth.**

76 **4. For the purposes of this section, "undue hardship" means an action that is**  
77 **prohibitively expensive or disruptive when considered in light of the following factors: the**  
78 **nature and cost of the accommodation needed; the overall financial resources of the facility**  
79 **or facilities involved in the provision of the reasonable accommodation, the number of**  
80 **persons employed at the facility, the effect on expenses and resources, or the impact**  
81 **otherwise of the accommodation upon the operation of the facility; the overall financial**  
82 **resources of the employer, the overall size of the business of the employer with respect to**  
83 **the number of its employees, and the number, type, and location of its facilities; and the**  
84 **type of operation or operations of the employer, including the composition, structure, and**  
85 **functions of the workforce of the employer, the geographic separateness, administrative,**  
86 **or fiscal relationship of the facility or facilities in question to the employer. The employer**  
87 **has the burden of proving undue hardship. The fact that the employer provides or would**  
88 **be required to provide a similar accommodation to similarly situated employees creates a**  
89 **rebuttable presumption that the accommodation does not impose an undue hardship on**  
90 **the employer.**

91 **5. No employer is required under this section to create additional employment that**  
92 **the employer would not otherwise have created, unless the employer does so or would do**  
93 **so for other classes of employees who need accommodation. The employer is not required**  
94 **to discharge any employee, transfer any employee with more seniority, or promote any**  
95 **employee who is not qualified to perform the job, unless the employer does so or would do**  
96 **so to accommodate other classes of employees who need it.**

287.243. 1. This section shall be known and may be cited as the "Line of Duty  
2 Compensation Act".

3 2. As used in this section, unless otherwise provided, the following words shall mean:

4 (1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance with  
5 sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted  
6 by the department of health and senior services, division of regulation and licensure, 19 CSR 30-  
7 40.005, et seq.;

8 (2) "Air ambulance registered professional nurse", a person licensed as a registered  
9 professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations  
10 adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered



11 professional nursing services as a flight nurse in conjunction with an air ambulance program that  
12 is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations  
13 applicable to such programs;

14 (3) "Emergency medical technician", a person licensed in emergency medical care in  
15 accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by  
16 the department of health and senior services under sections 190.001 to 190.245;

17 (4) "Firefighter", any person, including a volunteer firefighter, employed by the state or  
18 a local governmental entity as an employer defined under subsection 1 of section 287.030, or  
19 otherwise serving as a member or officer of a fire department either for the purpose of the  
20 prevention or control of fire or the underwater recovery of drowning victims;

21 (5) "Killed in the line of duty", when any person defined in this section loses his or her  
22 life when:

23 (a) Death is caused by an accident or the willful act of violence of another;

24 (b) The law enforcement officer, emergency medical technician, air ambulance pilot, air  
25 ambulance registered professional nurse, or firefighter is in the active performance of his or her  
26 duties in his or her respective profession and there is a relationship between the accident or  
27 commission of the act of violence and the performance of the duty, even if the individual is off  
28 duty; the law enforcement officer, emergency medical technician, air ambulance pilot, air  
29 ambulance registered professional nurse, or firefighter is traveling to or from employment; or  
30 the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance  
31 registered professional nurse, or firefighter is taking any meal break or other break which takes  
32 place while that individual is on duty;

33 (c) Death is the natural and probable consequence of the injury; and

34 (d) Death occurs within three hundred weeks from the date the injury was received.

35

36 The term excludes death resulting from the willful misconduct or intoxication of the law  
37 enforcement officer, emergency medical technician, air ambulance pilot, air ambulance  
38 registered professional nurse, or firefighter. The division of workers' compensation shall have  
39 the burden of proving such willful misconduct or intoxication;

40 (6) "Law enforcement officer", any person employed by the state or a local governmental  
41 entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary  
42 police officer or in some like position involving the enforcement of the law and protection of the  
43 public interest at the risk of that person's life;

44 (7) "Local governmental entity", includes counties, municipalities, townships, board or  
45 other political subdivision, cities under special charter, or under the commission form of  
46 government, fire protection districts, ambulance districts, and municipal corporations;

47 (8) "State", the state of Missouri and its departments, divisions, boards, bureaus,  
48 commissions, authorities, and colleges and universities;

49 (9) "Volunteer firefighter", a person having principal employment other than as a  
50 firefighter, but who is carried on the rolls of a regularly constituted fire department either for the  
51 purpose of the prevention or control of fire or the underwater recovery of drowning victims, the  
52 members of which are under the jurisdiction of the corporate authorities of a city, village,  
53 incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual  
54 who volunteers assistance without being regularly enrolled as a firefighter.

