

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 498**  
**91ST GENERAL ASSEMBLY**

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Reported from the Committee on Local Government and Economic Development, April 12, 2001, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

TERRY L. SPIELER, Secretary.

1326L.03C

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**AN ACT**

To repeal section 78.450, RSMo 2000, relating to ballot questions for maintaining the city manager form of government, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 78.450, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 78.450, to read as follows:

78.450. 1. Any city which has operated [under] **pursuant to** the provisions of sections 78.430 to [78.640 not less than six years] **78.630** may abandon the form of organization provided for [herein] **in sections 78.430 to 78.630**, by proceeding as follows: Upon the petition of [not less than ten percent of the voters casting votes for governor in the last preceding general election of such city, as shown by the total vote cast at the last preceding municipal election of the city,] **registered voters residing in the city numbering not less than twenty-five percent of the votes cast in the city in the last gubernatorial election**, the question shall be submitted whether the city shall continue operating [under] **pursuant to** sections 78.430 to [78.640] **78.630**, in the manner [herein] provided for the adoption of [said] sections 78.430 to [78.640.] **78.630**. **Each petition shall contain, in addition to the printed names and signatures of each petitioner:**

- (1) **The street and house number of each petitioner;**
- (2) **The age of the petitioner;**
- (3) **An accompanying affidavit of one or more of the voters of the city. The affidavit shall state:**

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

16           **(a) That the signers of the petition were, at the time of signing, voters of the**  
17 **city; and**

18           **(b) The number of signers of the petition at the time of the making of the**  
19 **affidavit.**

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

21           Shall the city manager form of government for the city of ..... be continued?

22           3. If a majority of the votes cast are against the continuation of the city manager form  
23 of government, then the provisions of sections 78.430 to [78.640] **78.630** and all amendments  
24 thereto cease to be effective in the city and **the** city shall resume the form of government it  
25 abandoned when it adopted the plan [herein] provided for **in sections 78.430 to 78.630**, and  
26 shall organize thereunder; except that any third class city, desiring to vote on the question  
27 to determine whether or not to remain organized under the provisions of sections 78.430 to  
28 [78.640] **78.630**, may at the same time submit the question as to what form of government  
29 it shall adopt, if there is more than one other form provided for third class cities; but the  
30 change of form or organization [does] **shall** not become effective until the next municipal  
31 election thereafter.