

# SENATE BILL NO. 859

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOSLEY.

3178S.01H

ADRIANE D. CROUSE, Secretary

## AN ACT

To amend chapter 85, RSMo, by adding thereto seventy-two new sections relating to police protection districts, with penalty provisions.

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

Section A. Chapter 85, RSMo, is amended by adding thereto  
2 seventy-two new sections, to be known as sections 85.1000,  
3 85.1005, 85.1010, 85.1015, 85.1020, 85.1025, 85.1030, 85.1035,  
4 85.1040, 85.1045, 85.1050, 85.1055, 85.1060, 85.1065, 85.1070,  
5 85.1075, 85.1080, 85.1085, 85.1090, 85.1100, 85.1105, 85.1110,  
6 85.1115, 85.1120, 85.1125, 85.1130, 85.1135, 85.1140, 85.1145,  
7 85.1150, 85.1155, 85.1160, 85.1165, 85.1170, 85.1175, 85.1180,  
8 85.1185, 85.1190, 85.1195, 85.1200, 85.1205, 85.1210, 85.1215,  
9 85.1220, 85.1225, 85.1230, 85.1235, 85.1240, 85.1245, 85.1250,  
10 85.1255, 85.1260, 85.1265, 85.1270, 85.1275, 85.1280, 85.1285,  
11 85.1290, 85.1300, 85.1305, 85.1310, 85.1340, 85.1355, 85.1360,  
12 85.1365, 85.1370, 85.1375, 85.1380, 85.1385, 85.1390, 85.1395,  
13 and 85.1400, to read as follows:

**85.1000. 1. A "police protection district" is a**  
2 **political subdivision which is organized and empowered to**  
3 **supply protection by any available means to persons and**  
4 **property against injuries and damage from crimes and from**  
5 **hazards which do or may cause harm or injury to persons and**  
6 **property, and which is also empowered to render first aid**  
7 **for the purpose of saving lives, and to give assistance in**  
8 **the event of an accident or emergency of any kind. The**

9 district shall consist of contiguous tracts or parcels of  
10 property containing all or parts of one county, and may  
11 include, in whole but not in part within its boundaries, or  
12 may be contiguous, in whole but not in part, with, any city,  
13 town, or village.

14 2. The word "board" as used in sections 85.1000 to  
15 85.1400 shall mean the board of directors of a police  
16 protection district.

17 3. Except as otherwise provided in sections 85.1000 to  
18 85.1400, all elections herein provided for shall be held and  
19 conducted and the returns thereof made, examined, and cast  
20 up in the same manner and in all respects as in elections  
21 for municipal, state, and county officers.

85.1005. 1. No person holding any lucrative office or  
2 employment under this state, or any political subdivision  
3 thereof as defined in section 70.120, shall hold the office  
4 of police protection district director under sections  
5 85.1000 to 85.1400. When any police protection district  
6 director accepts any office or employment under this state  
7 or any political subdivision thereof, his or her office  
8 shall thereby be vacated and he or she shall thereafter  
9 perform no duty and receive no salary or expenses as police  
10 protection district director.

11 2. This section shall not apply to an ex-officio  
12 director, members of the organized militia, of the reserve  
13 corps, and notaries public.

14 3. For the purposes of this section, the term  
15 "lucrative office or employment" does not include receiving  
16 retirement benefits, compensation for expenses, or a stipend  
17 or per diem, in an amount not to exceed the standard state  
18 per diem allowance for each day of service, for service

19 rendered to a police protection district, the state, or any  
20 political subdivision thereof.

85.1010. 1. Notwithstanding the provisions of section  
2 85.1005, no employee of any police protection district shall  
3 serve as a member of any police district board while such  
4 person is employed by any police protection district.

5 2. Notwithstanding any other provision of law to the  
6 contrary, individual board members shall not be eligible for  
7 employment by the board within twelve months of termination  
8 of service as a member of the board unless such employment  
9 is on a volunteer basis or without compensation.

85.1015. The voters residing in a proposed district,  
2 may, as provided in sections 85.1000 to 85.1400, establish  
3 police protection districts.

85.1020. The organization of a district shall be  
2 initiated by a petition filed in the office of the clerk of  
3 the county vested with jurisdiction in any county in which  
4 all or part of the real property in the proposed district is  
5 situated. The petition shall be signed by one hundred  
6 voters or more of the district.

85.1025. The petition shall set forth:

2 (1) The name of the proposed district consisting of a  
3 chosen name preceding the words "police protection district";

4 (2) An estimate of the number of inhabitants and of  
5 the assessed valuation of the taxable tangible property of  
6 the district, and of the yield from the intangible personal  
7 property located in the district;

8 (3) The estimated cost of the proposed improvements;

9 (4) A general description of the boundaries of the  
10 district or the territory to be included therein, and the  
11 boundaries of three wards in which the district shall be  
12 subdivided, with such certainty as to enable a property

13 owner to determine whether or not his property is within the  
14 district, and a plat of the proposed district;

15 (5) The wards shall be compact and contiguous and  
16 contain equal populations as nearly as possible, and shall  
17 be reapportioned, by the board of directors, within one  
18 hundred eighty days after each decennial census is reported  
19 to the president of the United States;

20 (6) Such other data and information as may be useful  
21 to the voters in determining the necessity for the  
22 organization of the district; and

23 (7) A prayer for the organization of the district.

85.1030. No petition with the requisite signatures  
2 shall be declared null and void on account of alleged  
3 defects, but the county clerk may at any time permit the  
4 petition to be amended to conform with the facts, by  
5 correcting any errors in the description of the territory,  
6 or in any other particular, except that the boundaries of  
7 the district may not be enlarged by taking in additional  
8 territory, without notice to the owners of the property thus  
9 affected, which notice may be made by publication or service  
10 of such pleadings and orders on the owners so affected.  
11 Similar petitions or duplicate copies of the same petition  
12 for the organization of the same district, revising the  
13 boundaries of the proposed district, or recommending another  
14 chosen name for the district, may be filed at any time  
15 before a hearing is had on the petition, and shall, together  
16 with the first petition, be regarded as one petition, and  
17 shall be considered by the county clerk the same as though  
18 filed with the first petition placed on file.

85.1035. There shall be filed with the petition, or  
2 petitions, a filing fee in the amount of one hundred dollars  
3 to cover the payment of processing costs.

85.1040. Immediately after the filing of such petition  
2 or any amended petition changing the boundaries, the county  
3 clerk wherein such petition is filed shall, by order, fix a  
4 time and place not less than thirty days nor more than sixty  
5 days after the petition is filed for a hearing thereon, and  
6 thereupon the county clerk shall cause notice by publication  
7 to be made of the filing of the petition and the pendency of  
8 the action and of the time and place of the hearing  
9 thereon. The county clerk shall also forthwith cause a copy  
10 of the notice to be mailed by United States registered mail  
11 to the governing body of each municipality having territory  
12 within the proposed boundaries of the proposed district, and  
13 to the county commission of each county in which the  
14 proposed district lies.

85.1045. The county clerk in and for the county in  
2 which the petition for the organization of a district has  
3 been filed shall thereafter for all purposes of sections  
4 85.1000 to 85.1400, except as otherwise provided, maintain  
5 and have original and exclusive jurisdiction over all  
6 matters connected with or affected by said district. No  
7 county clerk wherein such petition is filed shall be  
8 disqualified to perform any duty imposed by sections 85.1000  
9 to 85.1400 by reason of ownership of property within the  
10 proposed district.

85.1050. Upon the hearing if it shall appear that a  
2 petition for the organization of a district has been signed  
3 and presented pursuant to the provisions of sections 85.1000  
4 to 85.1400, and that the allegations of the petition are  
5 true, the county clerk shall, by order duly entered of  
6 record, adjudicate all questions of jurisdiction, declare  
7 the district organized, define the boundaries thereof, and  
8 give it a corporate name by which in all proceedings it

9 shall thereafter be known, and thereupon the district,  
10 subject to the election herein provided, shall be a  
11 political subdivision of the state of Missouri and a body  
12 corporate with all the powers of like or similar  
13 corporations.

85.1055. Upon the hearing if the county clerk finds  
2 that the petition has not been signed, filed and presented  
3 pursuant to the provisions of sections 85.1000 to 85.1400,  
4 it shall dismiss the proceedings and adjudge the costs  
5 against the sponsors of the petition, or petitions, in such  
6 proportion as it deems just and equitable. Nothing herein  
7 shall be construed to prevent the filing of a subsequent  
8 petition, or petitions, for similar improvements or for a  
9 similar district, and the right so to renew such proceeding  
10 is hereby expressly granted and authorized.

85.1060. 1. The decree of incorporation shall not  
2 become final and conclusive until it has been submitted to  
3 an election of the voters residing within the boundaries  
4 described in such decree, and until it has been assented to  
5 by a majority vote of the voters of the district voting on  
6 the question. The decree shall also provide for the holding  
7 of the election to vote on the proposition of incorporating  
8 the district, and to elect three persons to act as the  
9 elected members of the first board of directors, and shall  
10 fix the date for holding the election on the first general  
11 municipal election date to vote on a tax pursuant to section  
12 85.1150 following entry of the decree in which notice of  
13 election may be issued sufficiently in advance of the  
14 election according to law.

15 2. The question shall be submitted in substantially  
16 the following form:



47 voters voting thereon voted against the proposition to  
48 incorporate the district, then the county clerk shall enter  
49 its further order declaring the decree of incorporation to  
50 be void and of no effect. If the county clerk enters an  
51 order declaring the decree of incorporation to be final and  
52 conclusive, it shall at the same time designate the first  
53 board of directors of the district who have been elected by  
54 the voters voting thereon. The person elected from ward 1  
55 shall hold office for a term of one year, the person elected  
56 from ward 2 shall hold office for a term of two years, and  
57 the person elected from ward 3 shall hold office for a term  
58 of three years from the date of the election of the first  
59 board of directors and until their successors are duly  
60 elected and qualified. Thereafter, the elected members of  
61 the board shall be elected to serve terms of three years and  
62 until their successors are duly elected and qualified. The  
63 county clerk shall at the same time enter an order of record  
64 declaring the result of the election on the proposition, if  
65 any, to incur bonded indebtedness.

66 5. Notwithstanding the provisions of subsections 1 to  
67 4 of this section to the contrary, the mayor of each  
68 municipality and chairperson of each village included within  
69 the police protection district shall be an ex-officio member  
70 of the board of directors so long as he or she shall hold  
71 the office of mayor or chairperson, with all of the same  
72 rights, privileges, and duties as an elected director.

