

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR  
SENATE SUBSTITUTE FOR  
**SENATE BILL NO. 704**  
**99TH GENERAL ASSEMBLY**

4354H.07C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 37.007, 49.020, 49.060, 50.660, 50.783, 54.140, 56.363, 56.805, 56.807, 56.814, 56.833, 56.840, 59.800, 67.617, 70.370, 71.015, 84.510, 89.020, 92.820, 94.902, 105.030, 105.470, 108.120, 137.225, 137.555, 137.556, 162.720, 227.600, 263.245, 304.060, 321.246, and 640.648, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof thirty-seven new sections relating to political subdivisions, with penalty provisions.

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

Section A. Sections 37.007, 49.020, 49.060, 50.660, 50.783, 54.140, 56.363, 56.805, 2 56.807, 56.814, 56.833, 56.840, 59.800, 67.617, 70.370, 71.015, 84.510, 89.020, 92.820, 94.902, 3 105.030, 105.470, 108.120, 137.225, 137.555, 137.556, 162.720, 227.600, 263.245, 304.060, 4 321.246, and 640.648, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth 5 general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, 6 ninety-third general assembly, second regular session, are repealed and thirty-seven new sections 7 enacted in lieu thereof, to be known as sections 37.007, 49.020, 49.060, 50.660, 50.783, 54.140, 8 56.363, 56.805, 56.807, 56.814, 56.833, 56.840, 59.800, 64.002, 65.702, 67.617, 70.370, 71.015, 9 84.510, 89.020, 92.820, 94.902, 105.030, 105.470, 105.473, 108.120, 137.225, 137.555, 10 137.556, 162.720, 162.722, 227.600, 227.601, 263.245, 304.060, 321.246, and 640.648, to read 11 as follows:

37.007. Within six months of August 28, 2012, the commissioner of the office of 2 administration shall develop and implement a statewide system or contract with any third party

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 allow all state agencies and departments to accept payments made by a credit card, debit card,  
4 or other electronic method designated by the commissioner. State agencies and departments  
5 shall not incur any additional fees for utilizing such payment methods **unless authorized by the**  
6 **commissioner of administration upon a finding that the payment of such fees would result**  
7 **in a positive fiscal impact to the state.**

49.020. At the general election in the year 1996, and every four years thereafter, the  
2 voters of each of the districts shall elect a county commissioner, who shall hold his **or her** office  
3 for a term of four years and until his **or her** successor is duly elected and qualified; and at the  
4 general election in the year 1882, and every four years thereafter, the presiding commissioner of  
5 the county shall be elected by the voters of the county at large, who shall hold his **or her** office  
6 for the term of four years and until his **or her** successor is duly elected and qualified. Each  
7 commissioner shall be a resident of the county and each commissioner elected from a district  
8 shall be a resident of the district from which such commissioner was elected. Each  
9 commissioner elected under the provisions of this chapter shall enter upon the duties of his **or**  
10 **her** office on the first day of January immediately after his **or her** election.

49.060. 1. When a vacancy shall occur in the office of a county commissioner, the  
2 vacancy shall at once be certified by the clerk of the commission to the governor~~[-who shall fill~~  
3 ~~such vacancy with a person who resides in the district at the time the vacancy occurs, as provided~~  
4 ~~by law].~~

5 **2. If at the time the vacancy occurs there is less than one year remaining in the**  
6 **unexpired term, the vacancy shall be filled as provided in section 105.030, except that the**  
7 **vacancy shall be filled within sixty days.**

8 **3. If at the time the vacancy occurs there is one year or more remaining in the**  
9 **unexpired term, it shall be the duty of the governor to fill such vacancy by appointing some**  
10 **eligible person to said office who shall discharge the duties thereof until the next general**  
11 **election, at which time a commissioner shall be chosen for the remainder of the term, who**  
12 **shall hold such office until a successor is duly elected and qualified, unless sooner removed.**

13 **4. This section shall not apply to any county which has adopted a charter for its**  
14 **own government under article VI, section 18 of the Constitution of Missouri.**

50.660. [~~+~~] All contracts shall be executed in the name of the county, or in the name  
2 of a township in a county with a township form of government, by the head of the department  
3 or officer concerned, except contracts for the purchase of supplies, materials, equipment or  
4 services other than personal made by the officer in charge of purchasing in any county or  
5 township having the officer. No contract or order imposing any financial obligation on the  
6 county or township is binding on the county or township unless it is in writing and unless there  
7 is a balance otherwise unencumbered to the credit of the appropriation to which it is to be

8 charged and a cash balance otherwise unencumbered in the treasury to the credit of the fund from  
9 which payment is to be made, each sufficient to meet the obligation incurred and unless the  
10 contract or order bears the certification of the accounting officer so stating; except that in case  
11 of any contract for public works or buildings to be paid for from bond funds or from taxes levied  
12 for the purpose it is sufficient for the accounting officer to certify that the bonds or taxes have  
13 been authorized by vote of the people and that there is a sufficient unencumbered amount of the  
14 bonds yet to be sold or of the taxes levied and yet to be collected to meet the obligation in case  
15 there is not a sufficient unencumbered cash balance in the treasury. All contracts and purchases  
16 shall be let to the lowest and best bidder after due opportunity for competition, including  
17 advertising the proposed letting in a newspaper in the county or township with a circulation of  
18 at least five hundred copies per issue, if there is one, except that the advertising is not required  
19 in case of contracts or purchases involving an expenditure of less than six thousand dollars. It  
20 is not necessary to obtain bids on any purchase in the amount of [~~four~~] six thousand [~~five~~  
21 ~~hundred~~] dollars or less made from any one person, firm or corporation during any period of  
22 ninety days [~~or, if the county is any county of the first classification with more than one hundred~~  
23 ~~fifty thousand but fewer than two hundred thousand inhabitants or any county of the first~~  
24 ~~classification with more than two hundred sixty thousand but fewer than three hundred thousand~~  
25 ~~inhabitants, it is not necessary to obtain bids on such purchases in the amount of six thousand~~  
26 ~~dollars or less~~]. All bids for any contract or purchase may be rejected and new bids advertised  
27 for. Contracts which provide that the person contracting with the county or township shall,  
28 during the term of the contract, furnish to the county or township at the price therein specified  
29 the supplies, materials, equipment or services other than personal therein described, in the  
30 quantities required, and from time to time as ordered by the officer in charge of purchasing  
31 during the term of the contract, need not bear the certification of the accounting officer, as herein  
32 provided; but all orders for supplies, materials, equipment or services other than personal shall  
33 bear the certification. In case of such contract, no financial obligation accrues against the county  
34 or township until the supplies, materials, equipment or services other than personal are so  
35 ordered and the certificate furnished.

36 [~~2. Notwithstanding the provisions of subsection 1 of this section to the contrary,~~  
37 ~~advertising shall not be required in any county in the case of contracts or purchases involving an~~  
38 ~~expenditure of less than six thousand dollars.~~]

50.783. 1. The county commission may waive the requirement of competitive bids or  
2 proposals for supplies when the commission has determined in writing and entered into the  
3 commission minutes that there is only a single feasible source for the supplies. Immediately  
4 upon discovering that other feasible sources exist, the commission shall rescind the waiver and

5 proceed to procure the supplies through the competitive processes as described in this chapter.

6 A single feasible source exists when:

7 (1) Supplies are proprietary and only available from the manufacturer or a single  
8 distributor; or

9 (2) Based on past procurement experience, it is determined that only one distributor  
10 services the region in which the supplies are needed; or

11 (3) Supplies are available at a discount from a single distributor for a limited period of  
12 time.

13 2. On any single feasible source purchase where the estimated expenditure is [~~three~~  
14 ~~thousand dollars or~~] over **six thousand dollars**, the commission shall post notice of the proposed  
15 purchase[~~. Where the estimated expenditure is five thousand dollars or over, The commission~~  
16 ~~shall also~~] **and** advertise the commission's intent to make such purchase in at least one daily and  
17 one weekly newspaper of general circulation in such places as are most likely to reach  
18 prospective bidders or offerors and may provide such information through an electronic medium  
19 available to the general public at least ten days before the contract is to be let.

20 3. Notwithstanding subsection 2 of this section to the contrary, on any single feasible  
21 service purchase by any county of the first classification with more than one hundred fifty  
22 thousand but fewer than two hundred thousand inhabitants or any county of the first  
23 classification with more than two hundred sixty thousand but fewer than three hundred thousand  
24 inhabitants where the estimated expenditure is **over** six thousand dollars [~~or over~~], the  
25 commission shall post notice of the proposed purchase and advertise the commission's intent to  
26 make such purchase in at least one daily and one weekly newspaper of general circulation in such  
27 places as are most likely to reach prospective bidders or offerors and may provide such  
28 information through an electronic medium available to the general public at least ten days before  
29 the contract is to be let.

54.140. It shall be the duty of the county treasurer to separate and divide the revenues  
2 of such county in his **or her** hands and as they come into his **or her** hands in compliance with  
3 the provision of law; and it shall be [~~his~~] **the treasurer's** duty to pay out the revenues thus  
4 subdivided, on warrants issued by order of the commission, on the respective funds so set apart  
5 and subdivided, and not otherwise; and for this purpose the treasurer shall **have access to any**  
6 **document in the possession of any county employee or official that the treasurer requests**  
7 **for the purpose of reviewing a warrant and shall** keep a separate account with the county  
8 commission of each fund which several funds shall be known and designated as provided by law;  
9 and no warrant shall be paid out of any fund other than that upon which it has been drawn by  
10 order of the commission as aforesaid. **No employee or official of any county shall refuse a**  
11 **request from the county treasurer for access to, review of, or a copy of any document in the**

12 **possession of a county official or employee that the county treasurer deems relevant to his**  
 13 **or her duties under section 50.330.** Any county treasurer or other county officer **or employee,**  
 14 who shall fail or refuse to perform the duties required of him or ~~them~~ **her** under the provisions  
 15 of this section and chapters 136 to 154, and in the express manner provided and directed, shall  
 16 be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less  
 17 than one hundred dollars, and not more than five hundred dollars, and in addition to such  
 18 punishment, his **or her** office shall become vacant.

56.363. 1. The county commission of any county may on its own motion and shall upon  
 2 the petition of ten percent of the total number of people who voted in the previous general  
 3 election in the county submit to the voters at a general or special election the proposition of  
 4 making the county prosecutor a full-time position. The commission shall cause notice of the  
 5 election to be published in a newspaper published within the county, or if no newspaper is  
 6 published within the county, in a newspaper published in an adjoining county, for three weeks  
 7 consecutively, the last insertion of which shall be at least ten days and not more than thirty days  
 8 before the day of the election, and by posting printed notices thereof at three of the most public  
 9 places in each township in the county. The proposition shall be put before the voters  
 10 substantially in the following form:

11 Shall the office of prosecuting attorney be made a full-time position in \_\_\_\_\_  
 12 County?

13  YES  NO

14 If a majority of the voters voting on the proposition vote in favor of making the county  
 15 prosecutor a full-time position, it shall become effective upon the date that the prosecutor who  
 16 is elected at the next election subsequent to the passage of such proposal is sworn into office.  
 17 **The position shall then qualify for the retirement benefits available to a full-time**  
 18 **prosecutor of a county of the first classification. Any county that elects to make the**  
 19 **position of prosecuting attorney full time shall pay into the Missouri prosecuting attorneys**  
 20 **and circuit attorneys' retirement system fund at the same contribution amount as paid by**  
 21 **counties of the first classification.**

22 2. The provisions of subsection 1 of this section notwithstanding, in any county where  
 23 the proposition of making the county prosecutor a full-time position was submitted to the voters  
 24 at a general election in 1998 and where a majority of the voters voting on the proposition voted  
 25 in favor of making the county prosecutor a full-time position, the proposition shall become  
 26 effective on May 1, 1999. Any prosecuting attorney whose position becomes full time on May  
 27 1, 1999, under the provisions of this subsection shall have the additional duty of providing not  
 28 less than three hours of continuing education to peace officers in the county served by the  
 29 prosecuting attorney in each year of the term beginning January 1, 1999.

30           3. In counties that, prior to August 28, 2001, have elected pursuant to this section to  
31 make the position of prosecuting attorney a full-time position, the county commission may at any  
32 time elect to have that position also qualify for the retirement benefit available for a full-time  
33 prosecutor of a county of the first classification. Such election shall be made by a majority vote  
34 of the county commission and once made shall be irrevocable, unless the voters of the county  
35 elect to change the position of prosecuting attorney back to a part-time position under subsection  
36 4 of this section. When such an election is made, the results shall be transmitted to the Missouri  
37 prosecuting attorneys and circuit attorneys' retirement system fund, and the election shall be  
38 effective on the first day of January following such election. Such election shall also obligate  
39 the county to pay into the Missouri prosecuting attorneys and circuit attorneys' system retirement  
40 fund the same retirement contributions for full-time prosecutors as are paid by counties of the  
41 first classification.

42           4. In any county of the third classification without a township form of government and  
43 with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of  
44 the fourth classification with more than one thousand seven hundred but fewer than one thousand  
45 nine hundred inhabitants as the county seat that has elected to make the county prosecutor a  
46 full-time position under this section after August 28, 2014, the county commission may on its  
47 own motion and shall upon the petition of ten percent of the total number of people who voted  
48 in the previous general election in the county submit to the voters at a general or special election  
49 the proposition of changing the full-time prosecutor position to a part-time position. The  
50 commission shall cause notice of the election to be published in a newspaper published within  
51 the county, or if no newspaper is published within the county, in a newspaper published in an  
52 adjoining county, for three weeks consecutively, the last insertion of which shall be at least ten  
53 days and not more than thirty days before the day of the election, and by posting printed notices  
54 thereof at three of the most public places in each township in the county. The proposition shall  
55 be put before the voters substantially in the following form:

56           Shall the office of prosecuting attorney be made a part-time position in \_\_\_\_\_  
57           County?

58                            YES                            NO

59 If a majority of the voters vote in favor of making the county prosecutor a part-time position, it  
60 shall become effective upon the date that the prosecutor who is elected at the next election  
61 subsequent to the passage of such proposal is sworn into office.

62           5. In any county that has elected to make the full-time position of county prosecutor a  
63 part-time position under subsection 4 of this section, the county's retirement contribution to the  
64 retirement system and the retirement benefit earned by the member shall prospectively be that  
65 of a part-time prosecutor as established in this chapter. Any retirement contribution made and

66 retirement benefit earned prior to the effective date of the voter-approved proposition under  
67 subsection 4 of this section shall be maintained by the retirement system and used to calculate  
68 the retirement benefit for such prior full-time position service. Under no circumstances shall a  
69 member in a part-time prosecutor position earn full-time position retirement benefit service  
70 accruals for time periods after the effective date of the proposition changing the county  
71 prosecutor back to a part-time position.

