

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 854**  
**97TH GENERAL ASSEMBLY**

4302H.05C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 49.266, 50.565, 50.660, 50.783, 56.807, 67.281, 67.320, 72.401, 77.030, 79.050, 94.270, 99.845, 105.935, 137.100, 160.522, 192.310, 300.320, 304.190, 321.015, 321.130, 321.210, 321.322, 348.407, 488.026, 512.180, 534.060, 534.350, 534.360, 534.380, 535.030, 535.110, 535.160, 535.170, 535.200, and 535.210, RSMo, and to enact in lieu thereof forty-five new sections relating to political subdivisions.

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

Section A. Sections 49.266, 50.565, 50.660, 50.783, 56.807, 67.281, 67.320, 72.401, 77.030, 79.050, 94.270, 99.845, 105.935, 137.100, 160.522, 192.310, 300.320, 304.190, 321.015, 321.130, 321.210, 321.322, 348.407, 488.026, 512.180, 534.060, 534.350, 534.360, 534.380, 535.030, 535.110, 535.160, 535.170, 535.200, and 535.210, RSMo, are repealed and forty-five new sections enacted in lieu thereof, to be known as sections 49.266, 50.565, 50.660, 50.783, 56.807, 67.281, 67.320, 67.585, 71.950, 72.401, 77.030, 79.050, 94.270, 99.845, 105.935, 135.980, 137.100, 144.1030, 160.522, 190.275, 192.310, 249.424, 262.960, 262.962, 304.190, 321.015, 321.130, 321.210, 321.322, 348.407, 407.1610, 488.026, 488.2235, 512.180, 534.060, 534.350, 534.360, 534.380, 535.030, 535.110, 535.160, 535.170, 535.200, 535.210 and 1, to read as follows:

49.266. 1. The county commission in all **noncharter** counties [of the first, second or fourth classification] may by order or ordinance promulgate reasonable regulations concerning the use of county property, the hours, conditions, methods and manner of such use and the regulation of pedestrian and vehicular traffic and parking thereon.

2. Violation of any regulation so adopted under subsection 1 of this section is an infraction.

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.

7           3. Upon a determination by the [state fire marshal] **county commission** that a burn ban  
8 order is appropriate for a county because:

9           (1) An actual or impending occurrence of a natural disaster of major proportions within  
10 the county jeopardizes the safety and welfare of the inhabitants of such county; and

11           (2) The [U.S. Drought Monitor has designated the county as an area of severe, extreme,  
12 or exceptional drought,] **Keetch-Byram drought index reflects four hundred twenty-five or**  
13 **greater for designated county or the National Weather Service has issued a “red flag”**  
14 **warning for the county**, the county commission may adopt an order or ordinance issuing a burn  
15 ban, which may carry a penalty of up to a class A misdemeanor. State agencies responsible for  
16 fire management or suppression activities and persons conducting agricultural burning using best  
17 management practices shall not be subject to the provisions of this subsection. The ability of an  
18 individual, organization, or corporation to sell fireworks shall not be affected by the issuance of  
19 a burn ban. The county burn ban may prohibit the explosion or ignition of any missile or  
20 skyrocket as the terms "missile" and "skyrocket" are defined by the 2012 edition of the American  
21 Fireworks Standards Laboratory, but shall not ban the explosion or ignition of any other  
22 consumer fireworks as the term "consumer fireworks" is defined under section 320.106.

23           4. The regulations so adopted shall be codified, printed and made available for public  
24 use and adequate signs concerning smoking, traffic and parking regulations shall be posted.

50.565 1. A county commission may establish by ordinance or order a fund whose  
2 proceeds may be expended only for the purposes provided for in subsection 3 of this section.  
3 The fund shall be designated as a county law enforcement restitution fund and shall be under the  
4 supervision of a board of trustees consisting of two citizens of the county appointed by the  
5 presiding commissioner of the county, two citizens of the county appointed by the sheriff of the  
6 county, **two citizens of the county appointed by the prosecuting attorney**, and one citizen of  
7 the county appointed by the county coroner or medical examiner. The citizens so appointed shall  
8 not be current or former elected officials, current or former employees of the sheriff's  
9 department, the office of the prosecuting attorney for the county, office of the county  
10 commissioners, or the county treasurer's office. If a county does not have a coroner or medical  
11 examiner, the county treasurer shall appoint one citizen to the board of trustees.

12           2. Money from the county law enforcement restitution fund shall only be expended upon  
13 the approval of a majority of the members of the county law enforcement restitution fund's board  
14 of trustees and only for the purposes provided for by subsection 3 of this section.

15           3. Money from the county law enforcement restitution fund shall only be expended for  
16 the following purposes **for the sheriff or prosecuting attorney**:

17           (1) Narcotics investigation, prevention, and intervention;

18           (2) Purchase of law enforcement-related equipment and supplies for the sheriff's office;

- 19 (3) Matching funds for federal or state law enforcement grants;
- 20 (4) Funding for the reporting of all state and federal crime statistics or information; and
- 21 (5) Any county law enforcement-related expense, including those of the prosecuting  
22 attorney, approved by the board of trustees for the county law enforcement restitution fund that  
23 is reasonably related to investigation, charging, preparation, trial, and disposition of criminal  
24 cases before the courts of the state of Missouri.
- 25 4. The county commission may not reduce any law enforcement agency's budget as a  
26 result of funds the law enforcement agency receives from the county law enforcement restitution  
27 fund. The restitution fund is to be used only as a supplement to the law enforcement agency's  
28 funding received from other county, state, or federal funds.
- 29 5. County law enforcement restitution funds shall be audited as are all other county  
30 funds.
- 31 6. No court may order the assessment and payment authorized by this section if the plea  
32 of guilty or the finding of guilt is to the charge of speeding, careless and imprudent driving, any  
33 charge of violating a traffic control signal or sign, or any charge which is a class C misdemeanor  
34 or an infraction. No assessment and payment ordered pursuant to this section may exceed three  
35 hundred dollars for any charged offense.

50.660. 1. All contracts shall be executed in the name of the county, or in the name of  
2 a township in a county with a township form of government, by the head of the department or  
3 officer concerned, except contracts for the purchase of supplies, materials, equipment or services  
4 other than personal made by the officer in charge of purchasing in any county or township having  
5 the officer. No contract or order imposing any financial obligation on the county or township  
6 is binding on the county or township unless it is in writing and unless there is a balance  
7 otherwise unencumbered to the credit of the appropriation to which it is to be charged and a cash  
8 balance otherwise unencumbered in the treasury to the credit of the fund from which payment  
9 is to be made, each sufficient to meet the obligation incurred and unless the contract or order  
10 bears the certification of the accounting officer so stating; except that in case of any contract for  
11 public works or buildings to be paid for from bond funds or from taxes levied for the purpose  
12 it is sufficient for the accounting officer to certify that the bonds or taxes have been authorized  
13 by vote of the people and that there is a sufficient unencumbered amount of the bonds yet to be  
14 sold or of the taxes levied and yet to be collected to meet the obligation in case there is not a  
15 sufficient unencumbered cash balance in the treasury. All contracts and purchases shall be let  
16 to the lowest and best bidder after due opportunity for competition, including advertising the  
17 proposed letting in a newspaper in the county or township with a circulation of at least five  
18 hundred copies per issue, if there is one, except that the advertising is not required in case of  
19 contracts or purchases involving an expenditure of less than six thousand dollars. It is not

20 necessary to obtain bids on any purchase in the amount of four thousand five hundred dollars or  
21 less made from any one person, firm or corporation during any period of ninety days or, if the  
22 county is any county of the first classification with more than one hundred fifty thousand but  
23 fewer than two hundred thousand inhabitants, [or] any county of the first classification with more  
24 than two hundred sixty thousand but fewer than three hundred thousand inhabitants, **or any**  
25 **county with more than seventy-five thousand but fewer than one hundred thousand**  
26 **inhabitants and with a city of the fourth classification with more than seventeen thousand**  
27 **but fewer than nineteen thousand inhabitants as the county seat**, it is not necessary to obtain  
28 bids on such purchases in the amount of six thousand dollars or less. All bids for any contract  
29 or purchase may be rejected and new bids advertised for. Contracts which provide that the  
30 person contracting with the county or township shall, during the term of the contract, furnish to  
31 the county or township at the price therein specified the supplies, materials, equipment or  
32 services other than personal therein described, in the quantities required, and from time to time  
33 as ordered by the officer in charge of purchasing during the term of the contract, need not bear  
34 the certification of the accounting officer, as herein provided; but all orders for supplies,  
35 materials, equipment or services other than personal shall bear the certification. In case of such  
36 contract, no financial obligation accrues against the county or township until the supplies,  
37 materials, equipment or services other than personal are so ordered and the certificate furnished.

38 2. Notwithstanding the provisions of subsection 1 of this section to the contrary,  
39 advertising shall not be required in any county in the case of contracts or purchases involving an  
40 expenditure of less than six thousand dollars.

50.783. 1. The county commission may waive the requirement of competitive bids or  
2 proposals for supplies when the commission has determined in writing and entered into the  
3 commission minutes that there is only a single feasible source for the supplies. Immediately  
4 upon discovering that other feasible sources exist, the commission shall rescind the waiver and  
5 proceed to procure the supplies through the competitive processes as described in this chapter.  
6 A single feasible source exists when:

7 (1) Supplies are proprietary and only available from the manufacturer or a single  
8 distributor; or

9 (2) Based on past procurement experience, it is determined that only one distributor  
10 services the region in which the supplies are needed; or

11 (3) Supplies are available at a discount from a single distributor for a limited period of  
12 time.

13 2. On any single feasible source purchase where the estimated expenditure is three  
14 thousand dollars or over, the commission shall post notice of the proposed purchase. Where the  
15 estimated expenditure is five thousand dollars or over, the commission shall also advertise the

16 commission's intent to make such purchase in at least one daily and one weekly newspaper of  
17 general circulation in such places as are most likely to reach prospective bidders or offerors and  
18 may provide such information through an electronic medium available to the general public at  
19 least ten days before the contract is to be let.

20 3. Notwithstanding subsection 2 of this section to the contrary, on any single feasible  
21 service purchase by:

22 (1) Any county of the first classification with more than one hundred fifty thousand but  
23 fewer than two hundred thousand inhabitants; [or]

24 (2) Any county of the first classification with more than two hundred sixty thousand but  
25 fewer than three hundred thousand inhabitants; or

26 (3) **Any county with more than seventy-five thousand but fewer than one hundred**  
27 **thousand inhabitants and with a city of the fourth classification with more than seventeen**  
28 **thousand but fewer than nineteen thousand inhabitants as the county seat;**

29

30 where the estimated expenditure is six thousand dollars or over, the commission shall post notice  
31 of the proposed purchase and advertise the commission's intent to make such purchase in at least  
32 one daily and one weekly newspaper of general circulation in such places as are most likely to  
33 reach prospective bidders or offerors and may provide such information through an electronic  
34 medium available to the general public at least ten days before the contract is to be let.

56.807. 1. Beginning August 28, 1989, and continuing monthly thereafter until August  
2 27, 2003, the funds for prosecuting attorneys and circuit attorneys provided for in subsection 2  
3 of this section shall be paid from county or city funds.

4 2. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003,  
5 each county treasurer shall pay to the system the following amounts to be drawn from the general  
6 revenues of the county:

7 (1) For counties of the third and fourth classification except as provided in subdivision  
8 (3) of this subsection, three hundred seventy-five dollars;

9 (2) For counties of the second classification, five hundred forty-one dollars and sixty-  
10 seven cents;

11 (3) For counties of the first classification, counties which pursuant to section 56.363  
12 elect to make the position of prosecuting attorney a full-time position after August 28, 2001, or  
13 whose county commission has elected a full-time retirement benefit pursuant to subsection 3 of  
14 section 56.363, and the city of St. Louis, one thousand two hundred ninety-one dollars and sixty-  
15 seven cents.

16 3. Beginning August 28, 1989, and continuing until August 27, 2003, the county  
17 treasurer shall at least monthly transmit the sums specified in subsection 2 of this section to the

18 Missouri office of prosecution services for deposit to the credit of the "Missouri Prosecuting  
19 Attorneys and Circuit Attorneys' Retirement System Fund", which is hereby created. All moneys  
20 held by the state treasurer on behalf of the system shall be paid to the system within ninety days  
21 after August 28, 1993. Moneys in the Missouri prosecuting attorneys and circuit attorneys'  
22 retirement system fund shall be used only for the purposes provided in sections 56.800 to 56.840  
23 and for no other purpose.

24 4. Beginning August 28, 2003, the funds for prosecuting attorneys and circuit attorneys  
25 provided for in this section shall be paid from county or city funds and the surcharge established  
26 in this section and collected as provided by this section and sections 488.010 to 488.020.

27 5. **(1)** Beginning August 28, 2003, each county treasurer shall pay to the system the  
28 following amounts to be drawn from the general revenues of the county:

29 **[(1)] (a)** For counties of the third and fourth classification except as provided in  
30 **[subdivision (3)] paragraph (c)** of this **[subsection] subdivision**, one hundred eighty-seven  
31 dollars;

32 **[(2)] (b)** For counties of the second classification, two hundred seventy-one dollars;

33 **[(3)] (c)** For counties of the first classification, counties which pursuant to section 56.363  
34 elect to make the position of prosecuting attorney a full-time position after August 28, 2001, or  
35 whose county commission has elected a full-time retirement benefit pursuant to subsection 3 of  
36 section 56.363, and the city of St. Louis, six hundred forty-six dollars.

37 **(2) Beginning August 28, 2014, the county contribution set forth in paragraphs (a)**  
38 **to (c) of subdivision (1) of this subsection shall be adjusted in accordance with the following**  
39 **schedule based upon the prosecuting attorneys and circuit attorneys' retirement system's**  
40 **annual actuarial valuation report. If the system's funding ratio is:**

41 **(a) One hundred twenty percent or more, no monthly sum shall be transmitted;**

42 **(b) More than one hundred ten percent but less than one hundred twenty percent,**  
43 **the monthly sum transmitted shall be reduced fifty percent;**

44 **(c) At least ninety percent and up to and including one hundred ten percent, the**  
45 **monthly sum transmitted shall remain the same;**

46 **(d) At least eighty percent and less than ninety percent, the monthly sum**  
47 **transmitted shall be increased fifty percent; and**

48 **(e) Less than eighty percent, the monthly sum transmitted shall be increased one**  
49 **hundred percent.**

50 6. Beginning August 28, 2003, the county treasurer shall at least monthly transmit the  
51 sums specified in subsection 5 of this section to the Missouri office of prosecution services for  
52 deposit to the credit of the Missouri prosecuting attorneys and circuit attorneys' retirement system  
53 fund. Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund

54 shall be used only for the purposes provided in sections 56.800 to 56.840, and for no other  
55 purpose.