55 3. (1) A claim for compensation under this section shall be filed by the **spouse, child,**  
56 **or personal representative of the** estate of the deceased with the division of workers'  
57 compensation not later than one year from the date of death of a law enforcement officer,  
58 emergency medical technician, air ambulance pilot, air ambulance registered professional nurse,  
59 or firefighter. If a claim is made within one year of the date of death of a law enforcement  
60 officer, emergency medical technician, air ambulance pilot, air ambulance registered professional  
61 nurse, or firefighter killed in the line of duty, compensation shall be paid, if the division finds  
62 that the claimant is entitled to compensation under this section, **as follows:**

63 (a) **If there is a surviving spouse but no surviving child of the law enforcement**  
64 **officer, emergency medical technician, air ambulance pilot, air ambulance registered**  
65 **professional nurse, or firefighter, then to such person's surviving spouse;**

66 (b) **If there is a surviving spouse and at least one surviving child of the law**  
67 **enforcement officer, emergency medical technician, air ambulance pilot, air ambulance**  
68 **registered professional nurse, or firefighter, then fifty percent to the surviving spouse and**  
69 **fifty percent in equal shares to the surviving child or children;**

70 (c) **If there is no surviving spouse and at least one surviving child of the law**  
71 **enforcement officer, emergency medical technician, air ambulance pilot, air ambulance**  
72 **registered professional nurse, or firefighter, then to the surviving child or children in equal**  
73 **shares;**

74 (d) **If there is no surviving spouse and no surviving child of the law enforcement**  
75 **officer, emergency medical technician, air ambulance pilot, air ambulance registered**  
76 **professional nurse, or firefighter, then to the decedent's estate.**

77 (2) The amount of compensation paid to the claimant shall be twenty-five thousand  
78 dollars, subject to appropriation, for death occurring on or after June 19, 2009.

79 4. Notwithstanding subsection 3 of this section, no compensation is payable under this  
80 section unless a claim is filed within the time specified under this section setting forth:

81 (1) The name, address, and title or designation of the position in which the law  
82 enforcement officer, emergency medical technician, air ambulance pilot, air ambulance  
83 registered professional nurse, or firefighter was serving at the time of his or her death;

84 (2) The name and address of the claimant;

85 (3) A full, factual account of the circumstances resulting in or the course of events  
86 causing the death at issue; and

87 (4) Such other information that is reasonably required by the division.  
88

89 When a claim is filed, the division of workers' compensation shall make an investigation for  
90 substantiation of matters set forth in the application.

91 5. The compensation provided for under this section is in addition to, and not exclusive  
92 of, any pension rights, death benefits, or other compensation the claimant may otherwise be  
93 entitled to by law.

94 6. Neither employers nor workers' compensation insurers shall have subrogation rights  
95 against any compensation awarded for claims under this section. Such compensation shall not  
96 be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be  
97 subject to setoff or counterclaim, or be in any way liable for any debt, except that the division  
98 or commission may allow as lien on the compensation, reasonable attorney's fees for services in  
99 connection with the proceedings for compensation if the services are found to be necessary.  
100 Such fees are subject to regulation as set forth in section 287.260.

101 7. Any person seeking compensation under this section who is aggrieved by the decision  
102 of the division of workers' compensation regarding his or her compensation claim, may make  
103 application for a hearing as provided in section 287.450. The procedures applicable to the  
104 processing of such hearings and determinations shall be those established by this chapter.  
105 Decisions of the administrative law judge under this section shall be binding, subject to review  
106 by either party under the provisions of section 287.480.

107 8. Pursuant to section 23.253 of the Missouri sunset act:

108 (1) The provisions of the new program authorized under this section shall automatically  
109 sunset six years after June 19, 2019, unless reauthorized by an act of the general assembly; and

110 (2) If such program is reauthorized, the program authorized under this section shall  
111 automatically sunset twelve years after the effective date of the reauthorization of this section;  
112 and

113 (3) This section shall terminate on September first of the calendar year immediately  
114 following the calendar year in which the program authorized under this section is sunset.

115 9. The provisions of this section, unless specified, shall not be subject to other provisions  
116 of this chapter.

117           10. There is hereby created in the state treasury the "Line of Duty Compensation Fund",  
118 which shall consist of moneys appropriated to the fund and any voluntary contributions, gifts,  
119 or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve  
120 disbursements from the fund in accordance with sections 30.170 and 30.180. Upon  
121 appropriation, money in the fund shall be used solely for paying claims under this section.  
122 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the  
123 fund at the end of the biennium shall not revert to the credit of the general revenue fund. The  
124 state treasurer shall invest moneys in the fund in the same manner as other funds are invested.  
125 Any interest and moneys earned on such investments shall be credited to the fund.

