

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE BILL NO. 23

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOGAN.

6814H.03P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 49.060, 56.363, 59.800, 67.1360, 71.012, 71.015, 84.510, 88.770, 89.020, 92.820, 94.900, 94.902, 105.030, 105.470, 108.120, 137.010, 137.016, 137.017, 137.555, 137.556, 263.245, 304.060, 320.086, 321.246, 321.320, 527.130, and 640.648, RSMo, and 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-three new sections relating to political subdivisions, with penalty provisions and an emergency clause for certain sections.

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

Section A. Sections 49.060, 56.363, 59.800, 67.1360, 71.012, 71.015, 84.510, 88.770, 89.020, 92.820, 94.900, 94.902, 105.030, 105.470, 108.120, 137.010, 137.016, 137.017, 137.555, 137.556, 263.245, 304.060, 320.086, 321.246, 321.320, 527.130, and 640.648, RSMo, and 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and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, are repealed and thirty-three new sections enacted in lieu thereof, to be known as sections 49.060, 56.363, 59.800, 64.002, 65.702, 66.420, 67.1360, 71.012, 71.015, 84.510, 88.770, 89.020, 92.820, 94.841, 94.900, 94.902, 105.030, 105.470, 105.473, 108.120, 137.010, 137.016, 137.017, 137.555, 137.556, 263.245, 304.060, 320.086, 321.246, 321.315, 321.320, 527.130, and 640.648, to read as follows:

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.

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 within sixty days**
 10 **by appointing, by and with the advice and consent of the senate subject to the provisions**
 11 **of article IV, section 51 of the Constitution of Missouri, some eligible person to said office**
 12 **who shall discharge the duties thereof until the next general election, at which time a**
 13 **commissioner shall be chosen for the remainder of the term, who shall hold such office**
 14 **until a successor is duly elected and qualified, unless sooner removed.**

15 **4. This section shall not apply to any county which has adopted a charter for its**
 16 **own government under article VI, sections 18(a) to 18(r) of the Constitution of Missouri.**

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 County?
 12 YES NO

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

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

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

41 4. In any:

42 **(1) County of the third classification without a township form of government and with**
43 **more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the**
44 **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 full-**
46 **time position under this section after August 28, 2014;**

47 **(2) County of the third classification without a township form of government and**
48 **with more than eighteen thousand but fewer than twenty thousand inhabitants and with**
49 **a city of the fourth classification with more than three thousand but fewer than three**
50 **thousand seven hundred inhabitants as the county seat;**

51 **(3) County of the third classification without a township form of government and**
52 **with more than eighteen thousand but fewer than twenty thousand inhabitants and with**
53 **a city of the third classification with more than six thousand but fewer than seven thousand**
54 **inhabitants as the county seat; or**

55 **(4) County of the third classification without a township form of government and**
56 **with more than nine thousand but fewer than ten thousand inhabitants and with a city of**

57 **the fourth classification with more than seven hundred but fewer than eight hundred**
 58 **inhabitants as the county seat**

59

60 the county commission may on its own motion and shall upon the petition of ten percent of the
 61 total number of people who voted in the previous general election in the county submit to the
 62 voters at a general or special election the proposition of changing the full-time prosecutor
 63 position to a part-time position. The commission shall cause notice of the election to be
 64 published in a newspaper published within the county, or if no newspaper is published within
 65 the county, in a newspaper published in an adjoining county, for three weeks consecutively, the
 66 last insertion of which shall be at least ten days and not more than thirty days before the day of
 67 the election, and by posting printed notices thereof at three of the most public places in each
 68 township in the county. The proposition shall be put before the voters substantially in the
 69 following form:

70 Shall the office of prosecuting attorney be made a part-time position in County?

71 YES

NO

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

75 5. In any county that has elected to make the full-time position of county prosecutor a
 76 part-time position under subsection 4 of this section, the county's retirement contribution to the
 77 retirement system and the retirement benefit earned by the member shall prospectively be that
 78 of a part-time prosecutor as established in this chapter. Any retirement contribution made and
 79 retirement benefit earned prior to the effective date of the voter-approved proposition under
 80 subsection 4 of this section shall be maintained by the retirement system and used to calculate
 81 the retirement benefit for such prior full-time position service. Under no circumstances shall a
 82 member in a part-time prosecutor position earn full-time position retirement benefit service
 83 accruals for time periods after the effective date of the proposition changing the county
 84 prosecutor back to a part-time position.

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**

4 **Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number**
 5 **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 **66.420. 1. As used in this section, the following terms mean:**

2 **(1) "International airport", any international airport located in any county with**
 3 **a charter form of government and with more than nine hundred fifty thousand inhabitants**
 4 **or any city not within a county;**

5 **(2) "Outlying property", property of an international airport that is not used as a**
 6 **control tower, parking lot, runway, taxiway, or terminal.**

7 **2. There is hereby established the "St. Louis Airport Oversight Commission"**
 8 **whose purpose is to review any decision by the governing body of an international airport**
 9 **regarding any outlying property that may substantially affect property neighboring the**
 10 **outlying property.**

11 **3. The commission shall consist of ten members as follows:**

12 **(1) Two members appointed by the governing body of any home rule city with more**
 13 **than eight thousand but fewer than nine thousand inhabitants and located in any county**
 14 **with a charter form of government and with more than nine hundred fifty thousand**
 15 **inhabitants;**

16 **(2) Two members appointed by the governing body of any home rule city with more**
 17 **than ten thousand but fewer than eleven thousand nine hundred inhabitants and located**
 18 **in any county with a charter form of government and with more than nine hundred fifty**
 19 **thousand inhabitants;**

20 **(3) One member appointed by the governing body of any city of the fourth**
 21 **classification with more than eight hundred but fewer than nine hundred inhabitants and**
 22 **located in any county with a charter form of government and with more than nine hundred**
 23 **fifty thousand inhabitants;**

24 **(4) One member appointed by the governing body of any home rule city with more**
 25 **than twenty-four thousand but fewer than twenty-seven thousand inhabitants;**

26 **(5) Two members appointed by the governing body of any city of the fourth**
 27 **classification with more than two hundred eighty-five but fewer than three hundred twenty**
 28 **inhabitants and located in any county with a charter form of government and with more**
 29 **than nine hundred fifty thousand inhabitants;**

30 **(6) One member appointed by the governing body of any city of the fourth**
 31 **classification with more than twelve thousand but fewer than thirteen thousand five**
 32 **hundred inhabitants and located in any county with a charter form of government and**
 33 **with more than nine hundred fifty thousand inhabitants; and**