56 7. Beginning August 28, 2003, the following surcharge for prosecuting attorneys and  
57 circuit attorneys shall be collected and paid as follows:

58 (1) There shall be assessed and collected a surcharge of four dollars in all criminal cases  
59 filed in the courts of this state including violation of any county ordinance [or] , any violation  
60 of criminal or traffic laws of this state, including infractions, **and against any person who pled**  
61 **guilty and paid a fine through a fine collection center**, but no such surcharge shall be assessed  
62 when the costs are waived or are to be paid by the state, county, or municipality or when a  
63 criminal proceeding or the defendant has been dismissed by the court [or against any person who  
64 has pled guilty and paid their fine pursuant to subsection 4 of section 476.385]. For purposes of  
65 this section, the term "county ordinance" shall include any ordinance of the city of St. Louis;

66 (2) The clerk responsible for collecting court costs in criminal cases shall collect and  
67 disburse such amounts as provided by sections 488.010 to 488.026. Such funds shall be payable  
68 to the prosecuting attorneys and circuit attorneys' retirement fund. Moneys credited to the  
69 prosecuting attorneys and circuit attorneys' retirement fund shall be used only for the purposes  
70 provided for in sections 56.800 to 56.840 and for no other purpose.

71 8. The board may accept gifts, donations, grants and bequests from private or public  
72 sources to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

73 9. No state moneys shall be used to fund section 56.700 and sections 56.800 to 56.840  
74 unless provided for by law.

67.281. 1. A builder of one- or two-family dwellings or townhouses shall offer to any  
2 purchaser on or before the time of entering into the purchase contract the option, at the  
3 purchaser's cost, to install or equip fire sprinklers in the dwelling or townhouse. Notwithstanding  
4 any other provision of law to the contrary, no purchaser of such a one- or two-family dwelling  
5 or townhouse shall be denied the right to choose or decline to install a fire sprinkler system in  
6 such dwelling or townhouse being purchased by any code, ordinance, rule, regulation, order, or  
7 resolution by any county or other political subdivision. Any county or other political subdivision  
8 shall provide in any such code, ordinance, rule, regulation, order, or resolution the mandatory  
9 option for purchasers to have the right to choose and the requirement that builders offer to  
10 purchasers the option to purchase fire sprinklers in connection with the purchase of any one- or  
11 two-family dwelling or townhouse. The provisions of this section shall expire on December 31,  
12 [2019] **2024**.

13 2. Any governing body of any political subdivision that adopts the 2009 International  
14 Residential Code for One- and Two-Family Dwellings or a subsequent edition of such code  
15 without mandated automatic fire sprinkler systems in Section R313 of such code shall retain the

16 language in section R317 of the 2006 International Residential Code for two-family dwellings  
17 (R317.1) and townhouses (R317.2).

67.320. 1. Any county [of the first classification with more than one hundred ninety-  
2 eight thousand but less than one hundred ninety-nine thousand two hundred] **with a charter**  
3 **form of government and with more than two hundred thousand but fewer than three**  
4 **hundred fifty thousand** inhabitants or any county of the first classification with more than one  
5 hundred one thousand but fewer than one hundred fifteen thousand inhabitants may prosecute  
6 and punish violations of its county orders in the circuit court of such counties in the manner and  
7 to the extent herein provided or in a county municipal court if creation of a county municipal  
8 court is approved by order of the county commission. The county may adopt orders with penal  
9 provisions consistent with state law, but only in the areas of traffic violations, solid waste  
10 management, county building codes, on-site sewer treatment, zoning orders, and animal control.  
11 Any county municipal court established pursuant to the provisions of this section shall have  
12 jurisdiction over violations of that county's orders and the ordinances of municipalities with  
13 which the county has a contract to prosecute and punish violations of municipal ordinances of  
14 the municipality.

15 2. Except as provided in subsection 5 of this section in any county which has elected to  
16 establish a county municipal court pursuant to this section, the judges for such court shall be  
17 appointed by the county commission of such county, subject to confirmation by the legislative  
18 body of such county in the same manner as confirmation for other county appointed officers.  
19 The number of judges appointed, and qualifications for their appointment, shall be established  
20 by order of the commission.

21 3. The practice and procedure of each prosecution shall be conducted in compliance with  
22 all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this  
23 section.

24 4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with  
25 the term order for purposes of this section.

26 5. In any county of the first classification with more than one hundred one thousand but  
27 fewer than one hundred fifteen thousand inhabitants, the first judges shall be appointed by the  
28 county commission for a term of four years, and thereafter the judges shall be elected for a term  
29 of four years. The number of judges appointed, and qualifications for their appointment, shall  
30 be established by order of the commission.

**67.585. 1. The governing body of any county of the first classification with more**  
2 **than two hundred thousand but fewer than two hundred sixty thousand inhabitants,**  
3 **through the creation of a recreational and community center district which shall include**  
4 **only the area encompassed by the portion of a school district located within that county**



5 having an average daily attendance for the 2012-2013 school year between eleven thousand  
6 and twelve thousand students and any public park located wholly or partially within that  
7 portion of the school district, upon voter approval as outlined in subsections 2 and 3 of this  
8 section, shall impose, by order or ordinance, a sales tax on all retail sales made within the  
9 recreational and community center district which are subject to sales tax under chapter  
10 144. The tax authorized in this section shall not exceed one half of one percent and shall  
11 be imposed for the purpose of funding the construction, maintenance, and operation of and  
12 the purchase of equipment for community centers and other purposes of recreation and  
13 wellness as determined by the board which is established in subsection 8 of this section.  
14 The tax authorized in this section shall be in addition to all other sales taxes imposed by  
15 law and shall be stated separately from all other charges and taxes.

16 2. (1) No such order or ordinance adopted under subsection 1 of this section shall  
17 become effective unless the governing body of the county submits to the voters residing  
18 within the recreational and community center district on any date available for elections  
19 in the county, a proposal to authorize the governing body of the county to impose a tax  
20 under this section; or

21 (2) If the governing body of the county receives a petition signed by ten percent of  
22 the registered voters of the county within the recreational and community center district  
23 who voted in the last gubernatorial election calling for an election to impose a tax under  
24 this section, the governing body shall submit to the voters of the county within the  
25 recreational and community center district on any date available for elections in the  
26 county, a proposal to authorize the governing body of the county to impose a tax under this  
27 section; or

28 (3) If the governing body of a special charter city with more than twenty-nine  
29 thousand but fewer than thirty-two thousand inhabitants, and a governing body of a home  
30 rule city with more than four hundred thousand inhabitants and located in more than one  
31 county, jointly request, the governing body of the county shall submit to the voters of the  
32 county within the recreational and community center district on any date available for  
33 elections in the county a proposal to authorize the governing body of the county to impose  
34 a tax under this section.

35

36 All costs associated with placing such a question to the voters within the recreational and  
37 community center district shall be borne by the cities referenced in subdivision (3) of  
38 subsection 2 of this section. If such tax is authorized by the voters of the recreational and  
39 community center district, the cost may be reimbursed to such cities upon implementation  
40 of the tax.

41           **3. The ballot of submission shall contain, but need not be limited to, the following**  
42 **language:**

43           **Shall the county of ..... (county's name) impose a sales tax of ..... (insert amount)**  
44 **within the boundaries of the ..... (insert name) school district for the purpose of funding**  
45 **the construction, repair, improvement, maintenance, and operation of and purchase of**  
46 **equipment for community centers and other recreational facilities and programs?**

47

48 **If a majority of the votes cast on the question by the qualified voters voting thereon are in**  
49 **favor of the question, then the tax shall become effective on the first day of the second**  
50 **calendar quarter. If a majority of the votes cast on the question by the qualified voters**  
51 **voting thereon are opposed to the question, then the tax shall not become effective unless**  
52 **and until the question is resubmitted under this section to the qualified voters and such**  
53 **question is approved by the requisite majority of the qualified voters voting on the**  
54 **question. In no event shall a proposal under this section be submitted to the voters sooner**  
55 **than twelve months from the date of the last proposal under this section.**

56           **4. Except as modified in this section, all provisions of sections 32.085 and 32.087**  
57 **shall apply to the tax imposed under this section.**

58           **5. All revenue collected under this section by the director of the department of**  
59 **revenue on behalf of any county, except for one percent for the cost of collection which**  
60 **shall be deposited in the state's general revenue fund after payment of premiums for surety**  
61 **bonds as provided in section 32.087, shall be deposited in a special trust fund, which is**  
62 **hereby created and shall be known as the "Recreational and Community Center District**  
63 **Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in**  
64 **the fund shall not be deemed to be state funds and shall not be commingled with any funds**  
65 **of the state. The director may make refunds from the amounts in the fund and credited**  
66 **to the county for erroneous payments and overpayments made and may redeem**  
67 **dishonored checks and drafts deposited to the credit of such county.**

68           **6. A question of repeal of the sales tax authorized in this section shall be submitted**  
69 **to the voters on any date available for elections in the county, of the recreational and**  
70 **community center district by the governing body of any county that has adopted the sales**  
71 **tax authorized in this section if:**

72           **(1) The board authorized in subsection 8 of this section requests such; or**

73           **(2) A petition signed by a number of registered voters of the county within the**  
74 **recreational and community center district equal to at least ten percent of the number of**  
75 **registered voters of the county within the recreational and community center district voting**  
76 **in the last gubernatorial election is received requesting such.**

77 **If a majority of the votes cast on the question by the qualified voters voting thereon are in**  
78 **favor of the repeal, that repeal shall become effective on December thirty-first of the**  
79 **calendar year in which such repeal was approved. If less than a majority of the votes cast**  
80 **on the question by the qualified voters voting thereon are in favor of the repeal, then the**  
81 **sales tax authorized in this section shall remain effective until the question is resubmitted**  
82 **under this section to the qualified voters. In no event shall a proposal under this section**  
83 **be submitted to the voters sooner than twelve months from the date of the last proposal**  
84 **under this section. No tax imposed under this section for the purpose of retiring bonds, as**  
85 **authorized in subsection 8 in this section, may be terminated until all such bonds have been**  
86 **retired.**

87 **7. If the tax is repealed or terminated by any means, all funds remaining in the**  
88 **special trust fund shall continue to be used solely for the designated purposes, and the**  
89 **county shall notify the director of the department of revenue of the action at least ninety**  
90 **days before the effective date of the repeal, and the director may order retention in the**  
91 **trust fund, for a period of one year, of two percent of the amount collected after receipt of**  
92 **such notice to cover possible refunds or overpayment of the tax and to redeem dishonored**  
93 **checks and drafts deposited to the credit of such accounts. After one year has elapsed after**  
94 **the effective date of abolition of the tax in such county, the director shall remit the balance**  
95 **in the account to the county and close the account of that county. The director shall notify**  
96 **each county of each instance of any amount refunded or any check redeemed from receipts**  
97 **due to the county.**

98 **8. A board shall be established to administer the powers and duties as provided in**  
99 **this section. The board may issue debt for the district as authorized under section 67.798.**  
100 **All board members shall be residents of the recreational and community center district.**  
101 **The board shall consist of eight members as follows:**

102 **(1) Four members appointed by the mayor of a home rule city with more than four**  
103 **hundred thousand inhabitants and located in more than one county, with two of the first**  
104 **members appointed for a two-year term and the other two members appointed for a four-**  
105 **year term. Thereafter, each appointment shall be for a four-year term;**

106 **(2) Four members appointed by the mayor of a special charter city with more than**  
107 **twenty-nine thousand but fewer than thirty-two thousand inhabitants, with two of the first**  
108 **members appointed for a two-year term and the other two members appointed for a four-**  
109 **year term. Thereafter, each appointment shall be for a four-year term;**

110

111 **A board member may be removed by the mayor who appointed him or her, at any time**  
112 **during his or her term, for reasons of excessive absence at regularly scheduled board**

113 meetings. The mayor shall appoint a replacement member to serve for the remainder of  
114 the current term. No member may serve more than two full terms. A partial term shall  
115 not be considered a term.

71.950. 1. Any municipality may establish by ordinance or order a fund whose  
2 proceeds may be expended only for the purposes provided for in subsection 3 of this  
3 section. The fund shall be designated as a municipal law enforcement restitution fund and  
4 shall be under the supervision of the municipal mayor or city administrator, municipal  
5 prosecutor, municipal judge, and municipal chief of police or in the absence of municipal  
6 chief of police the county sheriff if the municipality has contracted with the county sheriff  
7 for law enforcement services.

8 2. Money from the municipal law enforcement restitution fund shall only be  
9 expended upon the approval of a majority of the members of the municipal law  
10 enforcement restitution fund's board of trustees and only for the purposes provided for by  
11 subsection 3 of this section.

12 3. Money from the municipal law enforcement restitution fund shall only be  
13 expended for the following purposes for the municipal police department, municipal  
14 prosecuting attorney and municipal court:

15 (1) Narcotics investigation, prevention, and intervention;

16 (2) Purchase of law enforcement-related equipment and supplies for the police  
17 department;

18 (3) Matching funds for federal or state law enforcement grants;

19 (4) Funding for the reporting of all municipal, state and federal crime statistics or  
20 information; and

21 (5) Any municipal law enforcement-related expense, including those of the  
22 prosecuting attorney, approved by the board of trustees for the municipal law enforcement  
23 restitution fund that is reasonably related to investigation, charging, preparation, trial, and  
24 disposition of criminal cases before the courts of the state of Missouri.

25 4. No municipal governmental entity adoption this enabling ordinance may reduce  
26 any law enforcement agency's budget as a result of funds the law enforcement agency  
27 receives from the municipal law enforcement restitution fund. The restitution fund is to be  
28 used only as a supplement to the law enforcement agency's funding received from other  
29 municipal, county, state, or federal funds.

30 5. Municipal law enforcement restitution funds shall be audited as are all other  
31 municipal funds.

