

# HOUSE BILL NO. 733

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANKS JR.

1574H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To amend chapter 82, RSMo, by adding thereto two new sections relating to airports, with an emergency clause.

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

Section A. Chapter 82, RSMo, is amended by adding thereto two new sections, to be known as sections 82.465 and 82.466, to read as follows:

**82.465. 1. No proposal to privatize the operations of a public airport and landing fields located in county with a charter form of government and with more than nine hundred fifty thousand inhabitants by the sale, lease, or transfer of the airport, either in whole or in part, shall take effect unless the proposal is approved by the voters of the city or county that owns the airport. The governing body of the city or county that owns the airport may submit to the voters residing within the city or county at a state or municipal general, primary, or special election a proposal to privatize a public airport as long as the election is citywide or countywide.**

**2. The ballot submission for a proposal to privatize a public airport under this section shall be substantially the following form:**

Shall the (City/County) of \_\_\_\_\_ (insert city/county) (lease/sell/transfer), (in whole/in part), the public airport known as \_\_\_\_\_ (insert airport name)?

YES       NO

**3. If the majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, the lease, sale, or transfer of the airport shall be authorized and carried out in accordance with the Federal Aviation Administration's Airport Privatization Pilot Program, 49 U.S.C. Section 47134, and the FAA Modernization**

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 **and Reform Act of 2012, 112 Pub. L. 95. If a majority of the votes cast on the proposal by**  
19 **the qualified voters voting thereon are opposed to the proposal, a lease, sale, or transfer of**  
20 **the airport shall not become effective unless the proposal is resubmitted under this section**  
21 **and such proposal is approved by a majority of the qualified voters voting thereon.**  
22 **However, in no event shall a proposal under this section be resubmitted to the voters**  
23 **sooner than twelve months from the date of the previous proposal submission.**

**82.466. 1. If a city receives voter approval under section 82.465 to sell, lease, or**  
2 **transfer a public airport and landing fields owned by the city, either in whole or in part,**  
3 **the county in which the airport is located shall be given the right of first refusal to buy,**  
4 **lease, or accept the transfer of the airport and landing fields. After a city receives voter**  
5 **approval under section 82.465, the city shall notify the county that the city intends to**  
6 **accept a bona fide offer to purchase, lease, or transfer the airport and landing fields. The**  
7 **county shall have six months from the date of the notice to exercise its right of first refusal**  
8 **and purchase, lease, or accept the transfer of the public airport at the same price and**  
9 **under the same terms as stated in the notice.**

Section B. Because immediate action is necessary to give citizens of a city and an  
2 interested county a voice in the ongoing process to privatize a public airport, the enactment of  
3 sections 82.465 and 82.466 of this act is deemed necessary for the immediate preservation of the  
4 public health, welfare, peace, and safety, and is hereby declared to be an emergency act within  
5 the meaning of the constitution, and the enactment of sections 82.465 and 82.466 of this act shall  
6 be in full force and effect upon its passage and approval.

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