34 **(7) One member appointed by the governing body of any city of the fourth**
 35 **classification with more than four thousand but fewer than four thousand five hundred**
 36 **inhabitants and located in any county with a charter form of government and with more**
 37 **than nine hundred fifty thousand inhabitants.**

38 **4. The commission shall have veto power over any decision by the governing**
 39 **structure of the international airport or by any city not within a county regarding the**
 40 **airport.**

41 **5. The commission shall meet at least weekly to review and vote on any decision.**
 42 **The meeting shall be held at the city hall of each city represented on the commission on an**
 43 **alternating basis. Notice of the meeting shall be provided as required by law.**

 67.1360. 1. The governing body of the following cities and counties may impose a tax
 2 as provided in this section:

3 (1) A city with a population of more than seven thousand and less than seven thousand
 4 five hundred;

5 (2) A county with a population of over nine thousand six hundred and less than twelve
 6 thousand which has a total assessed valuation of at least sixty-three million dollars, if the county
 7 submits the issue to the voters of such county prior to January 1, 2003;

8 (3) A third class city which is the county seat of a county of the third classification
 9 without a township form of government with a population of at least twenty-five thousand but
 10 not more than thirty thousand inhabitants;

11 (4) Any fourth class city having, according to the last federal decennial census, a
 12 population of more than one thousand eight hundred fifty inhabitants but less than one thousand
 13 nine hundred fifty inhabitants in a county of the first classification with a charter form of
 14 government and having a population of greater than six hundred thousand but less than nine
 15 hundred thousand inhabitants;

16 (5) Any city having a population of more than three thousand but less than eight
 17 thousand inhabitants in a county of the fourth classification having a population of greater than
 18 forty-eight thousand inhabitants;

19 (6) Any city having a population of less than two hundred fifty inhabitants in a county
 20 of the fourth classification having a population of greater than forty-eight thousand inhabitants;

- 21 (7) Any fourth class city having a population of more than two thousand five hundred
22 but less than three thousand inhabitants in a county of the third classification having a population
23 of more than twenty-five thousand but less than twenty-seven thousand inhabitants;
- 24 (8) Any third class city with a population of more than three thousand two hundred but
25 less than three thousand three hundred located in a county of the third classification having a
26 population of more than thirty-five thousand but less than thirty-six thousand;
- 27 (9) Any county of the second classification without a township form of government and
28 a population of less than thirty thousand;
- 29 (10) Any city of the fourth class in a county of the second classification without a
30 township form of government and a population of less than thirty thousand;
- 31 (11) Any county of the third classification with a township form of government and a
32 population of at least twenty-eight thousand but not more than thirty thousand;
- 33 (12) Any city of the fourth class with a population of more than one thousand eight
34 hundred but less than two thousand in a county of the third classification with a township form
35 of government and a population of at least twenty-eight thousand but not more than thirty
36 thousand;
- 37 (13) Any city of the third class with a population of more than seven thousand two
38 hundred but less than seven thousand five hundred within a county of the third classification with
39 a population of more than twenty-one thousand but less than twenty-three thousand;
- 40 (14) Any fourth class city having a population of more than two thousand eight hundred
41 but less than three thousand one hundred inhabitants in a county of the third classification with
42 a township form of government having a population of more than eight thousand four hundred
43 but less than nine thousand inhabitants;
- 44 (15) Any fourth class city with a population of more than four hundred seventy but less
45 than five hundred twenty inhabitants located in a county of the third classification with a
46 population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- 47 (16) Any third class city with a population of more than three thousand eight hundred
48 but less than four thousand inhabitants located in a county of the third classification with a
49 population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- 50 (17) Any fourth class city with a population of more than four thousand three hundred
51 but less than four thousand five hundred inhabitants located in a county of the third classification
52 without a township form of government with a population greater than sixteen thousand but less
53 than sixteen thousand two hundred inhabitants;
- 54 (18) Any fourth class city with a population of more than two thousand four hundred but
55 less than two thousand six hundred inhabitants located in a county of the first classification

56 without a charter form of government with a population of more than fifty-five thousand but less
57 than sixty thousand inhabitants;

58 (19) Any fourth class city with a population of more than two thousand five hundred but
59 less than two thousand six hundred inhabitants located in a county of the third classification with
60 a population of more than nineteen thousand one hundred but less than nineteen thousand two
61 hundred inhabitants;

62 (20) Any county of the third classification without a township form of government with
63 a population greater than sixteen thousand but less than sixteen thousand two hundred
64 inhabitants;

65 (21) Any county of the second classification with a population of more than forty-four
66 thousand but less than fifty thousand inhabitants;

67 (22) Any third class city with a population of more than nine thousand five hundred but
68 less than nine thousand seven hundred inhabitants located in a county of the first classification
69 without a charter form of government and with a population of more than one hundred
70 ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

71 (23) Any city of the fourth classification with more than five thousand two hundred but
72 less than five thousand three hundred inhabitants located in a county of the third classification
73 without a township form of government and with more than twenty-four thousand five hundred
74 but less than twenty-four thousand six hundred inhabitants;

75 (24) Any third class city with a population of more than nineteen thousand nine hundred
76 but less than twenty thousand in a county of the first classification without a charter form of
77 government and with a population of more than one hundred ninety-eight thousand but less than
78 one hundred ninety-eight thousand two hundred inhabitants;

79 (25) Any city of the fourth classification with more than two thousand six hundred but
80 less than two thousand seven hundred inhabitants located in any county of the third classification
81 without a township form of government and with more than fifteen thousand three hundred but
82 less than fifteen thousand four hundred inhabitants;

83 (26) Any county of the third classification without a township form of government and
84 with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

85 (27) Any city of the fourth classification with more than five thousand four hundred but
86 fewer than five thousand five hundred inhabitants and located in more than one county;

87 (28) Any city of the fourth classification with more than six thousand three hundred but
88 fewer than six thousand five hundred inhabitants and located in more than one county through
89 the creation of a tourism district which may include, in addition to the geographic area of such
90 city, the area encompassed by the portion of the school district, located within a county of the
91 first classification with more than ninety-three thousand eight hundred but fewer than

92 ninety-three thousand nine hundred inhabitants, having an average daily attendance for school
 93 year 2005-06 between one thousand eight hundred and one thousand nine hundred;

94 (29) Any city of the fourth classification with more than seven thousand seven hundred
 95 but less than seven thousand eight hundred inhabitants located in a county of the first
 96 classification with more than ninety-three thousand eight hundred but less than ninety-three
 97 thousand nine hundred inhabitants;

98 (30) Any city of the fourth classification with more than two thousand nine hundred but
 99 less than three thousand inhabitants located in a county of the first classification with more than
 100 seventy-three thousand seven hundred but less than seventy-three thousand eight hundred
 101 inhabitants;