32 6. No court may order the assessment and payment authorized by this section if the  
33 plea of guilty or the finding of guilt is to the charge of speeding, careless and imprudent

34 **driving, or any charge of violating a traffic control signal or sign. No assessment and**  
35 **payment ordered pursuant to this section may exceed one hundred dollars for any charged**  
36 **offense.**

72.401. 1. If a commission has been established pursuant to section 72.400 in any  
2 county with a charter form of government where fifty or more cities, towns and villages have  
3 been established, any boundary change within the county shall proceed solely and exclusively  
4 in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory  
5 provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and  
7 villages have been established, if the governing body of such county has by ordinance established  
8 a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such  
9 county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection.  
11 No member, employee or contractor of the commission shall be an elective official, employee  
12 or contractor of the county or of any political subdivision within the county or of any  
13 organization representing political subdivisions or officers or employees of political  
14 subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this  
15 subsection shall appoint persons who shall be residents of their respective locality so described.  
16 The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have  
18 a population of more than twenty thousand persons, who shall name two members to the  
19 commission as prescribed in this subsection each of whom is a resident of a municipality within  
20 the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have  
22 a population of twenty thousand or less but more than ten thousand persons, who shall name one  
23 member to the commission as prescribed in this subsection who is a resident of a municipality  
24 within the county with a population of twenty thousand or less but more than ten thousand  
25 persons;

(3) The chief elected officials of all municipalities wholly within the county which have  
27 a population of ten thousand persons or less, who shall name one member to the commission as  
28 prescribed in this subsection who is a resident of a municipality within the county with a  
29 population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning,  
31 the president of the municipal league of the county, one additional person designated by the  
32 county executive, and one additional person named by the board of the municipal league of the

33 county, which appointive body, acting by a majority of all of its members, shall name three  
34 members of the commission who are residents of the county; and

35 (5) The county executive of the county, who shall name four members of the  
36 commission, three of whom shall be from the unincorporated area of the county and one of  
37 whom shall be from the incorporated area of the county. The seat of a commissioner shall be  
38 automatically vacated when the commissioner changes his or her residence so as to no longer  
39 conform to the terms of the requirements of the commissioner's appointment. The commission  
40 shall promptly notify the appointing authority of such change of residence.

41 4. Upon the passage of an ordinance by the governing body of the county establishing  
42 a boundary commission, the governing body of the county shall, within ten days, send by United  
43 States mail written notice of the passage of the ordinance to the chief elected official of each  
44 municipality wholly or partly in the county.

45 5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection  
46 3 of this section shall meet within thirty days of the passage of the ordinance establishing the  
47 commission to compile its list of appointees. Each list shall be delivered to the county executive  
48 within forty-one days of the passage of such ordinance. The county executive shall appoint  
49 members within forty-five days of the passage of the ordinance. If a list is not submitted by the  
50 time specified, the county executive shall appoint the members using the criteria of subsection  
51 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting  
52 of the commission appointed after the effective date of the ordinance, the commissioners shall  
53 choose by lot the length of their terms. Three shall serve for one year, two for two years, two for  
54 three years, two for four years, and two for five years. All succeeding commissioners shall serve  
55 for five years. Terms shall end on December thirty-first of the respective year. No commissioner  
56 shall serve more than two consecutive full terms. Full terms shall include any term longer than  
57 two years.

58 6. When a member's term expires, or if a member is for any reason unable to complete  
59 his term, the respective appointing authority shall appoint such member's successor. Each  
60 appointing authority shall act to ensure that each appointee is secured accurately and in a timely  
61 manner, when a member's term expires or as soon as possible when a member is unable to  
62 complete his term. A member whose term has expired shall continue to serve until his successor  
63 is appointed and qualified.

64 7. The commission, its employees and subcontractors shall be subject to the regulation  
65 of conflicts of interest as defined in sections 105.450 to 105.498 and to the requirements for open  
66 meetings and records under chapter 610.

67 8. Notwithstanding any provisions of law to the contrary, any boundary adjustment  
68 approved by the residential property owners and the governing bodies of the affected

69 municipalities or the county, if involved, and any voluntary annexation approved by municipal  
70 ordinance provided that the municipality owns the area to be annexed, that the area is contiguous  
71 with the municipality, and that the area is utilized only for parks and recreation purposes, shall  
72 not be subject to commission review. Such a boundary adjustment or annexation is not  
73 prohibited by the existence of an established unincorporated area.

74 **9. Any annexation of property or defined areas of properties approved by a**  
75 **majority of property owners residing thereon and by ordinance of any municipality that**  
76 **is a service provider for both the water and sanitary sewer within the municipality shall**  
77 **be effective as provided in the annexation ordinance and shall not be subject to commission**  
78 **review. Such annexation shall not be prohibited by the existence of an established**  
79 **unincorporated area.**

77.030. 1. Unless it elects to be governed by subsection 2 of this section, the council  
2 shall by ordinance divide the city into not less than four wards, and two councilmen shall be  
3 elected from each of such wards by the qualified voters thereof at the first election for  
4 councilmen in cities hereafter adopting the provisions of this chapter; the one receiving the  
5 highest number of votes in each ward shall hold his office for two years, and the one receiving  
6 the next highest number of votes shall hold his office for one year; but thereafter each ward shall  
7 elect annually one councilman, who shall hold his office for two years.

8 2. In lieu of electing councilmen as provided in subsection 1 of this section, the council  
9 may elect to establish wards and elect councilmen as provided in this subsection. If the council  
10 so elects, it shall, by ordinance, divide the city into not less than four wards, and one councilman  
11 shall be elected from each of such wards by the qualified voters thereof at the first election for  
12 councilmen held in the city after it adopts the provisions of this subsection. At the first election  
13 held under this subsection the councilmen elected from the odd-numbered wards shall be elected  
14 for a term of one year and the councilmen elected from the even-numbered wards shall be elected  
15 for a term of two years. At each annual election held thereafter, successors for councilmen  
16 whose terms expire in such year shall be elected for a term of two years.

17 3. (1) Council members may serve four-year terms if the two-year terms provided under  
18 subsection 1 or 2 of this section have been extended to four years by approval of a majority of  
19 the voters voting on the proposal.

20 (2) The ballot of submission shall be in substantially the following form:

21 Shall the terms of council members which are currently set at two years in .....  
22 (city) be extended to four years for members elected after August 28, 2013?

23  YES  NO

24 (3) If a majority of the voters voting approve the proposal authorized in this subsection,  
25 the members of council who would serve two years under subsections 1 and 2 of this section

26 shall be elected to four-year terms beginning with any election occurring after approval of the  
27 ballot question.

28 **4. In any city that has approved the proposal under subsection 3 of this section, the**  
29 **council may, by ordinance, elect to establish a system for holding elections for one-half of**  
30 **the council every other year. The ordinance may stipulate that any council member whose**  
31 **term of office expires during the year of the next election after the adoption of the**  
32 **ordinance shall be elected for a term of three years. Any council member not elected to a**  
33 **three-year term at such election shall be elected for a term of four years at the election in**  
34 **the year in which the member's term of office expires. All successors for council shall**  
35 **thereafter be elected to four-year terms of office. Any new terms in office for particular**  
36 **wards shall be effective only upon the expiration of any term in office authorized under**  
37 **this section for a particular ward prior to the adoption of an ordinance under this**  
38 **subsection.**

79.050. 1. The following officers shall be elected by the qualified voters of the city, and  
2 shall hold office for the term of two years, except as otherwise provided in this section, and until  
3 their successors are elected and qualified, to wit: mayor and board of aldermen. The board of  
4 aldermen may provide by ordinance, after the approval of a majority of the voters voting at an  
5 election at which the issue is submitted, for the appointment of a collector and for the  
6 appointment of a chief of police, who shall perform all duties required of the marshal by law, and  
7 any other police officers found by the board of aldermen to be necessary for the good government  
8 of the city.

9 The marshal or chief of police shall be twenty-one years of age or older. If the board of aldermen  
10 does not provide for the appointment of a chief of police and collector as provided by this  
11 section, a city marshal, who shall be twenty-one years of age or older, and collector shall be  
12 elected, and the board of aldermen may provide by ordinance that the same person may be  
13 elected marshal and collector, at the same election, and hold both offices and the board of  
14 aldermen may provide by ordinance for the election of city assessor, city attorney, city clerk and  
15 street commissioner, who shall hold their respective offices for a term of two years and until their  
16 successors shall be elected or appointed and qualified, except that the term of the city marshal  
17 shall be four years.

18 2. The board of aldermen may provide by ordinance, after the approval of a majority of  
19 the voters voting thereon at the next municipal election at which the issue is submitted, that the  
20 term of the collector shall be four years and the term of the mayor shall be two, three, or four  
21 years. Any person elected as collector after the passage of such an ordinance shall serve for a  
22 term of four years and until his successor is elected and qualified. Any person elected as mayor



23 after the passage of such ordinance shall serve for a term of two, three, or four years, as provided,  
24 and until his successor is elected and qualified.

25 3. The board of aldermen may provide by ordinance that the term of the board of  
26 aldermen shall be four years. Such ordinance shall be submitted by the board to the voters of the  
27 city and shall take effect only upon the approval of a majority of the voters voting at an election  
28 at which the issue is submitted. Any person elected to the board of aldermen after the passage  
29 of such an ordinance shall serve for a term of four years and until his successor is elected and  
30 qualified.

31 **4. In any city or town that has approved the proposal under subsection 3 of this**  
32 **section, the board of alderman may, by ordinance, elect to establish a system for holding**  
33 **elections for one-half of the board of alderman every two years. The ordinance may**  
34 **stipulate that any member of the board of alderman whose term of office expires during**  
35 **the year of the next election after the adoption of the ordinance shall be elected for a term**  
36 **of three years. Any member of the board of alderman not elected to a three-year term at**  
37 **such election shall be elected for a term of four years at the election in the year in which**  
38 **the member's term of office expires. All successors for the board shall thereafter be elected**  
39 **to four-year terms of office. Any new terms in office for the board of alderman shall be**  
40 **effective only upon the expiration of any term in office authorized under this section prior**  
41 **to the adoption of an ordinance under this subsection.**

94.270. 1. The mayor and board of aldermen shall have power and authority to regulate  
2 and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers,  
3 banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants,  
4 butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables,  
5 bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings,  
6 public halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public  
7 lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture  
8 shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile  
9 agents, gas companies, insurance companies, insurance agents, express companies, and express  
10 agents, telegraph companies, light, power and water companies, telephone companies,  
11 manufacturing and other corporations or institutions, automobile agencies, and dealers, public  
12 garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline  
13 filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined,  
14 soda fountains, street railroad cars, omnibuses, drays, transfer and all other vehicles, traveling  
15 and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix  
16 the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and  
17 suppress ordinaries, money brokers, money changers, intelligence and employment offices and

18 agencies, public masquerades, balls, street exhibitions, dance houses, fortune tellers, pistol  
19 galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian  
20 performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying  
21 glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other  
22 exhibitions, boxing and sparring exhibitions, shows and amusements, tipping houses, and sales  
23 of unclaimed goods by express companies or common carriers, auto wrecking shops and junk  
24 dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others  
25 pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to  
26 regulate, license and restrain runners for steamboats, cars, and public houses; and to license  
27 ferries, and to regulate the same and the landing thereof within the limits of the city, and to  
28 license and tax auto liveries, auto drays and jitneys.

29         2. Notwithstanding any other law to the contrary, no city of the fourth classification with  
30 more than eight hundred but less than nine hundred inhabitants and located in any county with  
31 a charter form of government and with more than one million inhabitants shall levy or collect  
32 a license fee on hotels or motels in an amount in excess of [twenty-seven] **thirteen dollars and**  
33 **fifty cents** per room per year. No hotel or motel in such city shall be required to pay a license  
34 fee in excess of such amount, and any license fee in such city that exceeds the limitations of this  
35 subsection shall be automatically reduced to comply with this subsection.

36         3. Notwithstanding any other law to the contrary, no city of the fourth classification with  
37 more than four thousand one hundred but less than four thousand two hundred inhabitants and  
38 located in any county with a charter form of government and with more than one million  
39 inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of  
40 thirteen dollars and fifty cents per room per year. No hotel or motel in such city shall be required  
41 to pay a license fee in excess of such amount, and any license fee in such city that exceeds the  
42 limitations of this subsection shall be automatically reduced to comply with this subsection.

43         4. Notwithstanding any other law to the contrary, on or after January 1, 2006, no city of  
44 the fourth classification with more than fifty-one thousand three hundred and eighty but less than  
45 fifty-one thousand four hundred inhabitants and located in any county with a charter form of  
46 government and with more than two hundred eighty thousand but less than two hundred  
47 eighty-five thousand or no city of the fourth classification with more than fifty-one thousand but  
48 fewer than fifty-two thousand inhabitants and located in any county with a charter form of  
49 government and with more than two hundred eighty thousand but less than two hundred  
50 eighty-five thousand shall levy or collect a license fee on hotels or motels in an amount in excess  
51 of one thousand dollars per year. No hotel or motel in such city shall be required to pay a license  
52 fee in excess of such amount, and any license fee in such city that exceeds the limitation of this  
53 subsection shall be automatically reduced to comply with this subsection.

54           5. Any city under subsection 4 of this section may increase a hotel and motel license tax  
55 by five percent per year but the total tax levied under this section shall not exceed one-eighth of  
56 one percent of such hotels' or motels' gross revenue.

57           6. Any city under subsection 1 of this section may increase a hotel and motel license tax  
58 by five percent per year but the total tax levied under this section shall not exceed the greater of:

59           (1) One-eighth of one percent of such hotels' or motels' gross revenue; or

60           (2) The business license tax rate for such hotel or motel on May 1, 2005.

61           7. The provisions of subsection 6 of this section shall not apply to any tax levied by a  
62 city when the revenue from such tax is restricted for use to a project from which bonds are  
63 outstanding as of May 1, 2005.