56.805. As used in sections 56.800 to 56.840, the following words and terms mean:

2 (1) "Annuity", annual payments, made in equal monthly installments, to a retired  
3 member from funds provided for, in, or authorized by, the provisions of sections 56.800 to  
4 56.840;

5 (2) "Average final compensation", the average compensation of an employee for the two  
6 consecutive years prior to retirement when the employee's compensation was greatest;

7 (3) "Board of trustees" or "board", the board of trustees established by the provisions of  
8 sections 56.800 to 56.840;

9 (4) "Compensation", all salary and other compensation payable by a county to an  
10 employee for personal services rendered as an employee, **including any salary reduction**  
11 **amounts under a cafeteria plan that satisfies 26 U.S.C. Section 125 or an eligible deferred**  
12 **compensation plan that satisfies 26 U.S.C. Section 457** but not including [~~travel and mileage~~]  
13 reimbursement **for any expenses, any consideration for agreeing to terminate employment,**  
14 **or any other nonrecurring or unusual payment that is not part of regular remuneration;**

15 (5) "County", the City of St. Louis and each county in the state;

16 (6) "Creditable service", the sum of both membership service and creditable prior  
17 service;

18 (7) "Effective date of the establishment of the system", August 28, 1989;

19 (8) "Employee", an elected or appointed prosecuting attorney or circuit attorney who is  
20 employed by a county or a city not within a county;

21 (9) "Membership service", service as a prosecuting attorney or circuit attorney after  
22 becoming a member that is creditable in determining the amount of the member's benefits under  
23 this system;

24 (10) "Prior service", service of a member rendered prior to the effective date of the  
25 establishment of the system which is creditable under section 56.823;

26 (11) "Retirement system" or "system", the prosecuting attorneys and circuit attorneys'  
27 retirement system authorized by the provisions of sections 56.800 to 56.840.

56.807. 1. Beginning August 28, 1989, and continuing monthly thereafter until August  
2 27, 2003, the funds for prosecuting attorneys and circuit attorneys provided for in subsection 2  
3 of this section shall be paid from county or city funds.

4           2. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003,  
5 each county treasurer shall pay to the system the following amounts to be drawn from the general  
6 revenues of the county:

7           (1) For counties of the third and fourth classification except as provided in subdivision  
8 (3) of this subsection, three hundred seventy-five dollars;

9           (2) For counties of the second classification, five hundred forty-one dollars and  
10 sixty-seven cents;

11           (3) For counties of the first classification, and, except as otherwise provided under  
12 section 56.363, counties which pursuant to section 56.363 elect to make the position of  
13 prosecuting attorney a full-time position after August 28, 2001, or whose county commission has  
14 elected a full-time retirement benefit pursuant to subsection 3 of section 56.363, and the City of  
15 St. Louis, one thousand two hundred ninety-one dollars and sixty-seven cents.

16           3. Beginning August 28, 1989, and continuing until August 27, 2003, the county  
17 treasurer shall at least monthly transmit the sums specified in subsection 2 of this section to the  
18 Missouri office of prosecution services for deposit to the credit of the "Missouri Prosecuting  
19 Attorneys and Circuit Attorneys' Retirement System Fund", which is hereby created. All moneys  
20 held by the state treasurer on behalf of the system shall be paid to the system within ninety days  
21 after August 28, 1993. Moneys in the Missouri prosecuting attorneys and circuit attorneys'  
22 retirement system fund shall be used only for the purposes provided in sections 56.800 to 56.840  
23 and for no other purpose.

24           4. Beginning August 28, 2003, the funds for prosecuting attorneys and circuit attorneys  
25 provided for in this section shall be paid from county or city funds and the surcharge established  
26 in this section and collected as provided by this section and sections 488.010 to 488.020.

27           5. (1) Beginning August 28, 2003, each county treasurer shall pay to the system the  
28 following amounts to be drawn from the general revenues of the county:

29           (a) For counties of the third and fourth classification except as provided in paragraph (c)  
30 of this subdivision, one hundred eighty-seven dollars;

31           (b) For counties of the second classification, two hundred seventy-one dollars;

32           (c) For counties of the first classification, counties which pursuant to section 56.363 elect  
33 to make the position of prosecuting attorney a full-time position after August 28, 2001, or whose  
34 county commission has elected a full-time retirement benefit pursuant to subsection 3 of section  
35 56.363, and the City of St. Louis, six hundred forty-six dollars.

36           (2) Beginning August 28, 2015, the county contribution set forth in paragraphs (a) to (c)  
37 of subdivision (1) of this subsection shall be adjusted in accordance with the following schedule  
38 based upon the prosecuting attorneys and circuit attorneys' retirement system's annual actuarial  
39 valuation report. If the system's funding ratio is:

- 40 (a) One hundred twenty percent or more, no monthly sum shall be transmitted;  
41 (b) More than one hundred ten percent but less than one hundred twenty percent, the  
42 monthly sum transmitted shall be reduced fifty percent;  
43 (c) At least ninety percent and up to and including one hundred ten percent, the monthly  
44 sum transmitted shall remain the same;  
45 (d) At least eighty percent and less than ninety percent, the monthly sum transmitted  
46 shall be increased fifty percent; and  
47 (e) Less than eighty percent, the monthly sum transmitted shall be increased one hundred  
48 percent.

49 6. Beginning August 28, 2003, the county treasurer shall at least monthly transmit the  
50 sums specified in subsection 5 of this section to the Missouri office of prosecution services for  
51 deposit to the credit of the Missouri prosecuting attorneys and circuit attorneys' retirement system  
52 fund. Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund  
53 shall be used only for the purposes provided in sections 56.800 to 56.840, and for no other  
54 purpose.

55 7. Beginning August 28, 2003, the following surcharge for prosecuting attorneys and  
56 circuit attorneys shall be collected and paid as follows:

57 (1) There shall be assessed and collected a surcharge of four dollars in all criminal cases  
58 filed in the courts of this state including violation of any county ordinance, any violation of  
59 criminal or traffic laws of this state, including infractions, and against any person who has pled  
60 guilty for any violation and paid a fine through a fine collection center, but no such surcharge  
61 shall be assessed when the costs are waived or are to be paid by the state, county, or municipality  
62 or when a criminal proceeding or the defendant has been dismissed by the court. For purposes  
63 of this section, the term "county ordinance" shall include any ordinance of the City of St. Louis;

64 (2) The clerk responsible for collecting court costs in criminal cases shall collect and  
65 disburse such amounts as provided by sections 488.010 to 488.026. Such funds shall be payable  
66 to the prosecuting attorneys and circuit attorneys' retirement fund. Moneys credited to the  
67 prosecuting attorneys and circuit attorneys' retirement fund shall be used only for the purposes  
68 provided for in sections 56.800 to 56.840 and for no other purpose.

69 8. The board may accept gifts, donations, grants and bequests from private or public  
70 sources to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

71 9. No state moneys shall be used to fund section 56.700 and sections 56.800 to 56.840  
72 unless provided for by law.

73 **10. Beginning January first following the effective date of this section, all members,**  
74 **who upon vesting and retiring are eligible to receive a normal annuity equal to fifty percent**  
75 **of the final average compensation, shall, as a condition of participation, contribute two**

76 percent of their gross salary to the fund. Beginning on January 1, 2020, each such member  
77 shall contribute four percent of their gross salary to the fund. Each county treasurer shall  
78 deduct the appropriate amount from the gross salary of the prosecuting attorney or circuit  
79 attorney and, at least monthly, shall transmit the sum to the prosecuting attorneys and  
80 circuit attorneys' retirement system for deposit in the prosecuting attorneys and circuit  
81 attorneys' retirement system fund.

82 **11. Upon separation from the system, a nonvested member shall receive a lump sum**  
83 **payment equal to the total contribution of the member without interest or other increases**  
84 **in value.**

85 **12. Upon retirement and in the sole discretion of the board on the advice of the**  
86 **actuary, a member shall receive a lump sum payment equal to the total contribution of the**  
87 **member without interest or other increases in value, but such lump sum shall not exceed**  
88 **twenty-five percent of the final average compensation of the member. This amount shall**  
89 **be in addition to any retirement benefits to which the member is entitled.**

90 **13. Upon the death of a nonvested member or the death of a vested member prior**  
91 **to retirement, the lump sum payment in subsection 11 or 12 of this section shall be made**  
92 **to the designated beneficiary of the member or, if no beneficiary has been designated, to**  
93 **the member's estate.**

56.814. 1. Any ~~member~~ person who became a member prior to January 1, 2019,  
2 who has attained the age of sixty-two years and who has twelve years or more of creditable  
3 service as prosecuting attorney or circuit attorney may retire with a normal annuity as  
4 **determined in subsection 3 of section 56.840.**

5 **2. Any person who becomes a member on or after January 1, 2019, who has**  
6 **attained the age of sixty-five and who has twelve years or more of creditable service as a**  
7 **prosecuting attorney or circuit attorney may retire with a normal annuity.**

56.833. 1. Upon termination of employment, any ~~member with twelve or more years~~  
2 ~~of creditable service~~ person who became a member prior to January 1, 2019, shall be  
3 entitled to a deferred normal annuity, payable at age fifty-five with twelve or more years of  
4 creditable service as **determined in subsection 3 of section 56.840. Upon termination of**  
5 **employment, any person who became a member on or after January 1, 2019, shall be**  
6 **entitled to a deferred normal annuity, payable at age sixty with twelve or more years of**  
7 **creditable service as determined in subsection 3 of section 56.840.** Any member with less  
8 than twelve years of creditable service shall forfeit all rights in the fund, including the member's  
9 accrued creditable service as of the date of the member's termination of employment.

10 **2. A former member who has forfeited creditable service may have the creditable service**  
11 **restored by again becoming an employee [and] within ten years of the date of the termination**

12 **of employment, completing four years of continuous membership service, and contributing an**  
13 **amount to the fund equal to any lump sum payment received under subsection 11 or 12 of**  
14 **section 56.807. Notwithstanding any other provision of section 104.800 to the contrary, a**  
15 **former member shall not be entitled to transfer creditable service into this retirement**  
16 **system unless the member previously vested in this system.**

17 3. Absences for sickness or injury of less than twelve months shall be counted as  
18 membership service.

56.840. 1. Annuity payments to retired employees under the provisions of sections  
2 56.800 to 56.840 shall be available beginning January first next succeeding the expiration of two  
3 calendar years from the effective date of the establishment of the system to eligible retired  
4 employees, and employees with at least twelve years of creditable service shall have vested rights  
5 and upon reaching the required age shall be entitled to retirement benefits.

6 2. All members serving as a prosecuting attorney or circuit attorney in a county of  
7 the first classification, a county with a charter form of government, or a city not within a  
8 county shall receive one year of creditable service for each year served.

9 3. Notwithstanding any provision of law to the contrary, members serving as a  
10 prosecuting attorney in counties that elected to make the position of prosecuting attorney  
11 a full-time position shall receive one year of creditable vesting service for each year served  
12 as a part-time or full-time prosecuting attorney. Such members shall receive one year of  
13 creditable benefit service for each year served as a full-time prosecuting attorney and six-  
14 tenths of a year of creditable benefit service for each year served as a part-time prosecuting  
15 attorney. Upon retirement, any member who has less than twelve years of creditable  
16 benefit service shall receive a reduced full-time benefit in a sum equal to the portion that  
17 the member's creditable benefit years bear to twelve vesting years.

18 4. Members restoring creditable service under subsection 2 of section 56.833 shall  
19 receive one year of creditable service for each restored year served as a full-time  
20 prosecuting attorney and six-tenths of a year of creditable service for each restored year  
21 served as a part-time prosecuting attorney. Unless otherwise permitted by law, no member  
22 shall receive credit for any partial year of employment.

23 5. Notwithstanding any provision of law to the contrary, any member who vested  
24 in the system as a part-time prosecuting attorney and who ceased being a member for more  
25 than six months before returning as a full-time prosecuting attorney shall be entitled only  
26 to retirement benefits as a part-time prosecuting attorney. Any creditable service earned  
27 by such an employee upon returning to the system as a full-time prosecuting attorney shall  
28 begin a new vesting period subject to the provision of the system in effect at the time of the

29 **member's return. No member shall receive benefits while employed as a prosecuting**  
30 **attorney or circuit attorney.**

59.800. 1. Beginning on July 1, 2001, notwithstanding any other condition precedent  
2 required by law to the recording of any instrument specified in subdivisions (1) and (2) of  
3 **subsection 1 of section 59.330**, an additional fee of five dollars shall be charged and collected  
4 by every recorder of deeds in this state on each instrument recorded. The additional fee shall be  
5 distributed as follows:

6 (1) One dollar and twenty-five cents to the recorder's fund established [~~pursuant to~~]  
7 **under** subsection 1 of section 59.319, provided, however, that all funds received [~~pursuant to~~]  
8 **under** this section shall be used exclusively for the purchase, installation, upgrade and  
9 maintenance of modern technology necessary to operate the recorder's office in an efficient  
10 manner;

11 (2) One dollar and seventy-five cents to the county general revenue fund; and

12 (3) Two dollars to the fund established in subsection 2 of this section.

13 2. **(1)** There is hereby established a revolving fund known as the "Statutory County  
14 Recorder's Fund", which shall receive funds paid to the recorders of deeds of the counties of this  
15 state [~~pursuant to~~] **under** subdivision (3) of subsection 1 of this section. The director of the  
16 department of revenue shall be custodian of the fund and shall make disbursements from the fund  
17 for the purpose of subsidizing the fees collected by counties that hereafter elect or have  
18 heretofore elected to separate the offices of clerk of the circuit court and recorder. The subsidy  
19 shall consist of the total amount of moneys collected [~~pursuant to~~] **under** subdivisions (1) and  
20 (2) of subsection 1 of this section subtracted from fifty-five thousand dollars, **except under such**  
21 **circumstances in which the annual average of funds collected under subsection 1 of this**  
22 **section during the previous three calendar years is insufficient to meet all obligations**  
23 **calculated under this subdivision. In such circumstances, the provisions of subdivision (2)**  
24 **of this subsection shall apply.** The moneys paid to qualifying counties [~~pursuant to~~] **under** this  
25 subsection shall be deposited in the county general revenue fund. For purposes of this section  
26 a "qualified county" is a county that hereafter elects or has heretofore elected to separate the  
27 offices of clerk of the circuit court and recorder and in which the office of the recorder of deeds  
28 collects less than fifty-five thousand dollars in fees [~~pursuant to~~] **under** subdivisions (1) and (2)  
29 of subsection 1 of this section, on an annual basis. Moneys in the statutory county recorder's  
30 fund shall not be considered state funds and shall be deemed nonstate funds.