85.1065. A person, to be qualified to serve as an  
2 elected director, shall be a resident and voter of the  
3 district and the ward from which he or she shall represent  
4 for at least one year before the election or appointment and  
5 be over the age of twenty-four years. In the event the  
6 person is no longer a resident of the district or the ward



7 from which he or she was elected, the person's office shall  
8 be vacated, and the vacancy shall be filled as provided in  
9 section 85.1110. Nominations and declarations of candidacy  
10 shall be filed at the headquarters of the police protection  
11 district by paying a filing fee equal to the amount of a  
12 candidate for county office as set forth under section  
13 115.357, and filing a statement under oath that such person  
14 possesses the required qualifications. Thereafter, such  
15 candidate shall have the candidate's name placed on the  
16 ballot as a candidate for director. The names of candidates  
17 for each office shall be listed in the order in which they  
18 are filed; provided, however, that on the first day for  
19 filing declaration of candidacies, a random drawing shall be  
20 held.

85.1070. If a final order be entered establishing the  
2 district, such order shall be deemed final and conclusive,  
3 and no appeal or writ of error shall lie therefrom, and the  
4 entry of such order shall finally and conclusively establish  
5 the regular organization of said district against all  
6 persons except the state of Missouri, in an action in the  
7 nature of a writ of quo warranto, commenced by the attorney  
8 general within thirty days after said decree declaring such  
9 district finally organized as herein provided and not  
10 otherwise. The organization of such district shall not be  
11 directly or collaterally questioned in any suit, action, or  
12 proceeding except as herein expressly authorized.

85.1075. Within thirty days after the final order of  
2 the county in which the district has been declared a public  
3 corporation, the county clerk of that county shall transmit  
4 to the recorder of deeds in each county in which the  
5 district is located copies of the findings and decrees of  
6 the county clerk incorporating the district. The same shall

7 be filed in the same manner as articles of incorporation are  
8 required to be filed under the general laws concerning  
9 corporations, and each recorder and clerk shall receive a  
10 fee of one dollar for filing and preserving the same.

85.1080. Whenever a district has been declared duly  
2 and finally organized, the members of the board shall  
3 thereafter qualify within fifteen days by filing with the  
4 county clerk their oaths of office, which shall be in the  
5 form prescribed by the constitution, and such board members  
6 shall also file with the county clerk corporate surety bonds  
7 to be furnished at the expense of the district in an amount  
8 not to exceed one thousand dollars each, the form and amount  
9 thereof to be fixed and approved by the county having  
10 jurisdiction, and said bonds to be conditioned for the  
11 faithful performance of their duties as directors. For the  
12 first board of directors the county shall advance the cost  
13 of the bonds until reimbursed by the district upon receipt  
14 of tax funds.

85.1085. 1. All members of the board of directors of  
2 a police protection district first elected or first serving  
3 in an ex-officio capacity, shall attend and complete an  
4 educational seminar or conference or other suitable training  
5 on the role and duties of a board member of a police  
6 protection district. The training required under this  
7 section shall be conducted by an entity approved by the  
8 director of the department of public safety. The director  
9 of the department of public safety shall determine the  
10 content of the training to fulfill the requirements of this  
11 section. Such training shall include, at a minimum:

12 (1) Information relating to the roles and duties of a  
13 police protection district director;

- 14           (2) A review of all state statutes and regulations  
15 relevant to police protection districts;
- 16           (3) State ethics laws;
- 17           (4) State sunshine laws, chapter 610;
- 18           (5) Financial and fiduciary responsibility;
- 19           (6) State laws relating to the setting of tax rates;
- 20 and
- 21           (7) State laws relating to revenue limitations.

22           2. If any police protection district board member  
23 fails to attend a training session within twelve months  
24 after taking office, the board member shall not be  
25 compensated for attendance at meetings thereafter until the  
26 board member has completed such training session.

          85.1090. After taking their oaths and filing their  
2 bonds, the board shall choose one of its members as chair of  
3 the board and president of the district, and shall elect a  
4 secretary and a treasurer of the board and of the district,  
5 who may or may not be members of the board. The secretary  
6 and the treasurer may be one person. Such board shall adopt  
7 a seal, and the secretary shall keep in a well-bound book a  
8 record of all its proceedings, minutes of all meetings,  
9 certificates, contracts, bonds given by employees, and a  
10 record of corporate acts, which shall be open to inspection  
11 of all owners of property in the district, as well as to all  
12 other interested parties.

          85.1100. The treasurer shall keep strict and accurate  
2 accounts of all money received by and disbursed for and on  
3 behalf of the district in permanent records. He or she  
4 shall file with the clerk of the county, at the expense of  
5 the district, a corporate fidelity bond in an amount to be  
6 determined by the board for not less than five thousand  
7 dollars, conditioned on the faithful performance of the

8 duties of his or her office. He or she shall file in the  
9 office of the county clerk of each county in which all or  
10 part of the district lies a detailed financial statement for  
11 the preceding fiscal year of the district on behalf of the  
12 board, on or before April first of the following year.

85.1105. Each member of the board may receive an  
2 attendance fee not to exceed one hundred dollars for  
3 attending each regularly called board meeting, or special  
4 meeting, but shall not be paid for attending more than two  
5 in any calendar month, except that in counties with a  
6 charter form of government, he or she shall not be paid for  
7 attending more than four in any calendar month. However, no  
8 board member shall be paid more than one attendance fee if  
9 such member attends more than one board meeting in a  
10 calendar week. In addition, the chairman of the board of  
11 directors may receive fifty dollars for attending each  
12 regularly or specially called board meeting, but shall not  
13 be paid the additional fee for attending more than two  
14 meetings in any calendar month. Each member of the board  
15 shall be reimbursed for his or her actual expenditures in  
16 the performance of his or her duties on behalf of the  
17 district. The secretary and the treasurer, if members of  
18 the board of directors, may each receive such additional  
19 compensation for the performance of their respective duties  
20 as secretary and treasurer as the board shall deem  
21 reasonable and necessary, not to exceed one thousand dollars  
22 per year. The court having jurisdiction over the district  
23 shall have power to remove directors or any of them for good  
24 cause shown as set forth in section 106.220 upon a petition,  
25 notice, and hearing.

85.1110. 1. Except as otherwise provided in  
2 subsection 3 of this section, the board shall meet

3 regularly, not less than once each month, at a time and at  
4 some building in the district to be designated by the  
5 board. Notice of the time and place of future regular  
6 meetings shall be posted continuously at the police station  
7 or police stations of the district. Additional meetings may  
8 be held, when the needs of the district so require, at a  
9 place regular meetings are held, and notice of the time and  
10 place shall be given to each member of the board. Meetings  
11 of the board shall be held and conducted in the manner  
12 required by the provisions of chapter 610. All minutes of  
13 meetings of the board and all other records of the police  
14 protection district shall be available for public inspection  
15 at the main police station within the district by  
16 appointment with the secretary of the board within one week  
17 after a written request is made between the hours of 8:00  
18 a.m. and 5:00 p.m. every day except Sunday. A majority of  
19 the members of the board shall constitute a quorum at any  
20 meeting and no business shall be transacted unless a quorum  
21 is present. The board, acting as a board, shall exercise  
22 all powers of the board, without delegation thereof to any  
23 other governmental or other body or entity or association,  
24 and without delegation thereof to less than a quorum of the  
25 board. Agents, employees, engineers, auditors, attorneys,  
26 police officers, and any other member of the staff of the  
27 district may be employed or discharged only by a board which  
28 includes at least two directors; but any board of directors  
29 may suspend from duty any such person or staff member who  
30 willfully and deliberately neglects or refuses to perform  
31 his or her regular functions. Any member of the board of  
32 directors who fails to attend four meetings in succession,  
33 without being excused by the remaining members of the board,  
34 shall result in a forfeiture of office. The district shall

35 maintain a website. Notices of meetings, minutes, proposed  
36 and adopted ordinances, and monthly and annual financial  
37 reports shall be published on the district's website.

38 2. Any vacancy on the board shall be filled by the  
39 remaining members of the board. The appointee or appointees  
40 shall act until the next general municipal election  
41 following said vacancy in which notice of election may be  
42 given sufficiently in advance and in accordance with law to  
43 serve the remainder of the unexpired term.

44 3. Notwithstanding any provision of sections 610.015  
45 and 610.020 to the contrary, when Missouri is activated for  
46 deployment by the federal emergency management agency, state  
47 emergency management agency, or statewide mutual aid, a  
48 quorum of the board of directors of the affiliated police  
49 protection district may meet in person, via telephone,  
50 facsimile, internet, or any other voice or electronic means,  
51 without public notice, in order to authorize by roll call  
52 vote the disbursement of funds necessary for the deployment.

53 4. In the event action is necessary under subsection 3  
54 of this section, the board of directors of the affiliated  
55 police protection district shall keep minutes of the  
56 emergency meeting and disclose during the next regularly  
57 scheduled meeting of the board that the emergency meeting  
58 was held, the action that precipitated calling the emergency  
59 meeting without notice, and that the minutes of the  
60 emergency meeting are available as a public record of the  
61 board.

85.1115. On the first Tuesday in April after the  
2 expiration of at least one full calendar year from the date  
3 of the election of the elected members of the first board of  
4 directors, and on the first Tuesday in April every one year  
5 thereafter, an election for elected members for members of

6 the board of directors shall be held in the district.  
7 Nominations shall be filed at the headquarters of the police  
8 protection district in which a majority of the district is  
9 located by paying a filing fee equal to the amount of a  
10 candidate for county office as set forth under section  
11 115.357 and filing a statement under oath that the candidate  
12 possesses the required qualifications. The candidate  
13 receiving the most votes shall be elected. Any new member  
14 of the board shall qualify in the same manner as the members  
15 of the first board qualify.

