

SENATE BILL NO. 608

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR GANNON.

2310S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 190.327, RSMo, and to enact in lieu thereof one new section relating to emergency services.

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

Section A. Section 190.327, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 190.327, to read as follows:

190.327. 1. Immediately upon the decision by the commission to utilize a portion of the emergency telephone tax for central dispatching and an affirmative vote of the telephone tax, the commission shall appoint the initial members of a board which shall administer the funds and oversee the provision of central dispatching for emergency services in the county and in municipalities and other political subdivisions which have contracted for such service. Beginning with the general election in 1992, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish to the board and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency telephone service and in chapter 321, with regard to the provision of central dispatching service, and such duties shall be exercised by the board.

2. Elections for board members may be held on general municipal election day, as defined in subsection 3 of

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

21 section 115.121, after approval by a simple majority of the
22 county commission.

23 3. For the purpose of providing the services described
24 in this section, the board shall have the following powers,
25 authority and privileges:

26 (1) To have and use a corporate seal;

27 (2) To sue and be sued, and be a party to suits,
28 actions and proceedings;

29 (3) To enter into contracts, franchises and agreements
30 with any person, partnership, association or corporation,
31 public or private, affecting the affairs of the board;

32 (4) To acquire, construct, purchase, maintain, dispose
33 of and encumber real and personal property, including leases
34 and easements;

35 (5) To have the management, control and supervision of
36 all the business affairs of the board and the construction,
37 installation, operation and maintenance of any improvements;

38 (6) To hire and retain agents and employees and to
39 provide for their compensation including health and pension
40 benefits;

41 (7) To adopt and amend bylaws and any other rules and
42 regulations;

43 (8) To fix, charge and collect the taxes and fees
44 authorized by law for the purpose of implementing and
45 operating the services described in this section;

46 (9) To pay all expenses connected with the first
47 election and all subsequent elections; and

48 (10) To have and exercise all rights and powers
49 necessary or incidental to or implied from the specific
50 powers granted in this subsection. Such specific powers
51 shall not be considered as a limitation upon any power

52 necessary or appropriate to carry out the purposes and
53 intent of sections 190.300 to 190.329.

54 4. (1) Notwithstanding the provisions of subsections
55 1 and 2 of this section to the contrary, the county
56 commission may elect to appoint the members of the board to
57 administer the funds and oversee the provision of central
58 dispatching for emergency services in the counties,
59 municipalities, and other political subdivisions which have
60 contracted for such service upon the request of the
61 municipalities and other political subdivisions. Upon
62 appointment of the initial members of the board, the
63 commission shall relinquish all powers and duties to the
64 board and no longer exercise the duties prescribed in this
65 chapter with regard to the provision of central dispatching
66 service and such duties shall be exercised by the board.

67 (2) The board shall consist of seven members appointed
68 without regard to political affiliation. The members shall
69 include:

70 (a) Five members who shall serve for so long as they
71 remain in their respective county or municipal positions as
72 follows:

73 a. The county sheriff, or his or her designee;

74 b. The heads of the municipal police department who
75 have contracted for central dispatching service in the two
76 largest municipalities wholly contained within the county,
77 or their designees; or

78 c. The heads of the municipal fire departments or fire
79 divisions who have contracted for central dispatching
80 service in the two largest municipalities wholly contained
81 within the county, or their designees;

82 (b) Two members who shall serve two-year terms
83 appointed from among the following:

84 a. The head of any of the county's fire protection
85 districts who have contracted for central dispatching
86 service, or his or her designee;

87 b. The head of any of the county's ambulance districts
88 who have contracted for central dispatching service, or his
89 or her designee;

90 c. The head of any of the municipal police departments
91 located in the county who have contracted for central
92 dispatching service, or his or her designee, excluding those
93 mentioned in subparagraph b. of paragraph (a) of this
94 subdivision; and

95 d. The head of any of the municipal fire departments
96 in the county who have contracted for central dispatching
97 service, or his or her designee, excluding those mentioned
98 in subparagraph c. of paragraph (a) of this subdivision.

99 (3) Upon the appointment of the board under this
100 subsection, the board shall have the powers provided in
101 subsection 3 of this section and the commission shall
102 relinquish all powers and duties relating to the provision
103 of central dispatching service under this chapter to the
104 board.

105 [5. An emergency services board originally organized
106 under section 190.325 operating within a county with a
107 charter form of government and with more than two hundred
108 thousand but fewer than three hundred fifty thousand
109 inhabitants shall not have a sales tax for emergency
110 services or for providing central dispatching for emergency
111 services greater than one-quarter of one percent. If on
112 July 9, 2019, such tax is greater than one-quarter of one
113 percent, the board shall lower the tax rate.]

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