31 **(2) If funds collected under subdivision (3) of subsection 1 of this section are**  
32 **insufficient to meet the obligations under subdivision (1) of this subsection, the director of**  
33 **revenue shall calculate the projected shortfall that would otherwise be incurred based on**  
34 **the formula outlined under subdivision (1) of this subsection. If the fund balance is greater**

35 **than the annual average disbursement from the fund during the previous three years, up**  
36 **to thirty-three percent of the amount that exceeds the annual three-year average to meet**  
37 **the obligation may be used to meet the obligations. If this amount is insufficient or**  
38 **unavailable to meet the shortfall, the director of revenue shall set a new requisite amount**  
39 **to determine a qualified county under subdivision (1) of this subsection other than fifty-five**  
40 **thousand dollars, which reflects the revenue collected under subdivision (3) of subsection**  
41 **1 of this section in addition to thirty-three percent of the excess fund balance.**

2 **64.002. For purposes of a zoning law, ordinance, or code authorized and enacted**  
3 **under this chapter, a zoning or property classification of agricultural or horticultural shall**  
4 **include any sawmill or planing mill as defined in the U.S. Department of Labor's Standard**  
5 **Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number**  
6 **2421.**

2 **65.702. For purposes of a zoning law, ordinance, or code authorized and enacted**  
3 **under sections 65.650 to 65.700, a zoning or property classification of agricultural or**  
4 **horticultural shall include any sawmill or planing mill as defined in the U.S. Department**  
5 **of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242**  
6 **with the SIC number 2421.**

7 67.617. 1. Each regional convention and visitors commission shall, before the second  
8 Monday in October, make an annual report to the chief executive officers and governing bodies  
9 of the city and county, respectively, and to the general assembly stating the condition of the  
10 commission on the first day of July of that year, and the various sums of money received and  
11 distributed by it during the preceding calendar year. The fiscal year for each regional convention  
12 and visitors commission shall begin on the first day of July and end on the thirtieth day of June  
13 of the following calendar year.

14 2. Before the close of the first fiscal year of such commission, and at the close of every  
15 third fiscal year thereafter, the chief executives of the city and county, jointly, shall appoint one  
16 or more certified public accountants, who shall annually examine the books, accounts, and  
17 vouchers of the regional convention and visitors commission, and who shall make due report  
18 thereof to the chief executives and the board of the district. The commission shall produce and  
19 submit to the accountants for examination all books, papers, documents, vouchers, and accounts  
of their office belonging or pertaining to the office, and shall in every way assist the accountants  
in their work. In the report to be made by the accountants they may make any recommendation  
they deem proper as to the business methods of the officers and employees. A reasonable  
compensation for the services of the accountants shall be paid by the commission.

20 3. In addition to the exceptions available under [~~sections 610.010 to 610.225~~] **chapter**  
21 **610**, the leases, agreements, contracts, or subleases, and any amendments thereto, for space,

20 usage, or services in any convention center or related facilities owned or operated by a regional  
21 convention and visitors commission, or any drafts or unexecuted versions of such documents,  
22 shall not be considered public records within the meaning of subdivision (6) of section 610.010,  
23 when, in the reasonable judgment of the commission, the disclosure of the information in the  
24 records may endanger the competitiveness of the business or prospects of the commission or  
25 provide an unfair advantage to its competitors; provided, however, that the foregoing may not  
26 be deemed to include any leases, agreements, contracts, or subleases involving a professional  
27 sports franchise.

70.370. Within sixty days after this section becomes effective, the governor by and with  
2 the advice and consent of the senate shall appoint three commissioners to enter into a compact  
3 on behalf of the state of Missouri with the state of Illinois. If the senate is not in session at the  
4 time for making any appointment, the governor shall make a temporary appointment as in case  
5 of a vacancy. Any two of the commissioners so appointed together with the attorney general of  
6 the state of Missouri may act to enter into the following compact:

7 COMPACT BETWEEN MISSOURI AND ILLINOIS  
8 CREATING THE BI-STATE DEVELOPMENT AGENCY  
9 AND THE BI-STATE METROPOLITAN DISTRICT

10 The states of Missouri and Illinois enter into the following agreement:

11 ARTICLE I

12 They agree to and pledge each to the other faithful cooperation in the future planning and  
13 development of the bi-state metropolitan district, holding in high trust for the benefit of its  
14 people and of the nation the special blessings and natural advantages thereof.

15 ARTICLE II

16 To that end the two states create a district to be known as the "Bi-State Metropolitan  
17 Development District" (herein referred to as "The District" ) which shall embrace the following  
18 territory: The City of St. Louis and the counties of St. Louis and St. Charles ~~and~~ , Jefferson,  
19 **and Franklin** in Missouri, and the counties of Madison, St. Clair, and Monroe in Illinois.

20 ARTICLE III

21 There is created "The Bi-State Development Agency of the Missouri-Illinois  
22 Metropolitan District" (herein referred to as "The Bi-State Agency" ) which shall be a body  
23 corporate and politic. The bi-state agency shall have the following powers:

24 (1) To plan, construct, maintain, own and operate bridges, tunnels, airports and terminal  
25 facilities and to plan and establish policies for sewage and drainage facilities;

26 (2) To make plans for submission to the communities involved for coordination of  
27 streets, highways, parkways, parking areas, terminals, water supply and sewage and disposal  
28 works, recreational and conservation facilities and projects, land use pattern and other matters

29 in which joint or coordinated action of the communities within the areas will be generally  
30 beneficial;

31 (3) To charge and collect fees for use of the facilities owned and operated by it;

32 (4) To issue bonds upon the security of the revenues to be derived from such facilities;  
33 and, or upon any property held or to be held by it;

34 (5) To receive for its lawful activities any contributions or moneys appropriated by  
35 municipalities, counties, state or other political subdivisions or agencies; or by the federal  
36 government or any agency or officer thereof;

37 (6) To disburse funds for its lawful activities, and fix salaries and wages of its officers  
38 and employees;

39 (7) To perform all other necessary and incidental functions; and

40 (8) To exercise such additional powers as shall be conferred on it by the legislature of  
41 either state concurred in by the legislature of the other or by act of congress.

42 No property now or hereafter vested in or held by either state, or by any county, city,  
43 borough, village, township or other political subdivision, shall be taken by the bi-state agency  
44 without the authority or consent of such state, county, city, borough, village, township or other  
45 political subdivision, nor shall anything herein impair or invalidate in any way any bonded  
46 indebtedness of such state, county, city, borough, village, township or other political subdivision,  
47 nor impair the provisions of law regulating the payment into sinking funds of revenues derived  
48 from municipal property, or dedicating the revenues derived from any municipal property to a  
49 specific purpose.

50 Unless and until otherwise provided, it shall make an annual report to the governor of  
51 each state, setting forth in detail the operations and transactions conducted by it pursuant to this  
52 agreement and any legislation thereunder.

53 Nothing contained in this compact shall impair the powers of any municipality to develop  
54 or improve terminal or other facilities.

55 The bi-state agency shall from time to time make plans for the development of the  
56 district; and when such plans are duly approved by the legislatures of the two states, they shall  
57 be binding upon both states with the same force and effect as if incorporated in this compact.

58 The bi-state agency may from time to time make recommendations to the legislatures of  
59 the two states or to the Congress of the United States, based upon study and analysis, for the  
60 improvement of transportation, terminal, and other facilities in the district.

61 The bi-state agency may petition any interstate commerce commission (or like body),  
62 public service commission, public utilities commission (or like body), or any other federal,  
63 municipal, state or local authority, administrative, judicial or legislative, having jurisdiction in  
64 the premises, for the adoption and execution of any physical improvements, change in method,

65 rate of transportation, system of handling freight, warehousing, docking, lightering, or transfer  
66 of freight, which, in the opinion of the bi-state agency, may be designed to improve or better the  
67 handling of commerce in and through the district, or improve terminal and transportation  
68 facilities therein. It may intervene in any proceeding affecting the commerce of the district.

69

## ARTICLE IV

70 The bi-state agency shall consist of ten commissioners, five of whom shall be resident  
71 voters of the state of Missouri and five of whom shall be resident voters of the state of Illinois.  
72 All commissioners shall reside within the bi-state district, the Missouri members to be chosen  
73 by the state of Missouri and the Illinois members by the state of Illinois in the manner and for  
74 the terms fixed by the legislature of each state except as herein provided.

75

## ARTICLE V

76 The bi-state agency shall elect from its number a chairman, a vice chairman, and may  
77 appoint such officers and employees as it may require for the performance of its duties, and shall  
78 fix and determine their qualifications and duties.

79

80 Until otherwise determined by the legislatures of the two states no action of the bi-state  
81 agency shall be binding unless taken at a meeting at which at least three members from each state  
82 are present, and unless a majority of the members from each state present at such meeting shall  
83 vote in favor thereof. Each state reserves the right hereafter to provide by law for the exercise  
84 of the veto power by the governor thereof over any action of any commissioner appointed  
85 therefrom.

86

87 Until otherwise determined by the action of the legislature of the two states, the bi-state  
88 agency shall not incur any obligations for salaries, office or other administrative expenses, prior  
89 to the making of appropriations adequate to meet the same.

90

91 The bi-state agency is hereby authorized to make suitable rules and regulations not  
92 inconsistent with the constitution or laws of the United States or of either state, or of any political  
93 subdivision thereof, and subject to the exercise of the power of congress, for the improvement  
94 of the district, which when concurred in or authorized by the legislatures of both states, shall be  
95 binding and effective upon all persons and corporations affected thereby.

96

97 The two states shall provide penalties for violations of any order, rule or regulation of the  
98 bi-state agency, and for the manner of enforcing same.

99

## ARTICLE VI

100 The bi-state agency is authorized and directed to proceed with the development of the  
101 district in accordance with the articles of this compact as rapidly as may be economically  
102 practicable and is vested with all necessary and appropriate powers not inconsistent with the  
103 constitution or the laws of the United States or of either state, to effectuate the same, except the  
104 power to levy taxes or assessments.

101 It shall render such advice, suggestion and assistance to all municipal officials as will  
102 permit all local and municipal improvements, so far as practicable, to fit in with the plan.

103 ARTICLE VII

104 In witness thereof, we have hereunto set our hands and seals under authority vested in us  
105 by law.

106 (Signed)

107 In the presence of:

108 (Signed)

71.015. 1. Should any city, town, or village, not located in any county of the first  
2 classification which has adopted a constitutional charter for its own local government, seek to  
3 annex an area to which objection is made, the following shall be satisfied:

4 (1) Before the governing body of any city, town, or village has adopted a resolution to  
5 annex any unincorporated area of land, such city, town, or village shall first as a condition  
6 precedent determine that the land to be annexed is contiguous to the existing city, town, or  
7 village limits and that the length of the contiguous boundary common to the existing city, town,  
8 or village limit and the proposed area to be annexed is at least fifteen percent of the length of the  
9 perimeter of the area proposed for annexation.

10 (2) The governing body of any city, town, or village shall propose an ordinance setting  
11 forth the following:

12 (a) The area to be annexed and affirmatively stating that the boundaries comply with the  
13 condition precedent referred to in subdivision (1) above;

14 (b) That such annexation is reasonable and necessary to the proper development of the  
15 city, town, or village;

16 (c) That the city has developed a plan of intent to provide services to the area proposed  
17 for annexation;

18 (d) That a public hearing shall be held prior to the adoption of the ordinance;

19 (e) When the annexation is proposed to be effective, the effective date being up to  
20 thirty-six months from the date of any election held in conjunction thereto.

21 (3) The city, town, or village shall fix a date for a public hearing on the ordinance and  
22 make a good faith effort to notify all fee owners of record within the area proposed to be annexed  
23 by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all  
24 residents of the area by publication of notice in a newspaper of general circulation qualified to  
25 publish legal matters in the county or counties where the proposed area is located, at least once  
26 a week for three consecutive weeks prior to the hearing, with at least one such notice being not  
27 more than twenty days and not less than ten days before the hearing.

28 (4) At the hearing referred to in subdivision (3) **of this subsection**, the city, town, or  
29 village shall present the plan of intent and evidence in support thereof to include:

30 (a) A list of major services presently provided by the city, town, or village including, but  
31 not limited to, police and fire protection, water and sewer systems, street maintenance, parks and  
32 recreation, and refuse collection;

33 (b) A proposed time schedule whereby the city, town, or village plans to provide such  
34 services to the residents of the proposed area to be annexed within three years from the date the  
35 annexation is to become effective;

36 (c) The level at which the city, town, or village assesses property and the rate at which  
37 it taxes that property;

38 (d) How the city, town, or village proposes to zone the area to be annexed;

39 (e) When the proposed annexation shall become effective.

40 (5) Following the hearing, and either before or after the election held in subdivision (6)  
41 of this subsection, should the governing body of the city, town, or village vote favorably by  
42 ordinance to annex the area, the governing body of the city, town or village shall file an action  
43 in the circuit court of the county in which such unincorporated area is situated, under the  
44 provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The  
45 petition in such action shall state facts showing:

46 (a) The area to be annexed and its conformity with the condition precedent referred to  
47 in subdivision (1) of this subsection;

48 (b) That such annexation is reasonable and necessary to the proper development of the  
49 city, town, or village; and

50 (c) The ability of the city, town, or village to furnish normal municipal services of the  
51 city, town, or village to the unincorporated area within a reasonable time not to exceed three  
52 years after the annexation is to become effective. Such action shall be a class action against the  
53 inhabitants of such unincorporated area under the provisions of section 507.070.

54 (6) Except as provided in subsection 3 of this section, if the court authorizes the city,  
55 town, or village to make an annexation, the legislative body of such city, town, or village shall  
56 not have the power to extend the limits of the city, town, or village by such annexation until an  
57 election is held at which the proposition for annexation is approved by a majority of the total  
58 votes cast in the city, town, or village and by a separate majority of the total votes cast in the  
59 unincorporated territory sought to be annexed. However, should less than a majority of the total  
60 votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority  
61 of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal  
62 shall again be voted upon in not more than one hundred twenty days by both the registered voters  
63 of the city, town, or village and the registered voters of the area proposed to be annexed. If at

64 least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the  
65 city, town, or village may proceed to annex the territory. If the proposal fails to receive the  
66 necessary majority, no part of the area sought to be annexed may be the subject of another  
67 proposal to annex for a period of two years from the date of the election, except that, during the  
68 two-year period, the owners of all fee interests of record in the area or any portion of the area  
69 may petition the city, town, or village for the annexation of the land owned by them pursuant to  
70 the procedures in section 71.012. The elections shall if authorized be held, except as herein  
71 otherwise provided, in accordance with the general state law governing special elections, and the  
72 entire cost of the election or elections shall be paid by the city, town, or village proposing to  
73 annex the territory.

74 (7) Failure to comply in providing services to the said area or to zone in compliance with  
75 the plan of intent within three years after the effective date of the annexation, unless compliance  
76 is made unreasonable by an act of God, shall give rise to a cause of action for deannexation  
77 which may be filed in the circuit court by any resident of the area who was residing in the area  
78 at the time the annexation became effective.

