

SECOND REGULAR SESSION

SENATE BILL NO. 874

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Read 1st time January 14, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4107S.01I

AN ACT

To amend chapter 71, RSMo, by adding thereto one new section relating to broadband infrastructure improvement districts.

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

Section A. Chapter 71, RSMo, is amended by adding thereto one new
2 section, to be known as section 71.1000, to read as follows:

**71.1000. 1. Two or more municipalities may elect to form a
2 broadband infrastructure improvement district for the delivery of
3 broadband internet service to the residents of such municipality, which
4 district shall be a body politic and corporate.**

5 **2. A municipality electing to form a district under this section
6 shall submit to the eligible voters of each such municipality a
7 proposition at an annual or special election of such municipality, in
8 substantially the following form:**

9 **"Shall the municipality of enter into a broadband
10 infrastructure improvement district to be known as
11?"**

12 **3. Additional municipalities may be admitted to the district in
13 the manner provided in subsection 8 of this section.**

14 **4. A district created under this section shall have the power to
15 contract with a broadband internet service provider to provide
16 broadband internet service to the residents of the district.**

17 **5. A district may finance the provision or expansion of
18 broadband internet service through grants, loans, bonds, or user fees.**

19 **6. A district shall not have the power to levy, assess, apportion,
20 or collect any tax upon property within the district nor upon any of its
21 members.**

22 7. (1) The district governing board shall be composed of at least
23 one representative from each member, but in no case shall there be less
24 than four representatives.

25 (2) Annually, on or before the last Monday in April commencing
26 in the year following the effective date of the district's creation, the
27 local governing body of each member shall appoint a representative to
28 the district governing board for one-year terms. The local governing
29 body of a member, by majority vote, may replace its appointed
30 representative at any time.

31 (3) For the purpose of transacting business, the presence of
32 representatives representing more than fifty percent of district
33 members shall constitute a quorum. Any action adopted by a majority
34 of the votes cast at a meeting of the governing board at which a
35 quorum is present shall be the action of the board.

36 (4) Each district member's representative shall be entitled to cast
37 one vote.

38 (5) Unless replaced as provided in subdivision (2) of this
39 subsection, a representative on the governing board shall hold office
40 until his or her successor is duly appointed. Any representative may
41 be reappointed to successive terms without limit.

42 (6) Any vacancy on the board shall be filled within thirty days
43 after such vacancy occurs by appointment of the local governing body
44 which appointed the representative whose position has become vacant.
45 An appointee to a vacancy shall serve until the expiration of the term
46 of the representative whose position to the appointment was made and
47 may thereafter be reappointed.

48 (7) Each district member may reimburse its representative to the
49 governing board for expenses as it determines reasonable.

50 (8) (a) The officers of the district shall be the chair and the vice
51 chair of the board, the clerk of the district, and the treasurer of the
52 district.

53 (b) The chair shall preside at all meetings of the board and shall
54 make and sign all contracts on behalf of the district upon approval by
55 the board. The chair shall perform all duties incident to the position
56 and office.

57 (c) During the absence of or inability of the chair to render or
58 perform his or her duties or exercise his or her powers, the same shall

59 be performed and exercised by the vice chair and when so acting, the
60 vice chair shall have all the powers and be subject to all the
61 responsibilities hereby given to or imposed upon the chair.

62 (d) During the absence or inability of the vice chair to render or
63 perform his or her duties or exercise his or her powers, the board shall
64 elect from among its membership an acting vice chair who shall have
65 the powers and be subject to all the responsibilities hereby given or
66 imposed upon the vice chair.

67 (e) Upon the death, disability, resignation, or removal of the
68 chair or vice chair, the board shall elect a successor to such vacant
69 office until the next annual meeting.

70 (9) The board shall adopt bylaws for the regulation of its affairs
71 and the conduct of its business.

72 8. The board may authorize the inclusion of additional district
73 members in the broadband infrastructure improvement district upon
74 such terms and conditions as in the board's sole discretion shall deem
75 to be fair, reasonable, and in the best interests of the district. The local
76 governing body of any nonmember municipality which desires to be
77 admitted to the district shall make application for admission to the
78 board. The board shall determine the financial, economic, governance,
79 and operational effects that are likely to occur if such municipality is
80 admitted and thereafter either grant or deny authority for admission
81 of the petitioning municipality. If the board grants such authority, it
82 shall also specify any terms and conditions, including financial
83 obligations, upon which such admission is predicated. Upon resolution
84 of the board, such applicant municipality shall become a district
85 member.

86 9. A district member may withdraw from the district in the same
87 manner as the vote for admission to the district set forth in subsection
88 8 of this section.

89 10. Dissolution of a broadband infrastructure improvement
90 district created pursuant to this section shall follow the procedures
91 established in sections 67.950 and 67.955.

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