85.1120. For the purpose of providing police  
2 protection to the persons and property within the district,  
3 the district and, on its behalf, the board shall have the  
4 following powers, authority, and privileges:  
5 (1) To have perpetual existence;  
6 (2) To have and use a corporate seal;  
7 (3) To sue and be sued, and be a party to suits,  
8 actions, and proceedings;  
9 (4) To enter into contracts, franchises and agreements  
10 with any person, partnership, association or corporation,  
11 public or private, affecting the affairs of the district,  
12 including contracts with any municipality, district or  
13 state, or the United States of America, and any of their  
14 agencies, political subdivisions or instrumentalities, for  
15 the planning, development, construction, acquisition or  
16 operation of any public improvement or facility, or for a  
17 common service relating to the control or prevention of  
18 crime, including the installation, operation and maintenance  
19 of police alarm systems; provided, that a notice shall be  
20 published for bids on all construction or purchase contracts  
21 for work or material or both, outside the authority

22 contained in subdivision (9) of this section, involving an  
23 expense of ten thousand dollars or more;

24 (5) Upon approval of the voters as herein provided, to  
25 borrow money and incur indebtedness and evidence the same by  
26 certificates, notes, or debentures, and to issue bonds, in  
27 accordance with the provisions of sections 85.1000 to  
28 85.1265;

29 (6) To acquire, construct, purchase, maintain, dispose  
30 of, and encumber real and personal property, police  
31 stations, police protection and police-fighting apparatus  
32 and auxiliary equipment therefor, and any interest therein,  
33 including leases and easements;

34 (7) To refund any bonded indebtedness of the district  
35 without an election. The terms and conditions of refunding  
36 bonds shall be substantially the same as those of the  
37 original issue of bonds, and the board shall provide for the  
38 payment of interest, not to exceed the legal rate, and the  
39 principal of such refunding bonds in the same manner as is  
40 provided for the payment of interest and principal of bonds  
41 refunded;

42 (8) To have the management, control, and supervision  
43 of all the business and affairs of the district, and the  
44 construction, installation, operation, and maintenance of  
45 district improvements therein;

46 (9) To hire and retain agents, employees, engineers,  
47 and attorneys, including part-time or volunteer commissioned  
48 officers or police;

49 (10) To have and exercise the power of eminent domain  
50 and in the manner provided by law for the condemnation of  
51 private property for public use to take any property within  
52 the district necessary to exercise the powers herein granted;



53           (11) To receive and accept by bequest, gift, or  
54 donation any kind of property. Notwithstanding any other  
55 provision of law to the contrary, any property received by  
56 the police protection district as a gift or any property  
57 purchased by the police protection district at a price below  
58 the actual market value of the property may be returned to  
59 the donor or resold to the seller if such property is not  
60 used for the specific purpose for which it was acquired;

61           (12) To adopt and amend bylaws, administrative  
62 ordinances, and any other rules and regulations not in  
63 conflict with the constitution and laws of this state,  
64 necessary for the carrying on of the business, objects, and  
65 affairs of the board and of the district, and refer to the  
66 proper authorities for prosecution any infraction thereof  
67 detrimental to the district. Any person violating any such  
68 ordinance is hereby declared to be guilty of a misdemeanor,  
69 and upon conviction thereof shall be punished as is provided  
70 by law therefor. The prosecuting attorney for the county in  
71 which the violation occurs shall prosecute such violations  
72 in the county of that county. The legal officer or attorney  
73 for the police district may be appointed by the prosecuting  
74 attorney as special assistant prosecuting attorney for the  
75 prosecution of any such violation. The enactments of the  
76 police district in delegating administrative authority to  
77 officials of the district may provide standards of action  
78 for the administrative officials, which standards are  
79 declared as industrial codes adopted by nationally organized  
80 and recognized trade bodies. The board shall have the power  
81 to adopt an ordinance, rule, or regulation allowing the  
82 district to charge individuals who reside outside of the  
83 district, but who receive emergency services within the  
84 boundaries of the district, for the actual and reasonable

85 cost of such services. However, such actual and reasonable  
86 costs shall not exceed one hundred dollars for responding to  
87 each police call or alarm and two hundred fifty dollars for  
88 each hour or a proportional sum for each quarter hour spent  
89 in combating a crime or emergency;

90 (13) To pay all county costs and expenses connected  
91 with the first election or any subsequent election in the  
92 district;

93 (14) To have and exercise all rights and powers  
94 necessary or incidental to or implied from the specific  
95 powers granted herein. Such specific powers shall not be  
96 considered as a limitation upon any power necessary or  
97 appropriate to carry out the purposes and intent of sections  
98 85.1000 to 85.1400;

99 (15) To provide for health, accident, disability, and  
100 pension benefits for the salaried members of its organized  
101 police department of the district and such other benefits  
102 for their spouses and eligible unemancipated children,  
103 through either or both a contributory or noncontributory  
104 plan. For purposes of this section, "eligible unemancipated  
105 child" means a natural or adopted child of an insured, or a  
106 stepchild of an insured who is domiciled with the insured,  
107 who is less than twenty-three years of age, who is not  
108 married, not employed on a full-time basis, not maintaining  
109 a separate residence except for full-time students in an  
110 accredited school or institution of higher learning, and who  
111 is dependent on parents or guardians for at least fifty  
112 percent of his or her support. The type and amount of such  
113 benefits shall be determined by the board of directors of  
114 the police protection district within the level of available  
115 revenues of the pension program and other available revenues  
116 of the district. If an employee contributory plan is

117 adopted, then at least one voting member of the board of  
118 trustees shall be a member of the police district elected by  
119 the contributing members, which shall not be the same as the  
120 board of directors;

121 (16) To contract with any municipality that is  
122 contiguous to a police protection district for the police  
123 protection district to provide police protection to the  
124 municipality for a fee as hereinafter provided;

125 (17) To provide for life insurance, accident,  
126 sickness, health, disability, annuity, length of service,  
127 pension, retirement, and other employee-type fringe  
128 benefits, subject to the provisions of section 70.615, for  
129 the volunteer members of any organized police department of  
130 the district and such other benefits for their spouses and  
131 eligible unemancipated children, through either a  
132 contributory or noncontributory plan, or both. For purposes  
133 of this section, "eligible unemancipated child" means a  
134 natural or adopted child of an insured, or a stepchild of an  
135 insured who is domiciled with the insured, who is less than  
136 twenty-three years of age, who is not married, not employed  
137 on a full-time basis, not maintaining a separate residence  
138 except for full-time students in an accredited school or  
139 institution of higher learning, and who is dependent on  
140 parents or guardians for at least fifty percent of his or  
141 her support. The type and amount of such benefits shall be  
142 determined by the board of directors of the police  
143 protection district within available revenues of the  
144 district, including the pension program of the district.  
145 The provision and receipt of such benefits shall not make  
146 the recipient an employee of the district. Directors who  
147 are also volunteer members may receive such benefits while  
148 serving as a director of the district;

149           (18) To contract for services with any rural,  
150 volunteer, or subscription police department or  
151 organization, or volunteer police protection association, as  
152 defined in section 85.1195, for the purpose of providing the  
153 benefits described in subdivision (17) of this section.

          85.1125. The amount to be paid annually by the  
2 municipality to the police district pursuant to subdivision  
3 (16) of section 85.1120 shall be the annual assessed value  
4 of all property subject to tax in the municipality  
5 determined from the tax assessment ledgers, and including  
6 public utilities and intangible property within such area,  
7 multiplied by the annual tax rate as certified by the police  
8 protection district to the municipality, but not including  
9 any portion of the tax rate of service provided by the  
10 district, per one hundred dollars of assessed value in such  
11 area. The tax rate so computed shall include any tax on  
12 bonded indebtedness incurred by the district prior to  
13 entering into such contract, but shall not include any of  
14 the tax rate for bonded indebtedness incurred during the  
15 term that the contract is in force.

          85.1130. Notwithstanding any provision in this section  
2 to the contrary, a police protection district may enter into  
3 a contract with a county, city, town, or village to assist  
4 in police protection services.

          85.1135. Notwithstanding any other provision of law to  
2 the contrary, any police protection district may contract  
3 with any municipality or village that does not operate its  
4 own police department to provide police protection services  
5 for a fee to any area of the municipality or village that  
6 does not belong to the police protection district. In such  
7 event, the municipality and the police protection district  
8 shall, by ordinance duly enacted by the governing board of

9 each, agree upon the terms by which such police protection  
10 shall be furnished. The agreement may provide for the  
11 payment of a stated sum per year upon any method of  
12 compensation for such police protection that is agreed upon  
13 by the police district and the municipality entering into  
14 such contract; provided that any contract for a period  
15 longer than five years shall have no binding force until  
16 ratified by a majority of the voters in the police district  
17 and the municipality entering into such a contract. The  
18 mayor of any municipality and chair of any village entering  
19 into such contract, shall serve, ex-officio, as a member of  
20 the board of directors.

85.1140. For the purpose of providing revenue for such  
2 districts, the board shall have the power and authority to  
3 order the levy and collection of ad valorem taxes on and  
4 against all taxable tangible property within the district,  
5 and to make timely demand and to sue for and collect any and  
6 all other taxes, contributions, or allocations to which the  
7 district may be entitled.

85.1145. To levy and collect taxes as herein provided,  
2 the board shall in each year determine the amount of money  
3 necessary to be raised by taxation, and shall fix a rate of  
4 levy which, when levied upon every dollar of the taxable  
5 tangible property within the district as shown by the last  
6 completed assessment, and with other revenues, will raise  
7 the amount required by the district annually to supply funds  
8 for paying the expenses of organization and operation and  
9 the costs of acquiring, supplying and maintaining the  
10 property, works and equipment of the district, and maintain  
11 the necessary personnel, which rate of levy shall not exceed  
12 thirty cents on the one hundred dollars valuation; may fix  
13 an additional rate, not to exceed ten cents on the hundred

14 dollars valuation, the revenues from which shall be  
15 deposited in a special fund and used only for the pension  
16 program of the district, by submitting the following  
17 question to the voters:

18           Shall the board of directors of \_\_\_\_\_ Police  
19           Protection District be authorized to increase the  
20           annual tax rate from \_\_\_\_\_ cents to \_\_\_\_\_ cents  
21           per one hundred dollars valuation, the revenues  
22           from which shall be deposited in a special fund  
23           and used only for the pension program of the  
24           district?

25           Provided, that if the question fails to receive a majority  
26           of the votes cast, it shall not be resubmitted to the voters  
27           within one year after the election; except, that any  
28           district may impose a tax not to exceed ten cents on the one  
29           hundred dollars valuation, in addition to the rate which the  
30           board may levy under this section, by submitting the  
31           following question to the voters at any election in such  
32           district at which a member of the board of directors is to  
33           be elected:

34           Shall the board of directors of \_\_\_\_\_ Police  
35           Protection District be authorized to increase the  
36           annual tax rate from \_\_\_\_\_ cents to \_\_\_\_\_ cents  
37           on the hundred dollars assessed valuation?

38           In addition thereto, to fix a rate of levy which will enable  
39           it to promptly pay in full when due all interest on and  
40           principal of bonds and other obligations of the district,  
41           and to pay any indebtedness authorized by a vote of the  
42           people as provided in sections 85.1000 to 85.1400; and in  
43           the event of accruing defaults or deficiencies in the bonded

44 or contractual indebtedness, an additional levy may be made  
45 as provided in section 85.1175.