          99.845. 1. A municipality, either at the time a redevelopment project is approved or, in  
2 the event a municipality has undertaken acts establishing a redevelopment plan and  
3 redevelopment project and has designated a redevelopment area after the passage and approval  
4 of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with  
5 the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by  
6 passing an ordinance providing that after the total equalized assessed valuation of the taxable real  
7 property in a redevelopment project exceeds the certified total initial equalized assessed  
8 valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and  
9 payments in lieu of taxes, if any, arising from the levies upon taxable real property in such  
10 redevelopment project by taxing districts and tax rates determined in the manner provided in  
11 subsection 2 of section 99.855 each year after the effective date of the ordinance until  
12 redevelopment costs have been paid shall be divided as follows:

13           (1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract,  
14 or parcel of real property which is attributable to the initial equalized assessed value of each such  
15 taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment  
16 project shall be allocated to and, when collected, shall be paid by the county collector to the  
17 respective affected taxing districts in the manner required by law in the absence of the adoption  
18 of tax increment allocation financing;

19           (2) (a) Payments in lieu of taxes attributable to the increase in the current equalized  
20 assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected  
21 for the redevelopment project and any applicable penalty and interest over and above the initial  
22 equalized assessed value of each such unit of property in the area selected for the redevelopment  
23 project shall be allocated to and, when collected, shall be paid to the municipal treasurer who  
24 shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation  
25 Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred  
26 in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien

27 against the real estate of the redevelopment project from which they are derived and shall be  
28 collected in the same manner as the real property tax, including the assessment of penalties and  
29 interest where applicable. The municipality may, in the ordinance, pledge the funds in the  
30 special allocation fund for the payment of such costs and obligations and provide for the  
31 collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner  
32 as a special assessment lien as provided in section 88.861. No part of the current equalized  
33 assessed valuation of each lot, block, tract, or parcel of property in the area selected for the  
34 redevelopment project attributable to any increase above the total initial equalized assessed value  
35 of such properties shall be used in calculating the general state school aid formula provided for  
36 in section 163.031 until such time as all redevelopment costs have been paid as provided for in  
37 this section and section 99.850;

38 (b) Notwithstanding any provisions of this section to the contrary, for purposes of  
39 determining the limitation on indebtedness of local government pursuant to Article VI, Section  
40 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area  
41 selected for redevelopment attributable to the increase above the total initial equalized assessed  
42 valuation shall be included in the value of taxable tangible property as shown on the last  
43 completed assessment for state or county purposes;

44 (c) The county assessor shall include the current assessed value of all property within  
45 the taxing district in the aggregate valuation of assessed property entered upon the assessor's  
46 book and verified pursuant to section 137.245, and such value shall be utilized for the purpose  
47 of the debt limitation on local government pursuant to Article VI, Section 26(b) of the Missouri  
48 Constitution;

49 (3) For purposes of this section, "levies upon taxable real property in such redevelopment  
50 project by taxing districts" shall not include the blind pension fund tax levied under the authority  
51 of Article III, Section 38(b) of the Missouri Constitution, or the merchants' and manufacturers'  
52 inventory replacement tax levied under the authority of subsection 2 of Section 6 of Article X  
53 of the Missouri Constitution, except in redevelopment project areas in which tax increment  
54 financing has been adopted by ordinance pursuant to a plan approved by vote of the governing  
55 body of the municipality taken after August 13, 1982, and before January 1, 1998.

56 2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection  
57 1 of this section, for redevelopment plans and projects adopted or redevelopment projects  
58 approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total  
59 additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing  
60 districts, which are generated by economic activities within the area of the redevelopment project  
61 over the amount of such taxes generated by economic activities within the area of the  
62 redevelopment project in the calendar year prior to the adoption of the redevelopment project by

63 ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales  
64 or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant  
65 to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and  
66 any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section  
67 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local  
68 political subdivision collecting officer to the treasurer or other designated financial officer of the  
69 municipality, who shall deposit such funds in a separate segregated account within the special  
70 allocation fund. Any provision of an agreement, contract or covenant entered into prior to July  
71 12, 1990, between a municipality and any other political subdivision which provides for an  
72 appropriation of other municipal revenues to the special allocation fund shall be and remain  
73 enforceable.

74         3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection  
75 1 of this section, for redevelopment plans and projects adopted or redevelopment projects  
76 approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from  
77 taxes, penalties and interest which are imposed by the municipality or other taxing districts, and  
78 which are generated by economic activities within the area of the redevelopment project over the  
79 amount of such taxes generated by economic activities within the area of the redevelopment  
80 project in the calendar year prior to the adoption of the redevelopment project by ordinance,  
81 while tax increment financing remains in effect, but excluding personal property taxes, taxes  
82 imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels,  
83 taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation  
84 pursuant to section 94.660, taxes imposed on sales pursuant to subsection 2 of section 67.1712  
85 for the purpose of operating and maintaining a metropolitan park and recreation district, licenses,  
86 fees or special assessments other than payments in lieu of taxes and penalties and interest  
87 thereon, any sales tax imposed by a county with a charter form of government and with more  
88 than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose  
89 of sports stadium improvement or levied by such county under section 238.410 for the purpose  
90 of the county transit authority operating transportation facilities, or for redevelopment plans and  
91 projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes  
92 imposed on sales under and pursuant to section **67.700** or 650.399 for the purpose of emergency  
93 communication systems, shall be allocated to, and paid by the local political subdivision  
94 collecting officer to the treasurer or other designated financial officer of the municipality, who  
95 shall deposit such funds in a separate segregated account within the special allocation fund.

96         4. Beginning January 1, 1998, for redevelopment plans and projects adopted or  
97 redevelopment projects approved by ordinance and which have complied with subsections 4 to  
98 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes

99 described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues,  
100 as defined in subsection 8 of this section, estimated for the businesses within the project area and  
101 identified by the municipality in the application required by subsection 10 of this section, over  
102 and above the amount of such taxes reported by businesses within the project area as identified  
103 by the municipality in their application prior to the approval of the redevelopment project by  
104 ordinance, while tax increment financing remains in effect, may be available for appropriation  
105 by the general assembly as provided in subsection 10 of this section to the department of  
106 economic development supplemental tax increment financing fund, from the general revenue  
107 fund, for distribution to the treasurer or other designated financial officer of the municipality  
108 with approved plans or projects.

109         5. The treasurer or other designated financial officer of the municipality with approved  
110 plans or projects shall deposit such funds in a separate segregated account within the special  
111 allocation fund established pursuant to section 99.805.

112         6. No transfer from the general revenue fund to the Missouri supplemental tax increment  
113 financing fund shall be made unless an appropriation is made from the general revenue fund for  
114 that purpose. No municipality shall commit any state revenues prior to an appropriation being  
115 made for that project. For all redevelopment plans or projects adopted or approved after  
116 December 23, 1997, appropriations from the new state revenues shall not be distributed from the  
117 Missouri supplemental tax increment financing fund into the special allocation fund unless the  
118 municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes  
119 and fifty percent of economic activity taxes generated by the project shall be used for eligible  
120 redevelopment project costs while tax increment financing remains in effect. This account shall  
121 be separate from the account into which payments in lieu of taxes are deposited, and separate  
122 from the account into which economic activity taxes are deposited.

123         7. In order for the redevelopment plan or project to be eligible to receive the revenue  
124 described in subsection 4 of this section, the municipality shall comply with the requirements of  
125 subsection 10 of this section prior to the time the project or plan is adopted or approved by  
126 ordinance. The director of the department of economic development and the commissioner of  
127 the office of administration may waive the requirement that the municipality's application be  
128 submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or  
129 project's approval by ordinance.

130         8. For purposes of this section, "new state revenues" means:

131         (1) The incremental increase in the general revenue portion of state sales tax revenues  
132 received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated,  
133 taxes deposited to the school district trust fund in accordance with section 144.701, sales and use  
134 taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by

135 law. In no event shall the incremental increase include any amounts attributable to retail sales  
136 unless the municipality or authority has proven to the Missouri development finance board and  
137 the department of economic development and such entities have made a finding that the sales  
138 tax increment attributable to retail sales is from new sources which did not exist in the state  
139 during the baseline year. The incremental increase in the general revenue portion of state sales  
140 tax revenues for an existing or relocated facility shall be the amount that current state sales tax  
141 revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan  
142 as provided in subsection 10 of this section; or

143 (2) The state income tax withheld on behalf of new employees by the employer pursuant  
144 to section 143.221 at the business located within the project as identified by the municipality.  
145 The state income tax withholding allowed by this section shall be the municipality's estimate of  
146 the amount of state income tax withheld by the employer within the redevelopment area for new  
147 employees who fill new jobs directly created by the tax increment financing project.

148 9. Subsection 4 of this section shall apply only to blighted areas located in enterprise  
149 zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment  
150 zones, or to blighted areas located in central business districts or urban core areas of cities which  
151 districts or urban core areas at the time of approval of the project by ordinance, provided that the  
152 enterprise zones, federal empowerment zones or blighted areas contained one or more buildings  
153 at least fifty years old; and

154 (1) Suffered from generally declining population or property taxes over the twenty-year  
155 period immediately preceding the area's designation as a project area by ordinance; or

156 (2) Was a historic hotel located in a county of the first classification without a charter  
157 form of government with a population according to the most recent federal decennial census in  
158 excess of one hundred fifty thousand and containing a portion of a city with a population  
159 according to the most recent federal decennial census in excess of three hundred fifty thousand.

160 10. The initial appropriation of up to fifty percent of the new state revenues authorized  
161 pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the  
162 department of economic development to a municipality until all of the following conditions have  
163 been satisfied:

164 (1) The director of the department of economic development or his or her designee and  
165 the commissioner of the office of administration or his or her designee have approved a tax  
166 increment financing application made by the municipality for the appropriation of the new state  
167 revenues. The municipality shall include in the application the following items in addition to the  
168 items in section 99.810:

169 (a) The tax increment financing district or redevelopment area, including the businesses  
170 identified within the redevelopment area;

- 171 (b) The base year of state sales tax revenues or the base year of state income tax withheld  
172 on behalf of existing employees, reported by existing businesses within the project area prior to  
173 approval of the redevelopment project;
- 174 (c) The estimate of the incremental increase in the general revenue portion of state sales  
175 tax revenue or the estimate for the state income tax withheld by the employer on behalf of new  
176 employees expected to fill new jobs created within the redevelopment area after redevelopment;
- 177 (d) The official statement of any bond issue pursuant to this subsection after December  
178 23, 1997;
- 179 (e) An affidavit that is signed by the developer or developers attesting that the provisions  
180 of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the  
181 redevelopment area would not be reasonably anticipated to be developed without the  
182 appropriation of the new state revenues;
- 183 (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal  
184 impact on the state of Missouri; and
- 185 (g) The statement of election between the use of the incremental increase of the general  
186 revenue portion of the state sales tax revenues or the state income tax withheld by employers on  
187 behalf of new employees who fill new jobs created in the redevelopment area;
- 188 (h) The name, street and mailing address, and phone number of the mayor or chief  
189 executive officer of the municipality;
- 190 (i) The street address of the development site;
- 191 (j) The three-digit North American Industry Classification System number or numbers  
192 characterizing the development project;
- 193 (k) The estimated development project costs;
- 194 (l) The anticipated sources of funds to pay such development project costs;
- 195 (m) Evidence of the commitments to finance such development project costs;
- 196 (n) The anticipated type and term of the sources of funds to pay such development  
197 project costs;
- 198 (o) The anticipated type and terms of the obligations to be issued;
- 199 (p) The most recent equalized assessed valuation of the property within the development  
200 project area;
- 201 (q) An estimate as to the equalized assessed valuation after the development project area  
202 is developed in accordance with a development plan;
- 203 (r) The general land uses to apply in the development area;
- 204 (s) The total number of individuals employed in the development area, broken down by  
205 full-time, part-time, and temporary positions;
- 206 (t) The total number of full-time equivalent positions in the development area;



- 207 (u) The current gross wages, state income tax withholdings, and federal income tax  
208 withholdings for individuals employed in the development area;
- 209 (v) The total number of individuals employed in this state by the corporate parent of any  
210 business benefitting from public expenditures in the development area, and all subsidiaries  
211 thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time,  
212 and temporary positions;
- 213 (w) The number of new jobs to be created by any business benefitting from public  
214 expenditures in the development area, broken down by full-time, part-time, and temporary  
215 positions;
- 216 (x) The average hourly wage to be paid to all current and new employees at the project  
217 site, broken down by full-time, part-time, and temporary positions;
- 218 (y) For project sites located in a metropolitan statistical area, as defined by the federal  
219 Office of Management and Budget, the average hourly wage paid to nonmanagerial employees  
220 in this state for the industries involved at the project, as established by the United States Bureau  
221 of Labor Statistics;
- 222 (z) For project sites located outside of metropolitan statistical areas, the average weekly  
223 wage paid to nonmanagerial employees in the county for industries involved at the project, as  
224 established by the United States Department of Commerce;
- 225 (aa) A list of other community and economic benefits to result from the project;
- 226 (bb) A list of all development subsidies that any business benefitting from public  
227 expenditures in the development area has previously received for the project, and the name of  
228 any other granting body from which such subsidies are sought;
- 229 (cc) A list of all other public investments made or to be made by this state or units of  
230 local government to support infrastructure or other needs generated by the project for which the  
231 funding pursuant to this section is being sought;
- 232 (dd) A statement as to whether the development project may reduce employment at any  
233 other site, within or without the state, resulting from automation, merger, acquisition, corporate  
234 restructuring, relocation, or other business activity;
- 235 (ee) A statement as to whether or not the project involves the relocation of work from  
236 another address and if so, the number of jobs to be relocated and the address from which they  
237 are to be relocated;
- 238 (ff) A list of competing businesses in the county containing the development area and  
239 in each contiguous county;
- 240 (gg) A market study for the development area;
- 241 (hh) A certification by the chief officer of the applicant as to the accuracy of the  
242 development plan;

243 (2) The methodologies used in the application for determining the base year and  
244 determining the estimate of the incremental increase in the general revenue portion of the state  
245 sales tax revenues or the state income tax withheld by employers on behalf of new employees  
246 who fill new jobs created in the redevelopment area shall be approved by the director of the  
247 department of economic development or his or her designee and the commissioner of the office  
248 of administration or his or her designee. Upon approval of the application, the director of the  
249 department of economic development or his or her designee and the commissioner of the office  
250 of administration or his or her designee shall issue a certificate of approval. The department of  
251 economic development may request the appropriation following application approval;

252 (3) The appropriation shall be either a portion of the estimate of the incremental increase  
253 in the general revenue portion of state sales tax revenues in the redevelopment area or a portion  
254 of the estimate of the state income tax withheld by the employer on behalf of new employees  
255 who fill new jobs created in the redevelopment area as indicated in the municipality's application,  
256 approved by the director of the department of economic development or his or her designee and  
257 the commissioner of the office of administration or his or her designee. At no time shall the  
258 annual amount of the new state revenues approved for disbursements from the Missouri  
259 supplemental tax increment financing fund exceed thirty-two million dollars;

260 (4) Redevelopment plans and projects receiving new state revenues shall have a duration  
261 of up to fifteen years, unless prior approval for a longer term is given by the director of the  
262 department of economic development or his or her designee and the commissioner of the office  
263 of administration or his or her designee; except that, in no case shall the duration exceed  
264 twenty-three years.

