

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 386
95TH GENERAL ASSEMBLY

1531L.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 48.020, 48.030, 48.050, 49.082, 49.310, 50.343, 50.660, 50.783, 52.230, 52.290, 52.312, 52.361, 52.370, 54.010, 55.030, 55.140, 55.190, 56.700, 64.170, 65.610, 67.280, 67.304, 67.402, 67.456, 67.2000, 84.830, 88.832, 99.710, 99.1082, 99.1088, 99.1090, 99.1092, 115.607, 138.431, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.150, 140.160, 140.190, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, 140.420, 165.071, 182.647, 221.105, 233.103, 311.060, 319.015, 320.097, 327.272, 429.015, 447.708, 490.240, and 701.355, RSMo, and to enact in lieu thereof eighty-nine new sections relating to political subdivisions, with penalty provisions.

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

Section A. Sections 48.020, 48.030, 48.050, 49.082, 49.310, 50.343, 50.660, 50.783, 52.230, 52.290, 52.312, 52.361, 52.370, 54.010, 55.030, 55.140, 55.190, 56.700, 64.170, 65.610, 67.280, 67.304, 67.402, 67.456, 67.2000, 84.830, 88.832, 99.710, 99.1082, 99.1088, 99.1090, 99.1092, 115.607, 138.431, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.150, 140.160, 140.190, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, 140.420, 165.071, 182.647, 221.105, 233.103, 311.060, 319.015, 320.097, 327.272, 429.015, 447.708, 490.240, and 701.355, RSMo, are repealed and eighty-nine new sections enacted in lieu thereof, to be known as sections 48.020, 48.030, 48.050, 49.082, 49.310, 50.343, 50.660, 50.783, 52.230, 52.290, 52.312, 52.361, 52.370, 54.010, 55.030, 55.140, 55.190, 56.700, 60.670, 64.170, 65.610, 67.280, 67.281, 67.304, 67.402, 67.456, 67.2000, 67.3000, 71.275, 82.1026, 84.830, 86.362, 88.832, 91.265, 99.710, 99.1082, 99.1088, 99.1090, 99.1092, 115.607, 138.431, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.150, 140.160, 140.190, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, 140.420,

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.

14 165.071, 182.647, 221.105, 221.360, 221.365, 221.370, 221.375, 221.380, 221.385, 221.390,
15 233.103, 300.349, 304.287, 304.288, 304.289, 304.290, 311.060, 319.015, 320.097, 327.272,
16 429.015, 431.210, 447.708, 473.745, 490.240, 701.355, 1, 2, and 3, to read as follows:

48.020. **1.** All counties of this state are hereby classified, for the purpose of establishing
2 organization and powers in accordance with the provisions of section 8, article VI, Constitution
3 of Missouri, into four classifications determined as follows:

4 Classification 1. All counties having an assessed valuation of [six] **nine** hundred million
5 dollars and over shall automatically be in the first classification after that county has maintained
6 such valuation for the time period required by section 48.030; however, any county of the second
7 classification which, on August 13, 1988, has had an assessed valuation of at least four hundred
8 million dollars for at least one year may, by resolution of the governing body of the county, elect
9 to be classified as a county of the first classification after it has maintained such valuation for the
10 period of time required by the provisions of section 48.030.

11 Classification 2. All counties having an assessed valuation of [four] **seven** hundred fifty
12 million dollars and less than the assessed valuation necessary for that county to be in the first
13 classification shall automatically be in the second classification after that county has maintained
14 such valuation for the time period required by section 48.030; **however, any county of the third**
15 **classification without a township form of government and with more than thirty-eight**
16 **thousand nine hundred but fewer than thirty-nine thousand inhabitants which, on August**
17 **27, 2009, has had an assessed valuation of at least six hundred million dollars for at least**
18 **one year may, by resolution of the governing body of the county, elect to be classified as a**
19 **county of the second classification after it has maintained such valuation for the period of**
20 **time required by section 48.030.**

21 Classification 3. All counties having an assessed valuation of less than the assessed
22 valuation necessary for that county to be in the second classification shall automatically be in the
23 third classification.

24 Classification 4. All counties which have attained the second classification prior to
25 August 13, 1988, and which would otherwise return to the third classification after August 13,
26 1988, because of changes in assessed valuation shall remain a county in the second classification
27 and shall operate under the laws of this state applying to the second classification.

28 **2. The required assessed valuation for each classification under subsection 1 of this**
29 **section shall be increased annually by an amount equal to the percentage of increase over**
30 **the previous year in the Consumer Price Index for All Urban Consumers as prepared by**
31 **the United States Bureau of Labor Statistics, or its successor index.**

48.030. 1. Other than as otherwise provided for in this section, after September 28,
2 1979, no county shall move from a lower class to a higher class or from a higher class to a lower

3 class until the assessed valuation of the county is such as to place it in the other class for five
4 successive years.

5 2. No second class county shall become a third class county until the assessed valuation
6 of the county is such as to place it in the third class for at least five successive years [and until
7 the assessed valuations for calendar year 1985 have been entered on the tax rolls of each county
8 in accordance with subsections 6 and 7 of section 137.115, RSMo].

9 3. Notwithstanding the provisions of subsection 1 of this section, a county may become
10 a first class county at any time after the assessed valuation of the county is such as to be a first
11 class county and the governing body of the county elects to change classifications. The effective
12 date of such change of classification shall be in accordance with the provisions of this section.

13 4. **Except as provided in subsection 5 of this section,** the change from one
14 classification to another shall become effective at the beginning of the county fiscal year
15 following the next general election after the certification by the state equalizing agency for the
16 required number of successive years that the county possesses an assessed valuation placing it
17 in another class. If a general election is held between the date of the certification and the end of
18 the current fiscal year, the change of classification shall not become effective until the beginning
19 of the county fiscal year following the next succeeding general election.

20 **5. Notwithstanding the provisions of subsection 1 of this section, any county of the**
21 **third classification without a township form of government and with more than thirty-eight**
22 **thousand nine hundred but fewer than thirty-nine thousand inhabitants may become a**
23 **second class county at any time after the assessed valuation of the county is such as to be**
24 **a second class county and the governing body of the county elects to change classifications.**
25 **The effective date of such change of classification shall be at the beginning of the county**
26 **fiscal year following the election by the governing body of the county.**

48.050. 1. Any elected county official whose office may be abolished or consolidated
2 with another office as a result of the change of the county from one class to another shall
3 continue to hold the office to which [he] **the official** was elected for the term for which [he] **the**
4 **official** was elected. Any office which may be established as a result of the change of the county
5 from one class to another shall be filled in accordance with the provisions of the law relating to
6 the filling of vacancies for such office.

7 **2. When any county changes classification, the salary established for each county**
8 **official at the time of the change shall not be reduced until such person holding the office**
9 **at the time of the change leaves office.**

49.082. 1. A county commissioner in any county, other than in a first classification
2 chartered county or a first classification county not having a charter form of government and not
3 containing any part of a city with a population of three hundred thousand or more, shall, subject

4 to any other adjustment otherwise provided in this section, receive an annual salary computed
 5 as set forth in the following schedule. The assessed valuation factor shall be the amount thereof
 6 as shown for the year next preceding the computation. The provisions of this section shall not
 7 permit or require a reduction in the amount of compensation being paid for the office of
 8 commissioner on January 1, 1997.

9	Assessed Valuation	Salary
10	\$ 18,000,000 to 40,999,999	\$19,140
11	41,000,000 to 53,999,999	19,800
12	54,000,000 to 65,999,999	21,120
13	66,000,000 to 85,999,999	22,440
14	86,000,000 to 99,999,999	23,760
15	100,000,000 to 130,999,999	25,080
16	131,000,000 to 159,999,999	26,400
17	160,000,000 to 189,999,999	27,060
18	190,000,000 to 249,999,999	27,390
19	250,000,000 to 299,999,999	28,380
20	300,000,000 or more	29,700

21 2. [In addition to any compensation provided pursuant to subsection 1 of this section,
 22 the presiding commissioner of any county not having a charter form of government shall receive
 23 two thousand dollars annual salary.

24 3.] Two thousand dollars of the salary authorized in this section shall be payable to a
 25 commissioner only if the commissioner has completed at least twenty hours of classroom
 26 instruction each calendar year relating to the operations of the commissioner's office when
 27 approved by a professional association of the county commissioners of Missouri unless exempted
 28 from the training by the professional association[. The professional association approving the
 29 program shall provide a certificate of completion to each commissioner who completes the
 30 training program and shall send a list of certified commissioners to the treasurer of each county]
 31 **, provided however, that this requirement shall not apply to a commissioner if the**
 32 **commissioner has completed the twenty hours of classroom instruction in the operations**
 33 **of the commissioner's office in any of the three preceding years, or has completed a similar**
 34 **continuing education class or course conducted by a regional metropolitan planning**
 35 **organization, or is receiving treatment for a life-threatening medical condition that**
 36 **prevents the county commissioner from attending the training. A commissioner shall**
 37 **provide to the treasurer of the commissioner's county a current certificate of completion**
 38 **from a specified training program, or a certificate of completion of a training program**
 39 **from any of the three preceding years, or a medical release verifying to the commissioner's**

40 **treatment for a life-threatening medical condition, or a letter of exemption from the**
41 **training by the professional association of the county commissioners.** Expenses incurred for
42 attending the training session may be reimbursed to a county commissioner in the same manner
43 as other expenses as may be appropriated for that purpose.

44 [4.] **3.** A county commissioner in any county, other than a first classification charter
45 county or a first classification county not having a charter form of government and not
46 containing any part of a city with a population of three hundred thousand or more, shall not,
47 except upon a two-thirds vote of all the members of the salary commission, receive an annual
48 compensation in an amount less than the total compensation being received for the office of
49 county commissioner or presiding commissioner respectively for the particular county for
50 services rendered or performed on the date the salary commission votes.

49.310. 1. Except as provided in sections 221.400 to 221.420, RSMo, and subsection
2 2 of this section, the county commission in each county in this state shall erect and maintain at
3 the established seat of justice a good and sufficient courthouse, jail and necessary fireproof
4 buildings for the preservation of the records of the county; except, that in counties having a
5 special charter, the jail or workhouse may be located at any place within the county. In
6 pursuance of the authority herein delegated to the county commission, the county commission
7 may acquire a site, construct, reconstruct, remodel, repair, maintain and equip the courthouse and
8 jail, and in counties wherein more than one place is provided by law for holding of court, the
9 county commission may buy and equip or acquire a site and construct a building or buildings to
10 be used as a courthouse and jail, and may remodel, repair, maintain and equip buildings in both
11 places. The county commission may issue bonds as provided by the general law covering the
12 issuance of bonds by counties for the purposes set forth in this section. In bond elections for
13 these purposes in counties wherein more than one place is provided by law for holding of court,
14 a separate ballot question may be submitted covering proposed expenditures in each separate site
15 described therein, or a single ballot question may be submitted covering proposed expenditures
16 at more than one site, if the amount of the proposed expenditures at each of the sites is
17 specifically set out therein.

18 2. The county commission in all counties of the fourth classification [and] , any county
19 of the third classification with a population of at least fourteen thousand and not more than
20 fourteen thousand five hundred inhabitants bordering a county of the first classification without
21 a charter form of government with a population of at least eighty thousand and not more than
22 eighty-three thousand inhabitants, **or any county of the third classification with a township**
23 **form of government and with more than eight thousand nine hundred but fewer than nine**
24 **thousand inhabitants** may provide for the erection and maintenance of a good and sufficient
25 jail or holding cell facility at a site in the county other than at the established seat of justice.

50.343. 1. Other provisions of law to the contrary notwithstanding, in any first classification nonchartered county, including any county containing any part of a city with a population of three hundred thousand or more, the annual salary of a county recorder of deeds, clerk, auditor, county commissioner, collector, treasurer, assessor or salaried public administrator may be computed on an assessed valuation basis, without regard to modification due to the existence of enterprise zones or financing under chapter 100, RSMo, as set forth in the following schedule except as provided in subsection 2 of this section. The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit a reduction in the amount of compensation being paid on January 1, 1997, for any of the offices subject to this section on January 1, 1997.

[(1)] For a recorder of deeds, clerk, auditor, presiding commissioner, collector, treasurer, assessor, or salaried public administrator:

Assessed Valuation	Salary
\$ 450,000,001 to 600,000,000	\$ 47,000
600,000,001 to 750,000,000	49,000
750,000,001 to 900,000,000	51,000
900,000,001 to 1,050,000,000	53,000
1,050,000,001 to 1,200,000,000	55,000
1,200,000,001 to 1,350,000,000	57,000
1,350,000,000 and over	59,000

[(2) Presiding commissioners shall receive a salary of two thousand dollars more than the salary received by the associate commissioners.]

