

FIRST REGULAR SESSION

HOUSE BILL NO. 459

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SUTHERLAND (Sponsor) AND QUINN (9) (Co-sponsor).

Read 1st time January 18, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0709L.011

AN ACT

To repeal section 71.011, RSMo, and to enact in lieu thereof one new section relating to municipal land transfers.

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

Section A. Section 71.011, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 71.011, to read as follows:

71.011. 1. Except as provided in subsection 2 of this section, property of a municipality which abuts another municipality may be concurrently detached from one municipality and annexed by the other municipality by the enactment by the governing bodies of each municipality of an ordinance describing by metes and bounds the property, declaring the property so described to be concurrently detached and annexed, and stating the reasons for and the purposes to be accomplished by the detachment and annexation. One certified copy of each ordinance shall be filed with the county clerk, **with the county assessor**, with the county recorder of deeds, and with the clerk of the circuit court of the county in which the property is located, whereupon the concurrent detachment and annexation shall be complete and final. Thereafter all courts of this state shall take notice of the limits of both municipalities as changed by the ordinances. No declaratory judgment or election shall be required for any concurrent detachment and annexation permitted by this section if there are no residents living in the area or if there are residents in the area and they be notified of the annexation and do not object within sixty days.

2. In a county of the first classification with a charter form of government containing all or a portion of a city with a population of at least three hundred thousand inhabitants,

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.

16 unimproved property of a municipality which overlaps another municipality may be concurrently
17 detached from one municipality and annexed by the other municipality by the enactment by the
18 governing body of the receiving municipality of an ordinance describing by metes and bounds
19 the property, declaring the property so described to be detached and annexed, and stating the
20 reasons for and the purposes to be accomplished by the detachment and annexation. A copy of
21 said ordinance shall be mailed to the city clerk of the contributing municipality, which shall have
22 thirty days from receipt of said notice to pass an ordinance disapproving the change of boundary.
23 If such ordinance is not passed within thirty days, the change shall be effective and one certified
24 copy of the ordinance shall be filed with the county clerk, **with the county assessor**, with the
25 county recorder of deeds, and with the clerk of the circuit court of the county in which the
26 property is located, whereupon the concurrent detachment and annexation shall be complete and
27 final. Thereafter all courts of this state shall take notice of the limits of both municipalities as
28 changed by the ordinances. No declaratory judgment or election shall be required for any
29 concurrent detachment and annexation permitted by this section if the landowners in the area are
30 notified and do not object within sixty days.

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