85.1150. 1. The board of directors of any police  
2 protection district may levy, if a majority of the voters of  
3 the district voting thereon approve, in addition to all  
4 other taxes heretofore approved, an additional tax of not  
5 more than twenty-five cents per one hundred dollars of  
6 assessed valuation to be used for the support of the  
7 district. The proposition to levy the tax authorized by  
8 this subsection may be submitted by the board of directors  
9 at the first annual election of the members of the board. A  
10 separate ballot containing the question shall read as  
11 follows:

12 Shall the board of directors of the \_\_\_\_\_ Police  
13 Protection District be authorized to levy an  
14 additional tax of not more than eighty-five cents  
15 on the one hundred dollars assessed valuation to  
16 provide funds for the support of the district?

17  FOR THE PROPOSITION

18  AGAINST THE PROPOSITION

19 (Place an X in the square opposite the one for  
20 which you wish to vote.)

21 If a majority of the qualified voters casting votes thereon  
22 be in favor of the question, the board of directors shall  
23 accordingly levy a tax in accordance with the provisions of  
24 this subsection, but if a majority of the voters casting  
25 votes thereon do not vote in favor of the levy authorized by  
26 this subsection, any levy previously authorized shall remain  
27 in effect.

28 2. The board of directors of any police protection  
29 district may levy, if a majority of the voters of the

30 district voting thereon approve, in addition to all other  
31 taxes heretofore approved, an additional tax of not more  
32 than one dollar and ten cents per one hundred dollars of  
33 assessed valuation to be used for the support of the  
34 district. However, if the majority of the voters of the  
35 district approved the tax pursuant to subsection 1 of this  
36 section, the board of directors of any police protection  
37 district may levy an additional tax of not more than eighty-  
38 five cents per one hundred dollars of assessed valuation to  
39 be used for the support of the district. The proposition to  
40 levy the tax authorized by this subsection may be submitted  
41 by the board of directors at the next annual election of the  
42 members of the board or at any regular municipal or school  
43 election conducted by the county clerk or board of election  
44 commissioners in such district or at a special election  
45 called for the purpose, or upon petition of five hundred  
46 registered voters of the district. A separate ballot  
47 containing the question shall read as follows:

48       Shall the board of directors of the \_\_\_\_\_ Police  
49       Protection District be authorized to levy an  
50       additional tax of not more than ten cents on the  
51       one hundred dollars assessed valuation to provide  
52       funds for the support of the district?

53        FOR THE PROPOSITION

54        AGAINST THE PROPOSITION

55       (Place an X in the square opposite the one for  
56       which you wish to vote.)

57 If a majority of the qualified voters casting votes thereon  
58 be in favor of the question, the board of directors shall  
59 accordingly levy a tax in accordance with the provisions of  
60 this subsection, but if a majority of the voters casting



61 votes thereon do not vote in favor of the levy authorized by  
62 this subsection, any levy previously authorized shall remain  
63 in effect.

85.1155. 1. Notwithstanding any other provision of  
2 law to the contrary, an additional tax of not to exceed  
3 three cents per one hundred dollars of assessed valuation  
4 may be levied and collected by any city, town, village,  
5 county, or police protection district, or a central police  
6 and emergency services board established in subsection 4 of  
7 this section. All the funds derived from such tax,  
8 including any existing surplus funds, shall be used for the  
9 purpose of establishing and providing a joint central police  
10 and emergency dispatching service and for expenditures for  
11 equipment and services, except for salaries, wages, and  
12 benefits, by cities, towns, villages, counties, or police  
13 protection districts which contract with such joint central  
14 police and emergency dispatching service.

15 2. The additional tax prescribed by this section shall  
16 be levied only when the governing body of the city, town,  
17 village, county, police protection district, or central  
18 police and emergency services board determines that a  
19 central police and emergency dispatching center will meet  
20 the minimum requirements set by section 85.1165, and, except  
21 where a central police and emergency services board is  
22 established in accordance with subsection 4 of this section,  
23 when the governing body has entered into a contract with the  
24 center for police and emergency dispatching services. The  
25 funds from the tax shall be kept separate and apart from all  
26 other funds of the city, town, village, county, police  
27 protection district, or central police and emergency  
28 services board and shall be paid out only on order of the  
29 governing body. Except as provided in subsection 4 of this

30 section, all funds received by such center, and all  
31 operations of such center shall be governed and controlled  
32 by a board of directors consisting of one member from each  
33 such agency using the joint central police and emergency  
34 dispatching service. Except as otherwise provided in  
35 subsection 4 of this section, in any county, city, town, or  
36 village, where a tax-supported police protection district is  
37 provided emergency dispatching services by any form of joint  
38 communication organization or emergency dispatching center,  
39 receiving directly or indirectly any funds so levied and  
40 collected as provided in this section including any funds or  
41 tariffs paid by telephone subscribers for 911 emergency  
42 service, such joint communication organization, however  
43 organized, shall be governed by a board of directors, and  
44 the board of directors shall consist in part of one member  
45 appointed by each county, city, town, village, or tax-  
46 supported police protection district so served. The members  
47 shall be an elected official of a police protection  
48 district, ambulance district, or city council appointed by  
49 each such agency to serve for a one-year term or until a  
50 successor is duly appointed.

51 3. In addition to the tax prescribed by subsections 1  
52 and 2 of this section, an additional tax of not to exceed  
53 two cents per one hundred dollars of assessed valuation  
54 which has been approved by the voters may be levied and  
55 collected by any city, town, village, county, or police  
56 protection district, or a central police and emergency  
57 services board established in subsection 4 of this section  
58 of a county of the first classification with a charter form  
59 of government which has a population between two hundred  
60 thousand and five hundred thousand inhabitants, but all of  
61 the funds derived from such tax shall be used solely for the

62 purpose of establishing and providing a joint central police  
63 and emergency dispatching service.

85.1160. 1. Any police protection district which has  
2 revised or reduced any levy which it has been authorized to  
3 impose under the provisions of section 85.1145, 85.1150,  
4 85.1155, or 85.1350, under any provision of the constitution  
5 or laws of this state, may increase each such revised or  
6 reduced levy up to, but not in excess of, the maximum limits  
7 allowed under the section authorizing the rate of levy  
8 sought to be increased by submitting the following  
9 proposition to the voters of the district at any primary,  
10 general, or special election:

11 Shall the board of directors of the \_\_\_\_\_ Police  
12 Protection District be authorized to increase the  
13 rate of levy for \_\_\_\_\_ (insert purpose of which  
14 tax is levied) from \_\_\_\_\_ cents to \_\_\_\_\_ cents  
15 on each one hundred dollars of assessed valuation?

16  YES  NO

17 2. If any of the propositions submitted under  
18 subsection 1 of this section is approved by a majority of  
19 the voters of the district voting thereon, the board of  
20 directors may increase the levy which was the subject of  
21 such proposition to the amount authorized by such  
22 proposition.

85.1165. 1. No central police and emergency  
2 dispatching center shall qualify to receive any funds  
3 collected pursuant to section 85.1155 and this section  
4 unless it meets or will meet, upon the acquisition or  
5 retention of equipment, real and personal property, and  
6 personnel, at least the following minimum equipment and  
7 personnel requirements:

8           (1) Two separate transmitters and receivers capable of  
9 operating on all working police and emergency radio  
10 frequencies included in the area to be covered, together  
11 with monitor receivers for police frequencies, point-to-  
12 point police or local police dispatchers operating on a  
13 twenty-four-hour basis, plus an emergency power source  
14 capable of operating all equipment and lights necessary for  
15 dispatching for an indefinite period of time;

16           (2) Duo-multichannel recording equipment for all radio  
17 frequencies and telephone trunk "hot lines", complete with  
18 automatic transfer on failure of logging recorder and  
19 automatic time inserted on recorder and with instant  
20 playback on any channel at dispatcher's position without  
21 interruption of regular log recorder;

22           (3) A minimum of three trunk telephone lines  
23 designated as "hot lines" in reserve for "police or  
24 emergency" calls only, plus such other lines as may be  
25 necessary to conduct the normal business of the center,  
26 which may also be used for police or emergency purposes;

27           (4) A chief dispatcher to be in charge of operations,  
28 who shall be directly responsible to the management of the  
29 dispatching service;

30           (5) Sufficient senior dispatchers to provide twenty-  
31 four-hour attendance at the center;

32           (6) Such assistant dispatchers as may be necessary to  
33 provide two-person switchboard operation during certain  
34 hours as prescribed in section 85.1155 and this section;

35           (7) Alarms to police stations from the dispatching  
36 center shall be two of the following type systems: wired or  
37 by telephone line; radio or by tone signaling; or microwave  
38 radio; or such other communications systems as may be  
39 developed in the future which provide reliable and accurate

40 communications and which are not experimental in nature, so  
41 that upon failure of either, the other will operate  
42 independently, and both shall be capable of sounding alarm  
43 at any agency facility using the joint central police and  
44 emergency dispatching service;

45 (8) Radio alarm equipment at each agency facility  
46 using the joint central police and emergency dispatching  
47 service capable of operating without local utility power for  
48 a period of at least eight hours; and paging equipment for  
49 police and emergency personnel; and

50 (9) Radio equipment, both mobile and portable, on all  
51 police and emergency vehicles which answer alarms which will  
52 provide two-way voice communication between the equipment  
53 and the dispatching center.

54 2. A minimum of two dispatchers shall be on duty at  
55 all times in any central dispatching center between the  
56 hours of 7:00 a.m. and 11:00 p.m. If only one dispatcher is  
57 on duty at other times, a twenty-minute watchman's check  
58 shall be maintained.

59 3. All dispatchers shall be at least eighteen years of  
60 age. Each dispatcher shall be capable of operating all  
61 equipment used in the dispatching center.

62 4. Each dispatching center shall employ sufficient  
63 personnel to ensure that no person will be required to be on  
64 duty without at least twelve hours between shifts.

65 5. A central police and emergency dispatching center  
66 meeting the requirements of this section shall qualify to  
67 receive any funds collected pursuant to section 85.1155 and  
68 this section and to use such funds for the acquisition, use  
69 and maintenance of any property, both real and personal, and  
70 for such other uses or purposes as may be determined by the  
71 body governing the operations of the central police and

72 emergency dispatching center, and which are necessary or  
73 advisable for the establishment, maintenance, or operation  
74 of the central police and emergency dispatch center.