79 (8) No city, town, or village which has filed an action under this section as this section  
80 read prior to May 13, 1980, which action is part of an annexation proceeding pending on May  
81 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such  
82 annexation proceeding.

83 (9) If the area proposed for annexation includes a public road or highway but does not  
84 include all of the land adjoining such road or highway, then such fee owners of record, of the  
85 lands adjoining said highway shall be permitted to intervene in the declaratory judgment action  
86 described in subdivision (5) of this subsection.

87 2. Notwithstanding any provision of subsection 1 of this section, for any annexation by  
88 any city with a population of three hundred fifty thousand or more inhabitants which is located  
89 in more than one county that becomes effective after August 28, 1994, if such city has not  
90 provided water and sewer service to such annexed area within three years of the effective date  
91 of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such  
92 water and sewer service to the annexed area is made unreasonable by an act of God. The cause  
93 of action for deannexation may be filed in the circuit court by any resident of the annexed area  
94 who is presently residing in the area at the time of the filing of the suit and was a resident of the  
95 annexed area at the time the annexation became effective. If the suit for deannexation is  
96 successful, the city shall be liable for all court costs and attorney fees.

97 3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all  
98 cities, towns, and villages located in any county of the first classification with a charter form of  
99 government with a population of two hundred thousand or more inhabitants which adjoins a

100 county with a population of nine hundred thousand or more inhabitants shall comply with the  
101 provisions of this subsection. If the court authorizes any city, town, or village subject to this  
102 subsection to make an annexation, the legislative body of such city, town or village shall not  
103 have the power to extend the limits of such city, town, or village by such annexation until an  
104 election is held at which the proposition for annexation is approved by a majority of the total  
105 votes cast in such city, town, or village and by a separate majority of the total votes cast in the  
106 unincorporated territory sought to be annexed; except that:

107 (1) In the case of a proposed annexation in any area which is contiguous to the existing  
108 city, town or village and which is within an area designated as flood plain by the Federal  
109 Emergency Management Agency and which is inhabited by no more than thirty registered voters  
110 and for which a final declaratory judgment has been granted prior to January 1, 1993, approving  
111 such annexation and where notarized affidavits expressing approval of the proposed annexation  
112 are obtained from a majority of the registered voters residing in the area to be annexed, the area  
113 may be annexed by an ordinance duly enacted by the governing body and no elections shall be  
114 required; and

115 (2) In the case of a proposed annexation of unincorporated territory in which no qualified  
116 electors reside, if at least a majority of the qualified electors voting on the proposition are in  
117 favor of the annexation, the city, town or village may proceed to annex the territory and no  
118 subsequent election shall be required.

119

120 If the proposal fails to receive the necessary separate majorities, no part of the area sought to be  
121 annexed may be the subject of any other proposal to annex for a period of two years from the  
122 date of such election, except that, during the two-year period, the owners of all fee interests of  
123 record in the area or any portion of the area may petition the city, town, or village for the  
124 annexation of the land owned by them pursuant to the procedures in section 71.012 or 71.014.  
125 The election shall, if authorized, be held, except as otherwise provided in this section, in  
126 accordance with the general state laws governing special elections, and the entire cost of the  
127 election or elections shall be paid by the city, town, or village proposing to annex the territory.  
128 Failure of the city, town or village to comply in providing services to the area or to zone in  
129 compliance with the plan of intent within three years after the effective date of the annexation,  
130 unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for  
131 deannexation which may be filed in the circuit court not later than four years after the effective  
132 date of the annexation by any resident of the area who was residing in such area at the time the  
133 annexation became effective or by any nonresident owner of real property in such area.

134 4. Except for a cause of action for deannexation under subdivision (2) of subsection 3  
135 of this section, any action of any kind seeking to deannex from any city, town, or village any area

136 annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise  
137 challenge such annexation or oust such city, town, or village from jurisdiction over such annexed  
138 area shall be brought within five years of the date of the adoption of the annexation ordinance.

84.510. 1. For the purpose of operation of the police department herein created, the chief  
2 of police, with the approval of the board, shall appoint such number of police department  
3 employees, including police officers and civilian employees as the chief of police from time to  
4 time deems necessary.

5 2. The base annual compensation of police officers shall be as follows for the several  
6 ranks:

7 (1) Lieutenant colonels, not to exceed five in number, at not less than seventy-one  
8 thousand nine hundred sixty-nine dollars, nor more than [~~one hundred thirty-three thousand eight~~  
9 ~~hundred eighty-eight~~] **one hundred forty-six thousand one hundred twenty-four** dollars per  
10 annum each;

11 (2) Majors at not less than sixty-four thousand six hundred seventy-one dollars, nor more  
12 than [~~one hundred twenty-two thousand one hundred fifty-three~~] **one hundred thirty-three**  
13 **thousand three hundred twenty** dollars per annum each;

14 (3) Captains at not less than fifty-nine thousand five hundred thirty-nine dollars, nor  
15 more than [~~one hundred eleven thousand four hundred thirty-four~~] **one hundred twenty-one**  
16 **thousand six hundred eight** dollars per annum each;

17 (4) Sergeants at not less than forty-eight thousand six hundred fifty-nine dollars, nor  
18 more than [~~ninety-seven thousand eighty-six~~] **one hundred six thousand five hundred sixty**  
19 dollars per annum each;

20 (5) Master patrol officers at not less than fifty-six thousand three hundred four dollars,  
21 nor more than [~~eighty-seven thousand seven hundred one~~] **ninety-four thousand three hundred**  
22 **thirty-two** dollars per annum each;

23 (6) Master detectives at not less than fifty-six thousand three hundred four dollars, nor  
24 more than [~~eighty-seven thousand seven hundred one~~] **ninety-four thousand three hundred**  
25 **thirty-two** dollars per annum each;

26 (7) Detectives, investigators, and police officers at not less than twenty-six thousand six  
27 hundred forty-three dollars, nor more than [~~eighty-two thousand six hundred nineteen~~] **eighty-**  
28 **seven thousand six hundred thirty-six** dollars per annum each.

29 3. The board of police commissioners has the authority by resolution to effect a  
30 comprehensive pay schedule program to provide for step increases with separate pay rates within  
31 each rank, in the above-specified salary ranges from police officers through chief of police.

32           4. Officers assigned to wear civilian clothes in the performance of their regular duties  
33 may receive an additional one hundred fifty dollars per month clothing allowance. Uniformed  
34 officers may receive seventy-five dollars per month uniform maintenance allowance.

35           5. The chief of police, subject to the approval of the board, shall establish the total  
36 regular working hours for all police department employees, and the board has the power, upon  
37 recommendation of the chief, to pay additional compensation for all hours of service rendered  
38 in excess of the established regular working period, but the rate of overtime compensation shall  
39 not exceed one and one-half times the regular hourly rate of pay to which each member shall  
40 normally be entitled. No credit shall be given nor deductions made from payments for overtime  
41 for the purpose of retirement benefits.

42           6. The board of police commissioners, by majority affirmative vote, including the mayor,  
43 has the authority by resolution to authorize incentive pay in addition to the base compensation  
44 as provided for in subsection 2 of this section, to be paid police officers of any rank who they  
45 determine are assigned duties which require an extraordinary degree of skill, technical  
46 knowledge and ability, or which are highly demanding or unusual. No credit shall be given nor  
47 deductions made from these payments for the purpose of retirement benefits.

48           7. The board of police commissioners may effect programs to provide additional  
49 compensation for successful completion of academic work at an accredited college or university.  
50 No credit shall be given nor deductions made from these payments for the purpose of retirement  
51 benefits.

52           8. The additional pay increments provided in subsections 6 and 7 of this section shall not  
53 be considered a part of the base compensation of police officers of any rank and shall not exceed  
54 ten percent of what the officer would otherwise be entitled to pursuant to subsections 2 and 3 of  
55 this section.

56           9. Not more than twenty-five percent of the officers in any rank who are receiving the  
57 maximum rate of pay authorized by subsections 2 and 3 of this section may receive the additional  
58 pay increments authorized by subsections 6 and 7 of this section at any given time. However,  
59 any officer receiving a pay increment provided pursuant to the provisions of subsections 6 and  
60 7 of this section shall not be deprived of such pay increment as a result of the limitations of this  
61 subsection.

89.020. 1. For the purpose of promoting health, safety, morals or the general welfare of  
2 the community, the legislative body of all cities, towns, and villages is hereby empowered to  
3 regulate and restrict the height, number of stories, and size of buildings and other structures, the  
4 percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the  
5 density of population, the preservation of features of historical significance, and the location and  
6 use of buildings, structures and land for trade, industry, residence or other purposes.

7           2. For the purpose of any zoning law, ordinance or code, the classification single family  
8 dwelling or single family residence shall include any home in which eight or fewer unrelated  
9 mentally or physically handicapped persons reside, and may include two additional persons  
10 acting as houseparents or guardians who need not be related to each other or to any of the  
11 mentally or physically handicapped persons residing in the home. In the case of any such  
12 residential home for mentally or physically handicapped persons, the local zoning authority may  
13 require that the exterior appearance of the home and property be in reasonable conformance with  
14 the general neighborhood standards. Further, the local zoning authority may establish reasonable  
15 standards regarding the density of such individual homes in any specific single family dwelling  
16 neighborhood.

17           3. No person or entity shall contract or enter into a contract which would restrict group  
18 homes or their location as described in this section from and after September 28, 1985.

19           4. Any county, city, town or village which has a population of at least five hundred and  
20 whose boundaries are partially contiguous with a portion of a lake with a shoreline of at least one  
21 hundred fifty miles shall have the authority to enforce its zoning laws, ordinances or codes for  
22 one hundred yards beyond the shoreline which is adjacent to its boundaries. In the event that a  
23 lake is not large enough to allow any county, city, town or village to enforce its zoning laws,  
24 ordinances or codes for one hundred yards beyond the shoreline without encroaching on the  
25 enforcement powers granted another county, city, town or village under this subsection, the  
26 counties, cities, towns and villages whose boundaries are partially contiguous to such lake shall  
27 enforce their zoning laws, ordinances or orders under this subsection pursuant to an agreement  
28 entered into by such counties, cities, towns ~~and~~ , or villages.

29           5. Should a single family dwelling or single family residence as ~~defined~~ **described** in  
30 subsection 2 of this section cease to operate for the purpose as set forth in subsection 2 of this  
31 section, any other use of such home, other than allowed by local zoning restrictions, must be  
32 approved by the local zoning authority.

33           6. For purposes of any zoning law, ordinance or code the classification of single family  
34 dwelling or single family residence shall include any private residence licensed by the children's  
35 division or department of mental health to provide foster care to one or more but less than seven  
36 children who are unrelated to either foster parent by blood, marriage or adoption. Nothing in this  
37 subsection shall be construed to relieve the children's division, the department of mental health  
38 or any other person, firm or corporation occupying or utilizing any single family dwelling or  
39 single family residence for the purposes specified in this subsection from compliance with any  
40 ordinance or regulation relating to occupancy permits except as to number and relationship of  
41 occupants or from compliance with any building or safety code applicable to actual use of such  
42 single family dwelling or single family residence.

43 7. Any city, town, or village that is granted zoning powers under this section and is  
44 located within a county that has adopted zoning regulations under chapter 64 may enact an  
45 ordinance to adopt by reference the zoning regulations of such county in lieu of adopting its own  
46 zoning regulations.

47 **8. For purposes of any zoning law, ordinance, or code authorized and enacted**  
48 **under this section, a zoning or property classification of agricultural or horticultural shall**  
49 **include any sawmill or planing mill as defined in the U.S. Department of Labor’s Standard**  
50 **Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number**  
51 **2421.**

92.820. 1. (1) At the front door of the courthouse of the city of ..... at which sales of  
2 real estate are customarily made by the sheriff under execution, the sheriff shall advertise by  
3 posting the notice for sale [~~and sell~~] of the respective parcels of real estate ordered sold by [~~him~~]  
4 **the sheriff** pursuant to any judgment of foreclosure by any court under the provisions of sections  
5 92.700 to 92.920.

6 **(2) The sheriff’s sale may be conducted at the front door of the courthouse, within**  
7 **the courthouse, or at another location the presiding judge deems fit, provided that the**  
8 **location is specified in the notice of the sale.**

9 2. Such advertisements by posting of notice of sale may include more than one parcel  
10 of real estate, and shall be in substantially the following form:

11 NOTICE OF SHERIFF'S SALE UNDER JUDGMENT OF  
12 FORECLOSURE OF LIENS FOR DELINQUENT LAND TAXES  
13 In the Circuit Court of . . . . ., Missouri.  
14 In the Matter of Foreclosure of Liens  
15 for Delinquent Land Taxes  
16 Collector of Revenue of . . . . ., Missouri,  
17 Plaintiff,  
18 -vs-  
19 No. . . . . Parcels of Land  
20 encumbered with Delinquent Tax Liens,  
21 Defendants.

22 WHEREAS, judgment has been rendered against parcels of real estate for taxes, interest,  
23 penalties, attorney's fees and costs with the serial numbers of each parcel of real estate, the  
24 description thereof, the name of the person appearing in the petition in this suit against whom  
25 the tax bill was listed or charged, and the total amount of the judgment against each such parcel  
26 for taxes, interest, penalties, attorney's fees and costs, all as set out in said judgment and  
27 described in each case, respectively, as follows:

28 (Here set out the respective serial numbers, descriptions, names and total amounts of each  
29 judgment, next above referred to.) and,

30 WHEREAS, such judgment orders such real estate sold by the undersigned sheriff, to  
31 satisfy the total amount of such judgment, including interest, penalties, attorney's fees and costs,

32 NOW, THEREFORE,

33 Public Notice is hereby given that I, . . . . ., Sheriff of . . . . ., Missouri, will sell such real  
34 estate, parcel by parcel, at public auction, to the highest bidder, for cash to be paid immediately  
35 at the end of bidding on each parcel offered at the sheriff's sale. The sheriff's sale shall run  
36 between the hours of nine o'clock a.m. and five o'clock p.m., at the **location of . . . . . [front door**  
37 **of the . . . . . City Courthouse]** in . . . . ., Missouri, on . . . . ., the . . . . . day of . . . . ., 20. . ., and  
38 continuing from day to day thereafter, to satisfy the judgment as to each respective parcel of real  
39 estate sold. If no acceptable bids are received as to any parcel of real estate, said parcel shall be  
40 sold to the Land Reutilization Authority of . . . . ., Missouri.

41 Any bid received shall be subject to confirmation by the Court and upon presentation of  
42 an application for an occupancy permit, within ten days of confirmation, when applicable. No  
43 occupancy permit shall be required for parcels without buildings or structures.