265 11. In addition to the areas authorized in subsection 9 of this section, the funding  
266 authorized pursuant to subsection 4 of this section shall also be available in a federally approved  
267 levee district, where construction of a levee begins after December 23, 1997, and which is  
268 contained within a county of the first classification without a charter form of government with  
269 a population between fifty thousand and one hundred thousand inhabitants which contains all  
270 or part of a city with a population in excess of four hundred thousand or more inhabitants.

271 12. There is hereby established within the state treasury a special fund to be known as  
272 the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the  
273 department of economic development. The department shall annually distribute from the  
274 Missouri supplemental tax increment financing fund the amount of the new state revenues as  
275 appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the  
276 conditions of subsection 10 of this section are met. The fund shall also consist of any gifts,  
277 contributions, grants or bequests received from federal, private or other sources. Moneys in the

278 Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to  
279 state appropriations.

280           13. Redevelopment project costs may include, at the prerogative of the state, the portion  
281 of salaries and expenses of the department of economic development and the department of  
282 revenue reasonably allocable to each redevelopment project approved for disbursements from  
283 the Missouri supplemental tax increment financing fund for the ongoing administrative functions  
284 associated with such redevelopment project. Such amounts shall be recovered from new state  
285 revenues deposited into the Missouri supplemental tax increment financing fund created under  
286 this section.

287           14. For redevelopment plans or projects approved by ordinance that result in net new  
288 jobs from the relocation of a national headquarters from another state to the area of the  
289 redevelopment project, the economic activity taxes and new state tax revenues shall not be based  
290 on a calculation of the incremental increase in taxes as compared to the base year or prior  
291 calendar year for such redevelopment project, rather the incremental increase shall be the amount  
292 of total taxes generated from the net new jobs brought in by the national headquarters from  
293 another state. In no event shall this subsection be construed to allow a redevelopment project  
294 to receive an appropriation in excess of up to fifty percent of the new state revenues.

105.935. 1. Any state employee who has accrued any overtime hours may choose to use  
2 those hours as compensatory leave time provided that the leave time is available and agreed upon  
3 by both the state employee and his or her supervisor.

4           2. A state employee who is a nonexempt employee pursuant to the provisions of the Fair  
5 Labor Standards Act shall be eligible for payment of overtime in accordance with subsection [4]  
6 5 of this section. A nonexempt state employee who works on a designated state holiday shall  
7 be granted equal compensatory time off duty or shall receive, at his or her choice, the employee's  
8 straight time hourly rate in cash payment. A nonexempt state employee shall be paid in cash for  
9 overtime unless the employee requests compensatory time off at the applicable overtime rate.  
10 As used in this section, the term "state employee" means any person who is employed by the  
11 state and earns a salary or wage in a position normally requiring the actual performance by him  
12 or her of duties on behalf of the state, but shall not include any employee who is exempt under  
13 the provisions of the Fair Labor Standards Act or any employee of the general assembly.

14           3. Beginning on January 1, 2006, and annually thereafter each department shall pay all  
15 nonexempt state employees in full for any overtime hours accrued during the previous calendar  
16 year which have not already been paid or used in the form of compensatory leave time. All  
17 nonexempt state employees shall have the option of retaining up to a total of eighty  
18 compensatory time hours.

19           **4. Missouri department of corrections employees classified as a corrections officer**  
20 **I or a corrections officer II who have accrued any overtime hours may choose to use those**  
21 **hours as compensatory leave time, provided that the leave time is available and agreed on**  
22 **by such employee and his or her supervisor. Compensatory time shall be considered**  
23 **accrued on completion of time worked in excess of such employee's normal assigned shift**  
24 **and it will be the employee's decision whether to take the time off or request payment for**  
25 **such hours. All employees classified as a corrections officer I or a corrections officer II**  
26 **shall have the right to retain up to eighty hours of compensatory time at any time during**  
27 **the year.**

28           [4.] **5.** The provisions of subsection 2 of this section shall only apply to nonexempt state  
29 employees who are otherwise eligible for compensatory time under the Fair Labor Standards Act,  
30 excluding employees of the general assembly. Any nonexempt state employee requesting cash  
31 payment for overtime worked shall notify such employee's department in writing of such  
32 decision and state the number of hours, no less than twenty, for which payment is desired. The  
33 department shall pay the employee within the calendar month following the month in which a  
34 valid request is made. Nothing in this section shall be construed as creating a new compensatory  
35 benefit for state employees.

36           [5.] **6.** Each department shall, by November first of each year, notify the commissioner  
37 of administration, the house budget committee chair, and the senate appropriations committee  
38 chair of the amount of overtime paid in the previous fiscal year and an estimate of overtime to  
39 be paid in the current fiscal year. The fiscal year estimate for overtime pay to be paid by each  
40 department shall be designated as a separate line item in the appropriations bill for that  
41 department. The provisions of this subsection shall become effective July 1, 2005.

42           [6.] **7.** Each state department shall report quarterly to the house of representatives budget  
43 committee chair, the senate appropriations committee chair, and the commissioner of  
44 administration the cumulative number of accrued overtime hours for department employees, the  
45 dollar equivalent of such overtime hours, the number of authorized full-time equivalent positions  
46 and vacant positions, the amount of funds for any vacant positions which will be used to pay  
47 overtime compensation for employees with full-time equivalent positions, and the current  
48 balance in the department's personal service fund.

49           [7.] **8.** This section is applicable to overtime earned under the Fair Labor Standards Act.  
50 This section is applicable to employees who are employed in nonexempt positions providing  
51 direct client care or custody in facilities operating on a twenty-four-hour seven-day-a-week basis  
52 in the department of corrections, the department of mental health, the division of youth services  
53 of the department of social services, and the veterans commission of the department of public  
54 safety.

**135.980. 1. As used in this section, the following terms shall mean:**

2           **(1) “NAICS”, the classification provided by the most recent edition of the North**  
3 **American Industry Classification System as prepared by the Executive Office of the**  
4 **President, Office of Management and Budget;**

5           **(2) “Public financial incentive”, any economic or financial incentive offered**  
6 **including:**

7           **(a) Any tax reduction, credit, forgiveness, abatement, subsidy, or other tax-relieving**  
8 **measure;**

9           **(b) Any tax increment financing or similar financial arrangement;**

10           **(c) Any monetary or non-monetary benefit related to any bond, loan, or similar**  
11 **financial arrangement;**

12           **(d) Any reduction, credit, forgiveness, abatement, subsidy, or other relief related**  
13 **to any bond, loan, or similar financial arrangement; and**

14           **(e) The ability to form, own, direct, or receive any economic or financial benefit**  
15 **from any special taxation district.**

16           **2. No city not within a county shall by ballot measure impose any restriction on any**  
17 **public financial incentive authorized by statute for a business with a NAICS code of**  
18 **221112.**

          137.100. The following subjects are exempt from taxation for state, county or local  
2 purposes:

3           (1) Lands and other property belonging to this state;

4           (2) Lands and other property belonging to any city, county or other political subdivision  
5 in this state, including market houses, town halls and other public structures, with their furniture  
6 and equipments, and on public squares and lots kept open for health, use or ornament;

7           (3) Nonprofit cemeteries;

8           (4) The real estate and tangible personal property which is used exclusively for  
9 agricultural or horticultural societies organized in this state, including not-for-profit agribusiness  
10 associations;

11           (5) All property, real and personal, actually and regularly used exclusively for religious  
12 worship, for schools and colleges, or for purposes purely charitable and not held for private or  
13 corporate profit, except that the exemption herein granted does not include real property not  
14 actually used or occupied for the purpose of the organization but held or used as investment even  
15 though the income or rentals received therefrom is used wholly for religious, educational or  
16 charitable purposes. **For purposes of this section, property used for charitable purposes**  
17 **includes residential facilities for the aged owned by an organization that is exempt from**  
18 **taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and**

19 **which are operated consistent with the criteria for tax exemption under the Internal**  
20 **Revenue Service revenue ruling 72-124;**

21 (6) Household goods, furniture, wearing apparel and articles of personal use and  
22 adornment, as defined by the state tax commission, owned and used by a person in his home or  
23 dwelling place;

24 (7) Motor vehicles leased for a period of at least one year to this state or to any city,  
25 county, or political subdivision or to any religious, educational, or charitable organization which  
26 has obtained an exemption from the payment of federal income taxes, provided the motor  
27 vehicles are used exclusively for religious, educational, or charitable purposes;

28 (8) Real or personal property leased or otherwise transferred by an interstate compact  
29 agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another  
30 for which or whom such property is not exempt when immediately after the lease or transfer, the  
31 interstate compact agency enters into a leaseback or other agreement that directly or indirectly  
32 gives such interstate compact agency a right to use, control, and possess the property; provided,  
33 however, that in the event of a conveyance of such property, the interstate compact agency must  
34 retain an option to purchase the property at a future date or, within the limitations period for  
35 reverters, the property must revert back to the interstate compact agency. Property will no longer  
36 be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

37 (a) The right of the interstate compact agency to use, control, and possess the property  
38 is terminated;

39 (b) The interstate compact agency no longer has an option to purchase or otherwise  
40 acquire the property; and

41 (c) There are no provisions for reverter of the property within the limitation period for  
42 reverters;

43 (9) All property, real and personal, belonging to veterans' organizations. As used in this  
44 section, "veterans' organization" means any organization of veterans with a congressional charter,  
45 that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the  
46 Internal Revenue Code of 1986, as amended;

47 (10) Solar energy systems not held for resale.

**144.1030. 1. Notwithstanding sections 144.010, 144.018, and 144.020 to the**  
2 **contrary, in the case of a multi-use arena that:**

3 **(1) Is publicly owned, but operated under a contract with a private company;**

4 **(2) Was originally funded in a public-private partnership that included private**  
5 **investment of at least forty million dollars; and**

6 **(3) Is located in a city with a population of more than three hundred thousand**  
7 **inhabitants which is located in more than one county;**

8 **“sales at retail” shall not include the amount paid that results in the first opportunity to**  
9 **purchase or decline tickets for admission to events at such arena, but does not itself result**  
10 **in admission.**

160.522. 1. The department of elementary and secondary education shall produce or  
2 cause to be produced, at least annually, a school accountability report card for each public school  
3 district, each public school building in a school district, and each charter school in the state. The  
4 report card shall be designed to satisfy state and federal requirements for the disclosure of  
5 statistics about students, staff, finances, academic achievement, and other indicators. The  
6 purpose of the report card shall be to provide educational statistics and accountability  
7 information for parents, taxpayers, school personnel, legislators, and the print and broadcast  
8 news media in a standardized, easily accessible form.

9 2. The department of elementary and secondary education shall develop a standard form  
10 for the school accountability report card. The information reported shall include, but not be  
11 limited to, the district's most recent accreditation rating, enrollment, rates of pupil attendance,  
12 high school dropout rate and graduation rate, the number and rate of suspensions of ten days or  
13 longer and expulsions of pupils, the district ratio of students to administrators and students to  
14 classroom teachers, the average years of experience of professional staff and advanced degrees  
15 earned, student achievement as measured through the assessment system developed pursuant to  
16 section 160.518, student scores on the ACT, along with the percentage of graduates taking the  
17 test, average teachers' and administrators' salaries compared to the state averages, average per  
18 pupil current expenditures for the district as a whole and by attendance center as reported to the  
19 department of elementary and secondary education, the adjusted tax rate of the district, assessed  
20 valuation of the district, percent of the district operating budget received from state, federal, and  
21 local sources, the percent of students eligible for free or reduced-price lunch, data on the percent  
22 of students continuing their education in postsecondary programs, information about the job  
23 placement rate for students who complete district vocational education programs, whether the  
24 school district currently has a state-approved gifted education program, and the percentage and  
25 number of students who are currently being served in the district's state-approved gifted  
26 education program.

27 3. The report card shall permit the disclosure of data on a school-by-school basis, but the  
28 reporting shall not be personally identifiable to any student or education professional in the state.

29 4. The report card shall identify each school or attendance center that has been identified  
30 as a priority school under sections 160.720 and 161.092. The report also shall identify  
31 attendance centers that have been categorized under federal law as needing improvement or  
32 requiring specific school improvement strategies.

33           5. The report card shall not limit or discourage other methods of public reporting and  
34 accountability by local school districts. Districts shall provide information included in the report  
35 card to parents, community members, the print and broadcast news media, and legislators by  
36 December first annually or as soon thereafter as the information is available to the district, giving  
37 preference to methods that incorporate the reporting into substantive official communications  
38 such as student report cards. The school district shall provide a printed copy of the district-level  
39 or school-level report card to any patron upon request and shall make reasonable efforts to supply  
40 businesses such as, but not limited to, real estate and employment firms with copies or other  
41 information about the reports so that parents and businesses from outside the district who may  
42 be contemplating relocation have access.

43           **6. For purposes of completing and distributing the annual report card as**  
44 **prescribed in this section, a school district may include the data from a charter school**  
45 **located within such school district provided the local board of education or special**  
46 **administrative board for such district and the charter school reach a mutual agreement for**  
47 **the inclusion of the data from the charter school and the terms of such agreement are**  
48 **approved by the state board of education. The charter school shall not be required to be**  
49 **a part of the local education agency of such school district and may maintain a separate**  
50 **local educational agency status.**

**190.275. 1. This section shall be known and may be cited as the "First Informer**  
2 **Broadcasters Act".**

3           **2. As used in this section, the following terms shall mean:**

4           **(1) "Broadcaster", a radio broadcasting station or television broadcasting station**  
5 **licensed by the Federal Communications Commission and subject to participation in the**  
6 **Emergency Alert System (EAS), and is primarily engaged in and deriving income from the**  
7 **business of facilitating speech via over-the-air-communications, both as pure speech and**  
8 **commercial speech;**

9           **(2) "Informer", a person who has been certified as a first informer broadcaster**  
10 **under this section.**

11           **3. Broadcasters in this state may, in cooperation with the Missouri state emergency**  
12 **management agency, the Missouri Police Chiefs Association, the Missouri Sheriffs'**  
13 **Association, and the Missouri Broadcasters Association or its successor organization,**  
14 **develop comprehensive coordinated plans for preparing for and responding appropriately**  
15 **to an emergency or disaster.**

16           **4. Any statewide organization or any member of a statewide organization that**  
17 **represents broadcasters or any other provider that uses emerging technologies may**  
18 **establish a program for training and certifying broadcast engineers, technical personnel,**



19 and news gathering personnel as first informer broadcasters. Upon completion of the  
20 program, broadcasters shall receive statewide recognized credentials to certify that such  
21 broadcasters are first informers. Each program established under this section shall  
22 provide training and education concerning:

23 (1) Restoring, repairing, and resupplying any facilities and equipment of a  
24 broadcaster in an area affected by an emergency or disaster;

25 (2) Coordinating between news gathering personnel and state and local  
26 governmental agencies with respect to gathering and dissemination of news and public  
27 safety information, warnings, and directions; and

28 (3) The personal safety of a first informer broadcaster in an area affected by an  
29 emergency or disaster.