126           11. The division shall promulgate rules to administer this section, including but not  
127 limited to the appointment of claims to multiple claimants, record retention, and procedures for  
128 information requests. Any rule or portion of a rule, as that term is defined in section 536.010,  
129 that is created under the authority delegated in this section shall become effective only if it  
130 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
131 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the  
132 general assembly under chapter 536 to review, to delay the effective date, or to disapprove and  
133 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
134 any rule proposed or adopted after June 19, 2009, shall be invalid and void.

          321.017. **1.** Notwithstanding the provisions of section 321.015, no employee of any fire  
2 protection district or ambulance district shall serve as a member of any fire district or ambulance  
3 district board while such person is employed by any fire district or ambulance district, except that  
4 an employee of a fire protection district or an ambulance district may serve as a member of a  
5 voluntary fire protection district board or a voluntary ambulance district board.

6           **2. Notwithstanding any other provision of law to the contrary, individual board**  
7 **members shall not be eligible for employment by the board within twelve months of**  
8 **termination of service as a member of the board unless such employment is on a volunteer**  
9 **basis or without compensation.**

          321.130. [1.] A person, to be qualified to serve as a director, shall be a **resident and**  
2 voter of the district **for** at least one year before the election or appointment and be over the age  
3 of twenty-five years[; except as provided in subsections 2 and 3 of this section. The person shall  
4 also be a resident of such fire protection district]. In the event the person is no longer a resident  
5 of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in  
6 section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters  
7 of the fire protection district by paying a [ten dollar] filing fee **equal to the amount of a**  
8 **candidate for county office as set forth under section 115.357**, and filing a statement under  
9 oath that such person possesses the required qualifications.

10 [2. In any fire protection district located in more than one county one of which is a first  
11 class county without a charter form of government having a population of more than one hundred  
12 ninety-eight thousand and not adjoining any other first class county or located wholly within a  
13 first class county as described herein, a resident shall have been a resident of the district for more  
14 than one year to be qualified to serve as a director.

15 3. In any fire protection district located in a county of the third or fourth classification,  
16 a person to be qualified to serve as a director shall be over the age of twenty-five years and shall  
17 be a voter of the district for more than one year before the election or appointment, except that  
18 for the first board of directors in such district, a person need only be a voter of the district for one  
19 year before the election or appointment.

20 4. A person desiring to become a candidate for the first board of directors of the  
21 proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and  
22 shall file with the election authority a statement under oath that such person possesses all of the  
23 qualifications set out in this chapter for a director of a fire protection district.] Thereafter, such  
24 candidate shall have the candidate's name placed on the ballot as a candidate for director.

321.210. On the first Tuesday in April after the expiration of at least two full calendar  
2 years from the date of the election of the first board of directors, and on the first Tuesday in April  
3 every two years thereafter, an election for members of the board of directors shall be held in the  
4 district. Nominations shall be filed at the headquarters of the fire protection district in which a  
5 majority of the district is located by paying a filing fee [up] **equal** to the amount of a candidate  
6 for [state representative] **county office** as set forth under section 115.357 and filing a statement  
7 under oath that [he] **the candidate** possesses the required qualifications. The candidate  
8 receiving the most votes shall be elected. Any new member of the board shall qualify in the  
9 same manner as the members of the first board qualify.

321.322. 1. If any property located within the boundaries of a fire protection district  
2 shall be included within a city having a population of at least two thousand five hundred but not  
3 more than sixty-five thousand which is not wholly within the fire protection district and which  
4 maintains a city fire department, then upon the date of actual inclusion of the property within the  
5 city, as determined by the annexation process, the city shall within sixty days assume by contract  
6 with the fire protection district all responsibility for payment in a lump sum or in installments  
7 an amount mutually agreed upon by the fire protection district and the city for the city to cover  
8 all obligations of the fire protection district to the area included within the city, and thereupon  
9 the fire protection district shall convey to the city the title, free and clear of all liens or  
10 encumbrances of any kind or nature, any such tangible real and personal property of the fire  
11 protection district as may be agreed upon, which is located within the part of the fire protection  
12 district located within the corporate limits of the city with full power in the city to use and