44 . . . . .  
45 Sheriff of . . . . ., Missouri

46 First Publication . . . . ., 20. . .

94.902. 1. The governing bodies of the following cities may impose a tax as provided  
2 in this section:

3 (1) Any city of the third classification with more than twenty-six thousand three hundred  
4 but less than twenty-six thousand seven hundred inhabitants;

5 (2) Any city of the fourth classification with more than thirty thousand three hundred but  
6 fewer than thirty thousand seven hundred inhabitants;

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

9 (4) Any special charter city with more than twenty-nine thousand but fewer than  
10 thirty-two thousand inhabitants;

11 (5) Any city of the third classification with more than four thousand but fewer than four  
12 thousand five hundred inhabitants and located in any county of the first classification with more  
13 than two hundred thousand but fewer than two hundred sixty thousand inhabitants;

14 (6) Any city of the fourth classification with more than nine thousand five hundred but  
15 fewer than ten thousand eight hundred inhabitants; ~~or~~

16 (7) Any city of the fourth classification with more than five hundred eighty but fewer  
17 than six hundred fifty inhabitants; **or**

18           **(8) Any city of the fourth classification with more than two thousand seven**  
19 **hundred but fewer than three thousand inhabitants.**

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

31           3. The ballot of submission for the tax authorized in this section shall be in substantially  
32 the following form:

33           Shall the city of \_\_\_\_\_ (city's name) impose a citywide sales tax at a rate of \_\_\_\_\_  
34 (insert rate of percent) percent for the purpose of improving the public safety of the city?

35            YES            NO

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

38

39 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor  
40 of the proposal, then the ordinance or order and any amendments to the order or ordinance shall  
41 become effective on the first day of the second calendar quarter after the director of revenue  
42 receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal  
43 by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become  
44 effective unless the proposal is resubmitted under this section to the qualified voters and such  
45 proposal is approved by a majority of the qualified voters voting on the proposal. However, in  
46 no event shall a proposal under this section be submitted to the voters sooner than twelve months  
47 from the date of the last proposal under this section.

48           4. Any sales tax imposed under this section shall be administered, collected, enforced,  
49 and operated as required in section 32.087. All sales taxes collected by the director of the  
50 department of revenue under this section on behalf of any city, less one percent for cost of  
51 collection which shall be deposited in the state's general revenue fund after payment of  
52 premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust  
53 fund, which is hereby created in the state treasury, to be known as the "City Public Safety Sales

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

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

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

84 Shall \_\_\_\_\_ (insert the name of the city) repeal the sales tax imposed at a rate of \_\_\_\_\_  
85 (insert rate of percent) percent for the purpose of improving the public safety of the city?

86  YES  NO

87

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

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

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

104 8. Any sales tax imposed under this section by a city described under subdivision (6) of  
105 subsection 1 of this section that is in effect as of December 31, 2038, shall automatically expire.  
106 No city described under subdivision (6) of subsection 1 of this section shall collect a sales tax  
107 pursuant to this section on or after January 1, 2039. Subsection 7 of this section shall not apply  
108 to a sales tax imposed under this section by a city described under subdivision (6) of subsection  
109 1 of this section.

110 **9. The governing body of any city that adopts the sales tax authorized under this**  
111 **section shall submit the question of whether to continue the tax to the voters ten years from**  
112 **the date of its adoption and every ten years thereafter on a date available for elections for**  
113 **the city. However, a tax adopted by a city prior to August 28, 2018, shall not be subject to**  
114 **this subsection until August 28, 2028. The ballot language shall be in substantially the**  
115 **following form:**

116

117 **Shall \_\_\_\_\_ (insert name of city) continue collecting a sales tax imposed at a rate of**  
118 **\_\_\_\_\_ (insert rate) percent for the purpose of improving the public safety of the city?**

119

120  **YES**                       **NO**

121

122 **If a majority of the votes cast on the question by the qualified voters voting thereon are**  
123 **opposed to continuation, the repeal of the tax shall become effective on December thirty-**  
124 **first of the calendar year in which such continuation failed to be approved. If a majority**  
125 **of the votes cast on the question by the qualified voters voting thereon are in favor of**

126 **continuation, the tax shall remain effective until the question is resubmitted under this**  
127 **subsection to the qualified voters and continuation fails to be approved by a majority of**  
128 **the qualified voters voting on the question.**

129 ~~[9-]~~ **10.** Except as modified in this section, all provisions of sections 32.085 and 32.087  
130 shall apply to the tax imposed under this section.

105.030. **1.** Whenever any vacancy, caused in any manner or by any means whatsoever,  
2 occurs or exists in any state or county office originally filled by election of the people, other than  
3 in the offices of lieutenant governor, state senator or representative, sheriff, or recorder of deeds  
4 in ~~[the]~~ **any city** ~~[of St. Louis]~~ **not within a county**, the vacancy shall be filled by appointment  
5 by the governor ~~[except that when a vacancy occurs in the office of county assessor after a~~  
6 ~~general election at which a person other than the incumbent has been elected, the person so~~  
7 ~~elected shall be appointed to fill the remainder of the unexpired term; and]~~ **, unless otherwise**  
8 **provided by law.**

9 **2.** The person appointed after duly qualifying and entering upon the discharge of his **or**  
10 **her** duties under the appointment shall continue in office until the first Monday in January next  
11 following the first ensuing general election, at which general election a person shall be elected  
12 to fill the unexpired portion of the term, or for the ensuing regular term, as the case may be, and  
13 the person so elected shall enter upon the discharge of the duties of the office the first Monday  
14 in January next following his **or her** election~~[-except that when the term to be filled begins on~~  
15 ~~any day other than the first Monday in January, the appointee of the governor shall be entitled~~  
16 ~~to hold the office until such other date].~~

17 **3. (1) Notwithstanding subsection 1 of this section or any other provision of law to**  
18 **the contrary, when any vacancy, caused in any manner or by any means, occurs or exists**  
19 **in any county office, the county commission shall, no later than fourteen days after the**  
20 **occurrence of the vacancy, fill the vacancy by appointment, and the person so appointed**  
21 **by the county commission, after duly qualifying and entering upon the discharge of his or**  
22 **her duties under the appointment, shall continue in office until the governor fills the**  
23 **vacancy by appointment under subsection 1 of this section or until the vacancy is filled by**  
24 **operation of another provision of law.**

25 **(2) In any county with only two county commissioners, if the commissioners cannot**  
26 **agree upon an appointee, the acting presiding commissioner shall fill the vacancy by**  
27 **appointment as required under subdivision (1) of this subsection.**

28 **4. The provisions of this section shall not apply to:**

29 **(1) Vacancies in county offices in any county which has adopted a charter for its own**  
30 **government under Section 18, Article VI of the Constitution; or**

31           **(2) Vacancies in the office of any circuit judge, associate circuit judge, circuit clerk,**  
32 **prosecuting attorney, or circuit attorney.**

33           **5.** Any vacancy in the office of recorder of deeds in ~~[the]~~ **any city** ~~[of St. Louis]~~ **not**  
34 **within a county** shall be filled by appointment by the mayor of that city.

          105.470. As used in section 105.473, unless the context requires otherwise, the following  
2 words and terms mean:

3           (1) "Elected local government official lobbyist", any natural person ~~[employed~~  
4 ~~specifically for the purpose of attempting]~~ **who, as a part of his or her regular employment**  
5 **duties, attempts** to influence any action by:

6           **(a)** A local government official elected in a county, city, town, or village ~~[with an annual~~  
7 ~~operating budget of over ten million dollars]~~ ;

8           **(b) A superintendent or school board member of a school district; or**

9           **(c) A member of the governing body of a charter school;**

10          (2) "Executive lobbyist", any natural person who acts for the purpose of attempting to  
11 influence any action by the executive branch of government or by any elected or appointed  
12 official, employee, department, division, agency or board or commission thereof and in  
13 connection with such activity, meets the requirements of any one or more of the following:

14          **(a)** Is acting in the ordinary course of employment on behalf of or for the benefit of such  
15 person's employer; or

16          **(b)** Is engaged for pay or for any valuable consideration for the purpose of performing  
17 such activity; or

18          **(c)** Is designated to act as a lobbyist by any person, business entity, governmental entity,  
19 religious organization, nonprofit corporation, association or other entity; or

20          **(d)** Makes total expenditures of fifty dollars or more during the twelve-month period  
21 beginning January first and ending December thirty-first for the benefit of one or more public  
22 officials or one or more employees of the executive branch of state government in connection  
23 with such activity.

24

25 An "executive lobbyist" shall not include a member of the general assembly, an elected state  
26 official, or any other person solely due to such person's participation in any of the following  
27 activities:

28          a. Appearing or inquiring in regard to a complaint, citation, summons, adversary  
29 proceeding, or contested case before a state board, commission, department, division or agency  
30 of the executive branch of government or any elected or appointed officer or employee thereof;

- 31           b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any  
32 public document, permit or contract, any application for any permit or license or certificate, or  
33 any document required or requested to be filed with the state or a political subdivision;
- 34           c. Selling of goods or services to be paid for by public funds, provided that such person  
35 is attempting to influence only the person authorized to authorize or enter into a contract to  
36 purchase the goods or services being offered for sale;
- 37           d. Participating in public hearings or public proceedings on rules, grants, or other  
38 matters;
- 39           e. Responding to any request for information made by any public official or employee  
40 of the executive branch of government;
- 41           f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or  
42 television broadcast, or similar news medium, whether print or electronic;
- 43           g. Acting within the scope of employment by the general assembly, or acting within the  
44 scope of employment by the executive branch of government when acting with respect to the  
45 department, division, board, commission, agency or elected state officer by which such person  
46 is employed, or with respect to any duty or authority imposed by law to perform any action in  
47 conjunction with any other public official or state employee; or
- 48           h. Testifying as a witness before a state board, commission or agency of the executive  
49 branch;
- 50           (3) "Expenditure", any payment made or charge, expense, cost, debt or bill incurred; any  
51 gift, honorarium or item of value bestowed including any food or beverage; any price, charge or  
52 fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is  
53 cancelled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible  
54 cost or fair market value from one person to another or provision of any service or granting of  
55 any opportunity for which a charge is customarily made, without charge or for a reduced charge;  
56 except that the term "expenditure" shall not include the following:
- 57           (a) Any item, service or thing of value transferred to any person within the third degree  
58 of consanguinity of the transferor which is unrelated to any activity of the transferor as a  
59 lobbyist;
- 60           (b) Informational material such as books, reports, pamphlets, calendars or periodicals  
61 informing a public official regarding such person's official duties, or souvenirs or mementos  
62 valued at less than ten dollars;
- 63           (c) Contributions to the public official's campaign committee or candidate committee  
64 which are reported pursuant to the provisions of chapter 130;
- 65           (d) Any loan made or other credit accommodations granted or other payments made by  
66 any person or entity which extends credit or makes loan accommodations or such payments in

67 the regular ordinary scope and course of business, provided that such are extended, made or  
68 granted in the ordinary course of such person's or entity's business to persons who are not public  
69 officials;

70 (e) Any item, service or thing of de minimis value offered to the general public, whether  
71 or not the recipient is a public official or a staff member, employee, spouse or dependent child  
72 of a public official, and only if the grant of the item, service or thing of de minimis value is not  
73 motivated in any way by the recipient's status as a public official or staff member, employee,  
74 spouse or dependent child of a public official;

75 (f) The transfer of any item, provision of any service or granting of any opportunity with  
76 a reasonably discernible cost or fair market value when such item, service or opportunity is  
77 necessary for a public official or employee to perform his or her duty in his or her official  
78 capacity, including but not limited to entrance fees to any sporting event, museum, or other  
79 venue when the official or employee is participating in a ceremony, public presentation or  
80 official meeting therein;

81 (g) Any payment, gift, compensation, fee, expenditure or anything of value which is  
82 bestowed upon or given to any public official or a staff member, employee, spouse or dependent  
83 child of a public official when it is compensation for employment or given as an employment  
84 benefit and when such employment is in addition to their employment as a public official;

85 (4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to  
86 influence any purchasing decision by the judicial branch of government or by any elected or  
87 appointed official or any employee thereof and in connection with such activity, meets the  
88 requirements of any one or more of the following:

89 (a) Is acting in the ordinary course of employment which primary purpose is to influence  
90 the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such  
91 person's employer, except that this shall not apply to any person who engages in lobbying on an  
92 occasional basis only and not as a regular pattern of conduct; or

93 (b) Is engaged for pay or for any valuable consideration for the purpose of performing  
94 such activity; or

95 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,  
96 religious organization, nonprofit corporation or association; or

97 (d) Makes total expenditures of fifty dollars or more during the twelve-month period  
98 beginning January first and ending December thirty-first for the benefit of one or more public  
99 officials or one or more employees of the judicial branch of state government in connection with  
100 attempting to influence such purchasing decisions by the judiciary.

101

102 A "judicial lobbyist" shall not include a member of the general assembly, an elected state official,  
103 or any other person solely due to such person's participation in any of the following activities:

104 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary  
105 proceeding, or contested case before a state court;

106 b. Participating in public hearings or public proceedings on rules, grants, or other  
107 matters;

108 c. Responding to any request for information made by any judge or employee of the  
109 judicial branch of government;

110 d. Preparing, distributing or publication of an editorial, a newsletter, newspaper,  
111 magazine, radio or television broadcast, or similar news medium, whether print or electronic; or

112 e. Acting within the scope of employment by the general assembly, or acting within the  
113 scope of employment by the executive branch of government when acting with respect to the  
114 department, division, board, commission, agency or elected state officer by which such person  
115 is employed, or with respect to any duty or authority imposed by law to perform any action in  
116 conjunction with any other public official or state employee;

117 (5) "Legislative lobbyist", any natural person who acts for the purpose of attempting to  
118 influence the taking, passage, amendment, delay or defeat of any official action on any bill,  
119 resolution, amendment, nomination, appointment, report or any other action or any other matter  
120 pending or proposed in a legislative committee in either house of the general assembly, or in any  
121 matter which may be the subject of action by the general assembly and in connection with such  
122 activity, meets the requirements of any one or more of the following:

123 (a) Is acting in the ordinary course of employment, which primary purpose is to influence  
124 legislation on a regular basis, on behalf of or for the benefit of such person's employer, except  
125 that this shall not apply to any person who engages in lobbying on an occasional basis only and  
126 not as a regular pattern of conduct; or

127 (b) Is engaged for pay or for any valuable consideration for the purpose of performing  
128 such activity; or

129 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,  
130 religious organization, nonprofit corporation, association or other entity; or

131 (d) Makes total expenditures of fifty dollars or more during the twelve-month period  
132 beginning January first and ending December thirty-first for the benefit of one or more public  
133 officials or one or more employees of the legislative branch of state government in connection  
134 with such activity.