30 5. To the extent practicable and consistent with not endangering public safety or  
31 inhibiting recovery efforts, state and local governmental agencies shall allow first informer  
32 broadcaster access to areas affected by an emergency or disaster for the purposes of:

33 (1) Restoring, repairing, or resupplying any facility or equipment critical to the  
34 ability of a broadcaster to acquire, produce, and transmit essential emergency or disaster-  
35 related public information programming, including without limitation repairing and  
36 maintaining transmitters and generators, and transporting fuel for generators;

37 (2) Obtaining news, information, photographs, and public safety information,  
38 warnings, and directions.

192.310. Nothing in sections 192.260 to 192.320 shall apply to any home rule city with  
2 more than sixty-four thousand but fewer than seventy-one thousand inhabitants, or cities  
3 which now have, or may hereafter have, a population of seventy-five thousand or over which are  
4 maintaining organized health departments; provided, that such cities shall furnish the department  
5 of health and senior services reports of contagious, infectious, communicable or dangerous  
6 diseases, which have been designated by them as such and such other statistical information as  
7 the board may require.

249.424. 1. If approved by a majority of the voters voting on the proposal, and  
2 upon the adoption of a resolution by a majority of the sewer district's board of trustees,  
3 any sewer district established and organized under this chapter, may levy and impose  
4 annually a fee not to exceed fifty dollars per year within its boundaries for the repair of  
5 lateral sewer service lines on or connecting residential property having six or fewer  
6 dwelling units, except that the fee shall not be imposed on property in the sewer district  
7 that is located within any city, town, village, or unincorporated area of a county that  
8 already imposes a fee under section 249.422. Any sewer district that establishes or  
9 increases the fee used to repair any portion of the lateral sewer service line shall include

10 all defective portions of the lateral sewer service line from the residential structure to its  
11 connection with the public sewer system line. Notwithstanding any provision of chapter  
12 448, the fee imposed under this chapter shall be imposed upon condominiums that have six  
13 or fewer condominium units per building and each condominium unit shall be responsible  
14 for its proportionate share of any fee charged under this chapter, and in addition, any  
15 condominium unit shall, if determined to be responsible for and served by its own  
16 individual lateral sewer line, be treated as an individual residence regardless of the number  
17 of units in the development. It shall be the responsibility of the condominium owner or  
18 condominium association to notify the sewer district that they are not properly classified  
19 as provided in this section.

20 2. The question shall be submitted to the registered voters who reside within the  
21 boundaries of the sewer district, excluding any voters who live within the boundaries of  
22 any city, town, village, or unincorporated area of a county that already imposes a fee under  
23 section 249.422. The question shall be submitted in substantially the following form:

24 Shall a maximum charge not to exceed fifty dollars be assessed annually on  
25 residential property for each lateral sewer service line serving six or fewer dwelling units  
26 on that property and condominiums that have six or fewer condominium units per building  
27 and any condominium responsible for its own individual lateral sewer line to provide funds  
28 to pay the cost of certain repairs of those lateral sewer service lines which may be billed  
29 quarterly or annually?

30  YES  NO

31 3. If a majority of the voters voting thereon approve the proposal provided for in  
32 subsection 2 of this section, any sewer district established and organized under this chapter  
33 may, upon the adoption of a resolution by a majority of the sewer district's board of  
34 trustees, collect and administer such fee in order to protect the public health, welfare,  
35 peace, and safety. The funds collected shall be deposited in a special account to be used  
36 solely for the purpose of paying for all or a portion of the costs reasonably associated with  
37 and necessary to administer and carry out the defective lateral sewer service line repairs.  
38 All interest generated on deposited funds shall be accrued to the special account  
39 established for the repair of lateral sewer service lines.

40 4. The collector in any county containing a sewer district that adopts a resolution  
41 under this section to collect a fee for the repair of lateral sewer service lines may add such  
42 fee to the general tax levy bills of property owners within the boundaries of the sewer  
43 district, excluding property located in any city, town, village, or unincorporated area of the  
44 county that already imposes a fee under section 249.422. All revenues received on such  
45 combined bill for the purpose of providing for the repair of lateral sewer service lines shall

46 be separated from all other revenues so collected and credited to the special account  
47 established by the sewer district under subsection 3 of this section.

48         **5. If a city, town, village, or county, which is within the sewer district and imposed**  
49 **a fee under section 249.422, later rescinds such fee after voters authorized the fee provided**  
50 **under this section, the sewer district may submit the question provided under subsection**  
51 **2 of this section to the registered voters of such city, town, village, or county that have**  
52 **property within the boundaries of the sewer district. If a majority of voters voting on the**  
53 **proposal approve, the sewer district may levy and impose the fee as provided under this**  
54 **section on property within such city, town, village, or county.**

**262.960. 1. This section shall be known and may be cited as the “Farm-to-School**  
2 **Act”.**

3         **2. There is hereby created within the department of agriculture the “Farm-to-**  
4 **School Program” to connect Missouri farmers and schools in order to provide schools with**  
5 **locally grown agricultural products for inclusion in school meals and snacks and to**  
6 **strengthen local farming economies. The department shall designate an employee to**  
7 **administer and monitor the farm-to-school program and to serve as liaison between**  
8 **Missouri farmers and schools.**

9         **3. The following agencies shall make staff available to the Missouri farm-to-school**  
10 **program for the purpose of providing professional consultation and staff support to assist**  
11 **the implementation of this section:**

- 12         **(1) The department of health and senior services;**  
13         **(2) The department of elementary and secondary education; and**  
14         **(3) The office of administration.**

15         **4. The duties of the department employee coordinating the farm-to-school program**  
16 **shall include, but not be limited to:**

17         **(1) Establishing and maintaining a website database to allow farmers and schools**  
18 **to connect whereby farmers can enter the locally grown agricultural products they produce**  
19 **along with pricing information, the times such products are available, and where they are**  
20 **willing to distribute such products;**

21         **(2) Providing leadership at the state level to encourage schools to procure and use**  
22 **locally grown agricultural products;**

23         **(3) Conducting workshops and training sessions and providing technical assistance**  
24 **to school food service directors, personnel, farmers, and produce distributors and**  
25 **processors regarding the farm-to-school program; and**

26         **(4) Seeking grants, private donations, or other funding sources to support the farm-**  
27 **to-school program.**

262.962. 1. As used in this section, section 262.960, and subsection 5 of section 348.707, the following terms shall mean:

(1) "Locally grown agricultural products", food or fiber produced or processed by a small agribusiness or small farm;

(2) "Schools", includes any school in this state that maintains a food service program under the United States Department of Agriculture and administered by the school;

(3) "Small agribusiness", as defined in section 348.400, and located in Missouri with gross annual sales of less than five million dollars;

(4) "Small farm", a family-owned farm or family farm corporation as defined in section 350.010, and located in Missouri with less than two hundred fifty thousand dollars in gross sales per year.

2. There is hereby created a taskforce under the AgriMissouri program established in section 261.230, which shall be known as the "Farm-to-School Taskforce". The taskforce shall be made up of at least one representative from each of the following agencies: the University of Missouri extension service, the department of agriculture, the department of elementary and secondary education, and the office of administration. In addition, the director of the department of agriculture shall appoint two persons actively engaged in the practice of small agribusiness. In addition, the director of the department of elementary and secondary education shall appoint two persons from schools within the state who direct a food service program. One representative for the department of agriculture shall serve as the chairperson for the taskforce and shall coordinate the taskforce meetings. The taskforce shall hold at least two meetings, but may hold more as it deems necessary to fulfill its requirements under this section. Staff of the department of agriculture may provide administrative assistance to the taskforce if such assistance is required.

3. The mission of the taskforce is to provide recommendations for strategies that:

(1) Allow schools to more easily incorporate locally grown agricultural products into their cafeteria offerings, salad bars, and vending machines; and

(2) Allow schools to work with food service providers to ensure greater use of locally grown agricultural products by developing standardized language for food service contracts.

4. In fulfilling its mission under this section, the taskforce shall review various food service contracts of schools within the state to identify standardized language that could be included in such contracts to allow schools to more easily procure and use locally grown agricultural products.

37           **5. The taskforce shall prepare a report containing its findings and**  
38 **recommendations and shall deliver such report to the governor, the general assembly, and**  
39 **to the director of each agency represented on the taskforce by no later than December 31,**  
40 **2015.**

41           **6. In conducting its work, the taskforce may hold public meetings at which it may**  
42 **invite testimony from experts, or it may solicit information from any party it deems may**  
43 **have information relevant to its duties under this section.**

44           **7. This section shall expire on December 31, 2015.**

          304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the  
2 corporate limits of cities containing seventy-five thousand inhabitants or more or within two  
3 miles of the corporate limits of the city or within the commercial zone of the city shall exceed  
4 fifteen feet in height.

5           2. No motor vehicle operating exclusively within any said area shall have a greater  
6 weight than twenty-two thousand four hundred pounds on one axle.

7           3. The "commercial zone" of the city is defined to mean that area within the city together  
8 with the territory extending one mile beyond the corporate limits of the city and one mile  
9 additional for each fifty thousand population or portion thereof provided, however:

10           (1) The commercial zone surrounding a city not within a county shall extend twenty-five  
11 miles beyond the corporate limits of any such city not located within a county and shall also  
12 extend throughout any county with a charter form of government which adjoins that city and  
13 throughout any county with a charter form of government and with more than two hundred fifty  
14 thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county  
15 adjoining such city;

16           (2) The commercial zone of a city with a population of at least four hundred thousand  
17 inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles  
18 beyond the corporate limits of any such city; except that this zone shall extend from the southern  
19 border of such city's limits, beginning with the western-most freeway, following said freeway  
20 south to the first intersection with a multilane undivided highway, where the zone shall extend  
21 south along said freeway to include a city of the fourth classification with more than eight  
22 thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the  
23 intersection of said freeway and multilane undivided highway along the multilane undivided  
24 highway to the city limits of a city with a population of at least four hundred thousand inhabitants  
25 but not more than four hundred fifty thousand inhabitants, and shall extend east from the city  
26 limits of a special charter city with more than two hundred seventy-five but fewer than three  
27 hundred seventy-five inhabitants along State Route 210 and northwest from the intersection of  
28 State Route 210 and State Route 10 to include the boundaries of any city of the third

29 classification with more than ten thousand eight hundred but fewer than ten thousand nine  
30 hundred inhabitants and located in more than one county. The commercial zone shall continue  
31 east along State Route 10 from the intersection of State Route 10 and State Route 210 to the  
32 eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer  
33 than six hundred twenty-five inhabitants and located in any county of the third classification  
34 without a township form of government and with more than twenty-three thousand but fewer  
35 than twenty-six thousand inhabitants and with a city of the third classification with more than  
36 five thousand but fewer than six thousand inhabitants as the county seat.

37 The commercial zone described in this subdivision shall be extended to also include the stretch  
38 of State Route 45 from its intersection with Interstate 29 extending northwest to the city limits  
39 of any village with more than forty but fewer than fifty inhabitants and located in any county of  
40 the first classification with more than eighty-three thousand but fewer than ninety-two thousand  
41 inhabitants and with a city of the fourth classification with more than four thousand five hundred  
42 but fewer than five thousand inhabitants as the county seat;

43 (3) The commercial zone of a city of the third classification with more than nine  
44 thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend  
45 south from the city limits along U.S. Highway 61 to the intersection of State Route OO in a  
46 county of the third classification without a township form of government and with more than  
47 seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants;

48 **(4) The commercial zone of a home rule city with more than one hundred eight**  
49 **thousand but fewer than one hundred sixteen thousand inhabitants shall extend north**  
50 **from the city limits along U.S. Highway 63 for eight miles, and shall extend east from the**  
51 **city limits along State Route WW to the intersection of State Route J and continue south**  
52 **on State Route J for four miles.**

53 4. In no case shall the commercial zone of a city be reduced due to a loss of population.  
54 The provisions of this section shall not apply to motor vehicles operating on the interstate  
55 highways in the area beyond two miles of a corporate limit of the city unless the United States  
56 Department of Transportation increases the allowable weight limits on the interstate highway  
57 system within commercial zones. In such case, the mileage limits established in this section shall  
58 be automatically increased only in the commercial zones to conform with those authorized by  
59 the United States Department of Transportation.

60 5. Nothing in this section shall prevent a city, county, or municipality, by ordinance,  
61 from designating the routes over which such vehicles may be operated.

62 6. No motor vehicle engaged in interstate commerce, whether unladen or with load,  
63 whose operations in the state of Missouri are limited exclusively to the commercial zone of a  
64 first class home rule municipality located in a county with a population between eighty thousand

65 and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with  
66 a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight  
67 than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in  
68 height.

321.015. 1. No person holding any lucrative office or employment under this state, or  
2 any political subdivision thereof as defined in section 70.120, shall hold the office of fire  
3 protection district director under this chapter. When any fire protection district director accepts  
4 any office or employment under this state or any political subdivision thereof, his office shall  
5 thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as  
6 fire protection district director.

