

# SENATE BILL NO. 797

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOSLEY.

2827S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 321, RSMo, by adding thereto one new section relating to fire protection districts.

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

Section A. Chapter 321, RSMo, is amended by adding thereto  
2 one new section, to be known as section 321.731, to read as  
3 follows:

321.731. 1. Notwithstanding any other provision of  
2 law to the contrary, in any fire protection district which  
3 is located within, or which adjoins a fire protection  
4 district which is located within, in whole or in part, a  
5 street light maintenance district with a registration of  
6 more than one thousand but less than three thousand voters,  
7 or which is wholly located within a street light maintenance  
8 district with a registration of more than five hundred but  
9 less than one thousand voters, and that is located within a  
10 county with a charter form of government and with more than  
11 nine hundred fifty thousand inhabitants, the board of  
12 election commissioners sitting as an apportionment  
13 commission of such county shall establish one ward for each  
14 district director for the purpose of electing directors of  
15 such districts. In the event of a tie vote for adoption of  
16 an apportionment or re-apportionment of wards, the  
17 chairperson of the affected fire district shall break the  
18 tie.

19           2. The ward boundaries shall be drawn by the  
20 commissioners within ninety days after the effective date of  
21 this act and within six months after each decennial census  
22 is reported to the president of the United States.

23           3. The commissioners shall apportion the wards by  
24 dividing the population, determined by the preceding  
25 decennial census, of the district by the number of directors  
26 and shall establish each ward so that the population of that  
27 ward shall, as nearly as possible, equal that figure or be  
28 within one percent thereof. Each ward shall be composed of  
29 contiguous territory as compact as may be.

30           4. All directors elected or appointed in such  
31 districts shall be elected or appointed to represent one of  
32 the wards, beginning with the first general municipal  
33 election or vacancy occurring after the effective date of  
34 this act. Each member shall reside for one year prior to  
35 the date of his or her election in the ward from which he or  
36 she is elected, or in the case of a vacancy, the ward from  
37 which he or she is appointed; and shall forfeit their office  
38 if they remove their residence from the ward. Such vacancy  
39 may be declared, after notice and a hearing, and the office  
40 filled by the remaining members of the board as provided by  
41 law.

42           5. Elected members of the board in office on the  
43 effective date of this act shall hold office for the length  
44 of the term for which they were elected and until their  
45 successors are elected and qualified, and any members  
46 appointed to fill vacancies in office occurring after the  
47 effective date of this act shall serve until the next  
48 general municipal election, at which time a successor shall  
49 be elected to serve for the remainder of the term to which  
50 the replaced member was elected.

51           6. At the first general municipal election to occur  
52 after the effective date of this act, at which an election  
53 for a fire protection district director is scheduled to be  
54 on the ballot, the elections for the seats of any expiring  
55 terms or appointed terms, as provided herein, of at-large  
56 board members shall be filled by persons elected from the  
57 lowest-numbered wards, as those wards are created and  
58 numbered by the apportionment commission. At the second  
59 general municipal election to occur after the effective date  
60 of this act, at which an election for a fire protection  
61 district director is scheduled to be on the ballot, the  
62 elections for the seats of any expiring terms or appointed  
63 terms, as provided herein, of at-large board members, shall  
64 be filled by persons elected from the lowest-numbered wards,  
65 not filled at the prior election. At the third general  
66 municipal election to occur after the effective date of this  
67 act, at which an election for a fire protection district  
68 director is scheduled to be on the ballot, the elections for  
69 the seats of any expiring terms or appointed terms, as  
70 provided herein, of at-large board members, shall be filled  
71 by persons elected from the lowest-numbered wards, not  
72 filled at the prior two elections.

73           7. The law governing fire protection districts shall  
74 continue to apply to any district described in this section,  
75 except as expressly provided in this section.

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