85.1170. On or before the applicable date required  
2 under section 67.110 of each year, the board shall certify  
3 to the county commission of each county within which the  
4 district is located a rate of levy so fixed by the board as  
5 provided by law, with directions that at the time and in the  
6 manner required by law for levy of taxes for county purposes  
7 such county commissions shall levy a tax at the rate so  
8 fixed and determined upon the assessed valuation of all the  
9 taxable tangible property within the district, in addition  
10 to such other taxes as may be levied by such county  
11 commissions.

85.1175. The board in certifying annual levies as  
2 herein provided shall take into account, in addition to the  
3 amounts necessary for general purposes as herein provided,  
4 the maturing indebtedness for the ensuing year as provided  
5 in its bonds and the interest on bonds, and deficiencies and  
6 defaults of prior years and any contractual obligation and  
7 shall make ample provision for the payment thereof. In case  
8 the moneys produced from such levies, together with other  
9 revenues of the district are not sufficient to pay  
10 punctually the annual installments on its bonds and the  
11 interest thereon, and to pay any defaults and deficiencies  
12 on any such bonds or contracts duly approved by the voters  
13 of the district, then the board shall provide for such  
14 additional levying of taxes as may be necessary to pay for  
15 all such, and notwithstanding any limitations, such taxes  
16 shall be continued to be levied until the indebtedness of  
17 the district shall be fully and currently paid.

85.1180. 1. The body having authority to levy taxes  
2 within each county in which all or part of a district lies  
3 shall levy the taxes provided in sections 85.1000 to  
4 85.1400, and all officials charged with the duty of  
5 collecting taxes in each such county shall collect such  
6 taxes at the time and in the manner and with like interest  
7 and penalties as other taxes are collected. When collected,  
8 such taxes shall be paid to the district ordering the levy  
9 and collection, or entitled to the same, and the payment of  
10 such collections shall be made monthly to the treasurer of  
11 the district and paid into the depository thereof to the  
12 credit of the district. All funds received by the district  
13 shall be deposited in a depository and secured in the manner  
14 provided by law for the deposit of county funds.

15 2. All taxes levied under the provisions of sections  
16 85.1000 to 85.1400, together with interest thereon and  
17 penalties for default in payment thereof, and all costs of  
18 collecting the same, shall, until paid, constitute a lien on  
19 and against the property taxed, and such lien shall be on a  
20 parity with the tax lien of general taxes, and no sale of  
21 such property to enforce any general tax or other lien shall  
22 extinguish the lien of district taxes.

85.1185. If the taxes levied are not paid as herein  
2 provided, then the delinquent real property shall be sold at  
3 the regular tax sale for the payment of said taxes, interest  
4 and penalties, in the manner provided by the statutes of the  
5 state of Missouri for selling property for the nonpayment of  
6 general taxes. If there are no bids at said tax sale for  
7 the property so offered, said property shall be struck off  
8 to the county or other agency provided by law, and the  
9 county or agency shall account to the district in the same  
10 manner as provided by law for accounting for school, town,

11 and city taxes. Delinquent personal property shall be  
12 distrained and sold as provided by general law.

85.1190. Whenever any bonded or contractual  
2 indebtedness has been incurred by a district, it shall be  
3 lawful for the board to levy taxes and collect revenue for  
4 the purpose of creating a reserve fund in such amount as the  
5 board may determine, to be used to meet the obligations of  
6 the district.

85.1195. 1. The boundaries of any district organized  
2 pursuant to the provisions of sections 85.1000 to 85.1400  
3 may be changed in the manner prescribed in this section; but  
4 any change of boundaries of the district shall not impair or  
5 affect its organization or its rights in or to property, or  
6 any of its rights or privileges whatsoever; nor shall it  
7 affect or impair or discharge any contract, obligation,  
8 lien, or charge for or upon which it might be liable or  
9 chargeable had any change of boundaries not been made.

10 2. The boundaries may be changed as follows:

11 (1) Twenty-five percent of the number of voters who  
12 voted in the most recent gubernatorial election in the area  
13 to be annexed may file with the board a petition in writing  
14 praying that such real property be included within the  
15 district; provided that in the case of a municipality having  
16 less than twenty percent of its total population in one  
17 police protection district, the entire remaining portion may  
18 be included in another district so that none of the city is  
19 outside of a police protection district at the time. The  
20 petition shall describe the property to be included in the  
21 district and shall describe the property owned by the  
22 petitioners and shall be deemed to give assent of the  
23 petitioners to the inclusion in the district of the property  
24 described in the petition; and such petition shall be in



25 substantially the form set forth in section 85.1290 dealing  
26 with referendums and verified in like manner; provided,  
27 however, that in the event that there are more than twenty-  
28 five property owners or taxpaying electors signing the  
29 petition, it shall be deemed sufficient description of their  
30 property in the petition as required in this section to list  
31 the addresses of such property; or

32 (2) All of the owners of any territory or tract of  
33 land near or adjacent to a police protection district who  
34 own all of the real estate in such territory or tract of  
35 land may file a petition with the board praying that such  
36 real property be included in the district. The petition  
37 shall describe the property owned by the petitioners and  
38 shall be deemed to give assent of the petitioners to the  
39 inclusion in the district of the property described in the  
40 petition.

41 3. The secretary of the board shall cause notice of  
42 the filing of any petition filed pursuant to this section to  
43 be given and published in the county in which the property  
44 is located, which notice shall recite the filing of such  
45 petition, the number of petitioners, a general description  
46 of the boundaries of the area proposed to be included, and  
47 the prayer of the petitioners; giving notice to all persons  
48 interested to appear at the office of the board at the time  
49 named in the notice and show cause in writing, if any they  
50 have, why the petition should not be granted. The board  
51 shall at the time and place mentioned, or at such time or  
52 times to which the hearing may be adjourned, proceed to hear  
53 the petition and all objections thereto presented in writing  
54 by any person showing cause why the petition should not be  
55 granted. The failure of any person interested to show cause  
56 in writing why such petition shall not be granted shall be

57 deemed as an assent on his or her part to the inclusion of  
58 such lands in the district as prayed for in the petition.

59 4. If the board deems it for the best interest of the  
60 district, it shall grant the petition, but if the board  
61 determines that some portion of the property mentioned in  
62 the petition cannot as a practical matter be served by the  
63 district, or if it deems it for the best interest of the  
64 district that some portion of the property in the petition  
65 not be included in the district, then the board shall grant  
66 the petition in part only. If the petition is granted, the  
67 board shall make an order to that effect and file the same  
68 with the county clerk; and upon the order of the county  
69 having jurisdiction over the district, the property shall be  
70 included in the district. If the petition contains the  
71 signatures of all the owners of the property pursuant to the  
72 provisions of subdivision (2) of subsection 2 of this  
73 section, the property shall be included in the district upon  
74 the order of the county. If the petition contains the  
75 signatures of twenty-five percent of the number of voters  
76 who voted in the most recent gubernatorial election in the  
77 area to be annexed pursuant to subdivision (1) or  
78 subdivision (3) of subsection 2 of this section, the  
79 property shall be included in the district subject to the  
80 election provided in section 85.1200. The county having  
81 jurisdiction over the district shall proceed to make any  
82 such order including such additional property within the  
83 district as is provided in the order of the board, unless  
84 the county clerk shall find that such order of the board was  
85 not authorized by law or that such order of the board was  
86 not supported by competent and substantial evidence.

87 5. Any person aggrieved by any decision of the board  
88 made pursuant to the provisions of this section may appeal

89 that decision to a court of competent jurisdiction of the  
90 county in which the property is located within thirty days  
91 of the decision by the board.

92 6. No police protection district, or employee thereof,  
93 in which territory is annexed pursuant to this section shall  
94 be required to comply with any prescribed law enforcement  
95 officer training program or regimen which would not  
96 otherwise apply to the district or its employees, but for  
97 the requirements applicable to the annexed territory.

85.1200. 1. If the petition to add any territory or  
2 tract of land to the district contained fewer than all of  
3 the signatures required pursuant to subdivision (2) of  
4 subsection 2 of section 85.1195, the decree of extension of  
5 boundaries shall not become final and conclusive until it  
6 has been submitted to an election of the voters residing  
7 within the boundaries described in such decree and until it  
8 has been assented to by a majority vote of the voters in the  
9 newly included area voting on the question. The decree  
10 shall also provide for the holding of the election to vote  
11 on the proposition of extending the boundaries of the  
12 district, and shall fix the date for holding the election.

13 2. The question shall be submitted in substantially  
14 the following form:

15 Shall the boundaries of the \_\_\_\_\_ Police  
16 Protection District be extended to include the  
17 following described property? (Describe property.)

18  YES  NO

19 3. If a majority of the voters voting on the  
20 proposition vote in favor of the extension of the boundaries  
21 of the district, then the county clerk shall enter its  
22 further order declaring the decree of extension of the

23 boundaries to be final and conclusive. In the event,  
24 however, that the county clerk finds that a majority of the  
25 voters voting thereon voted against the proposition to  
26 extend the boundaries of the district, then the county shall  
27 enter its further order declaring the decree of extension of  
28 boundaries to be void and of no effect.

85.1205. Within thirty days after the final order of  
2 the county extending the boundaries of the district, the  
3 county clerk of that county shall transmit to the county  
4 clerk and to the recorder of deeds in each county in which  
5 the district is located copies of the findings and decrees  
6 of the county extending the boundaries of the district. The  
7 same shall be filed in the same manner as articles of  
8 incorporation are required to be filed under the general  
9 laws concerning corporations, and each recorder and clerk  
10 shall receive a fee of one dollar for filing and preserving  
11 the same.

85.1210. The boundaries of a police protection  
2 district shall be coterminous with and include the whole of  
3 any cities, towns, or villages included within the police  
4 protection district. Upon the voters adopting a police  
5 protection district, any municipal police department  
6 contained within said district shall be dissolved, merged  
7 with, and absorbed by the police protection district.

85.1215. All real property included within, or  
2 excluded from, a district shall thereafter be subject to the  
3 levy of taxes for the payment of any indebtedness of the  
4 district outstanding at the time of inclusion or exclusion;  
5 provided, however, that after any real property shall have  
6 been excluded from a district, as herein provided, any  
7 buildings and improvements thereafter erected or constructed  
8 on said excluded real property, and all machinery and

9 equipment thereafter installed or placed therein or thereon,  
10 and all tangible personal property not in said district at  
11 the time of the exclusion of said real property from said  
12 district which shall thereafter be situated on or used in  
13 connection with said real property, shall not be subject to  
14 any taxes levied by said district.

