

SECOND REGULAR SESSION

# HOUSE BILL NO. 1045

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES COOPER (120) (Sponsor) AND PEARCE (Co-sponsor).

Read 1<sup>st</sup> time January 13, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3743L.011

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### AN ACT

To repeal section 260.831, RSMo, and to enact in lieu thereof one new section relating to landfill fees.

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

Section A. Section 260.831, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 260.831, to read as follows:

260.831. 1. Each operator of a solid waste sanitary or demolition landfill in any county wherein a landfill fee has been approved by the voters pursuant to section 260.830 shall collect a charge equal to the charge authorized by the voters in such election, not to exceed one dollar and fifty cents per ton or its volumetric equivalent of solid waste accepted. Such fee shall be collected in addition to any fee authorized or imposed pursuant to the provisions of section 260.330, and shall be paid to such operator by all political subdivisions, municipalities, corporations, entities or persons disposing of solid waste or demolition waste, whether pursuant to contract or otherwise, and notwithstanding that any such contract may provide for collection, transportation and disposal of such waste at a fixed fee. Any such contract providing for collections, transportation and disposal of such waste at a fixed fee which is in force on August 28, 2003, shall be renegotiated by the parties to the contract to include the additional fee imposed by this section. Each such operator shall submit the charge, less collection costs, to the governing body of the county, which shall dedicate such funds for use by the industrial development authority within the county and such funds shall be used by the **county commission** or authority for economic development within the county. Collection costs shall be the same as established by the department of natural resources pursuant to section 260.330, and shall not

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

17 exceed two percent of the amount collected pursuant to this section.

18         2. The charges established in this section shall be enumerated separately from any  
19 disposal fee charged by the landfill. After January 1, 1994, the fee authorized under section  
20 260.830 and this section shall be stated as a separate surcharge on each individual solid waste  
21 collection customer's invoice and shall also [name the] **indicate whether the county**  
22 **commission or** economic development authority [which] receives the funds. Moneys  
23 transmitted to the governing body of the county shall be no less than the amount collected less  
24 collection costs and in a form, manner and frequency as the governing body may prescribe.  
25 Failure to collect such charge shall not relieve the operator from responsibility for transmitting  
26 an amount equal to the charge to the governing body.