

SECOND REGULAR SESSION

HOUSE BILL NO. 2447

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KORMAN.

6185H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 393.170, RSMo, and to enact in lieu thereof one new section relating to the construction of utility facilities.

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

Section A. Section 393.170, RSMo, is repealed and one new section enacted in lieu thereof, to be known as sections 393.170, to read as follows:

2 393.170. 1. No gas corporation, electrical corporation, water corporation or sewer
2 corporation shall begin construction of a gas plant, electric plant, water system or sewer system
3 without first having obtained the permission and approval of the commission.

4 2. No such corporation shall exercise any right or privilege under any franchise hereafter
5 granted, or under any franchise heretofore granted but not heretofore actually exercised, or the
6 exercise of which shall have been suspended for more than one year, without first having
7 obtained the permission and approval of the commission. Before such certificate shall be issued
8 a certified copy of the charter of such corporation shall be filed in the office of the commission,
9 together with a verified statement of the president and secretary of the corporation, showing that
10 it has received the required consent of the proper ~~municipal~~ **local governmental** authorities.

11 3. The commission shall have the power to grant the permission and approval herein
12 specified whenever it shall after due hearing determine that such construction or such exercise
13 of the right, privilege or franchise is necessary or convenient for the public service. The
14 commission may by its order impose such condition or conditions as it may deem reasonable and
15 necessary. Unless exercised within a period of two years from the grant thereof, authority
16 conferred by such certificate of convenience and necessity issued by the commission shall be null
17 and void.

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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.