

SECOND REGULAR SESSION

# HOUSE BILL NO. 1238

## 93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ROORDA (Sponsor),  
MEADOWS AND JOHNSON (90) (Co-sponsors).

Read 1st time January 4, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3787L.01I

### AN ACT

To amend chapter 321, RSMo, by adding thereto one new section relating to fire protection district consolidation.

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

Section A. Chapter 321, RSMo, is amended by adding thereto one new section, to be  
2 known as section 321.688, to read as follows:

**321.688. 1. The board of directors of any fire district in any county of the first  
2 classification with more than one hundred ninety-eight thousand but fewer than one  
3 hundred ninety-nine thousand two hundred inhabitants may consolidate upon the passage  
4 of a joint resolution by each board desiring to consolidate. The joint resolution shall not  
5 become effective unless each board submits to the voters residing within the fire protection  
6 districts at a state general, primary, or special election a proposal to authorize the  
7 consolidation under this section.**

**8 2. The ballot of submission for the consolidation authorized in this section shall be  
9 in substantially the following form:**

**10 Shall ..... (insert the name of the fire protection district) be consolidated into one  
11 fire protection district, to be known as the ..... (insert name of proposed consolidated fire  
12 protection district)?**

13

14

☐ YES

☐ NO

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

15

16 **If you are in favor of the question, place an "X" in the box opposite "YES". If you are**  
17 **opposed to the question, place an "X" in the box opposite "NO".**

18

19 **If a majority of the votes cast on the question by the qualified voters voting thereon in each**  
20 **existing fire protection district are in favor of the question, then the consolidation shall**  
21 **become effective on January first of the year immediately following the approval of the**  
22 **consolidation, unless the consolidation is approved at a November election, in which case**  
23 **the consolidation shall become effective on January first of the second year following the**  
24 **approval of the consolidation. If a majority of the votes cast on the question by the**  
25 **qualified voters voting thereon in any of the existing fire protection districts desiring to**  
26 **consolidate are opposed to the question, then the consolidation shall not become effective**  
27 **unless and until the question is resubmitted within twelve months of the vote under this**  
28 **section to the qualified voters in the fire protection district opposed to the consolidation**  
29 **and such question is approved by a majority of the qualified voters voting on the question.**

30 **3. The board of directors of any consolidated fire protection district created under**  
31 **this section shall have six members, and shall consist of the existing board members of the**  
32 **fire protection districts that were consolidated. Upon the first occurrence of a vacancy in**  
33 **the membership of the board, the number of members on the board may be reduced from**  
34 **six to five upon approval by a majority of the remaining board members. The terms of**  
35 **office for board members shall be identical to the terms of office the board members were**  
36 **originally elected to serve before the consolidation.**

37 **4. Upon the approval of consolidation under this section, the consolidated district**  
38 **shall be a political subdivision of this state and a body corporate, with all the powers of like**  
39 **or similar corporations, and with all the powers, privileges, and duties of fire protection**  
40 **districts under this chapter. All properties, rights, assets, and liabilities of the fire**  
41 **protection districts which are consolidated, including outstanding bonds thereof if any,**  
42 **shall become the properties, rights, assets, and liabilities of the consolidated fire protection**  
43 **district.**

44 **5. The consolidated fire protection district shall levy the same taxes as levied in the**  
45 **fire protection district with the lowest tax levy before the consolidation.**

✓