

FIRST REGULAR SESSION

HOUSE BILL NO. 1264

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CASTEEL.

2121H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 67, RSMo, by adding thereto one new section relating to applications for property developments.

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

Section A. Chapter 67, RSMo, is amended by adding thereto one new section, to be known as section 67.486, to read as follows:

67.486. 1. As used in this section, the following terms mean:

(1) "Political subdivision", a local public body created under the Constitution of Missouri or by the general assembly that exercises governmental functions for purposes of a request made under this section;

(2) "Request", an application for a permit or any other kind of prior approval from a political subdivision for a permit related to the construction of a new residential, commercial, or industrial building or the repair or renovation of any such existing building.

2. (1) If an applicant submits a request to a political subdivision, the political subdivision shall approve or deny the applicant's request within thirty calendar days.

(2) If no response is received by an applicant within thirty calendar days, the request shall be deemed approved and the applicant is authorized to proceed with the construction as provided in the request.

(3) If the request is approved, the political subdivision shall not impose on the applicant additional requirements related to the request.

(4) (a) If the political subdivision denies the request, the political subdivision shall state in writing to the applicant the reasons for the denial.

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.

18 **(b) The written denial shall include, but not be limited to, the following:**

19 **a. If the request relates to work that is stamped by a certified design professional**
20 **and such request is denied on the basis of the political subdivision's rejection of such**
21 **work, a detailed description of why the work of the design professional who stamped**
22 **such work is so inferior or so insufficient that the political subdivision cannot approve**
23 **the request;**

24 **b. If the request is denied on the basis of a violation of a code provision**
25 **governing any part of the development or improvement that is the subject of the**
26 **request, a citation to the code provision the political subdivision determines has been**
27 **violated.**

28 **(5) The time limit in this subsection begins upon the political subdivision's**
29 **receipt of the applicant's request.**

30 **3. (1) A political subdivision may deny an applicant's request under subsection 2**
31 **of this section as incomplete.**

32 **(2) The request is incomplete if the political subdivision determines the request**
33 **fails to contain all information required by law, or by rule, ordinance, or policy of the**
34 **political subdivision, adopted prior to the submission of the request.**

35 **(3) If the political subdivision denies a request as incomplete, the political**
36 **subdivision shall state in writing to the applicant the reasons for the denial of the**
37 **request as incomplete.**

38 **(4) If an applicant resubmits a request after a receiving a written denial as**
39 **required under this section, the political subdivision shall not issue a subsequent denial**
40 **that includes additional unrelated reasons for denial that were unspecified and not**
41 **included in the denial of the initial request.**

42 **(5) The time limit in subsection 2 of this section shall reset only if, within twenty**
43 **calendar days of receipt of the applicant's request, the political subdivision sends**
44 **written notice to the applicant of the denial of the request as incomplete.**

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