

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 291, Page 22, Section 190.462, Line 44, by inserting after said section and line the
3 following:
4

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

9 2. Notwithstanding any provision of law to the contrary, unless otherwise approved by a
10 majority vote of the governing body of the municipality and a majority vote of the governing body
11 of the fire protection district, or otherwise approved by a majority vote of the qualified voters in the
12 municipality and a majority vote of the qualified voters in the fire protection district, a fire
13 protection district serving an area included within any annexation by a municipality located in any
14 county of the first classification with more than one hundred fifty thousand but fewer than two
15 hundred thousand inhabitants, or an area included within any annexation by a municipality in a
16 county having a charter form of government, approved by a vote after January 1, 2008, including
17 simplified boundary changes, shall, following the annexation:

18 (1) Continue to provide fire protection services, including emergency medical services to
19 such area;

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

22 (3) Enforce any fire protection and fire prevention ordinances adopted and amended by the
23 fire protection district in such area.

24 3. All costs associated with placing an annexation on the ballot within a municipality that
25 involves an area that is served by a fire protection district shall be borne by the municipality.

26 4. The provisions of subsections 2 and 3 of this section shall not apply to:

27 (1) Any city of the third classification with more than four thousand five hundred but fewer
28 than five thousand inhabitants and located in any county with a charter form of government and
29 with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants;

30 (2) Any city of the fourth classification with more than three thousand but fewer than three
31 thousand seven hundred inhabitants and located in any county with a charter form of government
32 and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants;
33 and

34 (3) Any city of the third classification with more than eleven thousand five hundred but
35 fewer than thirteen thousand inhabitants and located in any county with a charter form of
36 government and with more than two hundred thousand but fewer than three hundred fifty thousand

Action Taken _____ Date _____

1 inhabitants.

2 5. Notwithstanding any other provision of law to the contrary, the residents of an area
3 included within any annexation by a municipality located in any county of the first classification
4 with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants, or an
5 area included within any annexation by a municipality in a county having a charter form of
6 government, approved by a vote after January 1, 2008, may vote in all fire protection district
7 elections and may be elected to the fire protection district board of directors.

8 6. With regard to any newly annexed territory contained within a fire district boundary, a
9 municipality has no obligation to respond to calls for service within such area."; and

10

11 Further amend said bill by amending the title, enacting clause, and intersectional references
12 accordingly.