2. After December 31, 1990, in any county of the second classification which becomes a first classification county without a charter form of government, the annual compensation of county recorder of deeds, clerk, auditor, county commissioner, collector, treasurer, assessor and the public administrator in counties where the public administrator is paid a salary under the provisions of section 473.740, RSMo, may be set at the option of the salary commission. On or before October first of the year immediately prior to the beginning of the county fiscal year following the general election after the certification by the state equalizing agency that the county possesses an assessed valuation placing it in first classification status, the salary commission shall meet for the purpose of setting compensation for such county officials and such compensation shall be payable immediately except that no compensation of any county official shall be reduced [and the compensation of presiding county commissioners in any of such counties shall be two thousand dollars more than the compensation paid to the associate commissioners in that county]. Thereafter in all such counties the salary commission shall meet for the purpose of setting the compensation of the officers in this subsection who will be elected

37 at the next general election, and such compensation shall be payable upon the beginning of the
38 next term of office of such officers; except that, no compensation of any officer shall be reduced
39 [and the compensation of presiding county commissioners in any of such counties shall be two
40 thousand dollars more than the compensation paid to the associate commissioners in that
41 county]. Two thousand dollars of the compensation established under the procedures authorized
42 pursuant to this subsection shall be payable to a county officer only if the officer has completed
43 at least twenty hours of classroom instruction in the operation of the office in the same manner
44 as provided by law for officers subject to the provisions of section 50.333, **provided however,**
45 **that this requirement shall not apply to a county commissioner if the county commissioner**
46 **has completed the twenty hours of classroom instruction in the operation of the office in**
47 **any of the three preceding years, or has completed a similar continuing education class or**
48 **course conducted by a regional metropolitan planning organization, or is receiving**
49 **treatment for a life-threatening medical condition that prevents the county commissioner**
50 **from attending the training.** At the salary commission meeting which establishes the
51 percentage rate to be applied to county officers during the next term of office, the salary
52 commission may authorize the further adjustment of such officers' compensation as a
53 cost-of-living component and effective January first of each year, the compensation for county
54 officers may be adjusted by the county commission, not to exceed the percentage increase given
55 to the other county employees.

56 3. Other provisions of this section to the contrary notwithstanding, at the option of a
57 majority of the county salary commission members, the salary of associate commissioners of a
58 county of the first classification without a charter form of government with a population of at
59 least eighty-two thousand but not more than eighty-five thousand inhabitants may be set at no
60 more than sixty-five percent of the amount on the salary schedule for the county affected.

50.660. 1. All contracts shall be executed in the name of the county, or in the name of
2 a township in a county with a township form of government, by the head of the department or
3 officer concerned, except contracts for the purchase of supplies, materials, equipment or services
4 other than personal made by the officer in charge of purchasing in any county or township having
5 the officer. No contract or order imposing any financial obligation on the county or township
6 is binding on the county or township unless it is in writing and unless there is a balance
7 otherwise unencumbered to the credit of the appropriation to which it is to be charged and a cash
8 balance otherwise unencumbered in the treasury to the credit of the fund from which payment
9 is to be made, each sufficient to meet the obligation incurred and unless the contract or order
10 bears the certification of the accounting officer so stating; except that in case of any contract for
11 public works or buildings to be paid for from bond funds or from taxes levied for the purpose
12 it is sufficient for the accounting officer to certify that the bonds or taxes have been authorized

13 by vote of the people and that there is a sufficient unencumbered amount of the bonds yet to be
14 sold or of the taxes levied and yet to be collected to meet the obligation in case there is not a
15 sufficient unencumbered cash balance in the treasury. All contracts and purchases shall be let
16 to the lowest and best bidder after due opportunity for competition, including advertising the
17 proposed letting in a newspaper in the county or township with a circulation of at least five
18 hundred copies per issue, if there is one, except that the advertising is not required in case of
19 contracts or purchases involving an expenditure of less than six thousand dollars. It is not
20 necessary to obtain bids on any purchase in the amount of [four] **six** thousand [five hundred]
21 dollars or less made from any one person, firm or corporation during any period of ninety days.
22 All bids for any contract or purchase may be rejected and new bids advertised for. Contracts
23 which provide that the person contracting with the county or township shall, during the term of
24 the contract, furnish to the county or township at the price therein specified the supplies,
25 materials, equipment or services other than personal therein described, in the quantities required,
26 and from time to time as ordered by the officer in charge of purchasing during the term of the
27 contract, need not bear the certification of the accounting officer, as herein provided; but all
28 orders for supplies, materials, equipment or services other than personal shall bear the
29 certification. In case of such contract, no financial obligation accrues against the county or
30 township until the supplies, materials, equipment or services other than personal are so ordered
31 and the certificate furnished.

32 2. Notwithstanding the provisions of subsection 1 of this section to the contrary,
33 advertising shall not be required in any county in the case of contracts or purchases involving an
34 expenditure of less than six thousand dollars.

50.783. 1. The county commission may waive the requirement of competitive bids or
2 proposals for supplies when the commission has determined in writing and entered into the
3 commission minutes that there is only a single feasible source for the supplies. Immediately
4 upon discovering that other feasible sources exist, the commission shall rescind the waiver and
5 proceed to procure the supplies through the competitive processes as described in this chapter.
6 A single feasible source exists when:

7 (1) Supplies are proprietary and only available from the manufacturer or a single
8 distributor; or

9 (2) Based on past procurement experience, it is determined that only one distributor
10 services the region in which the supplies are needed; or

11 (3) Supplies are available at a discount from a single distributor for a limited period of
12 time.

13 2. On any single feasible source purchase where the estimated expenditure is [three] **six**
14 thousand dollars or over, the commission shall post notice of the proposed purchase[. Where the

15 estimated expenditure is five thousand dollars or over, the commission shall also] **and** advertise
16 the commission's intent to make such purchase in at least one daily and one weekly newspaper
17 of general circulation in such places as are most likely to reach prospective bidders or offerors
18 and may provide such information through an electronic medium available to the general public
19 at least ten days before the contract is to be let.

52.230. Each year the collectors of revenue in all counties of the first class not having
2 a charter form of government, and in all second, third and fourth class counties of the state, not
3 under township organization, shall mail to all resident taxpayers[, at least thirty days prior to
4 delinquent date,] a statement of all real and tangible personal property taxes due and assessed on
5 the current tax books in the name of the taxpayers. **Such statements shall be mailed at least
6 thirty days before the delinquent date in all counties of the second classification, third
7 classification without a township form of government, and fourth classification, and at
8 least forty-five days before the delinquent date in all counties of the first classification,
9 unless the collector is prevented from mailing the statements as required in this section by
10 circumstances beyond the collector's control. The collector shall report to the county
11 commission on the reason for and the circumstances of any such delay in mailing the
12 statements.** Such statement shall also include the amount of real and tangible personal property
13 taxes delinquent at the time of the mailing of the statement, including any interest and penalties
14 associated with the delinquent taxes. Such statement shall declare upon its face, or by an
15 attachment thereto, that they are delinquent at the time such statement is mailed for an amount
16 of real or tangible personal property taxes, or both. Collectors shall also mail tax receipts for all
17 the taxes received by mail.

52.290. 1. In all counties except counties having a charter form of government **before
2 January 1, 2008**, and any city not within a county, the collector shall collect on behalf of the
3 county a fee for the collection of delinquent and back taxes of seven percent on all sums
4 collected to be added to the face of the tax bill and collected from the party paying the tax.
5 Two-sevenths of the fees collected pursuant to the provisions of this section shall be paid into
6 the county general fund, two-sevenths of the fees collected pursuant to the provisions of this
7 section shall be paid into the tax maintenance fund of the county as required by section 52.312
8 and three-sevenths of the fees collected pursuant to the provisions of this section shall be paid
9 into the county employees' retirement fund created by sections 50.1000 to 50.1200, RSMo.

2. In all counties having a charter form of government, **other than any county adopting
11 a charter form of government after January 1, 2008**, and any city not within a county, the
12 collector shall collect on behalf of the county and pay into the county general fund a fee for the
13 collection of delinquent and back taxes of two percent on all sums collected to be added to the
14 face of the tax bill and collected from the party paying the tax except that in a county with a

15 charter form of government and with more than two hundred fifty thousand but less than seven
16 hundred thousand inhabitants, the collector shall collect on behalf of the county a fee for the
17 collection of delinquent and back taxes of three percent on all sums collected to be added to the
18 face of the tax bill and collected from the party paying the tax. If a county is required by section
19 52.312 to establish a tax maintenance fund, one-third of the fees collected under this subsection
20 shall be paid into that fund; otherwise, all fees collected under the provisions of this subsection
21 shall be paid into the county general fund.

22 3. Such county collector may accept credit cards as proper form of payment of
23 outstanding delinquent and back taxes due. No county collector may charge a surcharge for
24 payment by credit card.

52.312. Notwithstanding any provisions of law to the contrary, in addition to fees
2 provided for in this chapter, or any other provisions of law in conflict with the provisions of this
3 section, all counties, including any county **adopting a charter form of government after**
4 **January 1, 2008, and any county** with a charter form of government and with more than two
5 hundred fifty thousand but less than seven hundred thousand inhabitants, other than counties
6 having a charter form of government **before January 1, 2008**, and any city not within a county,
7 subject to the provisions of this section, shall establish a fund to be known as the "Tax
8 Maintenance Fund" to be used solely as a depository for funds received or collected for the
9 purpose of funding additional costs and expenses incurred in the office of collector.

52.361. It shall be the duty of the county collector in all counties of the first class not
2 having a charter form of government and in class two counties to prepare and keep in [his] **the**
3 **collector's** office, **electronically or otherwise**, back tax books which shall contain and list all
4 delinquent taxes on real and personal property levied and assessed in the county which remain
5 due and unpaid after the first day of January of each year. Such back tax books shall replace and
6 be in lieu of all "delinquent lists" and other back tax books heretofore prepared by the collector
7 or other county officer.

52.370. All money disbursed by the county collector in counties of the first class not
2 having a charter form of government and in counties of the second class by virtue of [his] **the**
3 **collector's** office shall be paid by **electronic transfer of funds from the collector's account**
4 **into the accounts of the appropriate taxing authorities or by** check signed by the collector
5 and countersigned by the auditor of the county. **All disbursements shall be documented by**
6 **the collector and certified by the auditor.**

54.010. 1. There is created in all the counties of this state the office of county treasurer,
2 except that in those counties having adopted the township alternative form of county government
3 the qualified electors shall elect a county collector-treasurer.

4 2. In counties of classes one and two the qualified electors shall elect a county treasurer
5 at the general election in 1956 and every four years thereafter.

6 3. In counties of the third and fourth classifications the qualified electors shall elect a
7 county treasurer at the general election in the year 1954, and every four years thereafter, except
8 that in those counties having adopted the township alternative form of county government the
9 qualified electors shall elect a county collector-treasurer at the November election in 1956, and
10 every four years thereafter.

11 4. Laws generally applicable to county collectors, their offices, clerks, and deputies shall
12 apply to and govern county collector-treasurers in counties having township organization, except
13 when such general laws and such laws applicable to counties of the third and fourth classification
14 conflict with the laws specifically applicable to county collector-treasurers, their offices, clerks,
15 and deputies in counties having township organization, in which case, such laws shall govern.

16 **5. In the event a county of the third or fourth classification abolishes its township**
17 **form of government under chapter 65, RSMo, or a county collector shall become a**
18 **collector-treasurer, the county collector-treasurer shall assume all duties, compensation,**
19 **fee schedules, and requirements of the collector-treasurer provided under sections 54.280**
20 **and 54.320.**

 55.030. The county auditor of a county [of the first class] having a charter form of
2 government shall prescribe, with the approval of the governing body of the county and the state
3 auditor, the accounting system of the county. He shall keep accounts of all appropriations and
4 expenditures made by the governing body of the county; and no warrant shall be drawn or
5 obligation incurred without his certification that an unencumbered balance, sufficient to pay the
6 same, remains in the appropriation account against which such warrant or obligation is to be
7 charged. He shall audit and examine all accounts, demands, and claims of every kind and
8 character presented for payment against such county, and shall approve to the governing body
9 of the county all lawful, true, and just accounts, demands, and claims of every kind and character
10 payable out of the county revenue or out of any county funds before the same shall be allowed
11 and a warrant issued therefor. Whenever the county auditor deems it necessary to the proper
12 examination of any account, demand, or claim, he may examine the parties, witnesses, and others
13 on oath or affirmation touching any matter or circumstance in the examination of such account,
14 demand, or claim. At the direction of the governing body of the county, he shall audit the
15 accounts of all officers and employees of the county and upon their retirement from office and
16 shall keep a correct account between the county and all county officers; and he shall examine all
17 records and settlements made by them for and with the governing body of the county or with
18 each other; and the county auditor shall, at all reasonable times, have access to all books, county
19 records, or papers kept by any county or township officer, employee, or road overseer. He may

20 keep an inventory of all county property under the control and management of the various
21 officers and departments and shall annually take an inventory of any such property at an original
22 value of [two hundred fifty] **one thousand** dollars or more showing the amount, location and
23 estimated value thereof. He shall perform such other duties in relation to the fiscal
24 administration of the county as the governing body of the county shall from time to time
25 prescribe. The county auditor shall not be personally liable for any costs for any proceeding
26 instituted against him in his official capacity.

55.140. The county auditor of each county of the first class not having a charter form of
2 government and of each county of the second class shall [countersign] **have access to all**
3 **records, collections, and settlements for** all licenses issued by the county and shall [keep a
4 record of the number, date of issue,] **receive a monthly listing from each office issuing the**
5 **licenses stating** the name of the party or parties to whom issued[, the occupation, the expiration
6 thereof,] and amount of money paid [therefor, and to whom paid].