135

136 A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any  
137 person unless excluded by any of the following exceptions. A "legislative lobbyist" shall not

138 include any member of the general assembly, an elected state official, or any other person solely  
139 due to such person's participation in any of the following activities:

140 a. Responding to any request for information made by any public official or employee  
141 of the legislative branch of government;

142 b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or  
143 television broadcast, or similar news medium, whether print or electronic;

144 c. Acting within the scope of employment of the legislative branch of government when  
145 acting with respect to the general assembly or any member thereof;

146 d. Testifying as a witness before the general assembly or any committee thereof;

147 (6) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist,  
148 elected local government official lobbyist, or a legislative lobbyist;

149 (7) "Lobbyist principal", any person, business entity, governmental entity, religious  
150 organization, nonprofit corporation or association who employs, contracts for pay or otherwise  
151 compensates a lobbyist;

152 (8) "Public official", any member or member-elect of the general assembly, judge or  
153 judicial officer, or any other person holding an elective office of state government or any agency  
154 head, department director or division director of state government or any member of any state  
155 board or commission and any designated decision-making public servant designated by persons  
156 described in this subdivision.

2 ~~[105.473. 1. Each lobbyist shall, not later than January fifth of each year~~  
3 ~~or five days after beginning any activities as a lobbyist, file standardized~~  
4 ~~registration forms, verified by a written declaration that it is made under the~~  
5 ~~penalties of perjury, along with a filing fee of ten dollars, with the commission.~~  
6 ~~The forms shall include the lobbyist's name and business address, the name and~~  
7 ~~address of all persons such lobbyist employs for lobbying purposes, the name and~~  
8 ~~address of each lobbyist principal by whom such lobbyist is employed or in~~  
9 ~~whose interest such lobbyist appears or works. The commission shall maintain~~  
10 ~~files on all lobbyists' filings, which shall be open to the public. Each lobbyist~~  
11 ~~shall file an updating statement under oath within one week of any addition,~~  
12 ~~deletion, or change in the lobbyist's employment or representation. The filing fee~~  
13 ~~shall be deposited to the general revenue fund of the state. The lobbyist principal~~  
14 ~~or a lobbyist employing another person for lobbying purposes may notify the~~  
15 ~~commission that a judicial, executive or legislative lobbyist is no longer~~  
16 ~~authorized to lobby for the principal or the lobbyist and should be removed from~~  
17 ~~the commission's files.~~

18 ~~2. Each person shall, before giving testimony before any committee of~~  
19 ~~the general assembly, give to the secretary of such committee such person's name~~  
20 ~~and address and the identity of any lobbyist or organization, if any, on whose~~  
21 ~~behalf such person appears. A person who is not a lobbyist as defined in section~~  
~~105.470 shall not be required to give such person's address if the committee~~

22 determines that the giving of such address would endanger the person's physical  
23 health.

24 ~~3. (1) During any period of time in which a lobbyist continues to act as~~  
25 ~~an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local~~  
26 ~~government official lobbyist, the lobbyist shall file with the commission on~~  
27 ~~standardized forms prescribed by the commission monthly reports which shall be~~  
28 ~~due at the close of business on the tenth day of the following month;~~

29 ~~(2) Each report filed pursuant to this subsection shall include a statement,~~  
30 ~~verified by a written declaration that it is made under the penalties of perjury,~~  
31 ~~setting forth the following:~~

32 ~~(a) The total of all expenditures by the lobbyist or his or her lobbyist~~  
33 ~~principals made on behalf of all public officials, their staffs and employees, and~~  
34 ~~their spouses and dependent children, which expenditures shall be separated into~~  
35 ~~at least the following categories by the executive branch, judicial branch and~~  
36 ~~legislative branch of government: printing and publication expenses; media and~~  
37 ~~other advertising expenses; travel; the time, venue, and nature of any~~  
38 ~~entertainment; honoraria; meals, food and beverages; and gifts;~~

39 ~~(b) The total of all expenditures by the lobbyist or his or her lobbyist~~  
40 ~~principals made on behalf of all elected local government officials, their staffs~~  
41 ~~and employees, and their spouses and children. Such expenditures shall be~~  
42 ~~separated into at least the following categories: printing and publication~~  
43 ~~expenses; media and other advertising expenses; travel; the time, venue, and~~  
44 ~~nature of any entertainment; honoraria; meals, food and beverages; and gifts;~~

45 ~~(c) An itemized listing of the name of the recipient and the nature and~~  
46 ~~amount of each expenditure by the lobbyist or his or her lobbyist principal,~~  
47 ~~including a service or anything of value, for all expenditures made during any~~  
48 ~~reporting period, paid or provided to or for a public official or elected local~~  
49 ~~government official, such official's staff, employees, spouse or dependent~~  
50 ~~children;~~

51 ~~(d) The total of all expenditures made by a lobbyist or lobbyist principal~~  
52 ~~for occasions and the identity of the group invited, the date, location, and~~  
53 ~~description of the occasion and the amount of the expenditure for each occasion~~  
54 ~~when any of the following are invited in writing:~~

55 ~~a. All members of the senate, which may or may not include senate staff~~  
56 ~~and employees under the direct supervision of a state senator;~~

57 ~~b. All members of the house of representatives, which may or may not~~  
58 ~~include house staff and employees under the direct supervision of a state~~  
59 ~~representative;~~

60 ~~c. All members of a joint committee of the general assembly or a~~  
61 ~~standing committee of either the house of representatives or senate, which may~~  
62 ~~or may not include joint and standing committee staff;~~

- 63 ~~\_\_\_\_\_ d. All members of a caucus of the majority party of the house of~~  
64 ~~representatives, minority party of the house of representatives, majority party of~~  
65 ~~the senate, or minority party of the senate;~~
- 66 ~~\_\_\_\_\_ e. All statewide officials, which may or may not include the staff and~~  
67 ~~employees under the direct supervision of the statewide official;~~
- 68 ~~\_\_\_\_\_ (e) Any expenditure made on behalf of a public official, an elected local~~  
69 ~~government official or such official's staff, employees, spouse or dependent~~  
70 ~~children, if such expenditure is solicited by such official, the official's staff,~~  
71 ~~employees, or spouse or dependent children, from the lobbyist or his or her~~  
72 ~~lobbyist principals and the name of such person or persons, except any~~  
73 ~~expenditures made to any not-for-profit corporation, charitable, fraternal or civic~~  
74 ~~organization or other association formed to provide for good in the order of~~  
75 ~~benevolence and except for any expenditure reported under paragraph (d) of this~~  
76 ~~subdivision;~~
- 77 ~~\_\_\_\_\_ (f) A statement detailing any direct business relationship or association~~  
78 ~~or partnership the lobbyist has with any public official or elected local~~  
79 ~~government official. The reports required by this subdivision shall cover the time~~  
80 ~~periods since the filing of the last report or since the lobbyist's employment or~~  
81 ~~representation began, whichever is most recent.~~
- 82 ~~\_\_\_\_\_ 4. No expenditure reported pursuant to this section shall include any~~  
83 ~~amount expended by a lobbyist or lobbyist principal on himself or herself. All~~  
84 ~~expenditures disclosed pursuant to this section shall be valued on the report at the~~  
85 ~~actual amount of the payment made, or the charge, expense, cost, or obligation,~~  
86 ~~debt or bill incurred by the lobbyist or the person the lobbyist represents.~~  
87 ~~Whenever a lobbyist principal employs more than one lobbyist, expenditures of~~  
88 ~~the lobbyist principal shall not be reported by each lobbyist, but shall be reported~~  
89 ~~by one of such lobbyists. No expenditure shall be made on behalf of a state~~  
90 ~~senator or state representative, or such public official's staff, employees, spouse,~~  
91 ~~or dependent children for travel or lodging outside the state of Missouri unless~~  
92 ~~such travel or lodging was approved prior to the date of the expenditure by the~~  
93 ~~administration and accounts committee of the house or the administration~~  
94 ~~committee of the senate.~~
- 95 ~~\_\_\_\_\_ 5. Any lobbyist principal shall provide in a timely fashion whatever~~  
96 ~~information is reasonably requested by the lobbyist principal's lobbyist for use in~~  
97 ~~filing the reports required by this section.~~
- 98 ~~\_\_\_\_\_ 6. All information required to be filed pursuant to the provisions of this~~  
99 ~~section with the commission shall be kept available by the executive director of~~  
100 ~~the commission at all times open to the public for inspection and copying for a~~  
101 ~~reasonable fee for a period of five years from the date when such information was~~  
102 ~~filed.~~
- 103 ~~\_\_\_\_\_ 7. No person shall knowingly employ any person who is required to~~  
104 ~~register as a registered lobbyist but is not registered pursuant to this section. Any~~  
105 ~~person who knowingly violates this subsection shall be subject to a civil penalty~~

106 in an amount of not more than ten thousand dollars for each violation. Such civil  
107 penalties shall be collected by action filed by the commission.

108 ~~8. Any lobbyist found to knowingly omit, conceal, or falsify in any~~  
109 ~~manner information required pursuant to this section shall be guilty of a class A~~  
110 ~~misdemeanor.~~

111 ~~9. The prosecuting attorney of Cole County shall be reimbursed only out~~  
112 ~~of funds specifically appropriated by the general assembly for investigations and~~  
113 ~~prosecutions for violations of this section.~~

114 ~~10. Any public official or other person whose name appears in any~~  
115 ~~lobbyist report filed pursuant to this section who contests the accuracy of the~~  
116 ~~portion of the report applicable to such person may petition the commission for~~  
117 ~~an audit of such report and shall state in writing in such petition the specific~~  
118 ~~disagreement with the contents of such report. The commission shall investigate~~  
119 ~~such allegations in the manner described in section 105.959. If the commission~~  
120 ~~determines that the contents of such report are incorrect, incomplete or erroneous,~~  
121 ~~it shall enter an order requiring filing of an amended or corrected report.~~

122 ~~11. The commission shall provide a report listing the total spent by a~~  
123 ~~lobbyist for the month and year to any member or member-elect of the general~~  
124 ~~assembly, judge or judicial officer, or any other person holding an elective office~~  
125 ~~of state government or any elected local government official on or before the~~  
126 ~~twentieth day of each month. For the purpose of providing accurate information~~  
127 ~~to the public, the commission shall not publish information in either written or~~  
128 ~~electronic form for ten working days after providing the report pursuant to this~~  
129 ~~subsection. The commission shall not release any portion of the lobbyist report~~  
130 ~~if the accuracy of the report has been questioned pursuant to subsection 10 of this~~  
131 ~~section unless it is conspicuously marked "Under Review".~~

132 ~~12. Each lobbyist or lobbyist principal by whom the lobbyist was~~  
133 ~~employed, or in whose behalf the lobbyist acted, shall provide a general~~  
134 ~~description of the proposed legislation or action by the executive branch or~~  
135 ~~judicial branch which the lobbyist or lobbyist principal supported or opposed.~~  
136 ~~This information shall be supplied to the commission on March fifteenth and~~  
137 ~~May thirtieth of each year.~~

138 ~~13. The provisions of this section shall supersede any contradicting~~  
139 ~~ordinances or charter provisions.]~~

105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days  
2 after beginning any activities as a lobbyist, file standardized registration forms, verified by a  
3 written declaration that it is made under the penalties of perjury, along with a filing fee of ten  
4 dollars, with the commission. The forms shall include the lobbyist's name and business  
5 address[;] ; the name and address of all persons such lobbyist employs for lobbying purposes[;]  
6 ; the name and address of each lobbyist principal by whom such lobbyist is employed or in  
7 whose interest such lobbyist appears or works; **and, for elected local government official**  
8 **lobbyists, the local government entity to be lobbied.** The commission shall maintain files on

9 all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating  
10 statement under oath within one week of any addition, deletion, or change in the lobbyist's  
11 employment or representation. The filing fee shall be deposited to the general revenue fund of  
12 the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes  
13 may notify the commission that a judicial, executive or legislative lobbyist is no longer  
14 authorized to lobby for the principal or the lobbyist and should be removed from the  
15 commission's files.

16 2. Each person shall, before giving testimony before any committee of the general  
17 assembly, give to the secretary of such committee such person's name and address and the  
18 identity of any lobbyist or organization, if any, on whose behalf such person appears. A person  
19 who is not a lobbyist as defined in section 105.470 shall not be required to give such person's  
20 address if the committee determines that the giving of such address would endanger the person's  
21 physical health.

22 3. (1) During any period of time in which a lobbyist continues to act as an executive  
23 lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the  
24 lobbyist shall file with the commission on standardized forms prescribed by the commission  
25 monthly reports which shall be due at the close of business on the tenth day of the following  
26 month;

27 (2) Each report filed pursuant to this subsection shall include a statement, verified by a  
28 written declaration that it is made under the penalties of perjury, setting forth the following:

29 (a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on  
30 behalf of all public officials, their staffs and employees, and their spouses and dependent  
31 children, which expenditures shall be separated into at least the following categories by the  
32 executive branch, judicial branch and legislative branch of government: printing and publication  
33 expenses; media and other advertising expenses; travel; the time, venue, and nature of any  
34 entertainment; honoraria; meals, food and beverages; and gifts;

35 (b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on  
36 behalf of all elected local government officials, their staffs and employees, and their spouses and  
37 children. Such expenditures shall be separated into at least the following categories: printing  
38 and publication expenses; media and other advertising expenses; travel; the time, venue, and  
39 nature of any entertainment; honoraria; meals; food and beverages; and gifts;

40 (c) An itemized listing of the name of the recipient and the nature and amount of each  
41 expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of  
42 value, for all expenditures made during any reporting period, paid or provided to or for a public  
43 official or elected local government official, such official's staff, employees, spouse or dependent  
44 children;

45 (d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions  
46 and the identity of the group invited, the date and description of the occasion and the amount of  
47 the expenditure for each occasion when any of the following are invited in writing:

48 a. All members of the senate;

49 b. All members of the house of representatives;

50 c. All members of a joint committee of the general assembly or a standing committee of  
51 either the house of representatives or senate; or

52 d. All members of a caucus of the majority party of the house of representatives, minority  
53 party of the house of representatives, majority party of the senate, or minority party of the senate;

54 (e) Any expenditure made on behalf of a public official, an elected local government  
55 official or such official's staff, employees, spouse or dependent children, if such expenditure is  
56 solicited by such official, the official's staff, employees, or spouse or dependent children, from  
57 the lobbyist or his or her lobbyist principals and the name of such person or persons, except any  
58 expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization  
59 or other association formed to provide for good in the order of benevolence;

60 (f) A statement detailing any direct business relationship or association or partnership  
61 the lobbyist has with any public official or elected local government official. The reports  
62 required by this subdivision shall cover the time periods since the filing of the last report or since  
63 the lobbyist's employment or representation began, whichever is most recent.

64 4. No expenditure reported pursuant to this section shall include any amount expended  
65 by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to  
66 this section shall be valued on the report at the actual amount of the payment made, or the  
67 charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the  
68 lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures  
69 of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of  
70 such lobbyists. No expenditure shall be made on behalf of a state senator or state representative,  
71 or such public official's staff, employees, spouse, or dependent children for travel or lodging  
72 outside the state of Missouri unless such travel or lodging was approved prior to the date of the  
73 expenditure by the administration and accounts committee of the house or the administration  
74 committee of the senate.