102 (31) Any city of the third classification with more than nine thousand three hundred but
 103 less than nine thousand four hundred inhabitants;

104 (32) Any city of the fourth classification with more than three thousand eight hundred
 105 but fewer than three thousand nine hundred inhabitants and located in any county of the first
 106 classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine
 107 thousand eight hundred inhabitants;

108 (33) Any city of the fourth classification with more than one thousand eight hundred but
 109 fewer than one thousand nine hundred inhabitants and located in any county of the first
 110 classification with more than one hundred thirty-five thousand four hundred but fewer than one
 111 hundred thirty-five thousand five hundred inhabitants;

112 (34) Any county of the third classification without a township form of government and
 113 with more than twelve thousand one hundred but fewer than twelve thousand two hundred
 114 inhabitants;

115 (35) Any city of the fourth classification with more than three thousand eight hundred
 116 but fewer than four thousand inhabitants and located in more than one county; provided,
 117 however, that motels owned by not-for-profit organizations are exempt; ~~[or]~~

118 (36) Any city of the fourth classification with more than five thousand but fewer than
 119 five thousand five hundred inhabitants and located in any county with a charter form of
 120 government and with more than two hundred thousand but fewer than three hundred fifty
 121 thousand inhabitants; **or**

122 **(37) Any city of the fourth classification with more than one thousand fifty but**
 123 **fewer than one thousand two hundred inhabitants.**

124 2. The governing body of any city or county listed in subsection 1 of this section may
 125 impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels,
 126 bed and breakfast inns and campgrounds and any docking facility which rents slips to
 127 recreational boats which are used by transients for sleeping, which shall be at least two percent,

128 but not more than five percent per occupied room per night, except that such tax shall not
 129 become effective unless the governing body of the city or county submits to the voters of the city
 130 or county at a state general, primary or special election, a proposal to authorize the governing
 131 body of the city or county to impose a tax pursuant to the provisions of this section and section
 132 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any
 133 charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law
 134 and the proceeds of such tax shall be used by the city or county solely for funding the promotion
 135 of tourism. Such tax shall be stated separately from all other charges and taxes.

136 **3. A city or county that adopts the sales tax authorized under this section shall**
 137 **submit the question of whether to continue the tax to the voters ten years from the date of**
 138 **its adoption and every ten years thereafter on a date available for elections for the city or**
 139 **county. However, a tax implemented by a city or county prior to August 28, 2018, shall not**
 140 **be subject to this subsection until August 28, 2028. The ballot language shall be in**
 141 **substantially the following form:**

142

143 **Shall _____ (insert name of city or county) continue collecting a sales tax on sleeping**
 144 **rooms rented by transient guests of hotels and motels imposed at a rate of _____ (insert**
 145 **rate) percent?**

146

147 YES NO

148

149 **If a majority of the votes cast on the question by the qualified voters voting thereon are**
 150 **opposed to continuation, the repeal of the tax shall become effective on December**
 151 **thirty-first of the calendar year in which such continuation failed to be approved. If a**
 152 **majority of the votes cast on the question by the qualified voters voting thereon are in favor**
 153 **of continuation, the tax shall remain effective until the question is resubmitted under this**
 154 **subsection to the qualified voters and continuation fails to be approved by a majority of**
 155 **the qualified voters voting on the question.**

71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the
 2 governing body of any city, town or village may annex unincorporated areas which are
 3 contiguous and compact to the existing corporate limits of the city, town or village pursuant to
 4 this section. The term "contiguous and compact" does not include a situation whereby the
 5 unincorporated area proposed to be annexed is contiguous to the annexing city, town or village
 6 only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in
 7 width within the city, town or village so that the boundaries of the city, town or village after
 8 annexation would leave unincorporated areas between the annexed area and the prior boundaries

9 of the city, town or village connected only by such railroad line, trail, pipeline or other such strip
10 of real property. **The term “contiguous and compact” shall include a situation whereby the**
11 **unincorporated area proposed to be annexed would be contiguous and compact to the**
12 **existing corporate limits of the city, town, or village but for an intervening roadway or**
13 **railroad right-of-way, regardless of whether any other city, town, or village has annexed**
14 **such roadway or railroad right-of-way or otherwise has an easement in such roadway or**
15 **railroad right-of-way.** The term contiguous and compact does not prohibit voluntary
16 annexations pursuant to this section merely because such voluntary annexation would create an
17 island of unincorporated area within the city, town or village, so long as the owners of the
18 unincorporated island were also given the opportunity to voluntarily annex into the city, town
19 or village. Notwithstanding the provisions of this section, the governing body of any city, town
20 or village in any county of the third classification which borders a county of the fourth
21 classification, a county of the second classification and the Mississippi River may annex areas
22 along a road or highway up to two miles from existing boundaries of the city, town or village or
23 the governing body in any city, town or village in any county of the third classification without
24 a township form of government with a population of at least twenty-four thousand inhabitants
25 but not more than thirty thousand inhabitants and such county contains a state correctional center
26 may voluntarily annex such correctional center pursuant to the provisions of this section if the
27 correctional center is along a road or highway within two miles from the existing boundaries of
28 the city, town or village.

29 2. (1) When a notarized petition, requesting annexation and signed by the owners of all
30 fee interests of record in all tracts of real property located within the area proposed to be
31 annexed, or a request for annexation signed under the authority of the governing body of any
32 common interest community and approved by a majority vote of unit owners located within the
33 area proposed to be annexed is presented to the governing body of the city, town or village, the
34 governing body shall hold a public hearing concerning the matter not less than fourteen nor more
35 than sixty days after the petition is received, and the hearing shall be held not less than seven
36 days after notice of the hearing is published in a newspaper of general circulation qualified to
37 publish legal matters and located within the boundary of the petitioned city, town or village. If
38 no such newspaper exists within the boundary of such city, town or village, then the notice shall
39 be published in the qualified newspaper nearest the petitioned city, town or village. For the
40 purposes of this subdivision, the term "common-interest community" shall mean a condominium
41 as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned
42 community.

43 (a) A "common-interest community" shall be defined as real property with respect to
44 which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property

45 taxes, insurance premiums, maintenance or improvement of other real property described in a
46 declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years
47 in a unit, including renewal options;

48 (b) A "cooperative" shall be defined as a common-interest community in which the real
49 property is owned by an association, each of whose members is entitled by virtue of such
50 member's ownership interest in the association to exclusive possession of a unit;

51 (c) A "planned community" shall be defined as a common-interest community that is not
52 a condominium or a cooperative. A condominium or cooperative may be part of a planned
53 community.