55.190. The county collector of revenue of each county of the first class not having a
2 charter form of government and of each county of the second class shall [make] **provide,**
3 **electronically or otherwise,** a daily report to the auditor of receipts [and balance in his hands,
4 and where deposited], and shall deliver to the auditor each day a deposit slip showing the day's
5 deposit. The collector shall, upon receiving taxes, give [duplicate] **a** numbered tax [receipts,
6 which] **receipt to** the taxpayer [shall take to the auditor to be countersigned by him, one of which
7 the auditor shall retain, and charge the amount thereof to the collector]. The collector shall also
8 [make] **provide, electronically or otherwise,** a daily report to the auditor of all other sums of
9 money collected by [him] **the collector** from any source whatsoever, and in such report shall
10 state [from whom collected, and] on what account[, which sums shall be charged by the auditor
11 to the collector] **collected.** The collector shall[, upon turning] **turn** money over to the county
12 treasurer[, take duplicate receipts therefor and file same immediately with the county auditor]
13 **under section 139.210, RSMo.**

56.700. 1. The prosecuting attorney in each county of the second, third or fourth class
2 which contains a mental health facility able to serve at least eighty persons on an overnight,
3 inpatient basis at any one time, and which is operated by the state department of mental health,
4 division of psychiatric services, may employ an assistant prosecuting attorney to assist in
5 carrying out the duties of the office of prosecuting attorney relating to mental health and mental
6 health facilities. The assistant prosecuting attorney authorized by this subsection shall be in
7 addition to any other assistant prosecuting attorney authorized by law. The assistant prosecuting
8 attorney employed under this subsection shall receive an annual compensation of fifteen
9 thousand dollars payable out of the state treasury from funds appropriated for that purpose.

10 2. The county counselor or circuit attorney in each county of the first class with a charter
11 form of government containing part of a city with a population of over four hundred fifty
12 thousand and in each city not within a county may employ an assistant county counselor or
13 circuit attorney to assist in carrying out the duties of the office of the county counselor or circuit
14 attorney relating to mental health and mental health facilities. The assistant authorized by this
15 subsection shall be in addition to any other assistants authorized by law. The assistant county
16 counselor or circuit attorney employed under this subsection shall receive an annual
17 compensation of fifteen thousand dollars payable out of the state treasury from funds
18 appropriated for that purpose.

19 3. The prosecuting attorney in each county of the second, third or fourth class which
20 contains a mental health facility able to serve at least eighty persons on an overnight, inpatient
21 basis at any one time, and which is operated by the state department of mental health, division
22 of psychiatric services, may employ additional investigative and clerical personnel to assist in
23 carrying out the duties of the office of prosecuting attorney relating to mental health and mental
24 health facilities. The investigative and clerical personnel authorized by this subsection shall be
25 in addition to any other personnel authorized by law. The compensation for such additional
26 investigative and clerical personnel, not to exceed a total of fifteen thousand dollars annually for
27 each eligible county, shall be paid out of the state treasury from funds appropriated for that
28 purpose.

29 4. The county counselor or circuit attorney in each county of the first class with a charter
30 form of government containing part of a city with a population of over four hundred fifty
31 thousand and in each city not within a county may employ additional investigative and clerical
32 personnel to assist in carrying out the duties of the office of the county counselor or circuit
33 attorney relating to mental health and mental health facilities. The investigative and clerical
34 personnel authorized by this subsection shall be in addition to any other personnel authorized by
35 law. The compensation for such additional investigative and clerical personnel, not to exceed
36 a total of fifteen thousand dollars annually for each eligible county or city not within a county,
37 shall be paid out of the state treasury from funds appropriated for that purpose.

38 **5. In each county of the first classification with more than one hundred thirty-five**
39 **thousand four hundred but fewer than one hundred thirty-five thousand five hundred**
40 **inhabitants, the county counselor shall receive fifteen thousand dollars annually for duties**
41 **relating to mental health and mental health facilities, and an additional sum not to exceed**
42 **fifteen thousand dollars annually for investigative and clerical personnel costs to assist in**
43 **carrying out the duties of the office of county counselor relating to mental health and**
44 **mental health facilities. The sums provided in this subsection shall be paid out of the state**

45 treasury from funds appropriated for such purposes, and shall be in the form of a
46 reimbursement to the county general revenue fund.

60.670. 1. As used in this section, the following terms shall mean:

2 (1) "Cadastral parcel mapping", an accurately delineated identification of all real
3 property parcels. The cadastral map is based upon the USPLSS. For cadastral parcel
4 maps the position of the legal framework is derived from the USPLSS, existing tax maps,
5 and tax database legal descriptions, recorded deeds, recorded surveys, and recorded
6 subdivision plats.

7 (2) "Digital cadastral parcel mapping", encompasses the concepts of automated
8 mapping, graphic display and output, data analysis, and database management as pertains
9 to cadastral parcel mapping. Digital cadastral parcel mapping systems consist of
10 hardware, software, data, people, organizations, and institutional arrangements for
11 collecting, storing, analyzing, and disseminating information about the location and areas
12 of parcels and the USPLSS;

13 (3) "USPLSS" or "United States public land survey system", a survey executed
14 under the authority of the United States government as recorded on the official plats and
15 field notes of the United States public land survey maintained by the land survey program
16 of the department of natural resources;

17 (4) "Tax map", a document or map for taxation purposes representing the location,
18 dimensions, and other relevant information pertaining to a parcel of land subject to
19 property taxes.

20 2. The office of the land surveyor established within the department of natural
21 resources shall promulgate rules and regulations establishing minimum standards for
22 digital cadastral parcel mapping. Any rule or portion of a rule, as that term is defined in
23 section 536.010, RSMo, that is created under the authority delegated in this section shall
24 become effective only if it complies with and is subject to all of the provisions of chapter
25 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,
26 RSMo, are nonseverable and if any of the powers vested with the general assembly
27 pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and
28 annul a rule are subsequently held unconstitutional, then the grant of rulemaking
29 authority and any rule proposed or adopted after August 28, 2009, shall be invalid and
30 void.

31 3. Any map designed and used to reflect legal property descriptions or boundaries
32 for use in a digital cadastral mapping system shall comply with the rules promulgated
33 under this section, unless the party requesting the map specifies otherwise in writing, the
34 map was designed and in use prior to the promulgation of the rules, or the parties

35 **requesting and designing the map have already agreed to the terms of their contract on the**
36 **effective date of the rules promulgation.**

64.170. 1. For the purpose of promoting the public safety, health and general welfare,
2 to protect life and property and to prevent the construction of fire hazardous buildings, the county
3 commission in all counties of the first and second classification, as provided by law, is for this
4 purpose empowered, subject to the provisions of subsections 2 and 3 of this section, to adopt by
5 order or ordinance regulations to control the construction, reconstruction, alteration or repair of
6 any building or structure and any electrical wiring or electrical installation, plumbing or drain
7 laying therein, and provide for the issuance of building permits and adopt regulations licensing
8 persons, firms or corporations other than federal, state or local governments, public utilities and
9 their contractors engaged in the business of electrical wiring or installations and provide for the
10 inspection thereof and establish a schedule of permit, license and inspection fees and appoint a
11 building commission to prepare the regulations, as herein provided.

12 2. Any county which has not adopted a building code prior to August 28, 2001, pursuant
13 to sections 64.170 to 64.200, shall not have the authority to adopt a building code pursuant to
14 such sections unless the authority is approved by voters, subject to the provisions of subsection
15 3 of this section. The ballot of submission for authority pursuant to this subsection shall be in
16 substantially the following form:

17 "Shall (insert name of county) have authority to create,
18 adopt and impose a county building code?"

19 ☐ YES ☐ NO

20 3. The proposal of the authority to adopt a building code shall be voted on only by voters
21 in the area affected by the proposed code, such that a code affecting a county shall not be voted
22 upon by citizens of any incorporated territory.

23 **4. For the purpose of promoting the public safety, health, and general welfare, to**
24 **protect life and property, and to prevent the occupancy of fire hazardous buildings, the**
25 **county commission in all counties of the first classification may, by order or ordinance,**
26 **adopt regulations to control the minimum standards for occupancy of any residential unit**
27 **intended for rent or lease, establish a procedure for licensing and inspecting the units, and**
28 **establish reasonable fees to recover the costs of administering such regulations and**
29 **procedures.**

65.610. 1. Upon **a majority vote of the county commission** or the petition of at least
2 ten percent of voters at the last general election of any county having heretofore adopted
3 township organization, praying therefor, the county commission shall submit the question of the
4 abolition of township organization to the voters of the county at a general or special election.
5 The total vote for governor at the last general election before the filing of the petition where a

6 governor was elected shall be used to determine the number of voters necessary to sign the
7 petition. If the **vote of the commission is taken or the** petition is filed six months or more prior
8 to a general election, the proposition shall be submitted at a special election to be ordered by the
9 county commission within sixty days after the **vote is taken or the** petition is filed; if the **vote**
10 **is taken or the** petition is filed less than six months before a general election, then the
11 proposition shall be submitted at the general election next succeeding the **commission's vote or**
12 **the** filing of the petition. The election shall be conducted, the vote canvassed and the result
13 declared in the same manner as provided by law in respect to elections of county officers. The
14 clerk of the county commission shall give notice that a proposition for the abolition of township
15 organization form of county government in the county is to be voted upon by causing a copy of
16 the order of the county commission authorizing such election to be published at least once each
17 week for three successive weeks, the last insertion to be not more than one week prior to the
18 election, in some newspaper published in the county where the election is to be held, if there is
19 a newspaper published in the county and, if not, by posting printed or written handbills in at least
20 two public places in each election precinct in the county at least twenty-one days prior to the date
21 of election. The clerk of the county commission shall provide the ballot which shall be printed
22 and in substantially the following form:

23 OFFICIAL BALLOT

24 (Check the one for which you wish to vote)

25 Shall township organization form of county government be abolished in County?

26 ☐ YES

☐ NO

27
28 If a majority of the electors voting upon the proposition shall vote for the abolition thereof the
29 township organization form of county government shall be declared to have been abolished; and
30 township organization shall cease in said county; and except as provided in section 65.620 all
31 laws in force in relation to counties not having township organization shall immediately take
32 effect and be in force in such county.

33 2. No election or any proposal for either the adoption of township organization or for the
34 abolition of township organization in any county shall be held within two years after an election
35 is held under this section.

67.280. 1. As used in this section, the following terms mean:

2 (1) **"Code", any published compilation of rules prepared by various technical trade**
3 **associations, federal agencies, this state or any agency thereof, but shall be limited to:**
4 **regulations concerning the construction of buildings and continued occupancy thereof;**
5 **mechanical, plumbing, and electrical construction; and fire prevention;**

6 (2) **"Community", any county, fire protection district or municipality;**

7 [(2)] (3) "County", any county in the state;
8 [(3)] (4) "Fire protection district", any fire protection district in the state;
9 [(4)] (5) "Municipality", any incorporated city, town or village[;
10 (5) "Technical code", any published compilation of rules prepared by various technical
11 trade associations, federal agencies, this state or any agency thereof, but shall be limited to:
12 regulations concerning the construction of buildings and continued occupancy thereof;
13 mechanical, plumbing and electrical construction; and fire prevention].

14 2. Any community, if the community otherwise has the power under the law to adopt
15 such an ordinance, may adopt or repeal an ordinance which incorporates by reference the
16 provisions of any code or portions of any code, or any amendment thereof, [property] **properly**
17 identified as to date and source, without setting forth the provisions of such code in full. At least
18 [three copies] **one copy** of such code, portion or amendment which is incorporated or adopted
19 by reference, shall be filed in the office of the clerk of the community and there kept available
20 for public use, inspection, and examination. The filing requirements herein prescribed shall not
21 be deemed to be complied with unless the required copies of such codes, portion, or amendment
22 or public record are filed with the clerk of such community for a period of ninety days prior to
23 the adoption of the ordinance which incorporates such code, portion, or amendment by reference.

24 3. Any ordinance adopting a code, portion, or amendment by reference shall state the
25 penalty for violating such code, portion, or amendment, or any provisions thereof separately, and
26 no part of any such penalty shall be incorporated by reference.

67.281. On or before the date of entering into a purchase contract, any builder of
2 **single-family dwellings or residences or multifamily dwellings of four or fewer units shall**
3 **offer to any purchaser the option to install or equip such dwellings or residences with a fire**
4 **sprinkler system at the purchaser's cost. Notwithstanding any other provision of law to**
5 **the contrary, no code, order, ordinance, rule, regulation, or resolution adopted by any**
6 **political subdivision shall be construed to deny any purchaser of any such dwelling or**
7 **residence the option to choose or decline the installation or equipping of such dwelling or**
8 **residence with a fire sprinkler system. Any code, order, ordinance, rule, regulation, or**
9 **resolution adopted by any political subdivision shall include a provision requiring each**
10 **builder to provide each purchaser of any such dwelling or residence with the option of**
11 **purchasing a fire sprinkler system for such dwelling or residence.**

 67.304. 1. The governing body of any municipality or county may authorize any
2 organization to stand in a road in such municipality or county to solicit a charitable contribution.
3 Any organization seeking authorization under this section shall file a written application with
4 the governing body no later than the eleventh day before the solicitation is to begin. The
5 application shall include:

- 6 (1) The date and time the solicitation is to occur;
7 (2) The location of the solicitation; and
8 (3) The number of solicitors to be involved at each location of the solicitation.