75 5. Any lobbyist principal shall provide in a timely fashion whatever information is  
76 reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by  
77 this section.

78 6. All information required to be filed pursuant to the provisions of this section with the  
79 commission shall be kept available by the executive director of the commission at all times open

80 to the public for inspection and copying for a reasonable fee for a period of five years from the  
81 date when such information was filed.

82 7. No person shall knowingly employ any person who is required to register as a  
83 registered lobbyist but is not registered pursuant to this section. Any person who knowingly  
84 violates this subsection shall be subject to a civil penalty in an amount of not more than ten  
85 thousand dollars for each violation. Such civil penalties shall be collected by action filed by the  
86 commission.

87 8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information  
88 required pursuant to this section.

89 9. The prosecuting attorney of Cole County shall be reimbursed only out of funds  
90 specifically appropriated by the general assembly for investigations and prosecutions for  
91 violations of this section.

92 10. Any public official or other person whose name appears in any lobbyist report filed  
93 pursuant to this section who contests the accuracy of the portion of the report applicable to such  
94 person may petition the commission for an audit of such report and shall state in writing in such  
95 petition the specific disagreement with the contents of such report. The commission shall  
96 investigate such allegations in the manner described in section 105.959. If the commission  
97 determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter  
98 an order requiring filing of an amended or corrected report.

99 11. The commission shall provide a report listing the total spent by a lobbyist for the  
100 month and year to any member or member-elect of the general assembly, judge or judicial  
101 officer, or any other person holding an elective office of state government or any elected local  
102 government official on or before the twentieth day of each month. For the purpose of providing  
103 accurate information to the public, the commission shall not publish information in either written  
104 or electronic form for ten working days after providing the report pursuant to this subsection.  
105 The commission shall not release any portion of the lobbyist report if the accuracy of the report  
106 has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked  
107 "Under Review".

108 12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose  
109 behalf the lobbyist acted, shall provide a general description of the proposed legislation or action  
110 by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or  
111 opposed. This information shall be supplied to the commission on March fifteenth and May  
112 thirtieth of each year.

113 13. The provisions of this section shall supersede any contradicting ordinances or charter  
114 provisions.

108.120. 1. The county commissions of the counties of this state are hereby authorized  
2 to issue bonds for and on behalf of their respective counties for the construction, reconstruction,  
3 improvement, maintenance and repair of any and all public roads, highways, bridges and culverts  
4 within such county, including the payment of any cost, judgment and expense for property, or  
5 rights in property, acquired by purchase or eminent domain, as may be provided by law, in such  
6 amount and such manner as may be provided by the general law authorizing the issuance of  
7 bonds by counties.

8 2. The proceeds of all bonds issued under the provisions of this section shall be paid into  
9 the county treasury where they shall be kept as a separate fund to be known as "The Road Bond  
10 Construction Fund" and such proceeds shall be used only for the purpose mentioned herein.  
11 Such funds may be used in the construction, reconstruction, improvement, maintenance and  
12 repair of any street, avenue, road or alley in any incorporated city, town, or village [~~if such street,  
13 avenue, road or alley or any part thereof shall form a part of a continuous road, highway, bridge  
14 or culvert of]~~ in said county [~~leading into or through such city, town or village~~].

137.225. 1. In all counties, except the city of St. Louis, the assessor shall be provided  
2 with two books, one to be called the "real estate book", and the other to be called the "personal  
3 assessment book".

4 2. The real estate book shall contain all lands subject to assessment. It shall be in tabular  
5 form, with suitable captions and separate columns. The first column shall contain the name of  
6 the owner, if known; if not, the name of the party who paid the last tax; if no tax has ever been  
7 paid, then the name of the original patentee, grantee or purchaser from the federal government,  
8 the state or county, as the case may be, opposite thereto; the second column shall contain the  
9 residence of the owner **or, upon written consent of the owner filed with the assessor, an**  
10 **alternate address for the purpose of mailing ad valorem property tax statements to**  
11 **someone other than an owner, family trust, or mortgage holder receiving escrow payments;**  
12 the third column shall contain an accurate description of the land by the smallest legal  
13 subdivisions, or by smaller parts, lots or parcels, when sections and the subdivisions thereof are  
14 subdivided into parts, lots or parcels; the fourth column shall contain the actual cash valuation.  
15 When any person shall be the owner or original purchaser of a section, quarter section or half  
16 quarter section, block, half block or quarter block, the same shall be assessed as one tract. The  
17 assessor shall arrange, collect and list all lands owned by one person in the county, under his  
18 name and on the same page, if there be room to contain it, and if not on the next and following  
19 leaf, with proper indications of such continuance, whether they be lots and blocks in a city, or  
20 sections or parts of sections in the country, the lowest numbered range, township and section,  
21 block, lot or survey always being placed first in such list, and so on in numerical order until said  
22 list for each property owner is completed. The assessor shall consolidate all lands owned by one

23 person in a square or block into one tract, lot or call, and for any violation of this section, in  
24 unnecessarily dividing the same into more tracts than one or more lots than one, the county  
25 commission shall deduct from his account for making the county assessment, ten cents for each  
26 lot or tract not so consolidated. At the close of each owner's list, the assessor shall place all the  
27 lands that appear to belong to the owner, which cannot be properly described by numerical order,  
28 as contemplated in this section, which shall be otherwise properly described, indicating the  
29 quantity and location thereof.

30 3. The personal assessment book shall contain a list of the names of all persons liable  
31 to assessment, alphabetically arranged with proper priority of vowels. The assessor shall set  
32 opposite their names the tangible personal property respectively owned by them. It shall be in  
33 tabular form, with suitable captions and proper columns; the first column shall contain the names  
34 of the persons assessed; the second column shall contain the residence, if in the city, the ward,  
35 addition and block, or, if outside an incorporated city or town, the township in the county; the  
36 third column shall contain the occupation of the party assessed; the fourth column shall contain  
37 each kind of property assessed; the fifth column shall contain the assessed value thereof; the  
38 sixth column shall contain the amount chargeable to each person, and there may be such other  
39 columns as are useful and convenient in practice.

40 4. Nothing in this section shall be construed to prohibit separate real estate and personal  
41 assessment books in all incorporated cities where they are necessary.

137.555. In addition to other levies authorized by law, the county commission in  
2 counties not adopting an alternative form of government and the proper administrative body in  
3 counties adopting an alternative form of government, in their discretion may levy an additional  
4 tax, not exceeding thirty-five cents on each one hundred dollars assessed valuation, all of such  
5 tax to be collected and turned into the county treasury, where it shall be known and designated  
6 as "The Special Road and Bridge Fund" to be used for road and bridge purposes and for no other  
7 purpose whatever; except that the term "road and bridge purposes" may include certain storm  
8 water control projects off rights of way that are directly related to the construction of roads and  
9 bridges, in any county of the first classification without a charter form of government with a  
10 population of at least ninety thousand inhabitants but not more than one hundred thousand  
11 inhabitants, in any county of the first classification without a charter form of government with  
12 a population of at least two hundred thousand inhabitants, in any county of the first classification  
13 without a charter form of government and bordered by one county of the first classification and  
14 one county of the second classification or in any county of the first classification with a charter  
15 form of government and containing part of a city with a population of three hundred thousand  
16 or more inhabitants; provided, however, that all that part or portion of such tax which shall arise  
17 from and be collected and paid upon any property lying and being within any special road district

18 shall be paid into the county treasury and four-fifths of such part or portion of such tax so arising  
19 from and collected and paid upon any property lying and being within any such special road  
20 district shall be placed to the credit of such special road district from which it arose and shall be  
21 paid out to such special road district upon warrants of the county commission, in favor of the  
22 commissioners or treasurer of the district as the case may be; provided further, that the part of  
23 such special road and bridge tax arising from and paid upon property not situated in any special  
24 road district and the one-fifth part retained in the county treasury may, in the discretion of the  
25 county commission, be used in improving or repairing any street in any incorporated city or  
26 village in the county [~~if such street shall form a part of a continuous highway of such county~~  
27 ~~leading through such city or village~~].

137.556. 1. Notwithstanding the provisions of section 137.555, any county of the second  
2 class which now has or may hereafter have more than one hundred thousand inhabitants, and any  
3 county of the first class not having a charter form of government, shall expend not less than  
4 twenty-five percent of the moneys accruing to it from the county's special road and bridge tax  
5 levied upon property situated within the limits of any city, town or village within the county for  
6 the repair and improvement of existing roads, streets and bridges within the city, town or village  
7 from which such moneys accrued, except that any county of the [~~second~~] **first** classification with  
8 more than sixty-five thousand but fewer than seventy-five thousand inhabitants **and with a**  
9 **county seat with more than fifteen thousand but fewer than seventeen thousand**  
10 **inhabitants** shall not be required to expend such moneys as prescribed in this section.

11 2. The city council or other governing body of the city, town or village shall designate  
12 the roads, streets and bridges to be repaired and improved and shall specify the kinds and types  
13 of materials to be used.

14 3. The county commission may make and supervise the improvements or the city, town  
15 or village, with the consent and approval of the county commission, may provide for the repairs  
16 and improvement by private contract and, in either case, the county commission shall pay the  
17 costs thereof out of any funds available under the provisions of this section.

162.720. 1. Where a sufficient number of children are determined to be gifted and their  
2 development requires programs or services beyond the level of those ordinarily provided in  
3 regular public school programs, districts may establish special programs for such gifted children.

4 2. The state board of education shall determine standards for such programs. Approval  
5 of such programs shall be made by the state department of elementary and secondary education  
6 based upon project applications submitted by July fifteenth of each year.

7 3. No district shall make a determination as to whether a child is gifted based on the  
8 child's participation in an advanced placement course or international baccalaureate course.

9 Districts shall determine a child is gifted only if the child meets the definition of gifted children  
10 as provided in section 162.675.

11 **4. Any district with a gifted education program approved under subsection 2 of this**  
12 **section shall have a policy, approved by the board of education of the district, that**  
13 **establishes a process that outlines the procedures and conditions under which parents or**  
14 **guardians may request a review of the decision that determined that their child did not**  
15 **qualify to receive services through the district's gifted education program.**

16 **5. School districts and school district employees shall be immune from liability for**  
17 **any and all acts or omissions relating to the decision that a child did not qualify to receive**  
18 **services through the district's gifted education program.**

**162.722. 1. Each school district shall establish a policy, approved by the board of**  
2 **education of the district, that allows acceleration for students who demonstrate:**

- 3 **(1) Advanced performance or potential for advanced performance; and**
- 4 **(2) The social and emotional readiness for acceleration.**

5 **2. The policy shall allow, for students described in this section, at least the following**  
6 **types of acceleration:**

- 7 **(1) Subject acceleration; and**
- 8 **(2) Whole grade acceleration.**

227.600. 1. Sections 227.600 to 227.669 shall be known and may be cited as the  
2 "Missouri Public-Private Partnerships Transportation Act".

3 2. As used in sections 227.600 to 227.669, unless the context clearly requires otherwise,  
4 the following terms mean:

- 5 (1) "Commission", the Missouri highways and transportation commission;
- 6 (2) "Comprehensive agreement", the final binding written comprehensive project  
7 agreement between a private partner and the commission required in section 227.621 to finance,  
8 develop, and/or operate the project;
- 9 (3) "Department", the Missouri department of transportation;
- 10 (4) "Develop" or "development", to plan, locate, relocate, establish, acquire, lease,  
11 design, or construct;
- 12 (5) "Finance", to fund the costs, expenses, liabilities, fees, profits, and all other charges  
13 incurred to finance, develop, and/or operate the project;
- 14 (6) "Interim agreement", a preliminary binding written agreement between a private  
15 partner and the commission that provides for completion of studies and any other activities to  
16 advance the financing, development, and/or operation of the project required by section 227.618;

17 (7) "Material default", any uncured default by a private partner in the performance of its  
18 duties that jeopardizes adequate service to the public from the project as determined by the  
19 commission;

20 (8) "Operate" or "operation", to improve, maintain, equip, modify, repair, administer, or  
21 collect user fees;

22 (9) "Private partner", any natural person, corporation, partnership, limited liability  
23 company, joint venture, business trust, nonprofit entity, other business entity, or any combination  
24 thereof;

25 (10) "Project", exclusively includes any pipeline, ferry, port facility, water facility, water  
26 way, water supply facility or pipeline, **stormwater facility or system**, wastewater **system** or  
27 ~~[wastewater]~~ treatment facility, public building, airport, railroad, light rail, vehicle parking  
28 facility, mass transit facility, or other similar facility currently available or to be made available  
29 to a government entity for public use, including any structure, parking area, appurtenance and  
30 other property required to operate the structure or facility to be financed, developed, and/or  
31 operated under agreement between the commission and a private partner. The commission or  
32 private partner shall not have the authority to collect user fees in connection with the project  
33 from motor carriers as defined in section 227.630. Project shall not include any highway,  
34 interstate or bridge construction, or any rest area, rest stop, or truck parking facility connected  
35 to an interstate or other highway under the authority of the commission. Any project not  
36 specifically included in this subdivision shall not be financed, developed, or operated by a private  
37 partner until such project is approved by a vote of the people;

38 (11) "Public use", a finding by the commission that the project to be financed, developed,  
39 and/or operated by a private partner under sections 227.600 to 227.669 will improve or is needed  
40 as a necessary addition to the state transportation system;

41 (12) "Revenues", include but are not limited to the following which arise out of or in  
42 connection with the financing, development, and/or operation of the project:

43 (a) Income;

44 (b) Earnings;

45 (c) Proceeds;

46 (d) User fees;

47 (e) Lease payments;

48 (f) Allocations;

49 (g) Federal, state, and local moneys; or

50 (h) Private sector moneys, grants, bond proceeds, and/or equity investments;

51 (13) "State", the state of Missouri;

52 (14) "State highway system", the state system of highways and bridges planned, located,  
53 relocated, established, acquired, constructed, and maintained by the commission under Section  
54 30(b), Article IV, Constitution of Missouri;

55 (15) "State transportation system", the state system of nonhighway transportation  
56 programs, including but not limited to aviation, transit and mass transportation, railroads, ports,  
57 waterborne commerce, freight and intermodal connections;

58 (16) "User fees", tolls, fees, or other charges authorized to be imposed by the  
59 commission and collected by the private partner for the use of all or a portion of a project under  
60 a comprehensive agreement.