13 dispose of such tangible real and personal property as the city deems best in the public interest,  
14 and the fire protection district shall no longer levy and collect any tax upon the property included  
15 within the corporate limits of the city; except that, if the city and the fire protection district  
16 cannot mutually agree to such an arrangement, then the city shall assume responsibility for fire  
17 protection in the annexed area on or before January first of the third calendar year following the  
18 actual inclusion of the property within the city, as determined by the annexation process, and  
19 furthermore the fire protection district shall not levy and collect any tax upon that property  
20 included within the corporate limits of the city after the date of inclusion of that property:

21 (1) On or before January first of the second calendar year occurring after the date on  
22 which the property was included within the city, the city shall pay to the fire protection district  
23 a fee equal to the amount of revenue which would have been generated during the previous  
24 calendar year by the fire protection district tax on the property in the area annexed which was  
25 formerly a part of the fire protection district;

26 (2) On or before January first of the third calendar year occurring after the date on which  
27 the property was included within the city, the city shall pay to the fire protection district a fee  
28 equal to four-fifths of the amount of revenue which would have been generated during the  
29 previous calendar year by the fire protection district tax on the property in the area annexed  
30 which was formerly a part of the fire protection district;

31 (3) On or before January first of the fourth calendar year occurring after the date on  
32 which the property was included within the city, the city shall pay to the fire protection district  
33 a fee equal to three-fifths of the amount of revenue which would have been generated during the  
34 previous calendar year by the fire protection district tax on the property in the area annexed  
35 which was formerly a part of the fire protection district;

36 (4) On or before January first of the fifth calendar year occurring after the date on which  
37 the property was included within the city, the city shall pay to the fire protection district a fee  
38 equal to two-fifths of the amount of revenue which would have been generated during the  
39 previous calendar year by the fire protection district tax on the property in the area annexed  
40 which was formerly a part of the fire protection district; and

41 (5) On or before January first of the sixth calendar year occurring after the date on which  
42 the property was included within the city, the city shall pay to the fire protection district a fee  
43 equal to one-fifth of the amount of revenue which would have been generated during the  
44 previous calendar year by the fire protection district tax on the property in the area annexed  
45 which was formerly a part of the fire protection district.

46

47 Nothing contained in this section shall prohibit the ability of a city to negotiate contracts with  
48 a fire protection district for mutually agreeable services. This section shall also apply to those  
49 fire protection districts and cities which have not reached agreement on overlapping boundaries

50 previous to August 28, 1990. Such fire protection districts and cities shall be treated as though  
51 inclusion of the annexed area took place on December thirty-first immediately following August  
52 28, 1990.

53 2. Any property excluded from a fire protection district by reason of subsection 1 of this  
54 section shall be subject to the provisions of section 321.330.

55 3. The provisions of this section shall not apply in any county of the first class having  
56 a charter form of government and having a population of over nine hundred thousand inhabitants.

57 4. The provisions of this section shall not apply where the annexing city or town operates  
58 a city fire department, is any city of the third classification with more than six thousand but fewer  
59 than seven thousand inhabitants and located in any county with a charter form of government and  
60 with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants,  
61 and is entirely surrounded by a single fire protection district. In such cases, the provision of fire  
62 and emergency medical services following annexation shall be governed by subsections 2, **4 and**  
63 **6** [and 3] of section 72.418.

**321.900. The provisions of sections 321.900 to 321.922 shall be known and cited as**  
2 **the "Regional Fire Protection Service Authority Act". For purposes of sections 321.900**  
3 **to 321.924, the following terms mean:**

4 (1) "Board", the governing body of a regional fire protection service authority;

5 (2) "Elected official", an elected official of a participating fire protection district  
6 or of a municipal government, or a regional fire protection district commissioner;

7 (3) "Fire protection jurisdiction", a fire district, city, town, or village;

8 (4) "Participating fire protection jurisdiction", a fire protection authority  
9 participating in the formation or operation of a regional fire protection service authority;

10 (5) "Regional fire protection service authority" or "authority", a municipal  
11 corporation, an independent taxing authority within the meaning of state law, and a taxing  
12 district within the meaning of the state constitution that has been created by a vote of the  
13 people under sections 321.900 to 321.924 to implement a regional fire protection service  
14 authority plan;

15 (6) "Regional fire protection service authority plan" or "plan", a plan to develop  
16 and finance a fire protection service authority project or projects, including but not limited  
17 to specific capital projects, fire operations, and emergency service operations pursuant to  
18 state law and the preservation and maintenance of existing or future facilities.