9 **2. (1) Notwithstanding the provisions of subsection 1 of this section to the contrary,**
10 **the governing body of any municipality or county shall authorize an organization to stand**
11 **in a road in such municipality or county to solicit a charitable contribution if:**

12 (a) The persons who will be engaged in soliciting such charitable contributions are
13 public safety officers and such officers shall only be soliciting within the service area of the
14 political subdivision by which they are employed;

15 (b) The organization files a written application with the governing body no later
16 than the eleventh day before the solicitation is to begin;

17 (c) The application includes:

18 a. The date and time the solicitation is to occur;

19 b. The location of the solicitation;

20 c. The number of solicitors to be involved at each location of the solicitation;

21 d. Proof of a valid liability insurance policy in an amount of at least one million
22 dollars insuring the charity, the political subdivision employing the public safety officers,
23 and the municipality or county authorizing the solicitation against bodily injury and
24 property damage arising out of or in connection with the solicitation.

25 (2) For the purposes of this subsection, the term "public safety officer" shall mean
26 any law enforcement officer, firefighter, or other person employed to protect the public
27 safety of a political subdivision.

28 (3) The governing body shall approve the application within five business days of
29 the filing date of the application if all requirements of this subsection and subsection 3 of
30 this section are met.

31 **3.** The governing body may require the applicant to obtain a permit or to pay a
32 reasonable fee to receive the authorization.

33 **[3.] 4. Unless otherwise required by subsection 2 of this section,** the governing body
34 may require proof of liability insurance in the amount determined by the municipality or county
35 to cover damages that may arise from the solicitation. The insurance shall provide coverage
36 against claims against the applicant and claims against the governing body.

37 **[4.] 5.** Collections shall only be conducted at intersections controlled by electronic signal
38 lights or by four-way stop signs.

39 **[5.] 6.** The governing body may set a minimum age requirement for all individuals
40 participating in charitable solicitation activities under this section.

67.402. 1. The governing body of **the following counties may enact nuisance**
2 **abatement ordinances as provided in this section:**

3 (1) Any county of the first classification with more than one hundred thirty-five thousand
4 four hundred but [less] **fewer** than one hundred thirty-five thousand five hundred inhabitants[,]
5 ;

6 (2) Any county of the first classification with more than seventy-one thousand three
7 hundred but [less] **fewer** than seventy-one thousand four hundred inhabitants[, and] ;

8 (3) Any county of the first classification without a charter form of government and with
9 more than one hundred ninety-eight thousand but [less] **fewer** than one hundred ninety-nine
10 thousand two hundred inhabitants;

11 (4) **Any county of the first classification with more than eighty-five thousand nine**
12 **hundred but fewer than eighty-six thousand inhabitants;**

13 (5) **Any county of the third classification without a township form of government**
14 **and with more than sixteen thousand four hundred but fewer than sixteen thousand five**
15 **hundred inhabitants.**

16 2. **The governing body of any county described in subsection 1 of this section** may
17 enact ordinances to provide for the abatement of a condition of any lot or land that has the
18 presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict
19 cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, **tires,**
20 **storm water runoff conditions resulting in damage to buildings or infrastructure,** or
21 overgrown or noxious weeds in residential subdivisions or districts which may endanger public
22 safety or which is unhealthy or unsafe and declared to be a public nuisance.

23 [2.] 3. Any ordinance enacted pursuant to this section shall:

24 (1) Set forth those conditions which constitute a nuisance and which are detrimental to
25 the health, safety, or welfare of the residents of the county;

26 (2) Provide for duties of inspectors with regard to those conditions which may be
27 declared a nuisance, and shall provide for duties of the building commissioner or designated
28 officer or officers to supervise all inspectors and to hold hearings regarding such property;

29 (3) Provide for service of adequate notice of the declaration of nuisance, which notice
30 shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and
31 may provide that such notice be served either by personal service or by certified mail, return
32 receipt requested, but if service cannot be had by either of these modes of service, then service
33 may be had by publication. The ordinances shall further provide that the owner, occupant,
34 lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the
35 land records of the recorder of deeds of the county wherein the property is located shall be made
36 parties;

37 (4) Provide that upon failure to commence work of abating the nuisance within the time
38 specified or upon failure to proceed continuously with the work without unnecessary delay, the
39 building commissioner or designated officer or officers shall call and have a full and adequate
40 hearing upon the matter before the county commission, giving the affected parties at least ten
41 days' written notice of the hearing. Any party may be represented by counsel, and all parties shall
42 have an opportunity to be heard. After the hearings, if evidence supports a finding that the
43 property is a nuisance or detrimental to the health, safety, or welfare of the residents of the
44 county, the county commission shall issue an order making specific findings of fact, based upon
45 competent and substantial evidence, which shows the property to be a nuisance and detrimental
46 to the health, safety, or welfare of the residents of the county and ordering the nuisance abated.
47 If the evidence does not support a finding that the property is a nuisance or detrimental to the
48 health, safety, or welfare of the residents of the county, no order shall be issued.

49 [3.] 4. Any ordinance authorized by this section may provide that if the owner fails to
50 begin abating the nuisance within a specific time which shall not be longer than seven days of
51 receiving notice that the nuisance has been ordered removed, the building commissioner or
52 designated officer shall cause the condition which constitutes the nuisance to be removed. If the
53 building commissioner or designated officer causes such condition to be removed or abated, the
54 cost of such removal shall be certified to the county clerk or officer in charge of finance who
55 shall cause the certified cost to be included in a special tax bill or added to the annual real estate
56 tax bill, at the county collector's option, for the property and the certified cost shall be collected
57 by the county collector in the same manner and procedure for collecting real estate taxes. If the
58 certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the
59 delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill
60 from the date of its issuance shall be deemed a personal debt against the owner and shall also be
61 a lien on the property until paid.

67.456. 1. The average maturity of bonds or notes issued under the neighborhood
2 improvement district act after August 28, 2004, shall not exceed one hundred twenty percent of
3 the average economic life of the improvements for which the bonds or notes are issued.

4 2. Any improvement for which a petition is filed or an election is held under section
5 67.457 after August 28, 2004, including improvements to or located on property owned by a city
6 or county, shall include provisions for maintenance of the project during the term of the bonds
7 or notes.

8 3. In the event that, after August 28, 2004, any parcel of property within the
9 neighborhood improvement district is divided into more than one parcel of property **within five**
10 **years** after the final costs of the improvement are assessed, all unpaid final costs of the
11 improvement assessed to the original parcel that was divided shall be recalculated and reassessed

12 [proportionally to each of the parcels resulting from the division of the original parcel, based on
13 the assessed valuation of each resulting parcel] **so that each parcel shall be responsible for a**
14 **full share of the assessment per lot if the original assessment was based on a per lot**
15 **formula. Any additional funds that are received by the governing body of the city or**
16 **county as a result of such reassessment shall be used for expenses related to future**
17 **neighborhood improvement district projects.** [No parcel of property which has had the
18 assessment against it paid in full by the property owner shall be reassessed under this section.
19 No parcel of property shall have the initial assessment against it changed, except for any changes
20 for special, supplemental, or additional assessments authorized under the state neighborhood
21 improvement district act.]

67.2000. 1. This section shall be known as the "Exhibition Center and Recreational
2 Facility District Act".

3 2. [Whenever not less than fifty owners of real property located within] **An exhibition**
4 **center and recreational facility district may be created under this section in the following**
5 **counties:**

6 (1) Any county of the first classification with more than seventy-one thousand three
7 hundred but less than seventy-one thousand four hundred inhabitants[, or] ;

8 (2) Any county of the first classification with more than one hundred ninety-eight
9 thousand but less than one hundred ninety-nine thousand two hundred inhabitants[, or] ;

10 (3) Any county of the first classification with more than eighty-five thousand nine
11 hundred but less than eighty-six thousand inhabitants[, or] ;

12 (4) Any county of the second classification with more than fifty-two thousand six
13 hundred but less than fifty-two thousand seven hundred inhabitants[, or] ;

14 (5) Any county of the first classification with more than one hundred four thousand six
15 hundred but less than one hundred four thousand seven hundred inhabitants[, or] ;

16 (6) Any county of the third classification without a township form of government and
17 with more than seventeen thousand nine hundred but less than eighteen thousand inhabitants[,
18 or] ;

19 (7) Any county of the first classification with more than thirty-seven thousand but less
20 than thirty-seven thousand one hundred inhabitants[, or] ;

21 (8) Any county of the third classification without a township form of government and
22 with more than twenty-three thousand five hundred but less than twenty-three thousand six
23 hundred inhabitants[, or] ;

24 (9) Any county of the third classification without a township form of government and
25 with more than nineteen thousand three hundred but less than nineteen thousand four hundred
26 inhabitants[, or] ;

27 **(10)** Any county of the first classification with more than two hundred forty thousand
28 three hundred but less than two hundred forty thousand four hundred inhabitants[.] ;

29 **(11)** Any county of the third classification with a township form of government and
30 with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

31 **(12)** Any county of the third classification without a township form of government
32 and with more than eighteen thousand nine hundred but fewer than nineteen thousand
33 inhabitants;

34 **(13)** Any county of the third classification with a township form of government and
35 with more than eight thousand but fewer than eight thousand one hundred inhabitants;

36 **(14)** Any county of the third classification with a township form of government and
37 with more than eleven thousand five hundred but fewer than eleven thousand six hundred
38 inhabitants.

39 **3. Whenever not less than fifty owners of real property located within any county**
40 **listed in subsection 2 of this section** desire to create an exhibition center and recreational
41 facility district, the property owners shall file a petition with the governing body of each county
42 located within the boundaries of the proposed district requesting the creation of the district. The
43 district boundaries may include all or part of the counties described in this section. The petition
44 shall contain the following information:

45 (1) The name and residence of each petitioner and the location of the real property
46 owned by the petitioner;

47 (2) A specific description of the proposed district boundaries, including a map
48 illustrating the boundaries; and

49 (3) The name of the proposed district.

50 **[3.] 4.** Upon the filing of a petition pursuant to this section, the governing body of any
51 county described in this section may, by resolution, approve the creation of a district. Any
52 resolution to establish such a district shall be adopted by the governing body of each county
53 located within the proposed district, and shall contain the following information:

54 (1) A description of the boundaries of the proposed district;

55 (2) The time and place of a hearing to be held to consider establishment of the proposed
56 district;

57 (3) The proposed sales tax rate to be voted on within the proposed district; and

58 (4) The proposed uses for the revenue generated by the new sales tax.

59 **[4.] 5.** Whenever a hearing is held as provided by this section, the governing body of
60 each county located within the proposed district shall:

61 (1) Publish notice of the hearing on two separate occasions in at least one newspaper of
62 general circulation in each county located within the proposed district, with the first publication

63 to occur not more than thirty days before the hearing, and the second publication to occur not
64 more than fifteen days or less than ten days before the hearing;

65 (2) Hear all protests and receive evidence for or against the establishment of the
66 proposed district; and

67 (3) Rule upon all protests, which determinations shall be final.

68 [5.] 6. Following the hearing, if the governing body of each county located within the
69 proposed district decides to establish the proposed district, it shall adopt an order to that effect;
70 if the governing body of any county located within the proposed district decides to not establish
71 the proposed district, the boundaries of the proposed district shall not include that county. The
72 order shall contain the following:

73 (1) The description of the boundaries of the district;

74 (2) A statement that an exhibition center and recreational facility district has been
75 established;

76 (3) The name of the district;

77 (4) The uses for any revenue generated by a sales tax imposed pursuant to this section;
78 and

79 (5) A declaration that the district is a political subdivision of the state.

80 [6.] 7. A district established pursuant to this section may, at a general, primary, or special
81 election, submit to the qualified voters within the district boundaries a sales tax of one-fourth of
82 one percent, for a period not to exceed twenty-five years, on all retail sales within the district,
83 which are subject to taxation pursuant to sections 144.010 to 144.525, RSMo, to fund the
84 acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition
85 center and recreational facilities. The ballot of submission shall be in substantially the following
86 form:

87 Shall the (name of district) impose a sales tax of one-fourth of one percent to fund
88 the acquisition, construction, maintenance, operation, improvement, and promotion of an
89 exhibition center and recreational facilities, for a period of (insert number of years)?

90 ☐ YES

☐ NO

91

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

94

95 If a majority of the votes cast in the portion of any county that is part of the proposed district
96 favor the proposal, then the sales tax shall become effective in that portion of the county that is
97 part of the proposed district on the first day of the first calendar quarter immediately following
98 the election. If a majority of the votes cast in the portion of a county that is a part of the

proposed district oppose the proposal, then that portion of such county shall not impose the sales tax authorized in this section until after the county governing body has submitted another such sales tax proposal and the proposal is approved by a majority of the qualified voters voting thereon. However, if a sales tax proposal is not approved, the governing body of the county shall not resubmit a proposal to the voters pursuant to this section sooner than twelve months from the date of the last proposal submitted pursuant to this section. If the qualified voters in two or more counties that have contiguous districts approve the sales tax proposal, the districts shall combine to become one district.