54 (2) At the public hearing any interested person, corporation or political subdivision may
55 present evidence regarding the proposed annexation. If, after holding the hearing, the governing
56 body of the city, town or village determines that the annexation is reasonable and necessary to
57 the proper development of the city, town or village, and the city, town or village has the ability
58 to furnish normal municipal services to the area to be annexed within a reasonable time, it may,
59 subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance
60 without further action.

61 (3) If a written objection to the proposed annexation is filed with the governing body of
62 the city, town or village not later than fourteen days after the public hearing by at least five
63 percent of the qualified voters of the city, town or village, or two qualified voters of the area
64 sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015
65 and 71.860 to 71.920, shall be followed.

66 3. If no objection is filed, the city, town or village shall extend its limits by ordinance
67 to include such territory, specifying with accuracy the new boundary lines to which the city's,
68 town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city,
69 town or village shall cause three certified copies of the same to be filed with the county assessor
70 and the clerk of the county wherein the city, town or village is located, and one certified copy to
71 be filed with the election authority, if different from the clerk of the county which has
72 jurisdiction over the area being annexed, whereupon the annexation shall be complete and final
73 and thereafter all courts of this state shall take judicial notice of the limits of that city, town or
74 village as so extended.

75 4. That a petition requesting annexation is not or was not verified or notarized shall not
76 affect the validity of an annexation heretofore or hereafter undertaken in accordance with this
77 section.

78 5. Any action of any kind seeking to deannex from any city, town, or village any area
79 annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise

80 challenge such annexation or oust such city, town, or village from jurisdiction over such annexed
 81 area shall be brought within five years of the date of adoption of the annexation ordinance.

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:

7 (a) The land to be annexed is contiguous to the existing city, town, or village limits and
 8 that the length of the contiguous boundary common to the existing city, town, or village limit and
 9 the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the
 10 area proposed for annexation; **or**

11 (b) **The land to be annexed would be contiguous and compact to the existing city,**
 12 **town, or village limits but for an intervening roadway or railroad right-of-way, and the**
 13 **shared border of the land to be annexed and existing city, town, or village composes at least**
 14 **fifteen percent of the total perimeter of the land to be annexed. For purposes of calculating**
 15 **the length of such border under this paragraph, the border between the land to be annexed**
 16 **and the existing city, town, or village shall be deemed to be:**

17 a. **If an intervening roadway, the centerline; or**

18 b. **If a railroad right-of-way, the midpoint between the outermost rails if there are**
 19 **rails or the best estimate of the middle of the right-of-way if there are no rails.**

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

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

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

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

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

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

31 (3) The city, town, or village shall fix a date for a public hearing on the ordinance and
 32 make a good faith effort to notify all fee owners of record within the area proposed to be annexed
 33 by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all
 34 residents of the area by publication of notice in a newspaper of general circulation qualified to

35 publish legal matters in the county or counties where the proposed area is located, at least once
36 a week for three consecutive weeks prior to the hearing, with at least one such notice being not
37 more than twenty days and not less than ten days before the hearing.

38 (4) At the hearing referred to in subdivision (3), the city, town, or village shall present
39 the plan of intent and evidence in support thereof to include:

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

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

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

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

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

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

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

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

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

64 (6) Except as provided in subsection 3 of this section, if the court authorizes the city,
65 town, or village to make an annexation, the legislative body of such city, town, or village shall
66 not have the power to extend the limits of the city, town, or village by such annexation until an
67 election is held at which the proposition for annexation is approved by a majority of the total
68 votes cast in the city, town, or village and by a separate majority of the total votes cast in the
69 unincorporated territory sought to be annexed. However, should less than a majority of the total
70 votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority

71 of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal
72 shall again be voted upon in not more than one hundred twenty days by both the registered voters
73 of the city, town, or village and the registered voters of the area proposed to be annexed. If at
74 least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the
75 city, town, or village may proceed to annex the territory. If the proposal fails to receive the
76 necessary majority, no part of the area sought to be annexed may be the subject of another
77 proposal to annex for a period of two years from the date of the election, except that, during the
78 two-year period, the owners of all fee interests of record in the area or any portion of the area
79 may petition the city, town, or village for the annexation of the land owned by them pursuant to
80 the procedures in section 71.012. The elections shall if authorized be held, except as herein
81 otherwise provided, in accordance with the general state law governing special elections, and the
82 entire cost of the election or elections shall be paid by the city, town, or village proposing to
83 annex the territory.

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

89 (8) No city, town, or village which has filed an action under this section as this section
90 read prior to May 13, 1980, which action is part of an annexation proceeding pending on May
91 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such
92 annexation proceeding.

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

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

107 3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all
108 cities, towns, and villages located in any county of the first classification with a charter form of
109 government with a population of two hundred thousand or more inhabitants which adjoins a
110 county with a population of nine hundred thousand or more inhabitants shall comply with the
111 provisions of this subsection. If the court authorizes any city, town, or village subject to this
112 subsection to make an annexation, the legislative body of such city, town or village shall not
113 have the power to extend the limits of such city, town, or village by such annexation until an
114 election is held at which the proposition for annexation is approved by a majority of the total
115 votes cast in such city, town, or village and by a separate majority of the total votes cast in the
116 unincorporated territory sought to be annexed; except that:

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

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

129

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

142 date of the annexation by any resident of the area who was residing in such area at the time the
 143 annexation became effective or by any nonresident owner of real property in such area.

144 4. Except for a cause of action for deannexation under subdivision (2) of subsection 3
 145 of this section, any action of any kind seeking to deannex from any city, town, or village any area
 146 annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise
 147 challenge such annexation or oust such city, town, or village from jurisdiction over such annexed
 148 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.

88.770. 1. The board of aldermen may provide for and regulate the lighting of streets
2 and the erection of lamp posts, poles and lights therefor, and may make contracts with any
3 person, association or corporation, either private or municipal, for the lighting of the streets and