7 2. This section shall not apply to:

8 (1) Members of the organized militia, of the reserve corps, public school employees and  
9 notaries public;

10 (2) Fire protection districts located wholly within counties of the second, third or fourth  
11 classification;

12 (3) Fire protection districts in counties of the first classification with less than eighty-five  
13 thousand inhabitants;

14 (4) Fire protection districts located within counties of the first classification not  
15 adjoining any other county of the first classification;

16 (5) Fire protection districts located within any county of the first or second classification  
17 not having more than nine hundred thousand inhabitants which borders any three counties of the  
18 first classification;

19 (6) Fire protection districts located within any county of the first classification which  
20 adjoins both a county with a charter form of government with more than nine hundred fifty  
21 thousand inhabitants, and adjoins at least four other counties;

22 (7) Fire protection districts located within any county of the first classification with more  
23 than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

24 3. For the purposes of this section, the term "lucrative office or employment" does not  
25 include **part-time employment as defined as less than thirty-five hours per week**, receiving  
26 retirement benefits, compensation for expenses, or [a stipend or per diem, in an amount not to  
27 exceed seventy-five dollars for each day of service,] for service rendered to a fire protection  
28 district, the state or any political subdivision thereof.

321.130. [1.] A person, to be qualified to serve as a director, shall be a **resident and**  
2 voter of the district **for** at least one year before the election or appointment and be over the age  
3 of twenty-five years[; except as provided in subsections 2 and 3 of this section. The person shall  
4 also be a resident of such fire protection district]. In the event the person is no longer a resident

5 of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in  
6 section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters  
7 of the fire protection district by paying a [ten dollar] filing fee **equal to the amount of a**  
8 **candidate for county office as set forth under section 115.357**, and filing a statement under  
9 oath that such person possesses the required qualifications.

10 [2. In any fire protection district located in more than one county one of which is a first  
11 class county without a charter form of government having a population of more than one hundred  
12 ninety-eight thousand and not adjoining any other first class county or located wholly within a  
13 first class county as described herein, a resident shall have been a resident of the district for more  
14 than one year to be qualified to serve as a director.

15 3. In any fire protection district located in a county of the third or fourth classification,  
16 a person to be qualified to serve as a director shall be over the age of twenty-five years and shall  
17 be a voter of the district for more than one year before the election or appointment, except that  
18 for the first board of directors in such district, a person need only be a voter of the district for one  
19 year before the election or appointment.

20 4. A person desiring to become a candidate for the first board of directors of the  
21 proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and  
22 shall file with the election authority a statement under oath that such person possesses all of the  
23 qualifications set out in this chapter for a director of a fire protection district.] Thereafter, such  
24 candidate shall have the candidate's name placed on the ballot as a candidate for director.

321.210. On the first Tuesday in April after the expiration of at least two full calendar  
2 years from the date of the election of the first board of directors, and on the first Tuesday in April  
3 every two years thereafter, an election for members of the board of directors shall be held in the  
4 district. Nominations shall be filed at the headquarters of the fire protection district in which a  
5 majority of the district is located by paying a filing fee up to the amount of a candidate for [state  
6 representative] **county office** as set forth under section 115.357 and filing a statement under oath  
7 that [he] **the candidate** possesses the required qualifications. The candidate receiving the most  
8 votes shall be elected. Any new member of the board shall qualify in the same manner as the  
9 members of the first board qualify.

321.322. 1. If any property located within the boundaries of a fire protection district  
2 shall be included within a city having a population of at least two thousand five hundred but not  
3 more than sixty-five thousand which is not wholly within the fire protection district and which  
4 maintains a city fire department, then upon the date of actual inclusion of the property within the  
5 city, as determined by the annexation process, the city shall within sixty days assume by contract  
6 with the fire protection district all responsibility for payment in a lump sum or in installments  
7 an amount mutually agreed upon by the fire protection district and the city for the city to cover



8 all obligations of the fire protection district to the area included within the city, and thereupon  
9 the fire protection district shall convey to the city the title, free and clear of all liens or  
10 encumbrances of any kind or nature, any such tangible real and personal property of the fire  
11 protection district as may be agreed upon, which is located within the part of the fire protection  
12 district located within the corporate limits of the city with full power in the city to use and  
13 dispose of such tangible real and personal property as the city deems best in the public interest,  
14 and the fire protection district shall no longer levy and collect any tax upon the property included  
15 within the corporate limits of the city; except that, if the city and the fire protection district  
16 cannot mutually agree to such an arrangement, then the city shall assume responsibility for fire  
17 protection in the annexed area on or before January first of the third calendar year following the  
18 actual inclusion of the property within the city, as determined by the annexation process, and  
19 furthermore the fire protection district shall not levy and collect any tax upon that property  
20 included within the corporate limits of the city after the date of inclusion of that property:

21 (1) On or before January first of the second calendar year occurring after the date on  
22 which the property was included within the city, the city shall pay to the fire protection district  
23 a fee equal to the amount of revenue which would have been generated during the previous  
24 calendar year by the fire protection district tax on the property in the area annexed which was  
25 formerly a part of the fire protection district;

26 (2) On or before January first of the third calendar year occurring after the date on which  
27 the property was included within the city, the city shall pay to the fire protection district a fee  
28 equal to four-fifths of the amount of revenue which would have been generated during the  
29 previous calendar year by the fire protection district tax on the property in the area annexed  
30 which was formerly a part of the fire protection district;

31 (3) On or before January first of the fourth calendar year occurring after the date on  
32 which the property was included within the city, the city shall pay to the fire protection district  
33 a fee equal to three-fifths of the amount of revenue which would have been generated during the  
34 previous calendar year by the fire protection district tax on the property in the area annexed  
35 which was formerly a part of the fire protection district;

36 (4) On or before January first of the fifth calendar year occurring after the date on which  
37 the property was included within the city, the city shall pay to the fire protection district a fee  
38 equal to two-fifths of the amount of revenue which would have been generated during the  
39 previous calendar year by the fire protection district tax on the property in the area annexed  
40 which was formerly a part of the fire protection district; and

41 (5) On or before January first of the sixth calendar year occurring after the date on which  
42 the property was included within the city, the city shall pay to the fire protection district a fee  
43 equal to one-fifth of the amount of revenue which would have been generated during the

44 previous calendar year by the fire protection district tax on the property in the area annexed  
45 which was formerly a part of the fire protection district.

46 Nothing contained in this section shall prohibit the ability of a city to negotiate contracts with  
47 a fire protection district for mutually agreeable services. This section shall also apply to those  
48 fire protection districts and cities which have not reached agreement on overlapping boundaries  
49 previous to August 28, 1990. Such fire protection districts and cities shall be treated as though  
50 inclusion of the annexed area took place on December thirty-first immediately following August  
51 28, 1990.

52 2. Any property excluded from a fire protection district by reason of subsection 1 of this  
53 section shall be subject to the provisions of section 321.330.

54 3. The provisions of this section shall not apply in any county of the first class having  
55 a charter form of government and having a population of over nine hundred thousand inhabitants.

56 4. [The provisions of this section shall not apply where the annexing city or town operates  
57 a city fire department and was on January 1, 2005, a city of the fourth classification with more  
58 than eight thousand nine hundred but fewer than nine thousand inhabitants and entirely  
59 surrounded by a single fire district. In such cases, the provision of fire and emergency medical  
60 services following annexation shall be governed by subsections 2 and 3 of section 72.418.

61 5.] The provisions of this section shall not apply where the annexing city or town  
62 operates a city fire department, is any city of the third classification with more than six thousand  
63 but fewer than seven thousand inhabitants and located in any county with a charter form of  
64 government and with more than two hundred thousand but fewer than three hundred fifty  
65 thousand inhabitants, and is entirely surrounded by a single fire protection district. In such cases,  
66 the provision of fire and emergency medical services following annexation shall be governed by  
67 subsections 2 and 3 of section 72.418.

348.407. 1. The authority shall develop and implement agricultural products utilization  
2 grants as provided in this section.

3 2. The authority may reject any application for grants pursuant to this section.

4 3. The authority shall make grants, and may make loans or guaranteed loans from the  
5 grant fund to persons for the creation, development and operation, for up to three years from the  
6 time of application approval, of rural agricultural businesses whose projects add value to  
7 agricultural products and aid the economy of a rural community.

8 4. The authority may make loan guarantees to qualified agribusinesses for agricultural  
9 business development loans for businesses that aid in the economy of a rural community and  
10 support production agriculture or add value to agricultural products by providing necessary  
11 products and services for production or processing.

12           **5. The authority may make grants, loans, or loan guarantees to Missouri businesses**  
13 **to access resources for accessing and processing locally grown agricultural products for use**  
14 **in schools within the state.**

15           **6.** The authority may, upon the provision of a fee by the requesting person in an amount  
16 to be determined by the authority, provide for a feasibility study of the person's rural agricultural  
17 business concept.

18           [6.] **7.** Upon a determination by the authority that such concept is feasible and upon the  
19 provision of a fee by the requesting person, in an amount to be determined by the authority, the  
20 authority may then provide for a marketing study. Such marketing study shall be designed to  
21 determine whether such concept may be operated profitably.

22           [7.] **8.** Upon a determination by the authority that the concept may be operated profitably,  
23 the authority may provide for legal assistance to set up the business. Such legal assistance shall  
24 include, but not be limited to, providing advice and assistance on the form of business entity, the  
25 availability of tax credits and other assistance for which the business may qualify as well as  
26 helping the person apply for such assistance.

27           [8.] **9.** The authority may provide or facilitate loans or guaranteed loans for the business  
28 including, but not limited to, loans from the United States Department of Agriculture Rural  
29 Development Program, subject to availability. Such financial assistance may only be provided  
30 to feasible projects, and for an amount that is the least amount necessary to cause the project to  
31 occur, as determined by the authority. The authority may structure the financial assistance in a  
32 way that facilitates the project, but also provides for a compensatory return on investment or loan  
33 payment to the authority, based on the risk of the project.

34           [9.] **10.** The authority may provide for consulting services in the building of the physical  
35 facilities of the business.

36           [10.] **11.** The authority may provide for consulting services in the operation of the  
37 business.

38           [11.] **12.** The authority may provide for such services through employees of the state or  
39 by contracting with private entities.

40           [12.] **13.** The authority may consider the following in making the decision:

41           (1) The applicant's commitment to the project through the applicant's risk;

42           (2) Community involvement and support;

43           (3) The phase the project is in on an annual basis;

44           (4) The leaders and consultants chosen to direct the project;

45           (5) The amount needed for the project to achieve the bankable stage; and

46           (6) The [projects] **project's** planning for long-term success through feasibility studies,  
47 marketing plans and business plans.

48 [13.] 14. The department of agriculture, the department of natural resources, the  
49 department of economic development and the University of Missouri may provide such  
50 assistance as is necessary for the implementation and operation of this section. The authority  
51 may consult with other state and federal agencies as is necessary.

52 [14.] 15. The authority may charge fees for the provision of any service pursuant to this  
53 section.

54 [15.] 16. The authority may adopt rules to implement the provisions of this section.

55 [16.] 17. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
56 created under the authority delegated in sections 348.005 to 348.180 shall become effective only  
57 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
58 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect  
59 and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any  
60 rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions  
61 of law. This section and chapter 536 are nonseverable and if any of the powers vested with the  
62 general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove  
63 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority  
64 and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

**407.1610. It shall be unlawful for any person or entity to engage in the speculative  
2 accumulation of asphalt roofing shingles in any city not within a county. For the purposes  
3 of this section, the term "speculative accumulation" means the collection or storage of  
4 asphalt shingles without a showing that, during a calendar year, at least seventy-five  
5 percent of the material accumulated during the year, either by weight or by volume, will  
6 be recycled for other use.**

488.026. As provided by section 56.807, there shall be assessed and collected a  
2 surcharge of four dollars in all criminal cases filed in the courts of this state, including violations  
3 of any county ordinance [or] , any violation of criminal or traffic laws of this state, including  
4 infractions, **or against any person who pled guilty and paid a fine through a fine collection  
5 center**, but no such surcharge shall be assessed when the costs are waived or are to be paid by  
6 the state, county, or municipality or when a criminal proceeding or the defendant has been  
7 dismissed by the court [or against any person who has pled guilty and paid their fine pursuant  
8 to subsection 4 of section 476.385]. For purposes of this section, the term "county ordinance"  
9 shall include any ordinance of the city of St. Louis. The clerk responsible for collecting court  
10 costs in criminal cases shall collect and disburse such amounts as provided by sections 488.010  
11 to 488.020. Such funds shall be payable to the prosecuting attorneys and circuit attorneys'  
12 retirement fund.

**488.2235. 1. In addition to all other court costs for municipal ordinance violations, any home rule city with more than four hundred thousand inhabitants and located in more than one county may provide for additional court costs in an amount up to five dollars per case for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge.**

**2. The judge may waive the assessment of the cost in those cases where the defendant is found by the judge to be indigent and unable to pay the costs.**

**3. Such cost shall be collected by the clerk and disbursed to the city at least monthly. The city shall use such additional costs only for the restoration, maintenance, and upkeep of the municipal courthouse. The costs collected may be pledged to directly or indirectly secure bonds for the cost of restoration, maintenance, and upkeep of the courthouse.**

**4. The provisions of this section shall expire on August 28, 2021.**

512.180. 1. Any person aggrieved by a judgment in a civil case tried without a jury before an associate circuit judge, other than an associate circuit judge sitting in the probate division or who has been assigned to hear the case on the record under procedures applicable before circuit judges, shall have the right of a trial de novo in all cases tried before municipal court or under the provisions of [chapters] **chapter 482**, 534, and 535].

2. In all other contested civil cases tried with or without a jury before an associate circuit judge or on assignment under such procedures applicable before circuit judges or in any misdemeanor case or county ordinance violation case a record shall be kept, and any person aggrieved by a judgment rendered in any such case may have an appeal upon that record to the appropriate appellate court. At the discretion of the judge, but in compliance with the rules of the supreme court, the record may be a stenographic record or one made by the utilization of electronic, magnetic, or mechanical sound or video recording devices.