**321.902. 1. Any two or more fire protection jurisdictions may create a regional fire**  
2 **protection service authority by first developing a regional fire protection authority plan.**  
3 **The plan shall consist of an agreed authorization to create a fire protection authority and**  
4 **shall include the cost of the creation of the authority, identification of funding sources, and**

5 a plan for resource deployment and human resources. No fire protection jurisdiction may  
6 participate in more than one authority.

7 2. Any fire protection jurisdiction may contract with another fire protection  
8 jurisdiction to provide services pursuant to a contract to provide regional fire protection  
9 services. A contract for services shall be agreed upon by the board of directors, board of  
10 aldermen, or other governing board of each contracting entity. The contract for services  
11 shall include fees for furnishing services which shall remain in effect for the term of the  
12 contract. A contracting district, municipality, or governmental authority shall be allowed  
13 one voting representative on the board of directors of the regional fire protection service  
14 authority. All terms of service including, but not limited to, insurance, employment,  
15 management, fees, service and employment expenses, personnel, and scope of services shall  
16 be included in the terms of the agreement and approved by all governing boards with  
17 jurisdictions privy to the contract. The length of an agreement for a regional fire service  
18 authority formed under contract may be up to twenty-five years. The contract may be  
19 renewed upon mutual agreement of all participating agencies.

20 3. A regional fire protection service authority plan shall provide for the following:  
21 governance, design, financing, and development of fire protection and emergency services.  
22 The plan may include consideration of input of cities and counties located within or  
23 partially within a participating fire protection jurisdiction.

24 4. The plan shall provide for coordination of activities with neighboring cities,  
25 towns, and other local governments that engage in fire protection planning and shall:

26 (1) Create opportunities for public input in the development of the plan;

27 (2) Propose the creation of a regional fire protection service authority and make  
28 recommendations as to governance, design, financing, and development of fire protection  
29 and emergency service facilities and operations, including maintenance and preservation  
30 of facilities or systems. The plan may authorize the authority to establish a system of  
31 ambulance service to be operated by the authority or operated by contract after a call for  
32 bids; and

33 (3) Contain recommendations on sources of revenue, identification of portions of  
34 the plan that may be amended by the board of the authority without voter approval,  
35 consistent with state law, and recommendations as to a financing plan to fund selected fire  
36 protection and emergency service projects.

37 6. Once a plan is adopted, it shall be forwarded to the participating fire protection  
38 jurisdictions' governing bodies to initiate the election process as provided under state law.

39 7. If the ballot measure is not approved, the plan may redefine the selected regional  
40 fire protection service authority projects, financing plan, and the ballot measure. The fire  
41 protection jurisdictions' governing bodies may approve the new plan and ballot measure,



42 and may then submit the revised proposition to the voters at a subsequent election or a  
43 special election. If a ballot measure is not approved by the voters by the third vote, the  
44 plan shall be dissolved.

321.904. 1. A regional fire protection service authority plan may recommend the  
2 imposition of some or all of the following revenue sources, which a regional fire protection  
3 service authority may impose upon approval of the voters as provided in this chapter:

4 (1) Benefit charges;

5 (2) Property taxes;

6 (3) Sales taxes.

7 2. The authority may impose taxes and benefit charges as set forth in the regional  
8 fire protection service authority plan upon creation of the authority, or as provided for in  
9 this chapter after creation of the authority. However, if the plan provides for alternative  
10 sources of revenue that become effective if the plan and creation of the authority is  
11 approved only by a majority vote, then the plan with alternative sources of revenue and  
12 creation of the authority may be approved by an affirmative vote of the majority of those  
13 voters except as provided in this section, all other voter approval requirements under law  
14 for the levying of property taxes or the imposition of benefit charges apply. Revenues from  
15 these taxes and benefit charges may be used only to implement the plan as set forth in this  
16 chapter.

321.906. The governing bodies of two or more adjacent fire protection jurisdictions,  
2 upon receipt of the regional fire protection service authority plan, may certify the plan to  
3 the ballot, including identification of the revenue options specified to fund the plan. The  
4 governing bodies of the fire protection jurisdictions may draft a ballot title, give notice as  
5 required by law for ballot measures, and perform other duties as required to put the plan  
6 before the voters of the proposed authority for their approval or rejection as a single ballot  
7 measure that both approves formation of the authority and approves the plan. Authorities  
8 may negotiate agreements necessary to implement the plan. The electorate is the voters  
9 voting within the boundaries of the proposed regional fire protection service authority. A  
10 simple majority of the total persons voting on the single ballot measure to approve the plan  
11 and establish the authority is required for approval. The authority shall act in accordance  
12 with the general election laws of the state. The authority is liable for its proportionate  
13 share of the costs when the elections are held.