4 other public places of the city with gas, electricity or otherwise, except that each initial contract
5 shall be ratified by a majority of the voters of the city voting on the question and any renewal
6 contract or extension shall be subject to voter approval of the majority of the voters voting on
7 the question, pursuant to the provisions of section 88.251. The board of aldermen may erect,
8 maintain and operate gas works, electric light works, or light works of any other kind or name,
9 and to erect lamp posts, electric light poles, or any other apparatus or appliances necessary to
10 light the streets, avenues, alleys or other public places, and to supply private lights for the use
11 of the inhabitants of the city and its suburbs, and may regulate the same, and may prescribe and
12 regulate the rates to be paid by the consumers thereof, and may acquire by purchase, donation
13 or condemnation suitable grounds within or without the city upon which to erect such works and
14 the right-of-way to and from such works, and also the right-of-way for laying gas pipes, electric
15 wires under or above the grounds, and erecting posts and poles and such other apparatus and
16 appliances as may be necessary for the efficient operation of such works. The board of aldermen
17 may, in its discretion, grant the right to any person, persons or corporation, to erect such works
18 and lay the pipe, wires, and erect the posts, poles and other necessary apparatus and appliances
19 therefor, upon such terms as may be prescribed by ordinance. Such rights shall not extend for
20 a longer time than twenty years, but may be renewed for another period or periods not to exceed
21 twenty years per period. Every initial grant shall be approved by a majority of the voters of the
22 municipality voting on the question, and each renewal or extension of such rights shall be subject
23 to voter approval of the majority of the voters voting on the question, pursuant to the provisions
24 of section 88.251. Nothing herein contained shall be so construed as to prevent the board of
25 aldermen from contracting with any person, persons or corporation for furnishing the city with
26 gas or electric lights in cities where franchises have already been granted, and where gas or
27 electric light plants already exist, without a vote of the people, except that the board of aldermen
28 may sell, convey, encumber, lease, abolish or otherwise dispose of any public utilities owned by
29 the city including electric light systems, electric distribution systems or transmission lines, or any
30 part of the electric light systems, electric or other heat systems, electric or other power systems,
31 electric or other railways, gas plants, telephone systems, telegraph systems, transportation
32 systems of any kind, waterworks, equipments and all public utilities not herein enumerated and
33 everything acquired therefor, after first having passed an ordinance setting forth the terms of the
34 sale, conveyance or encumbrance and when ratified by two-thirds of the voters voting on the
35 question, **except for the sale of a water or wastewater system, or the sale of a gas plant,**
36 **which shall be authorized by a simple majority vote of the voters voting on the question.**
37 **If the board of aldermen determines the proposed sale of a water or wastewater system**
38 **shall be placed before voters, a public informational meeting shall be held at least thirty**
39 **days prior to any vote on the matter. The municipality in question shall notify its**

40 **customers of the informational meeting via radio, television, newspaper, regular mail,**
 41 **electronic mail, or any combination of notification methods to most effectively notify**
 42 **customers at least fifteen days prior to the informational meeting.**

43 2. The ballots shall be substantially in the following form and shall indicate the property,
 44 or portion thereof, and whether the same is to be sold, leased or encumbered:

45 Shall _____ (Indicate the property by stating whether electric distribution system,
 46 electric transmission lines or waterworks, etc.) be _____ (Indicate whether sold, leased or
 47 encumbered.)?

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. . .

**94.841. 1. The governing body of any home rule city with more than forty-seven
 2 thousand but fewer than fifty-two thousand inhabitants and partially located in any county
 3 of the first classification with more than one hundred fifteen thousand but fewer than one**

4 **hundred fifty thousand inhabitants may impose a tax on the charges for all sleeping rooms**
 5 **paid by the transient guests of hotels or motels situated in the city or a portion thereof,**
 6 **which shall not be more than seven percent per occupied room per night, except that such**
 7 **tax shall not become effective unless the governing body of the city submits to the voters**
 8 **of the city at a state general, primary, or special election a proposal to authorize the**
 9 **governing body of the city to impose a tax under this section. The tax authorized in this**
 10 **section shall be in addition to the charge for the sleeping room and all other taxes imposed**
 11 **by law, and the proceeds of such tax shall be used by the city for the promotion of tourism,**
 12 **visitors, conferences, and related purposes. Such tax shall be stated separately from all**
 13 **other charges and taxes.**

14 **2. The ballot of submission for the tax authorized in this section shall be in**
 15 **substantially the following form:**

16

17 **Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms**
 18 **paid by the transient guests of hotels and motels situated in (name of city) at a rate of**
 19 **(insert rate of percent) percent for the purpose of the promotion of tourism?**

20

21 **YES** **NO**

22

23 **If a majority of the votes cast on the question by the qualified voters voting thereon are in**
 24 **favor of the question, then the tax shall become effective on the first day of the second**
 25 **calendar quarter following the calendar quarter in which the election was held. If a**
 26 **majority of the votes cast on the question by the qualified voters voting thereon are**
 27 **opposed to the question, then the tax authorized by this section shall not become effective**
 28 **unless and until the question is resubmitted under this section to the qualified voters of the**
 29 **city and such question is approved by a majority of the qualified voters of the city voting**
 30 **on the question.**

94.900. 1. (1) The governing body of the following cities may impose a tax as provided
 2 in this section:

3 (a) Any city of the third classification with more than ten thousand eight hundred but less
 4 than ten thousand nine hundred inhabitants located at least partly within a county of the first
 5 classification with more than one hundred eighty-four thousand but less than one hundred
 6 eighty-eight thousand inhabitants;

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

9 (c) Any city of the fourth classification with more than eight thousand nine hundred but
 10 fewer than nine thousand inhabitants;

11 (d) Any home rule city with more than forty-eight thousand but fewer than forty-nine
 12 thousand inhabitants;

13 (e) Any home rule city with more than seventy-three thousand but fewer than
 14 seventy-five thousand inhabitants;

15 (f) Any city of the fourth classification with more than thirteen thousand five hundred
 16 but fewer than sixteen thousand inhabitants; [øø]

17 (g) Any city of the fourth classification with more than seven thousand but fewer than
 18 eight thousand inhabitants;

19 **(h) Any city of the third classification with more than thirteen thousand but fewer**
 20 **than fifteen thousand inhabitants; or**

21 **(i) Any city of the fourth classification with more than four thousand but fewer**
 22 **than four thousand five hundred inhabitants.**

23 (2) The governing body of any city listed in subdivision (1) of this subsection is hereby
 24 authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one
 25 percent on all retail sales made in such city which are subject to taxation under the provisions
 26 of sections 144.010 to 144.525 for the purpose of improving the public safety for such city,
 27 including but not limited to expenditures on equipment, city employee salaries and benefits, and
 28 facilities for police, fire and emergency medical providers. The tax authorized by this section
 29 shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or
 30 order imposing a sales tax pursuant to the provisions of this section shall be effective unless the
 31 governing body of the city submits to the voters of the city, at a county or state general, primary
 32 or special election, a proposal to authorize the governing body of the city to impose a tax.

33 2. If the proposal submitted involves only authorization to impose the tax authorized by
 34 this section, the ballot of submission shall contain, but need not be limited to, the following
 35 language:

36 Shall the city of _____ (city's name) impose a citywide sales tax of _____ (insert
 37 amount) for the purpose of improving the public safety of the city?