85.1220. To carry out the purposes of sections 85.1000  
2 to 85.1400, the board is hereby authorized to issue  
3 negotiable coupon bonds of the district as herein provided.  
4 Bonds shall bear interest at a rate not exceeding six  
5 percent per annum, payable semiannually, and shall be due  
6 and payable serially, either annually or semiannually,  
7 commencing not later than three years and extending not more  
8 than twenty years from their date. The form and terms of  
9 said bonds, including provisions for their payment and  
10 redemption, shall be determined by the board. If the board  
11 so determines, such bonds may be redeemable prior to  
12 maturity upon payment of a premium, not exceeding three  
13 percent of the principal thereof. Said bonds shall be  
14 executed in the name of and on behalf of the district and  
15 signed by the chairman of the board, with the seal of the  
16 district affixed thereto and attested by the secretary of  
17 the board. Said bonds shall be in such denominations as the  
18 board shall determine and the bonds and coupons thereto  
19 attached shall be payable to bearer. Interest coupons shall  
20 bear the original or facsimile signature of the chairman of  
21 the board.

85.1225. Whenever any board shall, by resolution,  
2 determine that the interest of said district and the public  
3 interest or necessity demand the acquisition, construction,  
4 installation, or completion of any works or other  
5 improvements or facilities, or the making of any contract

6 with the United States or other persons or corporations, to  
 7 carry out the objects or purposes of said district,  
 8 requiring the creation of an indebtedness in an amount  
 9 exceeding in any year the income and revenue provided for  
 10 such year plus any unencumbered balances from previous  
 11 years, said board shall order the submission of the  
 12 proposition of issuing such obligations or bonds, or  
 13 creating other indebtedness, to the voters of the election.  
 14 The declaration of public interest or necessity herein  
 15 required and the provision for holding of such election may  
 16 be included within one and the same resolution, which  
 17 resolution, in addition to such declaration of public  
 18 interest or necessity, shall recite the objects and purposes  
 19 for which the indebtedness is proposed to be incurred, the  
 20 estimated cost of the works or improvements, as the case may  
 21 be, the amount of principal of the indebtedness to be  
 22 incurred therefor, and the maximum rate of interest to be  
 23 paid on such indebtedness. Such resolution shall also fix  
 24 the date upon which such election shall be held.

85.1230. 1. The question shall be submitted in  
 2 substantially the following form:

3 Shall \_\_\_\_\_ (Insert name of district.) \_\_\_\_\_  
 4 Police Protection District \_\_\_\_\_ (Here state the  
 5 proposition to be submitted.) \_\_\_\_\_?

6 2. The proposition so submitted, if relating to bonds,  
 7 shall set out the amount of the issue and the purpose.

85.1235. At any regular or special meeting of the  
 2 board held within five days following the date of such  
 3 election, the board shall declare the results.

85.1240. In the event that it shall appear from the  
 2 returns that the constitutionally required percentage of the

3 voters of the district who shall have voted on any such  
4 proposition submitted hereunder at such election voted in  
5 favor of such proposition, the district shall thereupon be  
6 authorized to incur such indebtedness or obligations, enter  
7 into such contract or issue, and sell such bonds of the  
8 district, as the case may be, all for the purpose or  
9 purposes and object or objects provided for in the  
10 proposition or propositions submitted hereunder and in the  
11 resolution therefor, and in the amount so provided and at a  
12 rate of interest not exceeding the rate of interest recited  
13 in such resolution. Submission of the proposition of  
14 incurring such obligation or bonded or other indebtedness at  
15 such an election shall not prevent or prohibit submission of  
16 the same or other propositions at a subsequent election.

85.1245. Whenever a petition signed by not less than  
2 twenty-five percent of the voters who cast votes at the last  
3 election for the district director in any district organized  
4 under the provisions of sections 85.1000 to 85.1400 is filed  
5 with the county having jurisdiction over the district,  
6 setting forth all the relevant facts pertaining to the  
7 district, and alleging that the further operation of the  
8 district is inimicable to the best interests of the  
9 inhabitants of the district, and that the district should,  
10 in the interest of the public welfare and safety, be  
11 dissolved, the county shall have authority, after hearing  
12 evidence submitted on the aforesaid question, to order a  
13 submission of the question, after having caused publication  
14 of notice of a hearing on said petition, in substantially  
15 the following form:

16            Shall \_\_\_\_\_ (Insert the name of the police  
17            district.) \_\_\_\_\_ Police Protection District be  
18            dissolved?

          85.1250. If the county clerk shall find that a  
2            sufficient number of signatures have been gathered, it shall  
3            make an order reciting the same and providing for the  
4            submission of the proposition to dissolve such district to a  
5            vote of the voters of the district, setting forth such  
6            further details in its order as may be necessary to an  
7            orderly conduct of such election. Such election shall be  
8            held at the municipal election. Returns of said election  
9            shall be certified to the county. If the county clerk finds  
10           that two-thirds of the voters voting thereon shall have  
11           voted in favor of the proposition to dissolve said district,  
12           the county shall make a final order dissolving said  
13           district, and the decree shall contain a proviso that said  
14           district shall continue in full force for the purpose of  
15           paying all outstanding and lawful obligations and disposing  
16           of property of the district; but no additional costs or  
17           obligations shall be created except such as are necessary to  
18           pay such costs, obligations, and liabilities theretofore  
19           incurred, or necessary to the winding up of the district.  
20           If the county clerk shall find that two-thirds of the voters  
21           of the district voting thereon shall not have voted  
22           favorably on the proposition to dissolve such district, then  
23           the county shall make a final order declaring such result  
24           dismissing the petition praying for the dissolution of said  
25           district; and the said district shall continue to operate in  
26           the same manner as though said petition asking for such  
27           dissolution has not been filed.



85.1255. The dissolution of a police protection  
2 district shall not invalidate or affect any right accruing  
3 to such police district, or to any person, or invalidate or  
4 affect any contract or indebtedness entered into or imposed  
5 upon such police protection district or person; and whenever  
6 the county clerk shall, under the provisions of section  
7 85.1250, dissolve a police protection district, the said  
8 county clerk shall appoint some competent person to act as  
9 trustee for the police protection district so dissolved and  
10 such trustee before entering upon the discharge of his or  
11 her duties shall take and subscribe an oath that he or she  
12 will faithfully discharge the duties of his or her office,  
13 and shall give bond with sufficient security, to be approved  
14 by the county clerk to the use of such dissolved police  
15 protection district, for the faithful discharge of his or  
16 her duties, and shall proceed to liquidate the district  
17 under orders of the county clerk, including the levying of  
18 any taxes provided for in sections 85.1000 to 85.1400.

85.1260. Any and all taxable tangible property located  
2 within any such district shall continue to be subject to the  
3 levy of taxes for general purposes and for the payment of  
4 any indebtedness previously created, all as provided  
5 herein. The repeal of any acts herein shall not be held to  
6 affect or invalidate any claims, demands, acts, debts,  
7 contracts, obligations, or indebtedness of any district  
8 created under the provisions of any such act.

85.1265. In any and every case where a notice is  
2 provided for in sections 85.1000 to 85.1400, if the county  
3 clerk finds for any reason that due notice was not given,  
4 the county clerk shall not thereby lose jurisdiction, and  
5 the proceeding in question shall not thereby be void or be  
6 abated, but the county clerk shall in that case order due

7 notice to be given, and shall continue the hearing until  
8 such time as notice shall be properly given, and thereupon  
9 shall proceed as though notice had been properly given in  
10 the first instance.

85.1270. 1. Two or more police protection districts  
2 may consolidate with each other in the manner hereinafter  
3 provided, and only if the districts have one or more common  
4 boundaries, in whole or in part, or are located within the  
5 same county, in whole or in part, as to any respective two  
6 of the districts which are so consolidating.

7 2. By a majority vote of each board of directors of  
8 each police protection district included within the proposed  
9 consolidation, a consolidation plan may be adopted. The  
10 consolidation plan shall include the name of the proposed  
11 consolidated district, the legal description of the  
12 boundaries of each district to be consolidated, and a legal  
13 description of the boundaries of the consolidated district,  
14 the amount of outstanding bonds, if any, of each district  
15 proposed to be consolidated, a listing of the police  
16 stations within each district, and the names of the  
17 districts to be consolidated.

18 3. The petition shall set forth:

19 (1) The name of the proposed district consisting of a  
20 chosen name preceding the words "police protection district";

21 (2) An estimate of the number of inhabitants and of  
22 the assessed valuation of the taxable tangible property of  
23 the district, and of the yield from the intangible personal  
24 property located in the district;

25 (3) The estimated cost of the proposed improvements;

26 (4) A general description of the boundaries of the  
27 district or the territory to be included therein, and the  
28 boundaries of three wards in which the district shall be

29 subdivided, with such certainty as to enable a property  
30 owner to determine whether or not his property is within the  
31 district, and a plat of the proposed district;

32 (5) The wards shall be compact and contiguous and  
33 contain equal populations as nearly as possible, and shall  
34 be reapportioned, by the board of directors, within one  
35 hundred eighty days after each decennial census is reported  
36 to the president of the United States;

37 (6) Such other data and information as may be useful  
38 to the voters in determining the necessity for the  
39 organization of the district;

40 (7) A prayer for the organization of the district.

41 4. The decree of incorporation shall not become final  
42 and conclusive until it has been submitted to an election of  
43 the voters residing within the boundaries described in such  
44 decree, and until it has been assented to by a majority vote  
45 of the voters of the district voting on the question. The  
46 decree shall also provide for the holding of the election to  
47 vote on the proposition of incorporating the district, and  
48 to elect three persons to act as the elected members of the  
49 first board of directors, and shall fix the date for holding  
50 the election on the first general municipal election date to  
51 vote on a tax pursuant to section 85.1150 following entry of  
52 the decree in which notice of election may be issued  
53 sufficiently in advance of the election according to law.

54 5. The question shall be submitted in substantially  
55 the following form:

56 Shall there be incorporated a police protection  
57 district?

58  YES

NO



89 be void and of no effect. If the county clerk enters an  
90 order declaring the decree of incorporation to be final and  
91 conclusive, it shall at the same time designate the first  
92 board of directors of the district who have been elected by  
93 the voters voting thereon. The person elected from ward 1  
94 shall hold office for a term of one year, the person elected  
95 from ward 2 shall hold office for a term of two years, and  
96 the person elected from ward 3 shall hold office for a term  
97 of three years from the date of the election of the first  
98 board of directors and until their successors are duly  
99 elected and qualified. Thereafter, the elected members of  
100 the board shall be elected to serve terms of three years and  
101 until their successors are duly elected and qualified. The  
102 county clerk shall at the same time enter an order of record  
103 declaring the result of the election on the proposition, if  
104 any, to incur bonded indebtedness.