321.908. If the voters approve a regional fire protection service authority plan as  
2 provided under section 321.906, including creation of a regional fire protection service  
3 authority and imposition of taxes and benefit charges, if any, the authority is formed on  
4 the next January first or next July first, whichever occurs first. The appropriate county  
5 election officials shall, within fifteen days of the final certification of the election results,

6 **publish a notice in a newspaper or newspapers of general circulation in the authority**  
7 **declaring the authority formed. A party challenging the procedure or the formation of a**  
8 **voter-approved authority shall file the challenge in writing by serving the prosecuting**  
9 **attorney of each county within, or partially within, the regional fire protection service**  
10 **authority and the attorney general within thirty days after the final certification of the**  
11 **election. Failure to challenge within that time forever bars further challenge of the**  
12 **authority's valid formation.**

**321.910. 1. The governing board of a newly formed regional fire protection service**  
2 **authority shall adopt rules for the conduct of business. The board shall adopt bylaws to**  
3 **govern authority affairs, which may include:**

- 4 **(1) The time and place of regular meetings;**
- 5 **(2) Rules for calling special meetings;**
- 6 **(3) The method of keeping records of proceedings and official acts;**
- 7 **(4) Procedures for the safekeeping and disbursement of funds; and**
- 8 **(5) Any other provisions the board finds necessary.**

9 **2. The governing board shall be determined by the plan. However, only elected**  
10 **officials of participating fire protection jurisdictions and elected commissioners of the**  
11 **authority as provided in subsection 3 of this section shall be eligible to serve on the board.**

12 **3. A regional fire protection service authority plan may create one or more regional**  
13 **fire protection service authority commissioner positions to serve on a governing board.**  
14 **The terms of office for regional fire protection service authority commissioner positions**  
15 **may be established by the plan; however, no single term may exceed six years, and the**  
16 **terms of multiple positions shall be staggered. Regional fire protection service authority**  
17 **commissioners shall take an oath of office in the manner provided by law.**

**321.912. 1. The governing board of a regional fire protection service authority is**  
2 **responsible for the execution of the voter-approved regional fire protection service**  
3 **authority plan. Participating jurisdictions shall review the plan every ten years. The**  
4 **board may:**

- 5 **(1) Levy taxes and impose benefit charges as authorized in the plan and approved**  
6 **by authority voters;**
- 7 **(2) Enter into agreements with federal, state, local, and regional entities and**  
8 **departments as necessary to accomplish authority purposes and protect the authority's**  
9 **investments;**
- 10 **(3) Accept gifts, grants, or other contributions of funds that will support the**  
11 **purposes and programs of the authority;**

12           **(4) Monitor and audit the progress and execution of fire protection and emergency**  
13 **service projects to protect the investment of the public and annually make public its**  
14 **findings;**

15           **(5) Pay for services and enter into leases and contracts, including professional**  
16 **service contracts;**

17           **(6) Hire, manage, and terminate employees; and**

18           **(7) Exercise powers and perform duties as the board determines necessary to carry**  
19 **out the purposes, functions, and projects of the authority.**

20           **2. An authority may enforce fire and building codes as provided by Missouri Law.**

**321.914. 1. Except as otherwise provided in the regional fire protection service**  
2 **authority plan, all powers, duties, and functions of a participating fire protection**  
3 **jurisdiction pertaining to fire protection and emergency services shall be transferred to the**  
4 **regional fire protection service authority on its creation date or on the effective date that**  
5 **a fire protection jurisdiction is subsequently annexed into an authority.**

6           **2. Except as otherwise provided in the regional fire protection service authority**  
7 **plan, and on the creation date of the regional fire protection service authority or, in the**  
8 **case of a fire protection jurisdiction, on the effective date that the fire protection**  
9 **jurisdiction is subsequently annexed into an authority, all reports, documents, surveys,**  
10 **books, records, files, papers, or written material in the possession of the participating fire**  
11 **protection jurisdiction pertaining to fire protection and emergency services powers,**  
12 **functions, and duties shall be delivered to the regional fire protection service authority; all**  
13 **real property and personal property including cabinets, furniture, office equipment, motor**  
14 **vehicles, and other tangible property employed by the participating fire protection**  
15 **jurisdiction in carrying out the fire protection and emergency services powers, functions,**  
16 **and duties shall be transferred to the regional fire protection service authority; and all**  
17 **funds, credits, or other assets held by the participating fire protection jurisdiction in**  
18 **connection with the fire protection and emergency services powers, functions, and duties**  
19 **shall be transferred and credited to the regional fire protection service authority.**

20           **3. Except as otherwise provided in the regional fire protection service authority**  
21 **plan, any appropriations made to the participating fire protection jurisdiction for carrying**  
22 **out the fire protection and emergency services powers, functions, and duties shall be**  
23 **transferred and credited to the regional fire protection service authority.**

24           **4. Except as otherwise provided in the regional fire protection service authority**  
25 **plan, whenever any question arises as to the transfer of any personnel, funds, books,**  
26 **documents, records, papers, files, equipment, or other tangible property used or held in the**  
27 **exercise of the powers and the performance of the duties and functions transferred, the**

28 governing body of the participating fire protection jurisdiction shall make a determination  
29 as to the proper allocation.