[7.] **8.** There is hereby created a board of trustees to administer any district created and the expenditure of revenue generated pursuant to this section consisting of four individuals to represent each county approving the district, as provided in this subsection. The governing body of each county located within the district, upon approval of that county's sales tax proposal, shall appoint four members to the board of trustees; at least one shall be an owner of a nonlodging business located within the taxing district, or their designee, at least one shall be an owner of a lodging facility located within the district, or their designee, and all members shall reside in the district except that one nonlodging business owner, or their designee, and one lodging facility owner, or their designee, may reside outside the district. Each trustee shall be at least twenty-five years of age and a resident of this state. Of the initial trustees appointed from each county, two shall hold office for two years, and two shall hold office for four years. Trustees appointed after expiration of the initial terms shall be appointed to a four-year term by the governing body of the county the trustee represents, with the initially appointed trustee to remain in office until a successor is appointed, and shall take office upon being appointed. Each trustee may be reappointed. Vacancies shall be filled in the same manner in which the trustee vacating the office was originally appointed. The trustees shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses. The board shall elect a chair and other officers necessary for its membership. Trustees may be removed if:

(1) By a two-thirds vote, the board moves for the member's removal and submits such motion to the governing body of the county from which the trustee was appointed; and

(2) The governing body of the county from which the trustee was appointed, by a majority vote, adopts the motion for removal.

[8.] **9.** The board of trustees shall have the following powers, authority, and privileges:

(1) To have and use a corporate seal;

(2) To sue and be sued, and be a party to suits, actions, and proceedings;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or

135 instrumentalities, for the funding, including without limitation interest rate exchange or swap
136 agreements, planning, development, construction, acquisition, maintenance, or operation of a
137 single exhibition center and recreational facilities or to assist in such activity. "Recreational
138 facilities" means locations explicitly designated for public use where the primary use of the
139 facility involves participation in hobbies or athletic activities;

140 (4) To borrow money and incur indebtedness and evidence the same by certificates,
141 notes, or debentures, to issue bonds and use any one or more lawful funding methods the district
142 may obtain for its purposes at such rates of interest as the district may determine. Any bonds,
143 notes, and other obligations issued or delivered by the district may be secured by mortgage,
144 pledge, or deed of trust of any or all of the property and income of the district. Every issue of
145 such bonds, notes, or other obligations shall be payable out of property and revenues of the
146 district and may be further secured by other property of the district, which may be pledged,
147 assigned, mortgaged, or a security interest granted for such payment, without preference or
148 priority of the first bonds issued, subject to any agreement with the holders of any other bonds
149 pledging any specified property or revenues. Such bonds, notes, or other obligations shall be
150 authorized by resolution of the district board, and shall bear such date or dates, and shall mature
151 at such time or times, but not in excess of thirty years, as the resolution shall specify. Such
152 bonds, notes, or other obligations shall be in such denomination, bear interest at such rate or
153 rates, be in such form, either coupon or registered, be issued as current interest bonds, compound
154 interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such
155 manner, be payable in such place or places, and be subject to redemption as such resolution may
156 provide, notwithstanding section 108.170, RSMo. The bonds, notes, or other obligations may
157 be sold at either public or private sale, at such interest rates, and at such price or prices as the
158 district shall determine;

159 (5) To acquire, transfer, donate, lease, exchange, mortgage, and encumber real and
160 personal property in furtherance of district purposes;

161 (6) To refund any bonds, notes, or other obligations of the district without an election.
162 The terms and conditions of refunding obligations shall be substantially the same as those of the
163 original issue, and the board shall provide for the payment of interest at not to exceed the legal
164 rate, and the principal of such refunding obligations in the same manner as is provided for the
165 payment of interest and principal of obligations refunded;

166 (7) To have the management, control, and supervision of all the business and affairs of
167 the district, and the construction, installation, operation, and maintenance of district
168 improvements therein; to collect rentals, fees, and other charges in connection with its services
169 or for the use of any of its facilities;

170 (8) To hire and retain agents, employees, engineers, and attorneys;

(9) To receive and accept by bequest, gift, or donation any kind of property;

(10) To adopt and amend bylaws and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects, and affairs of the board and of the district; and

(11) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted by this section.

[9.] **10.** There is hereby created the "Exhibition Center and Recreational Facility District Sales Tax Trust Fund", which shall consist of all sales tax revenue collected pursuant to this section. The director of revenue shall be custodian of the trust fund, and moneys in the trust fund shall be used solely for the purposes authorized in this section. Moneys in the trust fund shall be considered nonstate funds pursuant to section 15, article IV, Constitution of Missouri. The director of revenue shall invest moneys in the trust fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the trust fund. All sales taxes collected by the director of revenue pursuant to this section on behalf of the district, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in the trust fund. The director of revenue shall keep accurate records of the amount of moneys in the trust fund which was collected in the district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of the officers of each district and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district. The director of revenue may authorize refunds from the amounts in the trust fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of the district.

[10.] **11.** The sales tax authorized by this section is in addition to all other sales taxes allowed by law. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, apply to the sales tax imposed pursuant to this section.

[11.] **12.** Any sales tax imposed pursuant to this section shall not extend past the initial term approved by the voters unless an extension of the sales tax is submitted to and approved by the qualified voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period not to exceed twenty years. The ballot of submission for the extension shall be in substantially the following form:

Shall the (name of district) extend the sales tax of one-fourth of one percent for a period of (insert number of years) years to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities?

☐ YES

☐ NO

207

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

210

211 If a majority of the votes cast favor the extension, then the sales tax shall remain in effect at the
212 rate and for the time period approved by the voters. If a sales tax extension is not approved, the
213 district may submit another sales tax proposal as authorized in this section, but the district shall
214 not submit such a proposal to the voters sooner than twelve months from the date of the last
215 extension submitted.

216 [12.] **13.** Once the sales tax authorized by this section is abolished or terminated by any
217 means, all funds remaining in the trust fund shall be used solely for the purposes approved in the
218 ballot question authorizing the sales tax. The sales tax shall not be abolished or terminated while
219 the district has any financing or other obligations outstanding; provided that any new financing,
220 debt, or other obligation or any restructuring or refinancing of an existing debt or obligation
221 incurred more than ten years after voter approval of the sales tax provided in this section or more
222 than ten years after any voter-approved extension thereof shall not cause the extension of the
223 sales tax provided in this section or cause the final maturity of any financing or other obligations
224 outstanding to be extended. Any funds in the trust fund which are not needed for current
225 expenditures may be invested by the district in the securities described in subdivisions (1) to (12)
226 of subsection 1 of section 30.270, RSMo, or repurchase agreements secured by such securities.
227 If the district abolishes the sales tax, the district shall notify the director of revenue of the action
228 at least ninety days before the effective date of the repeal, and the director of revenue may order
229 retention in the trust fund, for a period of one year, of two percent of the amount collected after
230 receipt of such notice to cover possible refunds or overpayment of the sales tax and to redeem
231 dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed
232 after the effective date of abolition of the sales tax in the district, the director of revenue shall
233 remit the balance in the account to the district and close the account of the district. The director
234 of revenue shall notify the district of each instance of any amount refunded or any check
235 redeemed from receipts due the district.

236 [13.] **14.** In the event that the district is dissolved or terminated by any means, the
237 governing bodies of the counties in the district shall appoint a person to act as trustee for the
238 district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall
239 take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond
240 with sufficient security, approved by the governing bodies of the counties, to the use of the
241 dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and
242 exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining

243 obligations of the district, shall pay over to the county treasurer of each county in the district and
244 take receipt for all remaining moneys in amounts based on the ratio the levy of each county bears
245 to the total levy for the district in the previous three years or since the establishment of the
246 district, whichever time period is shorter. Upon payment to the county treasurers, the trustee
247 shall deliver to the clerk of the governing body of any county in the district all books, papers,
248 records, and deeds belonging to the dissolved district.

**67.3000. It shall be lawful for any county of the third classification with a township
2 form of government and with more than eight thousand nine hundred but fewer than nine
3 thousand inhabitants to enter into a contract with any private corporation or corporations,
4 or with any corporation now or hereafter engaged in pumping and delivering water at
5 wholesale for domestic consumption. It shall also be lawful for any such county to acquire,
6 own, and hold, with any private corporation in this state, water mains or interests in water
7 mains through which to procure an adequate supply of water for its inhabitants.**

**71.275. Notwithstanding any other provision of law to the contrary, if the governing
2 body of any municipality finds it in the public interest that a parcel of land that has not
3 been sold within the previous six months and is contiguous and compact to the existing
4 corporate limits of the municipality and located in an unincorporated area of the county,
5 which is used as a research park, should be located in the municipality, such municipality
6 may annex such parcel, provided that the municipality obtains the written consent of all
7 the property owners located within the unincorporated area of such parcel. Further, both
8 such municipality and county shall adopt reciprocal ordinances authorizing the annexation
9 of such parcel by the municipality. For purposes of this section, the term "research park"
10 shall mean an area developed by a university to be used by technology-intensive and
11 research-based companies as a business location, and a parcel of land shall be considered
12 "sold" when there is a change in at least fifty-one percent of the property's ownership in
13 a transaction that involves a buyer or buyers and a seller or sellers, but shall not include
14 a partial divestment of such real property or any transaction in which ownership is vested
15 in whole or in part in a subsidiary, affiliate, partner, joint venturer, or other entity related
16 to the owner.**

**82.1026. The governing body of any home rule city with more than four hundred
2 thousand inhabitants and located in more than one county may enact ordinances to
3 provide for the building official of the city or an authorized representative of the building
4 official to petition the circuit court in the county in which a vacant nuisance building or
5 structure is located for the appointment of a receiver to rehabilitate the building or
6 structure, to demolish it, or to sell it to a qualified buyer.**

84.830. 1. [No person shall solicit orally, or by letter or otherwise, or shall be in any
2 manner concerned in soliciting, any assessment, contribution, or payment for any political
3 purpose whatsoever from any officer or employee in the service of the police department for such
4 cities or from members of the said police board.] No officer, agent, or employee of the police
5 department of such cities shall permit **or perform** any [such] solicitation **of any assessment,**
6 **contribution, or payment for any political purpose** in any building or room occupied for the
7 discharge of the official duties of the said department. [No officer or employee in the service of
8 said police department shall directly or indirectly give, pay, lend, or contribute any part of his
9 salary or compensation or any money or other valuable thing to any person on account of, or to
10 be applied to, the promotion of any political party, political club, or any political purpose
11 whatever.

12 2.] No officer or employee of said department shall promote, remove, or reduce any other
13 official or employee, or promise or threaten to do so, for withholding or refusing to make any
14 contribution for any political party or purpose or club, or for refusal to render any political
15 service, and shall not directly or indirectly attempt to coerce, command, or advise any other
16 officer or employee to make any such contribution or render any such service. No officer or
17 employee in the service of said department or member of the police board shall use his official
18 authority or influence for the purpose of interfering with any election or any nomination for
19 office, or affecting the result thereof. No officer or employee of such department shall [be a
20 member or official of any committee of any political party, or be a ward committeeman or
21 committeewoman, nor shall any such] **hold a partisan political office.** No officer or employee
22 **shall** solicit any person to vote for or against any candidate for public office, or "poll precincts"
23 or be connected with other political work of similar character on behalf of any political
24 organization, party, or candidate **while on duty, in uniform, or wearing any clothing or**
25 **accessory with symbols, insignias, or words indicating his or her employment with the**
26 **police department.** All such persons shall, however, retain the right to vote as they may choose
27 and to express their opinions on all political subjects and candidates.

28 [3.] 2. No person or officer or employee of said department shall affix any sign, bumper
29 sticker or other device to any property or vehicle under the control of said department which
30 either supports or opposes any ballot measure or political candidate.

31 [4.] 3. No question in any examination shall relate to political or religious opinions or
32 affiliations, and no appointment, transfer, layoff, promotion, reduction, suspension, or removal
33 shall be affected by such opinions or affiliations.

34 [5.] 4. No person shall make false statement, certification, mark, rating, or report with
35 regard to any tests, certificate, or appointment made under any provision of sections 84.350 to

36 84.860 or in any manner commit or attempt to commit any fraud preventing the impartial
37 execution of this section or any provision thereof.

38 [6.] 5. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept
39 any money, service, or other valuable consideration for or on account of any appointment,
40 proposed appointment, promotion to, or any advancement in, a position in the service of the
41 police departments of such cities.

42 [7.] 6. No person shall defeat, deceive, or obstruct any person in his right to examination,
43 eligibility, certification, appointment or promotion under sections 84.350 to 84.860, or furnish
44 to any person any such secret information for the purpose of affecting the right or prospects of
45 any person with respect to employment in the police departments of such cities.