38 YES NO

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

41

42 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor
 43 of the proposal submitted pursuant to this subsection, then the ordinance or order and any
 44 amendments thereto shall be in effect on the first day of the second calendar quarter after the

45 director of revenue receives notification of adoption of the local sales tax. If a proposal receives
46 less than the required majority, then the governing body of the city shall have no power to
47 impose the sales tax herein authorized unless and until the governing body of the city shall again
48 have submitted another proposal to authorize the governing body of the city to impose the sales
49 tax authorized by this section and such proposal is approved by the required majority of the
50 qualified voters voting thereon. However, in no event shall a proposal pursuant to this section
51 be submitted to the voters sooner than twelve months from the date of the last proposal pursuant
52 to this section.

53 3. All revenue received by a city from the tax authorized under the provisions of this
54 section shall be deposited in a special trust fund and shall be used solely for improving the public
55 safety for such city for so long as the tax shall remain in effect.

56 4. Once the tax authorized by this section is abolished or is terminated by any means, all
57 funds remaining in the special trust fund shall be used solely for improving the public safety for
58 the city. Any funds in such special trust fund which are not needed for current expenditures may
59 be invested by the governing body in accordance with applicable laws relating to the investment
60 of other city funds.

61 5. All sales taxes collected by the director of the department of revenue under this
62 section on behalf of any city, less one percent for cost of collection which shall be deposited in
63 the state's general revenue fund after payment of premiums for surety bonds as provided in
64 section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known
65 as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be
66 deemed to be state funds and shall not be commingled with any funds of the state. The
67 provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be
68 transferred and placed to the credit of the general revenue fund. The director of the department
69 of revenue shall keep accurate records of the amount of money in the trust and which was
70 collected in each city imposing a sales tax pursuant to this section, and the records shall be open
71 to the inspection of officers of the city and the public. Not later than the tenth day of each month
72 the director of the department of revenue shall distribute all moneys deposited in the trust fund
73 during the preceding month to the city which levied the tax; such funds shall be deposited with
74 the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall
75 be by an appropriation act to be enacted by the governing body of each such city. Expenditures
76 may be made from the fund for any functions authorized in the ordinance or order adopted by
77 the governing body submitting the tax to the voters.

78 6. The director of the department of revenue may make refunds from the amounts in the
79 trust fund and credited to any city for erroneous payments and overpayments made, and may
80 redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes

81 the tax, the city shall notify the director of the department of revenue of the action at least ninety
 82 days prior to the effective date of the repeal and the director of the department of revenue may
 83 order retention in the trust fund, for a period of one year, of two percent of the amount collected
 84 after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem
 85 dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed
 86 after the effective date of abolition of the tax in such city, the director of the department of
 87 revenue shall remit the balance in the account to the city and close the account of that city. The
 88 director of the department of revenue shall notify each city of each instance of any amount
 89 refunded or any check redeemed from receipts due the city.

90 **7. The governing body of any city that adopts the sales tax authorized under this**
 91 **section shall submit the question of whether to continue the tax to the voters ten years from**
 92 **the date of its adoption and every ten years thereafter on a date available for elections for**
 93 **the city. However, any city that adopted the sales tax before August 28, 2018, shall not be**
 94 **subject to this subsection until August 28, 2028. The ballot language shall be in**
 95 **substantially the following form:**

96

97 **Shall _____ (insert name of city) continue collecting a sales tax imposed at a rate of**
 98 **_____ (insert rate) percent for the purpose of improving the public safety of the city?**

99

100 YES NO

101

102

103 **If a majority of the votes cast on the question by the qualified voters voting thereon are**
 104 **opposed to continuation, the repeal of the tax shall become effective on December thirty-**
 105 **first of the calendar year in which such continuation failed to be approved. If a majority**
 106 **of the votes cast on the question by the qualified voters voting thereon are in favor of**
 107 **continuation, the tax shall remain effective until the question is resubmitted under this**
 108 **subsection to the qualified voters and continuation fails to be approved by a majority of**
 109 **the qualified voters voting on the question.**

110 **8. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall**
 111 **apply to the tax imposed pursuant to this section.**

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 city of St. Louis, the vacancy shall be filled by appointment by the governor except that
 5 when a vacancy occurs in the office of county assessor after a general election at which a person
 6 other than the incumbent has been elected, the person so elected shall be appointed to fill the
 7 remainder of the unexpired term; and the person appointed after duly qualifying and entering
 8 upon the discharge of his duties under the appointment shall continue in office until the first
 9 Monday in January next following the first ensuing general election, at which general election
 10 a person shall be elected to fill the unexpired portion of the term, or for the ensuing regular term,
 11 as the case may be, and the person so elected shall enter upon the discharge of the duties of the
 12 office the first Monday in January next following his election, except that when the term to be
 13 filled begins on any day other than the first Monday in January, the appointee of the governor
 14 shall be entitled to hold the office until such other date.

15 **2. (1) Notwithstanding subsection 1 of this section or any other provision of law to**
 16 **the contrary, if any vacancy, caused in any manner or by any means whatsoever, occurs**
 17 **or exists in any county office, the county commission of all noncharter counties shall, no**
 18 **later than fourteen days after the occurrence of the vacancy, fill the vacancy by**

19 **appointment, and the person so appointed by the county commission, after duly qualifying**
 20 **and entering upon the discharge of his or her duties under the appointment, shall continue**
 21 **in office until the governor fills the vacancy by appointment under subsection 1 of this**
 22 **section or until the vacancy is filled by operation of another provision of law.**

23 **(2) If the commissioners cannot agree upon an appointee, the county commissioners**
 24 **and the presiding judge of the circuit court shall vote to make the appointment required**
 25 **under subdivision (1) of this subsection.**

26 **3. The provisions of this section shall not apply to:**

27 **(1) Vacancies in county offices in any county which has adopted a charter for its own**
 28 **government under [Section 18,] article VI, sections 18(a) to 18(r) of the Constitution of**
 29 **Missouri; or**

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

32 **4. Any vacancy in the office of recorder of deeds in the City of St. Louis shall be filled**
 33 **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~~
~~shall file an updating statement under oath within one week of any addition,~~

11 deletion, or change in the lobbyist's employment or representation. The filing fee
 12 shall be deposited to the general revenue fund of the state. The lobbyist principal
 13 or a lobbyist employing another person for lobbying purposes may notify the
 14 commission that a judicial, executive or legislative lobbyist is no longer
 15 authorized to lobby for the principal or the lobbyist and should be removed from
 16 the commission's files.