30 5. Except as otherwise provided in the regional fire protection service authority  
31 plan, all rules and all pending business before the participating fire protection jurisdiction  
32 pertaining to the powers, functions, and duties transferred shall be continued and acted  
33 upon by the regional fire protection service authority, and all existing contracts and  
34 obligations shall remain in full force and shall be performed by the regional fire protection  
35 service authority.

36 6. The transfer of the powers, duties, functions, and personnel of the participating  
37 fire protection jurisdiction shall not affect the validity of any act performed before creation  
38 of the regional fire protection service authority.

39 7. If apportionments of budgeted funds are required because of the transfers, the  
40 treasurer for the authority shall certify the apportionments.

41 8. All employees of the participating fire protection jurisdictions are transferred  
42 to the jurisdiction of the regional fire protection service authority on its creation date or,  
43 in the case of a fire protection jurisdiction, on the effective date that the fire protection  
44 jurisdiction is subsequently annexed into an authority. Upon transfer, unless an agreement  
45 for different terms of transfer is reached between the collective bargaining representatives  
46 of the transferring employees and the participating fire protection jurisdictions, an  
47 employee is entitled to the employee rights, benefits, and privileges to which he or she  
48 would have been entitled as an employee of a participating fire protection jurisdiction,  
49 including rights to:

50 (1) Compensation at least equal to the level at the time of transfer;

51 (2) Retirement, vacation, sick leave, and any other accrued benefit;

52 (3) Promotion and service time accrual; and

53 (4) The length or terms of probationary periods, including no requirement for an  
54 additional probationary period if one had been completed before the transfer date.

55 9. Nothing contained in this section may be construed to alter any existing collective  
56 bargaining unit or the provisions of any existing collective bargaining agreement until the  
57 agreement has expired or until the bargaining unit has been modified as provided by law.

321.916. 1. As provided in this section, a regional fire protection service authority  
2 may withdraw areas from its boundaries or re-annex an area into the authority areas that  
3 previously had been withdrawn from the authority under this section.

4 2. The withdrawal of an area is authorized upon:

5 (1) Adoption of a resolution by the board approving the withdrawal and finding  
6 that, in the opinion of the board, inclusion of this area within the regional fire protection  
7 service authority will result in a reduction of the authority's tax levy rate; or

8           **(2) Adoption of a resolution by the city or municipal governing board approving**  
9 **the withdrawal, if the area is located within the city or town, or adoption of a resolution**  
10 **by the governing body of the fire protection district within which the area is located**  
11 **approving the withdrawal, if the area is located outside of a city or town, but within a fire**  
12 **protection district.**

13           **3. A withdrawal under this section is effective at the end of the day on the**  
14 **thirty-first day of December in the year in which the resolution is adopted, but for**  
15 **purposes of establishing boundaries for property tax purposes, the boundaries shall be**  
16 **established immediately upon the adoption of the resolution.**

17           **4. The withdrawal of an area from the boundaries of an authority does not exempt**  
18 **any property therein from taxation for the purpose of paying the costs of redeeming any**  
19 **indebtedness of the authority existing at the time of withdrawal.**

20           **5. An area that has been withdrawn from the boundaries of a regional fire**  
21 **protection service authority under this section may be re-annexed into the authority upon:**

22           **(1) Adoption of a resolution by the board proposing the re-annexation; and**

23           **(2) Adoption of a resolution by the city or town council approving the**  
24 **re-annexation, if the area is located within the city or town, or adoption of a resolution by**  
25 **the governing body of the fire protection district within which the area is located**  
26 **approving the re-annexation, if the area is located outside of a city or town but within a fire**  
27 **protection district.**

28           **6. A re-annexation under this section shall be effective at the end of the day on the**  
29 **thirty-first day of December in the year in which the adoption of the resolution occurs, but**  
30 **for purposes of establishing boundaries for property tax purposes, the boundaries shall be**  
31 **established immediately upon the adoption of the resolution.**