46 [8.] 7. Any officer or any employee of the police department of such cities who shall be
47 found by the board to have violated any of the provisions of this section shall be discharged
48 forthwith from said service. It shall be the duty of the chief of police to prefer charges against
49 any such offending person at once. Any member of the board or of the common council of such
50 cities may bring suit to restrain payment of compensation to any such offending officer or
51 employee and, as an additional remedy, any such member of the board or of the common council
52 of such cities may also apply to the circuit court for a writ of mandamus to compel the dismissal
53 of such offending officer or employee. Officers or employees discharged by such mandamus
54 shall have no right of review before the police board. Any person dismissed or convicted under
55 this section shall, for a period of five years, be ineligible for appointment to any position in the
56 service of the police department of such cities or the municipal government of such cities. Any
57 persons who shall willfully or through culpable negligence violate any of the provisions of this
58 section may, upon conviction thereof, be punished by a fine of not less than fifty dollars and not
59 exceeding five hundred dollars, or by imprisonment for a time not exceeding six months, or by
60 both such fine and imprisonment.

**86.362. 1. Any member retiring under the provisions of sections 86.200 to 86.364,
2 after working continuously for an entity covered by sections 86.200 to 86.364, until
3 reaching retirement age, but not including retirement for service-connected disability, shall
4 be credited with all of the member's unused sick leave as certified by the member's
5 employing entity.**

**6 2. No member working on or after August 28, 2009, shall be credited with sick leave
7 at a rate less than or more than the rate being earned on August 28, 2009, nor shall any cap
8 or limit applied to accumulated sick leave after August 28, 2009, be construed as a limit on
9 the number of sick days actually earned without reference to the cap or limit which may
10 be credited pursuant to the provisions of this section. When calculating years of service,**

11 each member shall be entitled to one day of creditable service for each day of unused
12 accumulated sick leave earned by the member.

13 **3. Accumulated sick leave shall allow a member to vest in the retirement system by**
14 **using such credited sick leave to reach the time of vesting and shall also allow a member**
15 **to exceed a seventy-five percent service retirement allowance for members retiring on or**
16 **after August 28, 2009, by adding accumulated sick leave to no more than thirty years of**
17 **creditable service, or a member who is participating in the DROP program established in**
18 **section 86.251 may elect upon retirement to have placed in his or her DROP account a**
19 **dollar amount equal to his or her accumulated number of sick leave hours multiplied by**
20 **his or her hourly rate of pay at the time of retirement, or to place one-half of this dollar**
21 **amount in the member's DROP account, to have one-fourth of this dollar amount added**
22 **to the member's average final compensation, and to have the remaining one-fourth of this**
23 **dollar amount remain as time and added to the member's creditable service.**

88.832. **1.** The governing body of any municipality shall have power to cause a general
2 sewer system to be established, which shall be composed of four classes of sewers, to wit:
3 public, district, joint district, and private sewers. Public sewers shall be established, along the
4 principal courses of drainage, at such time, to such extent, of such dimensions, and under such
5 regulations as may be provided by ordinance. These may be extensions or branches of sewers
6 already constructed or entirely new throughout, as may be deemed expedient. The municipality
7 may levy a tax on all property made taxable for state purposes over the whole municipality to pay
8 for the constructing, reconstructing and repairing of the work, which tax shall be called "special
9 public sewer tax" and shall be of the amount as may be required for the sewer provided by
10 ordinance to be built; and the fund arising from the tax shall be appropriated solely to the
11 constructing, reconstructing and repairing of the sewer.

12 **2. No city of the third classification that imposes a storm water usage fee based on**
13 **the runoff rate of storm water on impervious surfaces shall impose such user fee on**
14 **property owned by any church, public school, nonprofit organization, or political**
15 **subdivision.**

91.265. Notwithstanding any other provision of law to the contrary, any city of the
2 **fourth classification with more than three thousand eight hundred but fewer than three**
3 **thousand nine hundred inhabitants and located in any county of the first classification with**
4 **more than seventy-three thousand seven hundred but fewer than seventy-three thousand**
5 **eight hundred inhabitants shall be authorized to be the exclusive provider of water and**
6 **sanitary sewer service to all areas located within the boundaries of such city and within the**
7 **boundaries of such city as from time to time extended by annexation, if at such time as the**
8 **city boundaries are established or extended such utility service is not then being provided**

9 **to the inhabitants thereof by the state of Missouri or any political subdivision of the state**
10 **of Missouri including, but not limited to, common sewer districts established under chapter**
11 **204, RSMo.**

99.710. The city or county assessor's statement, as issued under section 99.705, shall be
2 the maximum total assessed valuation of all real property included in the plans, a copy of which
3 shall remain on file in his office, for each year for a period of **at least five years and no more**
4 **than** ten years from the date on which the statement was issued.

99.1082. As used in sections 99.1080 to 99.1092, unless the context clearly requires
2 otherwise, the following terms shall mean:

3 (1) "Baseline year", the calendar year prior to the adoption of an ordinance by the
4 municipality approving a redevelopment project; provided, however, if local sales tax revenues
5 or state sales tax revenues, from businesses other than any out-of-state business or businesses
6 locating in the redevelopment project area, decrease in the redevelopment project area in the year
7 following the year in which the ordinance approving a redevelopment project is approved by a
8 municipality, the baseline year may, at the option of the municipality approving the
9 redevelopment project, be the year following the year of the adoption of the ordinance approving
10 the redevelopment project. When a redevelopment project area is located within a county for
11 which public and individual assistance has been requested by the governor under Section 401
12 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq.,
13 for an emergency proclaimed by the governor under section 44.100, RSMo, due to a natural
14 disaster of major proportions and the redevelopment project area is a central business district that
15 sustained severe damage as a result of such natural disaster, as determined by the state
16 emergency management agency, the baseline year may, at the option of the municipality
17 approving the redevelopment project, be the calendar year in which the natural disaster occurred
18 or the year following the year in which the natural disaster occurred, provided that the
19 municipality adopts an ordinance approving the redevelopment project within one year after the
20 occurrence of the natural disaster;

21 (2) "Blighted area", an area which, by reason of the predominance of defective or
22 inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements,
23 improper subdivision or obsolete platting, or the existence of conditions which endanger life or
24 property by fire and other causes, or any combination of such factors, retards the provision of
25 housing accommodations or constitutes an economic or social liability or a menace to the public
26 health, safety, morals, or welfare in its present condition and use;

27 (3) "Central business district", the area at or near the historic core that is locally known
28 as the "downtown" of a municipality that has a median household income of sixty-two thousand
29 dollars or less, according to the last decennial census. In addition, at least fifty percent of

30 existing buildings in this area will have been built in excess of thirty-five years prior or vacant
31 lots that had prior structures built in excess of thirty-five years prior to the adoption of the
32 ordinance approving the redevelopment plan. The historical land use emphasis of a central
33 business district prior to redevelopment will have been a mixed use of business, commercial,
34 financial, transportation, government, and multifamily residential uses;

35 (4) "Conservation area", any improved area within the boundaries of a redevelopment
36 area located within the territorial limits of a municipality in which fifty percent or more of the
37 structures in the area have an age of thirty-five years or more, and such an area is not yet a
38 blighted area but is detrimental to the public health, safety, morals, or welfare and may become
39 a blighted area because of any one or more of the following factors: dilapidation; obsolescence;
40 deterioration; illegal use of individual structures; presence of structures below minimum code
41 standards; abandonment; excessive vacancies; overcrowding of structures and community
42 facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land
43 coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of
44 community planning;

45 (5) "Gambling establishment", an excursion gambling boat as defined in section 313.800,
46 RSMo, and any related business facility including any real property improvements which are
47 directly and solely related to such business facility, whose sole purpose is to provide goods or
48 services to an excursion gambling boat and whose majority ownership interest is held by a person
49 licensed to conduct gambling games on an excursion gambling boat or licensed to operate an
50 excursion gambling boat as provided in sections 313.800 to 313.850, RSMo;

51 (6) "Local sales tax increment", at least fifty percent of the local sales tax revenue from
52 taxes that are imposed by a municipality and its county, and that are generated by economic
53 activities within a redevelopment area over the amount of such taxes generated by economic
54 activities within such a redevelopment area in the calendar year prior to the adoption of the
55 ordinance designating such a redevelopment area while financing under sections 99.1080 to
56 99.1092 remains in effect, but excluding personal property taxes, taxes imposed on sales or
57 charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees, or special
58 assessments; provided however, the governing body of any county may, by resolution, exclude
59 any portion of any countywide sales tax of such county. For redevelopment projects or
60 redevelopment plans approved after August 28, 2005, if a retail establishment relocates within
61 one year from one facility within the same county and the governing body of the municipality
62 finds that the retail establishment is a direct beneficiary of tax increment financing, then for the
63 purposes of this subdivision, the economic activity taxes generated by the retail establishment
64 shall equal the total additional revenues from economic activity taxes that are imposed by a

65 municipality or other taxing district over the amount of economic activity taxes generated by the
66 retail establishment in the calendar year prior to its relocation to the redevelopment area;

67 (7) "Local sales tax revenue", city sales tax revenues received under sections 94.500 to
68 94.550, RSMo, and county sales tax revenues received under sections 67.500 to 67.594, RSMo;

69 (8) "Major initiative", a development project within a central business district which
70 promotes tourism, cultural activities, arts, entertainment, education, research, arenas,
71 multipurpose facilities, libraries, ports, mass transit, museums, economic development, or
72 conventions for the municipality, and where the capital investment within the redevelopment
73 project area is:

74 (a) At least five million dollars for a project area within a city having a population of one
75 hundred thousand to one hundred ninety-nine thousand nine hundred and ninety-nine inhabitants;

76 (b) At least one million dollars for a project area within a city having a population of
77 fifty thousand to ninety-nine thousand nine hundred and ninety-nine inhabitants;

78 (c) At least five hundred thousand dollars for a project area within a city having a
79 population of ten thousand to forty-nine thousand nine hundred and ninety-nine inhabitants; or

80 (d) At least two hundred fifty thousand dollars for a project area within a city having a
81 population of one to nine thousand nine hundred and ninety-nine inhabitants;

82 (9) "Municipality", any city or county of this state having fewer than two hundred
83 thousand inhabitants;

84 (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other
85 evidences of indebtedness issued by the municipality or authority, or other public entity
86 authorized to issue such obligations under sections 99.1080 to 99.1092 to carry out a
87 redevelopment project or to refund outstanding obligations;

88 (11) "Ordinance", an ordinance enacted by the governing body of any municipality;

89 (12) **"Other net new revenues", the amount of state sales tax increment or state**
90 **income tax increment or the combination of the amount of each such increment as**
91 **determined under section 99.918;**

92 (13) "Redevelopment area", an area designated by a municipality in respect to which the
93 municipality has made a finding that there exist conditions which cause the area to be classified
94 as a blighted area or a conservation area, which area shall have the following characteristics:

95 (a) It can be renovated through one or more redevelopment projects;

96 (b) It is located in the central business district;

97 (c) The redevelopment area shall not exceed ten percent of the entire geographic area of
98 the municipality. Subject to the limitation set forth in this subdivision, the redevelopment area
99 can be enlarged or modified as provided in section 99.1088;

100 [(13)] **(14)** "Redevelopment plan", the comprehensive program of a municipality to
101 reduce or eliminate those conditions which qualify a redevelopment area as a blighted area or
102 a conservation area, and to thereby enhance the tax bases of the taxing districts which extend into
103 the redevelopment area through the reimbursement, payment, or other financing of
104 redevelopment project costs in accordance with sections 99.1080 to 99.1092 and through
105 application for and administration of downtown revitalization preservation program financing
106 under sections 99.1080 to 99.1092;

107 [(14)] **(15)** "Redevelopment project", any redevelopment project **described in a**
108 **redemption plan and** within a redevelopment area which constitutes a major initiative in
109 furtherance of the objectives of the redevelopment plan, and any such redevelopment project
110 shall include a legal description of the area selected for such redevelopment project;

111 [(15)] **(16)** "Redevelopment project area", the area located within a redevelopment area
112 selected for a redevelopment project;

113 [(16)] **(17)** "Redevelopment project costs" include such costs to the redevelopment plan
114 or a redevelopment project, as applicable, which are expended on public property, buildings, or
115 rights-of-way for public purposes to provide infrastructure to support a redevelopment project,
116 including facades. Such costs shall only be allowed as an initial expense which, to be
117 recoverable, must be included in the costs of a redevelopment plan or redevelopment project,
118 except in circumstances of plan amendments approved by the department of economic
119 development. Such infrastructure costs include, but are not limited to, the following:

120 (a) Costs of studies, appraisals, surveys, plans, and specifications;

121 (b) Professional service costs, including, but not limited to, architectural, engineering,
122 legal, marketing, financial, planning, or special services;

123 (c) Property assembly costs, including, but not limited to, acquisition of land and other
124 property, real or personal, or rights or interests therein, demolition of buildings, and the clearing
125 and grading of land;

126 (d) Costs of rehabilitation, reconstruction, repair, or remodeling of existing public
127 buildings and fixtures;

128 (e) Costs of construction of public works or improvements;

129 (f) Financing costs, including, but not limited to, all necessary expenses related to the
130 issuance of obligations issued to finance all or any portion of the infrastructure costs of one or
131 more redevelopment projects, and which may include capitalized interest on any such obligations
132 and reasonable reserves related to any such obligations;

133 (g) All or a portion of a taxing district's capital costs resulting from any redevelopment
134 project necessarily incurred or to be incurred in furtherance of the objectives of the

135 redevelopment plan, to the extent the municipality by written agreement accepts and approves
136 such infrastructure costs;