17 ~~2. Each person shall, before giving testimony before any committee of~~
 18 ~~the general assembly, give to the secretary of such committee such person's name~~
 19 ~~and address and the identity of any lobbyist or organization, if any, on whose~~
 20 ~~behalf such person appears. A person who is not a lobbyist as defined in section~~
 21 ~~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.]~~
 140

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 address,
 5 the name and address of all persons such lobbyist employs for lobbying purposes, the name and
 6 address of each lobbyist principal by whom such lobbyist is employed or in whose interest such
 7 lobbyist appears or works; **and, for elected local government official lobbyists, the local**
 8 **government entity to be lobbied.** The commission shall maintain files on all lobbyists' filings,
 9 which shall be open to the public. Each lobbyist shall file an updating statement under oath
 10 within one week of any addition, deletion, or change in the lobbyist's employment or
 11 representation. The filing fee shall be deposited to the general revenue fund of the state. The
 12 lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the
 13 commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for
 14 the principal or the lobbyist and should be removed from the commission's files.

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

21 3. (1) During any period of time in which a lobbyist continues to act as an executive
 22 lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the
 23 lobbyist shall file with the commission on standardized forms prescribed by the commission
 24 monthly reports which shall be due at the close of business on the tenth day of the following
 25 month;

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

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

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

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

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

47 a. All members of the senate;

48 b. All members of the house of representatives;

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

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

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

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

63 4. No expenditure reported pursuant to this section shall include any amount expended
64 by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to
65 this section shall be valued on the report at the actual amount of the payment made, or the
66 charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the
67 lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures
68 of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of
69 such lobbyists. No expenditure shall be made on behalf of a state senator or state representative,

70 or such public official's staff, employees, spouse, or dependent children for travel or lodging
71 outside the state of Missouri unless such travel or lodging was approved prior to the date of the
72 expenditure by the administration and accounts committee of the house or the administration
73 committee of the senate.

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

77 6. All information required to be filed pursuant to the provisions of this section with the
78 commission shall be kept available by the executive director of the commission at all times open
79 to the public for inspection and copying for a reasonable fee for a period of five years from the
80 date when such information was filed.

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

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

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

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

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

105 has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked
 106 "Under Review".

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

112 13. The provisions of this section shall supersede any contradicting ordinances or charter
 113 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].~~

137.010. The following words, terms and phrases when used in laws governing taxation
 2 and revenue in the state of Missouri shall have the meanings ascribed to them in this section,
 3 except when the context clearly indicates a different meaning:

4 (1) "Grain and other agricultural crops in an unmanufactured condition" shall mean
 5 grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley,
 6 kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and
 7 other elevators and on farms; but excluding such grains and other agricultural crops after being
 8 processed into products of such processing, when packaged or sacked. The term "processing"
 9 shall not include hulling, cleaning, drying, grating, or polishing;

10 (2) "Hydroelectric power generating equipment", very-low-head turbine generators with
 11 a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred
 12 kilowatts and machinery and equipment used directly in the production, generation, conversion,

13 storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in
14 the transmission of electrical energy;

15 (3) "Intangible personal property", for the purpose of taxation, shall include all property
16 other than real property and tangible personal property, as defined by this section;

17 (4) "Real property" includes land itself, whether laid out in town lots or otherwise, and
18 all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon,
19 hydroelectric power generating equipment, the installed poles used in the transmission or
20 reception of electrical energy, audio signals, video signals or similar purposes, provided the
21 owner of such installed poles is also an owner of a fee simple interest, possessor of an easement,
22 holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility
23 purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other
24 such devices and appurtenances used in the transmission or reception of electrical energy, audio
25 signals, video signals or similar purposes when owned by the owner of the installed poles,
26 otherwise such items are considered personal property; and stationary property used for
27 transportation or storage of liquid and gaseous products, including, but not limited to, petroleum
28 products, natural gas, propane or LP gas equipment, water, and sewage;

29 (5) **"Reliever airport", any land and improvements, exclusive of structures, on**
30 **privately owned airports that qualify as reliever airports under the National Plan of**
31 **Integrated Airports System that may receive federal airport improvement project funds**
32 **through the Federal Aviation Administration;**

33 (6) "Tangible personal property" includes every tangible thing being the subject of
34 ownership or part ownership whether animate or inanimate, other than money, and not forming
35 part or parcel of real property as herein defined, but does not include household goods, furniture,
36 wearing apparel and articles of personal use and adornment, as defined by the state tax
37 commission, owned and used by a person in his home or dwelling place.

137.016. 1. As used in Section 4(b) of Article X of the Missouri Constitution, the
2 following terms mean:

3 (1) "Residential property", all real property improved by a structure which is used or
4 intended to be used for residential living by human occupants, vacant land in connection with
5 an airport, land used as a golf course, manufactured home parks, bed and breakfast inns in which
6 the owner resides and uses as a primary residence with six or fewer rooms for rent, and time-
7 share units as defined in section 407.600, except to the extent such units are actually rented and
8 subject to sales tax under subdivision (6) of subsection 1 of section 144.020, but residential
9 property shall not include other similar facilities used primarily for transient housing. For the
10 purposes of this section, "transient housing" means all rooms available for rent or lease for which

11 the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to
12 subdivision (6) of subsection 1 of section 144.020;

13 (2) “Agricultural and horticultural property”, all real property used for agricultural
14 purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding
15 and management of livestock which shall include breeding, showing, and boarding of horses; to
16 dairying, or to any other combination thereof; and buildings and structures customarily
17 associated with farming, agricultural, and horticultural uses. Agricultural and horticultural
18 property shall also include land devoted to and qualifying for payments or other compensation
19 under a soil conservation or agricultural assistance program under an agreement with an agency
20 of the federal government. Agricultural and horticultural property shall further include ~~land and~~
21 ~~improvements, exclusive of structures, on privately owned airports that qualify as reliever~~
22 ~~airports under the National Plan of Integrated Airports System, to receive federal airport~~
23 ~~improvement project funds through the Federal Aviation Administration]~~ **any reliever airport.**
24 Real property classified as forest croplands shall not be agricultural or horticultural property so
25 long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted
26 to implement Section 7 of Article X of the Missouri Constitution. Agricultural and horticultural
27 property shall also include any sawmill or planing mill defined in the U.S. Department of Labor’s
28 Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number
29 2421;

30 (3) “Utility, industrial, commercial, railroad and other real property”, all real property
31 used directly or indirectly for any commercial, mining, industrial, manufacturing, trade,
32 professional, business, or similar purpose, including all property centrally assessed by the state
33 tax commission but shall not include floating docks, portions of which are separately owned and
34 the remainder of which is designated for common ownership and in which no one person or
35 business entity owns more than five individual units. All other real property not included in the
36 property listed in subclasses (1) and (2) of Section 4(b) of Article X of the Missouri Constitution,
37 as such property is defined in this section, shall be deemed to be included in the term “utility,
38 industrial, commercial, railroad and other real property”.