32           **7. Referendum action on the proposed re-annexation under this section may be**  
33 **taken by the voters of the area proposed to be re-annexed if a petition calling for a**  
34 **referendum is filed with the city or town council, or governing body of the fire protection**  
35 **district, within a thirty-day period after the adoption of the resolution by the city or**  
36 **municipal governing board approving a withdrawal under subsection 1 of this section,**  
37 **which petition has been signed by registered voters of the area proposed to be re-annexed**  
38 **equal in number to ten percent of the total number of the registered voters residing in that**  
39 **area. If a valid petition signed by the requisite number of registered voters has been so**  
40 **filed, the effect of the resolutions shall be held in abeyance and a ballot proposition to**  
41 **authorize the re-annexation shall be submitted to the voters of the area at the next special**  
42 **election date that occurs forty-five or more days after the petitions have been validated.**  
43 **Approval of the ballot proposition authorizing the re-annexation by a simple majority vote**  
44 **shall authorize the re-annexation.**

**321.918. Any fire protection district within the authority may be dissolved by a majority vote of the registered electors of the district at an election conducted by the election officials of the county or counties in which the district is located in accordance with the general election laws of the state. The proceedings for dissolution may be initiated by the adoption of a resolution by the board. The dissolution of the district shall not cancel outstanding obligations of the district or of a local improvement district within the district, and the county legislative authority or authorities of the county or counties in which the district was located may make annual levies against the lands within the district until the obligations of the districts are paid. All powers, duties, and functions of a dissolved fire protection jurisdiction within the authority boundaries, pertaining to providing fire protection services may be transferred, by resolution, to the regional fire protection service authority.**

**321.920. 1. An authority may incur general indebtedness for authority purposes and may issue bonds, notes, or other evidences of indebtedness not to exceed an amount, together with any outstanding nonvoter approved general obligation debt, equal to three-fourths of one percent of the value of the taxable property within the authority. The maximum term of the obligations may not exceed twenty years. The obligations may pledge benefit charges and may pledge payments to an authority from the state, the federal government, or any fire protection jurisdiction under an interlocal contract. The interlocal contracts pledging revenues and taxes are binding for a term not to exceed twenty-five years, and taxes or other revenue pledged by an interlocal contract may not be eliminated or modified if it would impair the pledge of the contract.**

**2. An authority may also issue general obligation bonds for capital purposes not to exceed an amount, together with any outstanding general obligation debt, equal to one and one-half percent of the value of the taxable property within the authority. The authority may provide for the retirement of the bonds by excess property tax levies. The maximum term of the bonds may not exceed twenty-five years.**

**321.922. At the time of making general tax levies in each year, the county legislative authority or authorities of the county or counties in which a regional fire protection service authority is located shall make the required levies for authority purposes against the real and personal property in the authority in accordance with the equalized valuations of the property for general tax purposes and as a part of the general taxes. The tax levies are part of the general tax roll and shall be collected as a part of the general taxes against the property in the authority.**

**321.924. 1. Territory that is annexed to a participating jurisdiction is annexed to the authority as of the effective date of the annexation. The statutes regarding transfer of assets and employees do not apply to the participating jurisdictions in the annexation.**

4           **2. A fire protection jurisdiction that is adjacent to the boundary of a regional fire**  
5 **protection service authority is eligible for annexation by the authority.**

6           **3. An annexation is initiated by the adoption of a resolution by the governing body**  
7 **of a fire protection jurisdiction requesting the annexation. The resolution requesting**  
8 **annexation shall then be filed with the governing board of the authority that is requested**  
9 **to annex the fire protection jurisdiction.**

10           **4. Except as otherwise provided in the regional fire protection service authority**  
11 **plan, on receipt of the resolution requesting annexation, the governing board of the**  
12 **authority may adopt a resolution amending its plan to establish terms and conditions of**  
13 **the requested annexation and submit the resolution and plan amendment to the fire**  
14 **protection jurisdiction requesting annexation. An election to authorize the annexation may**  
15 **be held only if the governing body of the fire protection jurisdiction seeking annexation**  
16 **adopts a resolution approving both the annexation and the related plan amendment.**

17           **5. An annexation is authorized if the voters in the fire protection jurisdiction**  
18 **proposed to be annexed approve by a simple majority vote a single ballot measure**  
19 **approving the annexation and related plan amendment. An annexation is effective on the**  
20 **date specified in the ballot measure. In the event the ballot measure does not specify an**  
21 **effective date, the effective date is on the subsequent January first or July first, whichever**  
22 **occurs first.**

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