

HCS HB 2154 -- FIRE PROTECTION

SPONSOR: Perkins

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Public Safety by a vote of 6 to 0.

The following is a summary of the House Committee Substitute for HB 2154.

This bill specifies that if, at any time, a city, town or village that annexed an area that was part of a fire protection district spends more than 3% of its budget to provide fire protection to the annexed area, through contracted services or annexation fees, then the city, town, or village must no longer provide fire protection to the annexed area nor impose taxes for fire protection on property within the annexed area. The fire protection district will resume providing fire protection to the annexed area and may impose taxes for fire protection on property within the annexed area at the same rate as the rest of the fire protection district.

The bill also requires an incorporated city to pay for the costs of installing a fire hydrants, other than a dry fire hydrant. If the city cannot or does not pay the cost of installation of the fire hydrant, installation of the fire hydrant cannot be required.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that this deals with unfunded mandates. Cities put restrictions on building projects that do not need to take place and then pass that cost on to the builder. When businesses want to come to a community they are often met with a lot of red tape and the community passes costs on to the business. The sponsor has an example from his district in which a business owner bought property from the city and then once he was ready to start building the city told him that he had to pay to put in fire hydrants. The sponsor thinks that it unfair since the city did not think fire hydrants were needed when they owned the land. They will not let him even start building until the fire hydrants are put in and he this was not in the agreement when the property was purchased from the City. By definition it is an unfunded mandate.

Testifying for the bill was Representative Perkins.

OPPOSERS: Those who oppose the bill say that they cannot speak to the example discussed but the bill does have unintended consequences. This is a public safety issue. When undeveloped

property is developed, like building a subdivision, etc, usually that is the responsibility of the builder to put hydrants and water lines in. Cities cannot spend public money for private purposes. This would apply to all fire hydrants in all situations.

Testifying against the bill were Ted Martin, City Of Branson; City of St. Peters; Mehlville Fire Protection District; Missouri Municipal League; MO Association of Municipal Utilities; and Arnie C. AC Dienoff.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.