39 2. Pursuant to Article X of the state constitution, any taxing district may adjust its
40 operating levy to recoup any loss of property tax revenue, except revenues from the surtax
41 imposed pursuant to Article X, Subsection 2 of Section 6 of the constitution, as the result of
42 changing the classification of structures intended to be used for residential living by human
43 occupants which contain five or more dwelling units if such adjustment of the levy does not
44 exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this
45 section, loss in revenue shall include the difference between the revenue that would have been
46 collected on such property under its classification prior to enactment of this section and the

47 amount to be collected under its classification under this section. The county assessor of each
48 county or city not within a county shall provide information to each taxing district within its
49 boundaries regarding the difference in assessed valuation of such property as the result of such
50 change in classification.

51 3. All reclassification of property as the result of changing the classification of structures
52 intended to be used for residential living by human occupants which contain five or more
53 dwelling units shall apply to assessments made after December 31, 1994.

54 4. Where real property is used or held for use for more than one purpose and such uses
55 result in different classifications, the county assessor shall allocate to each classification the
56 percentage of the true value in money of the property devoted to each use; except that, where
57 agricultural and horticultural property, as defined in this section, also contains a dwelling unit
58 or units, the farm dwelling, appurtenant residential-related structures and up to five acres
59 immediately surrounding such farm dwelling shall be residential property, as defined in this
60 section. **This subsection shall not apply to any reliever airport.**

61 5. All real property which is vacant, unused, or held for future use; which is used for a
62 private club, a not-for-profit or other nonexempt lodge, club, business, trade, service
63 organization, or similar entity; or for which a determination as to its classification cannot be
64 made under the definitions set out in subsection 1 of this section, shall be classified according
65 to its immediate most suitable economic use, which use shall be determined after consideration
66 of:

67 (1) Immediate prior use, if any, of such property;

68 (2) Location of such property;

69 (3) Zoning classification of such property; except that, such zoning classification shall
70 not be considered conclusive if, upon consideration of all factors, it is determined that such
71 zoning classification does not reflect the immediate most suitable economic use of the property;

72 (4) Other legal restrictions on the use of such property;

73 (5) Availability of water, electricity, gas, sewers, street lighting, and other public services
74 for such property;

75 (6) Size of such property;

76 (7) Access of such property to public thoroughfares; and

77 (8) Any other factors relevant to a determination of the immediate most suitable
78 economic use of such property.

79 6. All lands classified as forest croplands shall not, for taxation purposes, be classified
80 as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in
81 Section 4(b) of Article X of the Missouri Constitution and defined in this section, but shall be

82 taxed in accordance with the laws enacted to implement Section 7 of Article X of the Missouri
83 Constitution.

137.017. 1. For general property assessment purposes, the true value in money of land
2 which is in use as agricultural and horticultural property, as defined in section 137.016, shall be
3 that value which such land has for agricultural or horticultural use. The true value of buildings
4 or other structures customarily associated with farming, agricultural, and horticultural uses,
5 excluding residential dwellings and related land, shall be added to the use value of the
6 agricultural and horticultural land to determine the value of the agricultural and horticultural
7 property under sections 137.017 to 137.021.

8 2. After it has been established that the land is actually agricultural and horticultural
9 property, as defined in section 137.016, and is being valued and assessed accordingly, the land
10 shall remain in this category as long as the owner of the land complies with the provisions of
11 sections 137.017 to 137.021.

12 3. Continuance of valuation and assessment for general property taxation under the
13 provisions of sections 137.017 to 137.021 shall depend upon continuance of the land being used
14 as agricultural and horticultural property, as defined in section 137.016, and compliance with the
15 other requirements of sections 137.017 to 137.021 and not upon continuance in the same owner
16 of title to the land.

17 4. For general property assessment purposes, the true value in money of vacant and
18 unused land which is classified as agricultural and horticultural property under subsection 3 of
19 section 137.016 shall be its fair market value. **This subsection shall not apply to any reliever**
20 **airport.**

21 **5. For general property assessment purposes, the true value in money of a reliever**
22 **airport shall be that value which such land has for agricultural or horticultural use.**

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 shall not be
 9 required to expend such moneys as prescribed in this section.

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

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

320.086. 1. Nothing contained in sections 320.081 to 320.086 shall allow access to
 2 records otherwise closed under sections 610.100 to 610.105~~[-RSMo-Supp-1982].~~

3 2. Nothing contained in sections 320.081 to 320.086 shall restrict or waive the attorney-
 4 client privilege.

5 **3. The portion of a record that is individually identifiable health information as**
 6 **defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), P.L.**
 7 **104-191, as amended, may be closed records as provided under sections 610.100 to 610.105**
 8 **if maintained by fire departments and fire protection districts. Notwithstanding the**
 9 **foregoing, all fire departments and fire protection districts shall produce for every call to**
 10 **the department or district an "incident report" as defined in section 610.100 that shall**
 11 **include the date, time, specific location, and name of the owner of the specific location or**
 12 **any vehicle involved in the incident, if known. All incident reports shall be open records**
 13 **under section 620.100.**

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.**

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

12 **2. The fire protection district or fire department that is found not to have**
 13 **jurisdiction over the real property that is the subject of the declaratory judgment shall be**

14 **liable for the costs of the action, including reasonable attorney fees, to the other parties to**
 15 **the action.**

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

321.320. **1. Except as provided in subsection 2 of this section,** if any property, located
 2 within the boundaries of a fire protection district, is included within a city having a population
 3 of forty thousand inhabitants or more, which city is not wholly within the fire protection district,
 4 and which city maintains a city fire department, the property is excluded from the fire protection
 5 district.

6 **2. Unless the municipality and fire protection district contract otherwise, a fire**
 7 **protection district serving an area included within any annexation on or after January 1,**
 8 **2019, by a municipality located in any county of the first classification with more than one**
 9 **hundred fifty thousand but fewer than two hundred thousand inhabitants having a fire**
 10 **department, including simplified boundary changes, shall, following the annexation:**

11 **(1) Continue to provide fire protection services, including emergency medical**
 12 **services to such area;**

13 **(2) Levy and collect any tax upon all taxable property included within the annexed**
 14 **area authorized under chapter 321; and**

15 **(3) Enforce any fire protection and fire prevention ordinances adopted and**
 16 **amended by the fire protection district in such area.**

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

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.**

Section B. Because immediate action is necessary to prevent citizens of this state from
2 double taxation for fire protection services, the enactment of section 321.315 and the repeal and
3 reenactment of section 527.130 of section A of this act is deemed necessary for the immediate
4 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an
5 emergency act within the meaning of the constitution, and the enactment of section 321.315 and
6 the repeal and reenactment of section 527.130 of section A of this act shall be in full force and
7 effect upon its passage and approval.

✓