105 8. Notwithstanding the provisions of subsections 1 to  
106 4 of this section to the contrary, the mayor of each  
107 municipality and chairperson of each village included within  
108 the police protection district shall be an ex-officio member  
109 of the board of directors so long as he or she shall hold  
110 the office of mayor or chairperson, with all of the same  
111 rights, privileges, and duties as an elected director.

112 9. Each board of the districts approving the plan for  
113 proposed consolidation shall duly certify and file in the  
114 office of the county clerk in which the district is located  
115 a copy of the plan of consolidation, bearing the signatures  
116 of those directors who vote in favor thereof, together with  
117 a petition for consolidation. The petition may be made  
118 jointly by all of the districts within the respective plan  
119 of consolidation. A filing fee of fifty dollars shall be

120 deposited with the clerk, on the filing of the petition,  
121 against the costs of the county clerk.

122 10. The county clerk sitting in and for any county to  
123 which the petition is presented is hereby vested with  
124 jurisdiction, power and authority to hear the same, and to  
125 approve the consolidation and order such districts  
126 consolidated, after holding an election, as hereinafter  
127 provided.

128 11. If the county clerk finds the plan for  
129 consolidation to have been duly approved by the respective  
130 boards of directors of the police protection districts  
131 proposed to be consolidated, then the county clerk shall  
132 enter its order of record, directing the submission of the  
133 question.

134 12. The order shall direct publication of notice of  
135 election, and shall fix the date thereof. The order shall  
136 direct that the elections shall be held to vote on the  
137 proposition of consolidating the districts and to elect  
138 three persons, having the qualifications declared in section  
139 85.1065 and being among the then directors of the districts  
140 proposed to be consolidated, to become directors of the  
141 consolidated district.

142 13. The question shall be submitted in substantially  
143 the following form:

144 Shall the \_\_\_\_\_ Police Protection District and  
145 the \_\_\_\_\_ Police Protection District be  
146 consolidated into one police protection district  
147 to be known as the \_\_\_\_\_ Police Protection  
148 District, with tax levies not in excess of the  
149 following amounts: maintenance fund \_\_\_\_\_ cents  
150 per one hundred dollars assessed valuation;  
151 ambulance service \_\_\_\_\_ cents per one hundred  
152 dollars assessed valuation; pension fund \_\_\_\_\_  
153 cents per one hundred dollars assessed valuation;

154 and dispatching fund \_\_\_\_\_ cents per one hundred  
155 dollars assessed valuation?

156 14. If, upon the canvass and declaration, it is found  
157 and determined that a majority of the voters of the  
158 districts voting on the proposition or propositions have  
159 voted in favor of the proposition to incorporate the  
160 consolidated district, then the county shall then further,  
161 in its order, designate the first board of directors of the  
162 consolidated district, who have been elected by the voters  
163 voting thereon, the one receiving the third highest number  
164 of votes to hold office until the first Tuesday in April  
165 which is more than one year after the date of election, the  
166 one receiving the second highest number of votes to hold  
167 office until two years after the first Tuesday aforesaid,  
168 and the one receiving the highest number of votes until four  
169 years after the first Tuesday in April as aforesaid. If any  
170 other propositions are also submitted at the election, the  
171 county clerk, in its order, shall also declare the results  
172 of the votes thereon. If the county clerk shall find and  
173 determine, upon the canvass and declaration, that a majority  
174 of the voters of the consolidated district have not voted in  
175 favor of the proposition to incorporate the consolidated  
176 district, then the county shall enter its order declaring  
177 the proceedings void and of no effect, and shall dismiss the  
178 same at the cost of petitioners.

85.1275. If the vote prescribed by section 85.1270 is  
2 in favor of the consolidation, then, upon the order of the  
3 county clerk declaring the same, the consolidated district  
4 thereupon shall be a political subdivision of the state of  
5 Missouri and a body corporate, with all the powers of like  
6 or similar corporations, and with all the powers of police

7 protection districts under section 85.1120, whose affairs  
8 shall be conducted as provided in sections 85.1000 to  
9 85.1400, with all the powers, privileges, and duties therein  
10 conferred and provided upon police protection districts in  
11 the county. All properties, rights, assets, and liabilities  
12 of the several police protection districts which are so  
13 consolidated, including outstanding bonds thereof if any,  
14 shall become forthwith and without any further procedure the  
15 properties, rights, assets, and liabilities of the  
16 consolidated police protection district. The provisions of  
17 section 85.1010 shall also apply to the election and order  
18 establishing the consolidated police protection district.

85.1280. The order of the county clerk having  
2 jurisdiction, as well as finding and determining the votes  
3 of the election, shall direct the county clerk to transmit  
4 to the recorder of deeds of each county in which the  
5 consolidated district is located a certified copy of such  
6 order, to be filed in the same manner as articles of  
7 incorporation are required to be filed under the general  
8 laws concerning corporations, and each recorder and each  
9 clerk shall each receive, for such filing, a fee of one  
10 dollar, to be charged as costs in the proceeding.

85.1285. All powers which may be exercised by the  
2 board of directors of a police protection district may be  
3 exercised by the voters of that district by initiative or  
4 referendum.

85.1290. 1. A petition for a referendum shall be in  
2 substantially the following form:

3 **WARNING**

4 It is a felony for anyone to sign any initiative  
5 or referendum petition with any name other than  
6 his or her own, or to knowingly sign his or her



7 name more than once for the measure, or to sign  
8 such petition when he or she is not a legal voter.

9 INITIATIVE PETITION

10 To the board of directors of the \_\_\_\_\_ Police  
11 Protection District:

12 We the undersigned, citizens and voters of the  
13 state of Missouri and the \_\_\_\_\_ Police Protection  
14 District, respectfully order that (describe the  
15 measure) shall be referred to the people of the  
16 district for their approval or rejection, at the  
17 regular (special) election to be held on the  
18 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and each for  
19 himself says: I have personally signed this  
20 petition; I am a duly qualified elector of the  
21 state and district; my residence and post-office  
22 address are correctly written after my name.

23 Name \_\_\_\_\_ Residence \_\_\_\_\_ Post Office \_\_\_\_\_

24 (if in a city, street and number)

25 (Here follow numbered lines for signatures.)

26 2. Every sheet for petitioners' signatures shall be  
27 attached to a full and correct copy of the title and text of  
28 the measure proposed by the initiative petition. Referendum  
29 petitions shall be attached to a full and correct copy of  
30 the measure on which the referendum is demanded.

31 3. Each sheet of every petition containing signatures  
32 shall be verified in substantially the following form by the  
33 person who circulated the sheet, by his or her affidavit  
34 thereon:

35 State of Missouri

36 County of \_\_\_\_\_

37 I, \_\_\_\_\_, being first duly sworn, say that each  
38 person whose name appears on this sheet signed his  
39 or her name thereto in my presence; I believe that  
40 each has stated his or her name, post-office

41 address and residence correctly, and that each  
 42 signer is a voter of the state of Missouri and  
 43 \_\_\_\_\_ Police Protection District.

44 (signature and post-office address of affiant)

45 Subscribed and sworn to before me this \_\_\_\_\_ day  
 46 of \_\_\_\_\_, 20\_\_\_\_\_

47 (signature and title of officer before whom oath  
 48 is made and his or her post-office address)

85.1300. 1. If an initiative or referendum petition  
 2 is presented to the secretary of the board of directors,  
 3 which petition carries the names of voters of the district,  
 4 equal to twenty percent of the number of votes of members of  
 5 the district who voted in the last regular district  
 6 election, the board of directors shall submit the question  
 7 pursuant to the order or demand of the petition.

8 2. The measure called for in the petition is adopted  
 9 if it receives an affirmative majority vote of the voters  
 10 voting at the district election.

85.1305. In addition to the compensation provided  
 2 pursuant to section 85.1105 for police protection districts  
 3 located in any county with a charter form of government,  
 4 each member of any such police protection district board may  
 5 receive an attendance fee not to exceed one hundred dollars  
 6 for attending a board meeting conducted pursuant to chapter  
 7 610, but such board member shall not be paid for attending  
 8 more than four such meetings in any calendar month.  
 9 However, no board member shall be paid more than one  
 10 attendance fee if such member attends more than one meeting  
 11 conducted under chapter 610 in a calendar week.

85.1310. 1. In addition to all other limits set forth  
 2 in sections 85.1000 to 85.1400, the board in counties of the

3 first classification shall in each year determine the amount  
4 of money necessary to be raised by taxation, and shall fix a  
5 rate of levy which, when levied upon every dollar of the  
6 taxable tangible property within the district as shown by  
7 the last completed assessment, and with other revenues, will  
8 raise the amount required by the district annually to supply  
9 funds for paying the expenses of organization and operation  
10 and the costs of acquiring, supplying and maintaining the  
11 property, works and equipment of the district, and maintain  
12 the necessary personnel, which rate of levy shall not exceed  
13 forty cents on the one hundred dollars valuation. The board  
14 in any county of the first classification having a  
15 population in excess of nine hundred thousand may fix an  
16 additional rate not to exceed twenty-five cents on the  
17 hundred dollars valuation and the board in all other first  
18 classification counties may fix an additional rate, not to  
19 exceed fifteen cents on the hundred dollars valuation, the  
20 revenues from which shall be deposited in a special fund and  
21 used only for the pension program of the district, by  
22 submitting the following question to the voters at the  
23 municipal general, primary, or general election in such  
24 district or at any election at which a member of the board  
25 of directors is to be elected:

26           Shall the board of directors of \_\_\_\_\_ Police  
27           Protection District be authorized to levy an  
28           annual tax rate of \_\_\_\_\_ cents per one hundred  
29           dollars valuation, the revenues from which shall  
30           be deposited in a special fund and used only for  
31           the pension program of the district?

32 In addition thereto, to fix a rate of levy which will enable  
33 it to promptly pay in full when due all interest on and

34 principal of bonds and other obligations of the district,  
35 and to pay any indebtedness authorized by a vote of the  
36 people as provided by sections 85.1000 to 85.1265; and in  
37 the event of accruing defaults or deficiencies in the bonded  
38 or contractual indebtedness, an additional levy may be made  
39 as provided in section 85.1175.

40 2. Any district approving a tax levy rate pursuant to  
41 the provisions of subsection 1 of this section shall  
42 transfer all revenue collected plus interest monthly for  
43 deposit in the district retirement fund. The board of  
44 directors for the police protection district shall comply  
45 with the prudent investor standard for investment  
46 fiduciaries as provided in section 105.688 when investing  
47 the assets of the pension program.

