

CCS SS SCS HB 1291 -- POLITICAL SUBDIVISIONS

This bill modifies provisions regarding political subdivisions.

ZONING AROUND NATIONAL GUARD TRAINING CENTERS

This bill allows the governing bodies of certain counties to adopt ordinances regulating incompatible land uses and structures, as defined in the bill, within an unincorporated area surrounding the boundaries of any National Guard training center, if the county has participated in the completion of a joint land use study for the training center. Currently, this provision only applies to Adair, Audrain, Crawford, McDonald, Miller, Newton, Randolph, Ray, and Washington counties (Section 41.657, RSMo).

RETIREMENT FOR PROSECUTING AND CIRCUIT ATTORNEYS

This bill changes provisions regarding the retirement system for prosecuting and circuit attorneys.

When a county votes to make the office of prosecuting attorney a full-time position then the position shall qualify for the same retirement benefits as a full-time prosecutor of a first class county and such county shall make the same contributions to the Prosecuting Attorneys and Circuit Attorneys' Retirement Fund (PACARS) as paid by a first class county.

The term "compensation" as used in the PACARS retirement statutes shall include any salary reduction amounts under a cafeteria plan or a deferred compensation plan, but not include reimbursement for any expenses, consideration for agreeing to terminate employment, or any unusual payment not part of regular work pay.

Beginning on January 1, 2019, all members who are eligible to receive an annuity equal to 50% of the final average compensation upon retirement will contribute 2% of their salary to the fund, and beginning in the year 2020, such members must contribute 4% of salary to the fund. Upon retirement and at the discretion of the board of trustees, a member can receive a lump sum of his or her total contribution not to exceed 25% of average pay, in addition to any retirement benefits.

A person who becomes a member on or after January 1, 2019, may retire with a normal annuity with 12 or more years of service and reaching the age of 65. Upon termination of employment such member is entitled to a deferred normal annuity payable at age 60.

A former member who has forfeited creditable service may have the service restored again, in addition to requirements under current

law, by becoming an employee within 10 years of termination and contributing an amount to the retirement fund equal to any lump sum payment of contributions received upon termination of service.

All members serving in a county that has elected to make the position of prosecuting attorney a full-time position shall receive one year of creditable vesting service for each year served as a part-time or full-time prosecuting attorney. However, a member serving as a part-time prosecuting attorney shall receive six-tenths of a year of creditable benefit service for each year served. Any member who has less than 12 years of creditable benefit service upon retirement shall receive a reduced full-time benefit.

A member who vested as a part-time prosecuting attorney and ceased being a member for more than six months before returning as a full-time prosecuting attorney shall be entitled only to part-time benefits, and any creditable service earned as a full-time prosecutor shall begin a new vesting period. A member cannot receive benefits while employed as a prosecuting attorney (Sections 56.363, 56.805, 56.807, 56.814, 56.833, and 56.840).

STATUTORY COUNTY RECORDER'S FUND

This bill provides a method by which distributions from the statutory County Recorder's Fund will be allocated among counties if collections fall below distributions (Section 59.800).

COUNTY ROADS AND BRIDGES

This bill specifies that ballot questions to abolish the township form of government in a county shall also provide for a countywide tax for road and bridge purposes (Sections 65.610 and 65.620).

CITY OF ST. LOUIS' FIREMEN'S RETIREMENT SYSTEM

The bill allows the Firemen's Retirement System of the City of St. Louis to form cooperative agreements with other public retirement systems in the state in order to allow members to transfer creditable service between the retirement systems (Section 87.135).

PUBLIC SAFETY SALES TAX

This bill adds certain cities to the list of cities authorized to impose, upon voter approval, a sales tax of up to .05% for public safety purposes, including expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. Currently, the additional cities include Centralia and Lebanon (Section 94.900).

COUNTY ROADS

Currently, county bond funds and county special road and bridge funds for road, street, and bridge construction, maintenance, improvement, and repair can be used for those purposes in municipalities within the county if the road, street, or bridge is part of a continuous road, street, or bridge leading into or through the municipality. This bill removes the restriction that the road, street, or bridge must be part of a continuous road, street, or bridge leading into or through the municipality (Sections 108.120 and 137.555).

ST. FRANCOIS COUNTY ROAD AND BRIDGE TAX

This bill corrects the description of St. Francois County in a provision of law relating to expenditures of the county's special road and bridge tax moneys (Section 137.556).

SCHOOL DISTRICT ANNEXATION ELECTIONS

Currently, a school district may initiate an election for the voters of the district to decide whether to attach the district to a community college district. This bill permits a community college to initiate the election and pay its costs. The bill provides that the community college's board of trustees may call an election on a plan to attach the school district to the community college district and levy the community college district's tax levy (Section 162.441).

STORMWATER FACILITIES AND SYSTEMS

This bill adds stormwater facilities or systems and wastewater systems to the definition of "project" under the "Missouri Public-Private Transportation Act" provisions.

The bill also authorizes the formation of certain concession agreements using the public and private partnership model under Section 227.615, but requiring only agreements between a private party and the governing body of a political subdivision. Any sale of state or county assets is still subject to a vote of the people. Certain conditions for such public-private concession agreements are specified in the bill (Sections 227.600 and 227.601).