534.060. Forcible entries and detainers, and unlawful detainers, may be heard and determined by any associate circuit judge of the county in which they are committed. Neither the provisions of this section or any other section in this chapter shall preclude adoption of a local circuit court rule providing for the centralized filing of such cases, nor the assignment of such cases to particular associate circuit or circuit judges pursuant to local circuit court rule or action by the presiding judge of the circuit. Such cases shall be heard and determined by associate circuit judges unless a circuit judge is transferred or assigned to hear such case or cases or unless the plaintiff pursuant to subsection 2 of section 478.250 has designated the case as one to be heard under the practice and procedure applicable before circuit judges [and the case is heard by a circuit judge. If the case is heard before an associate circuit judge who has not been specially assigned to hear the case on the record] . **All cases under this chapter shall be heard**

12 **on the record. Unless the plaintiff under subsection 2 of section 478.250 has designated the**  
13 **case as one to be heard under the practice and procedure applicable before circuit judges,**  
14 to the extent practice and procedure are not provided in this chapter the practice and procedure  
15 provided in chapter 517 shall apply. If the [case is heard initially before an associate circuit  
16 judge who has been specially assigned to hear the case on a record or before a circuit judge, the  
17 case shall be heard and determined under the same practice and procedure as would apply if the  
18 case was being heard upon an application for trial de novo, and in such instances,  
19 notwithstanding the specific references to chapter 517 in this chapter,] **plaintiff under**  
20 **subsection 2 of section 478.250 has designated the case as one to be heard under the**  
21 **practice and procedure applicable before circuit judges, the case shall be heard and**  
22 **determined under the rules of practice and procedure provided in the Missouri Rules of Civil**  
23 **Procedure [and the extant provisions of The Civil Code of Missouri shall apply] instead of those**  
24 **contained in chapter 517, notwithstanding the specific references to chapter 517 in this**  
25 **chapter.**

534.350. The judge rendering judgment in any such cause may issue execution at any  
2 time after judgment, but such execution shall not be levied until after the expiration of the time  
3 allowed for [the filing of an application for trial de novo or] the taking of an appeal, except as  
4 in the next succeeding section is provided.

534.360. If it shall appear to the officer having charge of the execution that the defendant  
2 therein is about to remove, conceal or dispose of his property, so as to hinder or delay the levy,  
3 the rents and profits, damages and costs may be levied before the expiration of the time allowed  
4 for [the filing of an application for a trial de novo or] taking an appeal.

534.380. Applications for [trials de novo and] appeals shall be allowed and conducted  
2 in the manner provided [in chapter 512] **by the Missouri Rules of Civil Procedure.**  
3 Application for [a trial de novo or] appeal shall not stay execution for restitution of the premises  
4 unless the defendant gives bond within the time for appeal. The bond shall be for the amount  
5 of the judgment and with the condition to stay waste and to pay all subsequently accruing rent,  
6 if any, into court within ten days after it becomes due, pending determination of the [trial de novo  
7 or] appeal, subject to the judge's discretion. However, in any case in which the defendant  
8 receives a reduction in rent due to a local, state or federal subsidy program, the amount of the  
9 bond shall be reduced by the amount of said subsidy. Execution other than for restitution shall  
10 be stayed if the defendant files a bond in the proper amount at such time as otherwise provided  
11 by law.

535.030. 1. Such summons shall be served as in other civil cases at least four days  
2 before the court date in the summons. The summons shall include a court date which shall not

3 be more than twenty-one business days from the date the summons is issued unless at the time  
4 of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

5         2. In addition to attempted personal service, the plaintiff may request, and thereupon the  
6 clerk of the court shall make an order directing that the officer, or other person empowered to  
7 execute the summons, shall also serve the same by securely affixing a copy of such summons and  
8 the complaint in a conspicuous place on the dwelling of the premises in question at least ten days  
9 before the court date in such summons, and by also mailing a copy of the summons and  
10 complaint to the defendant at the defendant's last known address by ordinary mail at least ten  
11 days before the court date. If the officer, or other person empowered to execute the summons,  
12 shall return that the defendant is not found, or that the defendant has absconded or vacated his  
13 or her usual place of abode in this state, and if proof be made by affidavit of the posting and of  
14 the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff  
15 proceed to hear the case as if there had been personal service, and judgment shall be rendered  
16 and proceedings had as in other cases, except that no money judgment shall be granted the  
17 plaintiff where the defendant is in default and service is by the posting and mailing procedure  
18 set forth in this section.

19         3. If the plaintiff does not request service of the original summons by posting and  
20 mailing as provided in subsection 2 of this section, and if the officer, or other person empowered  
21 to execute the summons, makes return that the defendant is not found, or that the defendant has  
22 absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request  
23 the issuance of an alias summons and service of the same by posting and mailing in the time and  
24 manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the  
25 plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a  
26 copy of the summons in the time and manner provided in subsection 2 of this section. Upon  
27 proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons  
28 and the complaint, the judge shall proceed to hear the case as if there had been personal service,  
29 and judgment shall be rendered and proceedings had as in other cases, except that no money  
30 judgment shall be granted the plaintiff where the defendant is in default and service is by the  
31 posting and mailing procedure provided in subsection 2 of this section.

32         4. On the date judgment is rendered as provided in this section where the defendant is  
33 in default, the clerk of the court shall mail to the defendant at the defendant's last known address  
34 by ordinary mail a notice informing the defendant of the judgment and the date it was entered,  
35 and stating that the defendant has ten days from the date of the judgment to file a motion to set  
36 aside the judgment [or to file an application for a trial de novo] in the circuit court, as the case  
37 may be, and that unless the judgment is set aside [or an application for a trial de novo is filed]

38 within ten days, the judgment will become final and the defendant will be subject to eviction  
39 from the premises without further notice.

535.110. Applications for [trials de novo and] appeals shall be allowed and conducted  
2 in the manner provided [in chapter 512] **by the Missouri Rules of Civil Procedure**; but no  
3 application for [a trial de novo or] **an** appeal shall stay execution unless the defendant give bond,  
4 with security sufficient to secure the payment of all damages, costs and rent then due, and with  
5 condition to stay waste and to pay all subsequently accruing rent, if any, into court within ten  
6 days after it becomes due, pending determination of the [trial de novo or] appeal.

535.160. If the defendant, on the date any money judgment is given in any action  
2 pursuant to this chapter, either tenders to the landlord, or brings into the court where the suit is  
3 pending, all the rent then in arrears, and all the costs, further proceedings in the action shall cease  
4 and be stayed. If on any date after the date of any original trial [but before any trial de novo] the  
5 defendant shall satisfy such money judgment and pay all costs, any execution for possession of  
6 the subject premises shall cease and be stayed; except that the landlord shall not thereby be  
7 precluded from making application for appeal from such money judgment. If for any reason no  
8 money judgment is entered against the defendant and judgment for the plaintiff is limited only  
9 to possession of the subject premises, no stay of execution shall be had, except as provided by  
10 the provisions of section 535.110 or the rules of civil procedure or by agreement of the parties.

535.170. After the execution of any judgment for possession pursuant to this chapter,  
2 the lessee and the lessee's assignees, and all other persons deriving title under the lease from such  
3 lessee, shall be barred from reentry of such premises and from all relief, and except for error in  
4 the record or proceedings, the landlord shall from that day hold the demised premises discharged  
5 from the lease. Nothing in this section shall preclude an aggrieved party from perfecting an  
6 appeal [or securing a trial de novo] as to any judgment rendered, and may as a result of such  
7 appeal [or trial de novo] recover any damage incurred, including damages incurred from an  
8 unlawful dispossession.

535.200. 1. In the twenty-second judicial circuit, upon adoption of an ordinance by the  
2 city of St. Louis providing for expenditure of city funds for such purpose, a majority of the  
3 circuit judges, en banc, may establish a landlord-tenant court, which shall be a division of the  
4 circuit court, and may authorize the appointment of not more than two landlord-tenant court  
5 commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-  
6 tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the  
7 chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the  
8 associate circuit judges of the circuit, and two members appointed by the mayor of the city of St.  
9 Louis, each of whom shall represent one of the two political parties casting the highest number



10 of votes at the next preceding gubernatorial election. The procedures and operations of the  
11 landlord-tenant court judicial commission shall be established by circuit court rule.

12         2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes  
13 involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to  
14 make findings of fact and conclusions of law, and to issue orders for the payment of money, for  
15 the giving or taking of possession of residential property and any other equitable relief necessary  
16 to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-  
17 tenant commissioners may not, by ex parte means, hear cases and issue orders.

18         3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall  
19 serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall  
20 be residents of the city of St. Louis, and shall receive as annual compensation an amount equal  
21 to one-third of the annual compensation of an associate circuit judge. Landlord-tenant  
22 commissioners shall not accept or handle cases in their practice of law which are inconsistent  
23 with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any  
24 other court. Landlord-tenant commissioners shall not be considered state employees and shall  
25 not be members of the state employees' or judicial retirement system or be eligible to receive any  
26 other employment benefit accorded state employees or judges.

27         4. A majority of the judges of the circuit, en banc, shall establish operating procedures  
28 for the landlord-tenant court. Proceedings in the landlord-tenant court shall be conducted as in  
29 cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant  
30 commissioner without jury, and the commissioner shall assume an affirmative duty to determine  
31 the merits of the evidence presented and the defenses of the defendant and may question parties  
32 and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient  
33 operation of the court.

34         5. The parties to a cause of action before a commissioner of the landlord-tenant court are  
35 entitled to file with the court a motion for a hearing in associate circuit court within ten days after  
36 the mailing, or within ten days after service.

37         6. Operating procedures shall be provided for electronic recording of proceedings at city  
38 expense. Any person aggrieved by a judgment in a case decided under this section shall have  
39 a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court, in the  
40 same manner as would a person aggrieved by a decision of an associate circuit judge under  
41 section 535.110. The procedures for perfecting the right of [a trial de novo or] an appeal shall  
42 be the same as that provided pursuant to sections 512.180 to 512.320.

43         7. Any summons issued for the proceedings in the landlord-tenant court shall have a  
44 return date of ten days. The sheriff must attempt to serve any summons within four days of the  
45 date of issuance.

46 8. All costs to establish and operate a landlord-tenant court under this section shall be  
47 borne by the city of St. Louis.

535.210. 1. In the sixteenth judicial circuit, upon adoption of an ordinance by Jackson  
2 County providing for expenditure of county funds for such purpose, a majority of the circuit  
3 court judges, en banc, may establish a landlord-tenant court, which shall be a division of the  
4 circuit court, and may authorize the appointment of not more than two landlord-tenant court  
5 commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-  
6 tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the  
7 chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the  
8 associate circuit judges of the circuit, and two members appointed by the county executive of  
9 Jackson County, each of whom shall represent one of the two political parties casting the highest  
10 number of votes at the next preceding gubernatorial election. The procedures and operations of  
11 the landlord-tenant court judicial commission shall be established by circuit court rule.

12 2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes  
13 involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to  
14 make findings of fact and conclusions of law, and to issue orders for the payment of money, for  
15 the giving or taking of possession of residential property and any other equitable relief necessary  
16 to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-  
17 tenant commissioners may not, by ex parte means, hear cases and issue orders.

18 3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall  
19 serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall  
20 be residents of Jackson County, and shall receive as annual compensation an amount equal to  
21 one-third of the annual compensation of an associate circuit judge. Landlord-tenant  
22 commissioners shall not accept or handle cases in their practice of law which are inconsistent  
23 with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any  
24 other court. Landlord-tenant commissioners shall not be considered state employees and shall  
25 not be members of the state employees' or judicial retirement system or be eligible to receive any  
26 other employment benefit accorded state employees or judges.

27 4. A majority of the judges of the circuit court, en banc, shall establish operating  
28 procedures for the landlord-tenant court. Proceedings in the landlord-tenant court, shall be  
29 conducted as in cases tried before an associate circuit judge. The hearing shall be before a  
30 landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative  
31 duty to determine the merits of the evidence presented and the defenses of the defendant and may  
32 question parties and witnesses. Clerks and computer personnel shall be assigned as needed for  
33 the efficient operation of the court.

34 5. The parties to a cause of action before a commissioner of the landlord-tenant court are  
35 entitled to file with the court a motion for a hearing in associate circuit court within ten days after  
36 the mailing, or within ten days after service.

37 6. Operating procedures shall be provided for electronic recording of proceedings at  
38 county expense. Any person aggrieved by a judgment in a case decided under this section shall  
39 have a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court,  
40 in the same manner as would a person aggrieved by a decision of an associate circuit judge under  
41 section 535.110. The procedures for perfecting the right of [a trial de novo or] **an** appeal shall  
42 be the same as that provided pursuant to sections 512.180 to 512.320.

43 7. Any summons issued for the proceedings in the landlord-tenant court shall have a  
44 return date of ten days from the date of service. [The sheriff] **Service** must [attempt to serve any  
45 summons] **be attempted** within four days of the date of issuance.

46 8. All costs to establish and operate a landlord-tenant court under this section shall be  
47 borne by Jackson County.

**Section 1. All courts that require mandatory e-filing must accept, file, and docket  
2 a notice of entry of appearance filed by an attorney that was sent by fax or regular mail.**

2 [67.320. 1. Any county of the first classification with more than one  
3 hundred ninety-eight thousand but less than one hundred ninety-nine thousand  
4 two hundred inhabitants or any county of the first classification with more than  
5 one hundred one thousand but fewer than one hundred fifteen thousand  
6 inhabitants may prosecute and punish violations of its county orders in the circuit  
7 court of such counties in the manner and to the extent herein provided or in a  
8 county municipal court if creation of a county municipal court is approved by  
9 order of the county commission. The county may adopt orders with penal  
10 provisions consistent with state law, but only in the areas of traffic violations,  
11 solid waste management, county building codes, on-site sewer treatment, zoning  
12 orders, and animal control. Any county municipal court established pursuant to  
13 the provisions of this section shall have jurisdiction over violations of that  
14 county's orders and the ordinances of municipalities with which the county has  
15 a contract to prosecute and punish violations of municipal ordinances of the  
16 municipality.

17 2. Except as provided in subsection 5 of this section in any county which  
18 has elected to establish a county municipal court pursuant to this section, the  
19 judges for such court shall be appointed by the county commission of such  
20 county, subject to confirmation by the legislative body of such county in the same  
21 manner as confirmation for other county appointed officers. The number of  
22 judges appointed, and qualifications for their appointment, shall be established  
by order of the commission.

23                   3. The practice and procedure of each prosecution shall be conducted in  
24 compliance with all of the terms and provisions of sections 66.010 to 66.140,  
25 except as provided for in this section.

26                   4. Any use of the term ordinance in sections 66.010 to 66.140 shall be  
27 synonymous with the term order for purposes of this section.

28                   5. In any county of the first classification with more than one hundred  
29 one thousand but fewer than one hundred fifteen thousand inhabitants, the first  
30 judges shall be appointed by the county commission for a term of four years, and  
31 thereafter the judges shall be elected for a term of four years. The number of  
32 judges appointed, and qualifications for their appointment, shall be established  
33 by order of the commission.]

34

2                   [300.320. A funeral composed of a procession of vehicles shall be  
3 identified as such by the display upon the outside of each vehicle of a pennant or  
4 other identifying insignia or by such other method as may be determined and  
designated by the traffic division.]

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