

FIRST REGULAR SESSION

HOUSE BILL NO. 573

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHAD.

0203L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 233, RSMo, by adding thereto one new section relating to special road districts.

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

Section A. Chapter 233, RSMo, is amended by adding thereto one new section, to be known as section 233.168, to read as follows:

233.168. 1. Notwithstanding any provision of the law to the contrary, the governing body of any city of the fourth classification with more than one thousand four hundred but fewer than one thousand five hundred inhabitants and located in more than one county may withdraw from any special road district located in any county of the first classification with more than thirty-seven thousand but fewer than thirty-seven thousand one hundred inhabitants and in any county of the third classification without a township form of government and with more than twenty-three thousand five hundred but fewer than twenty-three thousand six hundred inhabitants, and may form a new road district with boundaries identical to the boundaries of such city. No withdrawal of any such city from a special road district shall impair or affect the existing special road district's organization, rights in or to property, or any of its rights or privileges, nor shall the withdrawal affect, impair, or discharge any contract, obligation, lien, or charge for or upon which the special road district might be liable or chargeable had the withdrawal not occurred. No withdrawal from any existing special road district under this section shall affect the validity of the special road district that remains.

2. Any city desiring to withdraw from an existing special road district and form a new road district under this section shall adopt a resolution effecting the withdrawal. 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.

18 such resolution shall become effective unless the governing body of the city submits to the
19 voters residing within the city at a state general, primary, or special election a proposal to
20 authorize the governing body of the city to withdraw from the special road district and to
21 form a new road district under this section. If a majority of the votes cast on the question
22 by the qualified voters voting thereon are in favor of the question, then the withdrawal and
23 the formation of the new road district shall become effective, and the boundaries of the
24 existing special road district shall be redrawn to exclude the new road district. If a
25 majority of the votes cast on the question by the qualified voters voting thereon are
26 opposed to the question, then the withdrawal and the formation of the new road district
27 shall not become effective unless and until the question is resubmitted under this section
28 to the qualified voters and such question is approved by a majority of the qualified voters
29 voting on the question.

30 3. If a majority of the votes cast on the question by the qualified voters voting
31 thereon are in favor of the question, then the governing body of the city shall notify the
32 county clerks of each county in which the new road district is situated of the election
33 results, and shall notify the commissioners of the respective special road districts that such
34 city is no longer included in such special road districts. All moneys that were used in each
35 portion of the county in which the new road district lies before the withdrawal of the city
36 under this section shall be disbursed to and used in the new road district formed under this
37 section.

38 4. Any new road district formed under this section shall be subject to all provisions
39 in sections 233.010 to 233.165, except for section 233.095. For all such new road districts,
40 any power or duty granted to the county commission in sections 233.010 to 233.165 shall
41 be deemed to be granted to the governing body of the city that forms a new road district
42 under this section.

43 5. In a new road district formed under this section, any question relating to the levy
44 of a tax as provided in sections 137.565 to 137.575, RSMo, shall be submitted to the voters
45 at the same time as the question on the withdrawal and formation of a new road district
46 is submitted under this section. The provisions established in sections 137.565 to 137.575,
47 RSMo, except for the requirement that ten or more voters shall petition the county
48 commission to submit the question relating to the levy, shall apply. The provisions of
49 sections 137.556 and 137.580, RSMo, shall not apply to such new road districts.

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