**227.601. 1. Notwithstanding any provision of sections 227.600 to 227.669 to the  
2 contrary, the process and approval for concession agreements to build, maintain, operate,  
3 or finance projects owned by a political subdivision shall be approved by the governing  
4 body of such political subdivision and shall not be subject to approval by the commission.  
5 Notwithstanding the provisions of subsection 5 of this section, the sale or conveyance of any  
6 project owned by a political subdivision shall be subject to voter approval if required by  
7 law.**

8 **2. As used in this section, the term "concession agreement" shall mean a license or  
9 lease between a private partner and a political subdivision for the development, finance,  
10 operation, or maintenance of a project, as such term is defined in section 227.600.**

11 **3. Notwithstanding any provision of law to the contrary, political subdivisions may  
12 enter into concession agreements provided that:**

13 **(1) The term of the concession agreement shall be for a term not exceeding thirty  
14 years;**

15 **(2) The political subdivision shall retain oversight of operations of any such project;**

16 **(3) The political subdivision shall retain oversight of rate setting methodology;**

17 **(4) The concession agreement is supported by a preliminary engineering and  
18 financial feasibility study including an estimate of the costs of the project and the rate  
19 impact on customers during the life of the agreement; and**

20 **(5) The political subdivision shall have the right to terminate the agreement if the  
21 private partner does not comply with the concession agreement.**

22 **4. The commission shall not be required to oversee, or issue an annual report under  
23 section 227.669 for, projects approved by political subdivisions, provided that any political  
24 subdivision entering into a concession agreement shall use a public-private partnership  
25 framework that shall include a competitive bidding process.**

26           **5. Except as provided in subsection 1 of this section, the provisions of sections**  
27 **71.530, 71.550, 78.190, 78.630, 81.190, 88.251, 88.633, 88.770, 88.773, 91.550, and 91.600**  
28 **shall not apply to concession agreements that are approved as provided in this section.**

263.245. 1. **Subject to voter approval under section 263.247**, all owners of land in:

2           **(1)** Any county with a township form of government, located north of the Missouri River  
3 and having no portion of the county located east of U.S. Highway 63 ~~and located in~~ ;

4           **(2)** Any county of the third classification without a township form of government and  
5 with more than four thousand one hundred but fewer than four thousand two hundred  
6 inhabitants~~;~~ ; or ~~in~~

7           **(3)** Any county of the third classification without a township form of government and  
8 with more than two thousand three hundred but fewer than two thousand four hundred  
9 inhabitants

10

11 shall control all brush growing on such owner's property that is designated as the county  
12 right-of-way or county maintenance easement part of such owner's property and which is  
13 adjacent to any county road. Such brush shall be cut, burned, or otherwise destroyed as often as  
14 necessary in order to keep such lands accessible for purposes of maintenance and safety of the  
15 county road **and to prevent brush from interfering with any vehicle that may travel the**  
16 **road.**

17           2. The county commission, either upon its own motion or upon receipt of a written notice  
18 requesting the action from any residents of the county in which the county road bordering the  
19 lands in question is located or upon written request of any person regularly using the county road,  
20 may control such brush so as to allow easy access to the land described in subsection 1 of this  
21 section, and for that purpose the county commission, or its agents, servants, or employees shall  
22 have authority to enter on such lands without being liable to an action of trespass therefor, and  
23 shall keep an accurate account of the expenses incurred in eradicating the brush, and shall verify  
24 such statement under seal of the county commission, and transmit the same to the officer whose  
25 duty it is or may be to extend state and county taxes on tax books or bills against real estate.  
26 Such officer shall extend the aggregate expenses so charged against each tract of land as a special  
27 tax, which shall then become ~~[a lien on such lands,]~~ **due on such landowner's real and**  
28 **personal property tax assessment** and be collected as state and county taxes are collected by  
29 law and paid to the county commission and credited to the county control fund.

30           3. Before proceeding to control brush as provided in this section, the county commission  
31 of the county in which the land is located shall notify the owner of the land of the requirements  
32 of this law ~~[by certified mail, return receipt requested, from a list]~~ **in writing using any mail**  
33 **service with delivery tracking and an address** supplied by the officer who prepares the tax

34 list[;] and shall allow the owner of the land thirty days from [~~acknowledgment date of return~~  
35 ~~receipt, or~~ **the date of [refusal of acceptance of]** delivery [~~as the case may be,~~] to eradicate all  
36 such brush growing on land designated as the county right-of-way or county maintenance  
37 easement part of such owner's land and which is adjacent to the county road. In the event that  
38 the property owner cannot be located by [~~certified~~] mail, notice shall be placed in a newspaper  
39 of general circulation in the county in which the land is located at least thirty days before the  
40 county commission removes the brush pursuant to subsection 2 of this section. Such property  
41 owner shall be granted an automatic thirty-day extension due to hardship by notifying the county  
42 commission that such owner cannot comply with the requirements of this section, due to  
43 hardship, within the first thirty-day period. The property owner may be granted a second  
44 extension by a majority vote of the county commission. There shall be no further extensions. For  
45 the purposes of this subsection, "hardship" may be financial, physical or any other condition that  
46 the county commission deems to be a valid reason to allow an extension of time to comply with  
47 the requirements of this section.

48         4. County commissions shall not withhold rock, which is provided from funds from the  
49 county aid road trust fund, for maintaining county roads due to the abutting property owner's  
50 refusal to remove brush located on land designated as the county right-of-way or county  
51 maintenance easement part of such owner's land. County commissions shall use such rock on  
52 the county roads, even though the brush is not removed, or county commissions may resort to  
53 the procedures in this section to remove the brush.

54         **5. The county right-of-way or county maintenance easement shall extend fifteen feet**  
55 **from the center of the county road or the distance set forth in the original conveyance,**  
56 **whichever is greater. For purposes of this subsection, the "center of the county road" shall**  
57 **be the point equidistant from both edges of the drivable ground of the road in its current**  
58 **condition.**

59         **6. In the event a county is required to obtain a land survey to enforce this section,**  
60 **the costs of such survey shall be divided equally between the county and the landowner.**

304.060. 1. The state board of education shall adopt and enforce regulations not  
2 inconsistent with law to cover the design and operation of all school buses used for the  
3 transportation of school children when owned and operated by any school district or privately  
4 owned and operated under contract with any school district in this state, and such regulations  
5 shall by reference be made a part of any such contract with a school district. The state board of  
6 education may adopt rules and regulations governing the use of other vehicles owned by a district  
7 or operated under contract with any school district in this state and used for the purpose of  
8 transporting school children. The operator of such vehicle shall be licensed in accordance with  
9 section 302.272, and such vehicle shall transport no more children than the manufacturer

10 suggests as appropriate for such vehicle. The state board of education may also adopt rules and  
 11 regulations governing the use of authorized common carriers for the transportation of students  
 12 on field trips or other special trips for educational purposes. Every school district, its officers  
 13 and employees, and every person employed under contract by a school district shall be subject  
 14 to such regulations. The state board of education shall cooperate with the state transportation  
 15 department and the state highway patrol in placing suitable warning signs at intervals on the  
 16 highways of the state.

17 **2. Notwithstanding the provisions of subsection 1 of this section, any school board**  
 18 **in the state of Missouri in an urban district containing the greater part of the population**  
 19 **of a city that has more than three hundred thousand inhabitants may contract with any**  
 20 **municipality, bi-state agency, or other governmental entity for the purpose of transporting**  
 21 **school children attending a grade or grades not lower than the ninth nor higher than the**  
 22 **twelfth grade, provided that such contract shall be for additional transportation services**  
 23 **and shall not replace or fulfill any of the school district's obligations pursuant to section**  
 24 **167.231. The school district may notify students of the option to use district-contracted**  
 25 **transportation services.**

26 **3.** Any officer or employee of any school district who violates any of the regulations or  
 27 fails to include obligation to comply with such regulations in any contract executed by him on  
 28 behalf of a school district shall be guilty of misconduct and subject to removal from office or  
 29 employment. Any person operating a school bus under contract with a school district who fails  
 30 to comply with any such regulations shall be guilty of breach of contract and such contract shall  
 31 be cancelled after notice and hearing by the responsible officers of such school district.

32 ~~[3-]~~ **4.** Any other provision of the law to the contrary notwithstanding, in any county of  
 33 the first class with a charter form of government adjoining a city not within a county, school  
 34 buses may bear the word "special".

321.246. 1. The governing body of any fire protection district ~~[which]~~ **that** operates  
 2 within:

3 **(1) Both:**

4 **(a)** A county of the first classification with a charter form of government and with a  
 5 population greater than six hundred thousand but less than nine hundred thousand; and

6 **(b)** A county of the fourth classification with a population greater than thirty thousand  
 7 but less than thirty-five thousand and that adjoins a county of the first classification with a  
 8 charter form of government~~[- the governing body of any fire protection district which contains~~  
 9 ~~a city of the fourth classification having a population greater than two thousand four hundred~~  
 10 ~~when the city is located in] ;~~

11           (2) A county of the first classification [~~without a charter form of government having a~~  
 12 ~~population greater~~] **with more** than [~~one~~] **two** hundred [~~fifty~~] thousand [~~and the county contains~~  
 13 ~~a portion of a city with a population greater than three hundred fifty thousand,~~] **but fewer than**  
 14 **two hundred sixty thousand inhabitants;** or [~~the governing body of any fire protection district~~  
 15 ~~that operates in]~~

16           (3) A county of the third classification with a population greater than fourteen thousand  
 17 but less than fifteen thousand

18

19 may impose a sales tax in an amount of up to one-half of one percent on all retail sales made in  
 20 such fire protection district which are subject to taxation pursuant to the provisions of sections  
 21 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other  
 22 sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this  
 23 section shall be effective unless the governing body of the fire protection district submits to the  
 24 voters of the fire protection district, at a county or state general, primary or special election, a  
 25 proposal to authorize the governing body of the fire protection district to impose a tax.

26           2. The ballot of submission shall contain, but need not be limited to, the following  
 27 language:

28           Shall the fire protection district of \_\_\_\_\_ (district's name) impose a district-wide sales  
 29 tax of \_\_\_\_\_ for the purpose of providing revenues for the operation of the fire protection  
 30 district?

31            YES            NO

32

33 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor  
 34 of the proposal, then the sales tax authorized in this section shall be in effect. If a majority of  
 35 the votes cast by the qualified voters voting are opposed to the proposal, then the governing body  
 36 of the fire protection district shall not impose the sales tax authorized in this section unless and  
 37 until the governing body of the fire protection district resubmits a proposal to authorize the  
 38 governing body of the fire protection district to impose the sales tax authorized by this section  
 39 and such proposal is approved by a majority of the qualified voters voting thereon.

40           3. All revenue received by a fire protection district from the tax authorized pursuant to  
 41 the provisions of this section shall be deposited in a special trust fund and shall be used solely  
 42 for the operation of the fire protection district.

43           4. All sales taxes collected by the director of revenue pursuant to this section on behalf  
 44 of any fire protection district, less one percent for cost of collection which shall be deposited in  
 45 the state's general revenue fund after payment of premiums for surety bonds as provided in  
 46 section 32.087, shall be deposited in the fire protection district sales tax trust fund established

47 pursuant to section 321.242. The moneys in the fire protection district sales tax trust fund shall  
48 not be deemed to be state funds and shall not be commingled with any funds of the state. The  
49 director of revenue shall keep accurate records of the amount of money in the trust and which  
50 was collected in each fire protection district imposing a sales tax pursuant to this section, and the  
51 records shall be open to the inspection of officers of the fire protection district and the public.  
52 Not later than the tenth day of each month, the director of revenue shall distribute all moneys  
53 deposited in the trust fund during the preceding month to the fire protection district which levied  
54 the tax. Such funds shall be deposited with the treasurer of each such fire protection district, and  
55 all expenditures of funds arising from the fire protection district sales tax trust fund shall be for  
56 the operation of the fire protection district and for no other purpose.

57         5. The director of revenue may make refunds from the amounts in the trust fund and  
58 credited to any fire protection district for erroneous payments and overpayments made and may  
59 redeem dishonored checks and drafts deposited to the credit of such fire protection districts. If  
60 any fire protection district abolishes the tax, the fire protection district shall notify the director  
61 of revenue of the action at least ninety days prior to the effective date of the repeal and the  
62 director of revenue may order retention in the trust fund, for a period of one year, of two percent  
63 of the amount collected after receipt of such notice to cover possible refunds or overpayment of  
64 the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts.  
65 After one year has elapsed after the effective date of abolition of the tax in such fire protection  
66 district, the director of revenue shall remit the balance in the account to the fire protection district  
67 and close the account of that fire protection district. The director of revenue shall notify each  
68 fire protection district of each instance of any amount refunded or any check redeemed from  
69 receipts due the fire protection district. In the event a tax within a fire protection district is  
70 approved under this section, and such fire protection district is dissolved, the tax shall lapse on  
71 the date that the fire protection district is dissolved and the proceeds from the last collection of  
72 such tax shall be distributed to the governing bodies of the counties formerly containing the fire  
73 protection district and the proceeds of the tax shall be used for fire protection services within  
74 such counties.

75         **6. Any fire protection district that adopts the sales tax authorized under this section**  
76 **shall submit the question of whether to continue the tax to the voters of the district ten**  
77 **years from the date of its adoption and every ten years thereafter on a date available for**  
78 **elections in the district. However, a tax adopted by a district prior to August 28, 2018,**  
79 **shall not be subject to this subsection until August 28, 2028. The ballot language shall be**  
80 **in substantially the following form:**

81

82 Shall \_\_\_\_\_ (insert name of fire protection district) continue collecting a sales tax imposed  
83 at a rate of \_\_\_\_\_ (insert rate) percent for the purpose of providing revenues for the  
84 operation of the district?

85

86  YES

NO

87

88 **If a majority of the votes cast on the question by the qualified voters voting thereon are**  
89 **opposed to continuation, the repeal of the tax shall become effective on December thirty-**  
90 **first of the calendar year in which such continuation failed to be approved. If a majority**  
91 **of the votes cast on the question by the qualified voters voting thereon are in favor of**  
92 **continuation, the tax shall remain effective until the question is resubmitted under this**  
93 **subsection to the qualified voters and continuation fails to be approved by a majority of**  
94 **the qualified voters voting on the question.**

95 ~~[6-]~~ 7. Except as modified in this section, all provisions of sections 32.085 and 32.087  
96 shall apply to the tax imposed pursuant to this section.

640.648. 1. Notwithstanding any law to the contrary, all Missouri landowners retain the  
2 right to have, use, and own private water systems and ground source systems, **including systems**  
3 **for potable water**, anytime and anywhere including land within city limits, unless prohibited  
4 by city ordinance, on their own property so long as all applicable rules and regulations  
5 established by the Missouri department of natural resources are satisfied. All Missouri  
6 landowners who choose to use their own private water system shall not be forced to purchase  
7 water from any other water source system servicing their community.

8 **2. Notwithstanding any law to the contrary, all Missouri landowners retain the**  
9 **right to have, use, and own systems for rainwater collection anytime and anywhere on their**  
10 **own property, including land within city limits.**

✓