137 (h) Payments to taxing districts on a pro rata basis to partially reimburse taxes diverted
138 by approval of a redevelopment project when all debt is retired;

139 (i) State government costs, including, but not limited to, the reasonable costs incurred
140 by the department of economic development and the department of revenue in evaluating an
141 application for and administering downtown revitalization preservation financing for a
142 redevelopment project;

143 **(18) "State income tax increment", the estimate of the income tax due the state for**
144 **salaries or wages paid to new employees in new jobs at a business located in the**
145 **redevelopment project area and created by the redevelopment project. The estimate shall**
146 **be a percentage of the gross payroll which percentage shall be based upon an analysis by**
147 **the department of revenue of the practical tax rate on gross payroll as a factor in overall**
148 **taxable income. In no event shall the percentage exceed two percent;**

149 **[(17)] (19) "State sales tax increment", up to one-half of the incremental increase in the**
150 **state sales tax revenue in the redevelopment project area provided the local taxing jurisdictions**
151 **commit one-half of their local sales tax to paying for redevelopment project costs. The**
152 **incremental increase shall be the amount by which the state sales tax revenue generated at the**
153 **facility or within the redevelopment project area exceeds the state sales tax revenue generated**
154 **at the facility or within the redevelopment project area in the baseline year. For redevelopment**
155 **projects or redevelopment plans approved after August 28, 2005, if a retail establishment**
156 **relocates within one year from one facility to another facility within the same county and the**
157 **governing body of the municipality finds that the retail establishment is a direct beneficiary of**
158 **tax increment financing, then for the purposes of this subdivision, the economic activity taxes**
159 **generated by the retail establishment shall equal the total additional revenues from economic**
160 **activity taxes that are imposed by a municipality or other taxing district over the amount of**
161 **economic activity taxes generated by the retail establishment in the calendar year prior to the**
162 **relocation to the redevelopment area;**

163 **[(18)] (20) "State sales tax revenues", the general revenue portion of state sales tax**
164 **revenues received under section 144.020, RSMo, excluding sales taxes that are constitutionally**
165 **dedicated, taxes deposited to the school district trust fund in accordance with section 144.701,**
166 **RSMo, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales**
167 **taxes earmarked by law;**

168 **[(19)] (21) "Taxing district's capital costs", those costs of taxing districts for capital**
169 **improvements that are found by the municipal governing bodies to be necessary and to directly**
170 **result from a redevelopment project;**

171 [(20)] **(22)** "Taxing districts", any political subdivision of this state having the power to
172 levy taxes.

99.1088. 1. Prior to the adoption of the ordinance designating a redevelopment area,
2 adopting a redevelopment plan, or approving a redevelopment project, the municipality or
3 authority shall fix a time and place for a public hearing and notify each taxing district located
4 wholly or partially within the boundaries of the proposed redevelopment area or redevelopment
5 project area affected. Such notice shall comply with the provisions of subsections 2 and 3 of this
6 section. At the public hearing any interested person or affected taxing district may file with the
7 municipality or authority written objections to, or comments on, and may be heard orally in
8 respect to any issues regarding the plan or issues embodied in the notice. The municipality or
9 authority shall hear and consider all protests, objections, comments, and other evidence presented
10 at the hearing. The hearing may be continued to another date without further notice other than
11 a motion to be entered upon the minutes fixing the time and place of the subsequent hearing.
12 Prior to the conclusion of the hearing, changes may be made in the redevelopment plan,
13 redevelopment project, redevelopment area or redevelopment project area, provided that written
14 notice of such changes is available at the public hearing. After the public hearing but prior to
15 the adoption of an ordinance designating a redevelopment area, adopting a redevelopment plan
16 or approving a redevelopment project, changes may be made to any such proposed
17 redevelopment plan, redevelopment project, redevelopment area, or redevelopment project area
18 without a further hearing, if such changes do not enlarge the exterior boundaries of the
19 redevelopment area, and do not substantially affect the general land uses established in a
20 redevelopment plan or redevelopment project, provided that notice of such changes shall be
21 given by mail to each affected taxing district and by publication in a newspaper of general
22 circulation in the redevelopment area or redevelopment project area, as applicable, not less than
23 ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance
24 designating the redevelopment area, adopting a redevelopment plan, approving a redevelopment
25 project, or designating a redevelopment project area, no ordinance shall be adopted altering the
26 exterior boundaries of the redevelopment area or a redevelopment project area affecting the
27 general land uses established under the redevelopment plan or the general nature of a
28 redevelopment project without holding a public hearing in accordance with this section. One
29 public hearing may be held for the simultaneous consideration of a redevelopment area,
30 redevelopment plan, redevelopment project, or redevelopment project area.

31 2. Notice of the public hearing required by this section shall be given by publication and
32 mailing. Notice by publication shall be given by publication at least twice, the first publication
33 to be not more than thirty days and the second publication to be not more than ten days prior to
34 the hearing, in a newspaper of general circulation in the proposed redevelopment area or

35 redevelopment project area, as applicable. Notice by mailing shall be given by depositing such
36 notice in the United States mail by certified mail addressed to the person or persons in whose
37 name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel
38 of land lying within the proposed redevelopment area or redevelopment project area, as
39 applicable. Such notice shall be mailed not less than ten working days prior to the date set for
40 the public hearing.

41 3. The notices issued under this section shall include the following:

42 (1) The time and place of the public hearing;

43 (2) The general boundaries of the proposed redevelopment area or redevelopment project
44 area, as applicable, by street location, where possible;

45 (3) A statement that all interested persons shall be given an opportunity to be heard at
46 the public hearing;

47 (4) A description of the redevelopment plan and the proposed redevelopment projects
48 and a location and time where the entire redevelopment plan or redevelopment projects proposed
49 may be reviewed by any interested party;

50 (5) A statement that [redevelopment financing involving tax revenues is being sought
51 for the project] **financial assistance is being sought under sections 99.1080 to 99.1092** and an
52 estimate of the amount of [local redevelopment financing] **assistance** that will be requested[, if
53 applicable]; and

54 (6) Such other matters as the municipality or authority may deem appropriate.

55 4. Not less than forty-five days prior to the date set for the public hearing, the
56 municipality or authority shall give notice by mail as provided in subsection 2 of this section to
57 all taxing districts whose taxes are affected in the redevelopment area or redevelopment project
58 area, as applicable, and in addition to the other requirements under subsection 3 of this section,
59 the notice shall include an invitation to each taxing district to submit comments to the
60 municipality or authority concerning the subject matter of the hearing prior to the date of the
61 hearing.

62 5. A copy of any and all hearing notices required by this section shall be submitted by
63 the municipality or authority to the director of the department of economic development and the
64 date such notices were mailed or published, as applicable.

99.1090. 1. A municipality shall submit an application to the department of economic
2 development for review and determination as to approval of the disbursement of the project costs
3 of one or more redevelopment projects from the downtown revitalization preservation fund. The
4 department of economic development shall forward the application to the commissioner of the
5 office of administration for approval. In no event shall any approval authorize a disbursement
6 of one or more redevelopment projects from the downtown revitalization preservation fund

7 which exceeds the allowable amount of other net new revenues derived from the redevelopment
8 area. An application submitted to the department of economic development shall contain the
9 following, in addition to the items set forth in section 99.1086:

10 (1) An estimate that one hundred percent of the local sales tax increment deposited to
11 the special allocation fund must and will be used to pay redevelopment project costs or
12 obligations issued to finance redevelopment project costs to achieve the objectives of the
13 redevelopment plan;

14 (2) Identification of the existing businesses located within the redevelopment project
15 area and the redevelopment area;

16 (3) The aggregate baseline year amount of state sales tax revenues reported by existing
17 businesses within the redevelopment project area. Provisions of section 32.057, RSMo,
18 notwithstanding, municipalities will provide this information to the department of revenue for
19 verification. The department of revenue will verify the information provided by the
20 municipalities within forty-five days of receiving a request for such verification from a
21 municipality;

22 (4) An estimate of the state sales tax increment **and state income tax increment** within
23 the redevelopment project area after redevelopment. The department of economic development
24 shall have the discretion to exempt smaller projects from this requirement;

25 (5) An affidavit that is signed by the developer or developers attesting that the provision
26 of subdivision (2) of subsection 2 of section 99.1086 has been met;

27 (6) The amounts and types of other net new revenues sought by the applicant to be
28 disbursed from the downtown revitalization preservation fund over the term of the
29 redevelopment plan;

30 (7) The methodologies and underlying assumptions used in determining the estimate of
31 the state sales tax increment **and state income tax increment**; and

32 (8) Any other information reasonably requested by the department of economic
33 development.

34 2. The department of economic development shall make all reasonable efforts to process
35 applications within a reasonable amount of time.

36 3. The department of economic development shall make a determination regarding the
37 application for a certificate allowing disbursements from the downtown revitalization
38 preservation fund and shall forward such determination to the commissioner of the office of
39 administration. In no event shall the amount of disbursements from the downtown revitalization
40 preservation fund approved for a project, in addition to any other state economic redevelopment
41 funding or other state incentives, exceed the projected state benefit of the redevelopment project,
42 as determined by the department of economic development through a cost-benefit analysis. Any

43 political subdivision located either wholly or partially within the redevelopment area shall be
44 permitted to submit information to the department of economic development for consideration
45 in its cost-benefit analysis. Upon approval of downtown revitalization preservation financing,
46 a certificate of approval shall be issued by the department of economic development containing
47 the terms and limitations of the disbursement.

48 4. At no time shall the annual amount of other net new revenues approved for
49 disbursements from the downtown revitalization preservation fund exceed fifteen million dollars.

50 5. Redevelopment projects receiving disbursements from the downtown revitalization
51 preservation fund shall be limited to receiving such disbursements for twenty-five years. The
52 approved term notwithstanding, downtown revitalization preservation financing shall terminate
53 when redevelopment financing for a redevelopment project is terminated by a municipality.

54 6. The municipality shall deposit payments received from the downtown revitalization
55 preservation redevelopment fund in a separate segregated account for other net new revenues
56 within the special allocation fund.

57 7. Redevelopment project costs may include, at the prerogative of the state, the portion
58 of salaries and expenses of the department of economic development and the department of
59 revenue reasonably allocable to each redevelopment project approved for disbursements from
60 the downtown revitalization preservation fund for the ongoing administrative functions
61 associated with such redevelopment project. Such amounts shall be recovered from new state
62 revenues deposited into the downtown revitalization preservation fund created under section
63 99.1092.

64 8. A redevelopment project approved for downtown revitalization preservation financing
65 shall not thereafter elect to receive tax increment financing under the real property tax increment
66 allocation redevelopment act, sections 99.800 to 99.865, and continue to receive downtown
67 revitalization financing under sections 99.1080 to 99.1092.

68 9. The department of economic development may establish the procedures and standards
69 for the determination and approval of applications by the promulgation of rules and publish
70 forms to implement the provisions of this section and section 99.1092.

71 10. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that
72 is created under the authority delegated in this section and section 99.1092 shall become
73 effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo,
74 and, if applicable, section 536.028, RSMo. This section, section 99.1092, and chapter 536,
75 RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter
76 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are
77 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
78 or adopted after August 28, 2005, shall be invalid and void.

99.1092. 1. There is hereby established within the state treasury a special fund to be known as the "Downtown Revitalization Preservation Fund", to be administered by the department of economic development. Any unexpended balance and any interest in the fund at the end of the biennium shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of unexpended balances to the general revenue fund. The fund shall consist of:

- (1) The first fifteen million dollars of other net new revenues generated annually by the redevelopment projects;
- (2) Money received from costs charged under subsection 7 of section 99.1090; and
- (3) Gifts, contributions, grants, or bequests received from federal, private, or other sources.

2. Notwithstanding the provisions of section 144.700, RSMo, to the contrary, the department of revenue shall annually submit the first fifteen million dollars of other net new revenues generated by the redevelopment projects to the treasurer for deposit in the downtown revitalization preservation fund.

3. The department of economic development shall annually disburse funds from the downtown revitalization preservation fund in amounts determined under the certificates of approval for projects, providing that the amounts of other net new revenues generated from the redevelopment area have been verified and all of the conditions of sections 99.1080 to 99.1092 are met. If the revenues appropriated from the downtown revitalization preservation fund are not sufficient to equal the amounts determined to be disbursed under such certificates of approval, the department of economic development shall disburse the revenues on a pro rata basis to all such projects and other costs approved under section 99.1090.

4. In no event shall the amounts distributed to a project from the downtown revitalization preservation fund exceed the lesser of the amount of the certificates of approval for projects or the actual other net new revenues generated by the projects.

5. The department of economic development shall not disburse any moneys from the downtown revitalization preservation fund for any project which has not complied with the annual reporting requirements determined by the department of economic development.

6. Money in the downtown revitalization preservation fund may be spent for the reasonable and necessary costs associated with the administration of the program authorized under sections 99.1080 to 99.1092.

7. No municipality shall obligate or commit the expenditure of disbursements received from the downtown revitalization preservation fund prior to receiving a certificate of approval for the redevelopment project generating other net new revenues. In addition, no municipality shall commence work on a redevelopment project prior to receiving a certificate of approval for the redevelopment project.