48 3. Any district may impose a tax not to exceed ten  
49 cents on the one hundred dollars valuation, in addition to  
50 the rate which the board may levy pursuant to this section,  
51 by submitting the following question to the voters at any  
52 election in such district held on the first Tuesday in April  
53 of any year:

54 Shall the board of directors of \_\_\_\_\_ Police  
55 Protection District be authorized to increase the  
56 annual tax rate from \_\_\_\_\_ cents to \_\_\_\_\_ cents  
57 on the hundred dollars assessed valuation?

58 In addition thereto, to fix a rate of levy which will enable  
59 it to promptly pay in full when due all interest on and  
60 principal of bonds and other obligations of the district,  
61 and to pay any indebtedness authorized by a vote of the  
62 people as provided by sections 85.1000 to 85.1265; and in  
63 the event of accruing defaults or deficiencies in the bonded

64 or contractual indebtedness, an additional levy may be made  
65 as provided in section 85.1175.

85.1340. 1. Police protection districts, when asked  
2 to respond to emergencies beyond its corporate boundaries,  
3 may charge for those services rendered.

4 2. When formal mutual aid agreements are in place with  
5 adjoining areas and departments, this provision is not  
6 applicable except by formal agreement and contract with the  
7 adjoining department.

8 3. In responding to police or other emergencies  
9 outside the corporate boundaries of a police protection  
10 district, the police protection district responding and its  
11 police officers shall be subject to the same liabilities for  
12 claims for death or injury to persons or property as those  
13 subjected to when responding to police or emergencies within  
14 their respective police protection district.

15 4. In responding to emergencies outside the corporate  
16 boundaries of the police protection district, the police  
17 protection district responding may charge up to the  
18 following fees:

19 (1) One hundred dollars for responding to each police  
20 call or alarm;

21 (2) Five hundred dollars for each hour or a  
22 proportional sum for each quarter hour spent in combating a  
23 crime or emergency.

24 5. No property owner shall be liable for fees or  
25 charges under this section if the property owner has  
26 previously entered into an agreement with the police  
27 protection district in writing, prior to the occurrence of  
28 the crime or emergency.

85.1355. 1. In counties having a charter form of  
2 government and having more than nine hundred thousand

3 inhabitants and in counties of the first classification  
4 which contain a city with a population of one hundred  
5 thousand or more inhabitants which adjoins no other county  
6 of the first classification, the governing body of each  
7 police protection district shall cause an audit to be  
8 performed consistent with rules and regulations promulgated  
9 by the state auditor.

10 2. (1) All such districts shall cause an audit to be  
11 performed biennially. Each such audit shall cover the  
12 period of the two previous fiscal years.

13 (2) Any police protection district with less than  
14 fifty thousand dollars in annual revenues may, with the  
15 approval of the state auditor, be exempted from the audit  
16 requirement of this section if it files appropriate reports  
17 on its affairs with the state auditor within five months  
18 after the close of each fiscal year and if these reports  
19 comply with the provisions of section 105.145. These  
20 reports shall be reviewed, approved, and signed by a  
21 majority of the members of the governing body of the police  
22 protection district seeking exemption.

23 3. Copies of each audit report shall be completed and  
24 submitted to the police protection district and the state  
25 auditor within six months after the close of the audit  
26 period. One copy of the audit report and accompanying  
27 comments shall be maintained by the governing body of the  
28 police protection district for public inspection at  
29 reasonable times in the principal office of the district.  
30 The state auditor shall also maintain a copy of the audit  
31 report and comment. If any audit report fails to comply  
32 with the rules promulgated by the state auditor, that  
33 official shall notify the police protection district and  
34 specify the defects. If the defects specified are not

35 corrected within ninety days from the date of the state  
36 auditor's notice to the district, or if a copy of the  
37 required audit report and accompanying comments have not  
38 been received by the state auditor within six months after  
39 the end of the audit period, the state auditor shall make,  
40 or cause to be made, the required audit at the expense of  
41 the police protection district.

42 4. The provisions of this section shall not apply to  
43 any police protection district based and substantially  
44 located in a county of the third classification with a  
45 population of at least thirty-one thousand five hundred but  
46 not greater than thirty-three thousand.

85.1360. If a property tax has been approved and is  
2 being collected for the purpose of supporting a police  
3 protection district and such police protection district is  
4 dissolved, such tax shall continue to be collected and the  
5 proceeds of such tax shall be distributed to the governing  
6 body of the city formerly containing the dissolved police  
7 protection district, provided that the boundaries of the  
8 police protection district encompass such city and the tax  
9 is used only for providing police protection services within  
10 such city.

85.1365. 1. Each member of a police protection  
2 district board shall be subject to recall from office by the  
3 registered voters of the district from which he or she was  
4 elected. Proceedings may be commenced for the recall of any  
5 police protection district board member by the filing of a  
6 notice of intention to circulate a recall petition pursuant  
7 to sections 85.1365 to 85.1395.

8 2. Proceedings may not be commenced against any member  
9 if, at the time of commencement, that member:

10           (1) Has not held office during his or her current term  
11 for a period of more than one hundred eighty days; or

12           (2) Has one hundred eighty days or less remaining in  
13 his or her term; or

14           (3) Has had a recall election determined in his or her  
15 favor within the current term of office.

85.1370. 1. The notice of intention to circulate a  
2 recall petition shall be served personally, or by certified  
3 mail, on the board member sought to be recalled. A copy  
4 thereof shall be filed, along with an affidavit of the time  
5 and manner of service, with the election authority, as  
6 defined in chapter 115. A separate notice shall be filed  
7 for each board member sought to be recalled and shall  
8 contain all of the following:

9           (1) The name of the board member sought to be recalled;

10           (2) A statement, not exceeding two hundred words in  
11 length, of the reasons for the proposed recall;

12           (3) The name(s) and business or residence address(es)  
13 of at least one, and not more than five, proponent(s) of the  
14 recall.

15           2. Within seven days after the filing of the notice of  
16 intention, the board member may file with the election  
17 authority a statement, not exceeding two hundred words in  
18 length, in answer to the statement of the proponents. If an  
19 answer is filed, the board member shall also serve a copy of  
20 it, personally or by certified mail, on one of the  
21 proponents named in the notice of intention.

22           3. The statement and answer are intended solely for  
23 the information of the voters. No insufficiency in form or  
24 substance thereof shall affect the validity of the election  
25 proceedings.



85.1375. Before any signature may be affixed to a  
2 recall petition, the petition shall bear all of the  
3 following:

4 (1) A request that an election be called to elect a  
5 successor to the board member;

6 (2) A copy of the notice of intention, including the  
7 statement of grounds for recall;

8 (3) The answer of the board member sought to be  
9 recalled, if any. If the board member has not answered, the  
10 petition shall so state;

11 (4) A place for each signer to affix his or her  
12 signature, printed name, and residence address including  
13 city or unincorporated community.

85.1380. Each section of the petition, when submitted  
2 to the election authority, shall have attached to it an  
3 affidavit signed by the circulator of that section, setting  
4 forth all of the following:

5 (1) The printed name of the affiant;

6 (2) The residence address of the affiant;

7 (3) That the affiant circulated that section and saw  
8 the appended signatures be written;

9 (4) That according to the best information and belief  
10 of the affiant, each signature is the genuine signature of  
11 the person whose name it purports to be;

12 (5) That the affiant is a registered voter of the  
13 police protection district of the board member sought to be  
14 recalled; and

15 (6) The dates between which all the signatures to the  
16 petition were obtained.

85.1385. 1. A recall petition shall be filed with the  
2 election authority not more than one hundred eighty days  
3 after the filing of the notice of intention.

4           2. The number of qualified signatures required in  
5 order to recall an officer shall be equal in number to at  
6 least twenty-five percent of the number of voters who voted  
7 in the most recent gubernatorial election in that district.

8           3. Within twenty days from the filing of the recall  
9 petition the election authority shall determine whether or  
10 not the petition was signed by the required number of  
11 qualified signatures. The election authority shall file  
12 with the petition a certificate showing the results of the  
13 examination. The authority shall give the proponents a copy  
14 of the certificate upon their request.

15           4. If the election authority certifies the petition to  
16 be insufficient, it may be supplemented within ten days of  
17 the date of certificate by filing additional petition  
18 sections containing all of the information required by  
19 section 85.1380 and this section. Within ten days after the  
20 supplemental copies are filed, the election authority shall  
21 file with it a certificate stating whether or not the  
22 petition as supplemented is sufficient.

23           5. If the certificate shows that the petition as  
24 supplemented is insufficient, no action shall be taken on  
25 it; however, the petition shall remain on file.

          85.1390. 1. If the election authority finds the  
2 signatures on the petition, together with the supplementary  
3 petition sections if any, to be sufficient, it shall submit  
4 its certificate as to the sufficiency of the petition to the  
5 police protection district board prior to its next meeting.

6 The certificate shall contain:

- 7           (1) The name of the member whose recall is sought;
- 8           (2) The number of signatures required by law;
- 9           (3) The total number of signatures on the petition;
- 10          (4) The number of valid signatures on the petition.

11           2. Following the police protection board's receipt of  
12 the certificate, the county election authority shall order  
13 an election to be held on one of the election days specified  
14 in section 115.123. The election shall be held not less  
15 than forty-five days nor more than one hundred twenty days  
16 after the police protection district board receives the  
17 petition. Nominations hereunder shall be made by filing a  
18 statement of candidacy with the election authority.

19           3. At any time prior to forty-two days before the  
20 election, the member sought to be recalled may offer his or  
21 her resignation. If his or her resignation is offered, the  
22 recall question shall be removed from the ballot and the  
23 office declared vacant. The member who resigned may not  
24 fill the vacancy which shall be filled as provided by law.

          85.1395. The provisions of chapter 115 governing the  
2 conduct of elections shall apply, where appropriate, to  
3 recall elections held under sections 85.1365 to 85.1395.  
4 The costs of the election shall be paid as provided in  
5 chapter 115.

          85.1400. Notwithstanding any other law to the  
2 contrary, any board of directors established under the  
3 provisions of sections 85.1000 to 85.1400 administering its  
4 own retirement or other benefits-related plan shall  
5 administer such plan by a separate five-member pension board  
6 of trustees. Pension plan participants shall elect three  
7 such participants to be submitted to the board of  
8 directors. The board of directors shall select two of the  
9 three participants to serve on the five-member pension board  
10 of trustees. The board of directors shall be the other  
11 three members of the five-member pension board of trustees.

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