37 8. Taxpayers in any redevelopment area who are required to remit sales taxes under
38 chapter 144, RSMo, **or income tax withholdings under chapter 143, RSMo**, shall provide
39 additional information to the department of revenue in a form prescribed by the department by
40 rule. Such information shall include, but shall not be limited to, information upon which other
41 net new revenues can be calculated and sales tax generated in the redevelopment area by such
42 taxpayer in the baseline year and during the time period related to the **withholding or** sales tax
43 remittance.

44 9. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that
45 is created pursuant to the authority delegated in this section shall become effective only if it
46 complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable,
47 section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of
48 the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay
49 the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
50 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall
51 be invalid and void.

 115.607. 1. No person shall be elected or shall serve as a member of a county committee
2 who is not, for one year next before the person's election, both a registered voter of and a resident
3 of the county and the committee district from which the person is elected if such district shall
4 have been so long established, and if not, then of the district or districts from which the same
5 shall have been taken. Except as provided in subsections 2, 3, 4, 5, and 6 of this section, the
6 membership of a county committee of each established political party shall consist of a man and
7 a woman elected from each township or ward in the county.

8 2. In each county [of the first classification] **with a charter form of government**
9 containing the major portion of a city which has over three hundred thousand inhabitants, two
10 members of the committee, a man and a woman, shall be elected from each ward in the city.
11 Any township entirely contained in the city shall have no additional representation on the county
12 committee. **Except as otherwise provided in subsections 7 and 8 of this section**, the election
13 authority for the county shall, not later than six months after the decennial census has been
14 reported to the President of the United States, divide the most populous township outside the city
15 into eight subdistricts of contiguous and compact territory and as nearly equal in population as
16 practicable. The subdistricts shall be numbered from one upward consecutively, which numbers
17 shall, insofar as practicable, be retained upon reapportionment. Two members of the county
18 committee, a man and a woman, shall be elected from each such subdistrict. Six members of the
19 committee, three men and three women, shall be elected from the second and third most
20 populous townships outside the city. Four members of the committee, two men and two women,
21 shall be elected from the other townships outside the city.

22 3. In any city which has over three hundred thousand inhabitants, the major portion of
23 which is located in a county with a charter form of government, for the portion of the city located
24 within such county and notwithstanding section 82.110, RSMo, it shall be the duty of the
25 election authority, not later than six months after the decennial census has been reported to the
26 President of the United States, to divide such cities into not less than twenty-four nor more than
27 twenty-five wards after each decennial census. Wards shall be so divided that the number of
28 inhabitants in any ward shall not exceed any other ward of the city and within the same county,
29 by more than five percent, measured by the number of the inhabitants determined at the
30 preceding decennial census.

31 4. In each county of the first classification containing a portion, but not the major
32 portion, of a city which has over three hundred thousand inhabitants, ten members of the
33 committee, five men and five women, shall be elected from the district of each state
34 representative wholly contained in the county in the following manner: within six months after
35 each legislative reapportionment, the election authority shall divide each legislative district
36 wholly contained in the county into five committee districts of contiguous territory as compact
37 and as nearly equal in population as may be; two members of the committee, a man and a
38 woman, shall be elected from each committee district. The election authority shall divide the
39 area of the county located within legislative districts not wholly contained in the county into
40 similar committee districts; two members of the committee, a man and a woman, shall be elected
41 from each committee district.

42 5. In each city not situated in a county, two members of the committee, a man and a
43 woman, shall be elected from each ward.

44 6. In all counties with a charter form of government and a population of over nine
45 hundred thousand inhabitants, the county committee persons shall be elected from each
46 township. Within ninety days after August 28, 2002, and within six months after each decennial
47 census has been reported to the President of the United States, the election authority shall divide
48 the county into twenty-eight compact and contiguous townships containing populations as nearly
49 equal in population to each other as is practical.

50 7. **Notwithstanding any other provision of law to the contrary, in any township with**
51 **more than seventy-four thousand but fewer than eighty thousand inhabitants and that is**
52 **partially located in any home rule city with more than four hundred thousand inhabitants**
53 **and located in more than one county, the election authority for the county with a charter**
54 **form of government in which a portion of such township lies shall, not later than six**
55 **months after the tabulation of total population by states in each decennial census is**
56 **reported to the President of the United States under Section 141, Title 13, United States**
57 **Code, as amended, divide the portion of township located outside such city into subdistricts**

58 of contiguous and compact territory and as nearly equal in population as practicable. The
59 subdistricts shall be numbered consecutively from one upward, and such numbers shall
60 be retained upon reapportionment as far as practicable. The subdistricts shall be divided
61 so that no subdistrict exceeds the population of any other subdistrict or ward located in
62 both the township and the city by more than five percent, measured by the number of
63 inhabitants residing in the township based on the decennial census. Two members of the
64 county committee shall be elected from each subdistrict, with one member to be male and
65 one member to be female.

66 **8. Notwithstanding any other provision of law to the contrary, in any township with**
67 **more than ten thousand but fewer than seventy thousand inhabitants located in any county**
68 **with a charter form of government and with more than six hundred thousand but fewer**
69 **than seven hundred thousand inhabitants, the election authority for the county in which**
70 **the township lies shall, not later than six months after the tabulation of total population by**
71 **states in each decennial census is reported to the President of the United States under**
72 **Section 141, Title 13, United States Code, as amended, divide the township into subdistricts**
73 **of contiguous and compact territory and as nearly equal in population as practicable. The**
74 **subdistricts shall be numbered consecutively from one upward, and such numbers shall**
75 **be retained upon reapportionment as far as practicable. The subdistricts shall be divided**
76 **so that no subdistrict exceeds the population of any other subdistrict located in the**
77 **township described in subsection 7 of this section by more than five percent, measured by**
78 **the number of inhabitants residing in the township based on the decennial census. Two**
79 **members of the county committee shall be elected from each subdistrict, with one member**
80 **to be male and one member to be female.**

81 **9. If any election authority has failed to adopt a reapportionment plan by the deadline set**
82 **forth in this section, the county commission, sitting as a reapportionment commission, shall**
83 **within sixty days after the deadline, adopt a reapportionment plan. Changes of township, ward,**
84 **or precinct lines shall not affect the terms of office of incumbent party committee members**
85 **elected from districts as constituted at the time of their election.**

138.431. 1. To hear and decide appeals pursuant to section 138.430, the commission
2 shall appoint one or more hearing officers. The hearing officers shall be subject to supervision
3 by the commission. No person shall participate on behalf of the commission in any case in
4 which such person is an interested party.

5 2. The commission may assign such appeals as it deems fit to a hearing officer for
6 disposition.

7 **(1) In any county with a charter form of government and with more than two**
8 **hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, the**

9 assignment shall be deemed made when the scheduling order is first issued by the
10 commission and signed by the hearing officer assigned, unless another hearing officer is
11 assigned to the case for disposition by other language in said order.

12 (2) In any county with a charter form of government and with more than two
13 hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, a change
14 of hearing officer, or a reservation of the appeal for disposition as described in subsection
15 3 of this section, shall be ordered by the commission in any appeal upon the timely filing
16 of a written application by a party to disqualify the hearing officer assigned. The
17 application shall be filed within thirty days from the assignment of any appeal to a hearing
18 officer and need not allege or prove any cause for such change and need not be verified.
19 No more than one change of hearing officer shall be allowed for each party in any appeal.

20 3. The commission may, in its discretion, reserve such appeals as it deems fit to be heard
21 and decided by the full commission, a quorum thereof, or any commissioner, subject to the
22 provisions of section 138.240, and, in such case, the decision shall be final, subject to judicial
23 review in the manner provided in subsection 4 of section 138.470.

24 [3.] 4. The manner in which appeals shall be presented and the conduct of hearings shall
25 be made in accordance with rules prescribed by the commission for determining the rights of the
26 parties; provided that, the commission, with the consent of all the parties, may refer an appeal
27 to mediation. The commission shall promulgate regulations for mediation pursuant to this
28 section. No regulation or portion of a regulation promulgated pursuant to the authority of this
29 section shall become effective unless it has been promulgated pursuant to the provisions of
30 chapter 536, RSMo. There shall be no presumption that the assessor's valuation is correct. A
31 full and complete record shall be kept of all proceedings. All testimony at any hearing shall be
32 recorded but need not be transcribed unless the matter is further appealed.

33 [4.] 5. Unless an appeal is voluntarily dismissed, a hearing officer, after affording the
34 parties reasonable opportunity for fair hearing, shall issue a decision and order affirming,
35 modifying, or reversing the determination of the board of equalization, and correcting any
36 assessment which is unlawful, unfair, improper, arbitrary, or capricious. The commission may,
37 prior to the decision being rendered, transfer to another hearing officer the proceedings on an
38 appeal determination before a hearing officer. The complainant, respondent-assessor, or other
39 party shall be duly notified of a hearing officer's decision and order, together with findings of fact
40 and conclusions of law. Appeals from decisions of hearing officers shall be made pursuant to
41 section 138.432.

42 [5.] 6. All decisions issued pursuant to this section or section 138.432 by the commission
43 or any of its duly assigned hearing officers shall be issued no later than sixty days after the

44 hearing on the matter to be decided is held or the date on which the last party involved in such
45 matter files his or her brief, whichever event later occurs.

139.031. 1. Any taxpayer may protest all or any part of any current taxes assessed
2 against the taxpayer, except taxes collected by the director of revenue of Missouri. Any such
3 taxpayer desiring to pay any current taxes under protest **or while paying taxes based upon a**
4 **disputed assessment** shall, at the time of paying such taxes, **make full payment of the current**
5 **tax bill before the delinquency date and** file with the collector a written statement setting forth
6 the grounds on which the protest **or dispute** is based. The statement shall include the true value
7 in money claimed by the taxpayer if disputed. **An appeal before the state tax commission shall**
8 **not be dismissed on the grounds that a taxpayer failed to file a written statement when**
9 **paying taxes based upon a disputed assessment.**

10 2. [For all tax years beginning on or after January 1, 2009, any taxpayer desiring to
11 protest any current taxes shall make full payment of the current tax bill and file with the collector
12 a written statement setting forth the grounds on which the protest is based.

13 3.] Upon receiving payment of current taxes under protest pursuant to subsection 1 of
14 this section or upon receiving from the state tax commission or the circuit court notice of an
15 appeal from the state tax commission or the circuit court pursuant to section 138.430, RSMo, the
16 collector shall disburse to the proper official all portions of taxes not protested or not disputed
17 by the taxpayer and shall impound in a separate fund all portions of such taxes which are
18 protested or in dispute. Every taxpayer protesting the payment of current taxes under subsection
19 1 [or 2] of this section shall, within ninety days after filing his protest, commence an action
20 against the collector by filing a petition for the recovery of the amount protested in the circuit
21 court of the county in which the collector maintains his office. If any taxpayer so protesting his
22 taxes under subsection 1 [or 2] of this section shall fail to commence an action in the circuit court
23 for the recovery of the taxes protested within the time prescribed in this subsection, such protest
24 shall become null and void and of no effect, and the collector shall then disburse to the proper
25 official the taxes impounded, and any interest earned thereon, as provided above in this
26 subsection.

27 [4.] 3. No action against the collector shall be commenced by any taxpayer who has,
28 effective for the current tax year, filed with the state tax commission or the circuit court a timely
29 and proper appeal of the assessment of the taxpayer's property. The portion of taxes in dispute
30 from an appeal of an assessment shall be impounded in a separate fund and the commission in
31 its decision and order issued pursuant to chapter 138, RSMo, or the circuit court in its judgment
32 may order all or any part of such taxes refunded to the taxpayer, or may authorize the collector
33 to release and disburse all or any part of such taxes.

34 [5.] 4. Trial of the action for recovery of taxes protested under subsection 1 [or 2] of this
35 section in the circuit court shall be in the manner prescribed for nonjury civil proceedings, and,
36 after determination of the issues, the court shall make such orders as may be just and equitable
37 to refund to the taxpayer all or any part of the current taxes paid under protest, together with any
38 interest earned thereon, or to authorize the collector to release and disburse all or any part of the
39 impounded taxes, and any interest earned thereon, to the appropriate officials of the taxing
40 authorities. Either party to the proceedings may appeal the determination of the circuit court.

41 [6.] 5. All the county collectors of taxes, and the collector of taxes in any city not within
42 a county, shall, upon written application of a taxpayer, refund or credit against the taxpayer's tax
43 liability in the following taxable year and subsequent consecutive taxable years until the taxpayer
44 has received credit in full for any real or personal property tax mistakenly or erroneously levied
45 against the taxpayer and collected in whole or in part by the collector. Such application shall be
46 filed within three years after the tax is mistakenly or erroneously paid. The governing body, or
47 other appropriate body or official of the county or city not within a county, shall make available
48 to the collector funds necessary to make refunds under this subsection by issuing warrants upon
49 the fund to which the mistaken or erroneous payment has been credited, or otherwise.

50 [7.] 6. No taxpayer shall receive any interest on any money paid in by the taxpayer
51 erroneously.

52 [8.] 7. All protested taxes impounded under protest under subsection 1 [or 2] of this
53 section and all disputed taxes impounded under notice as required by section 138.430, RSMo,
54 shall be invested by the collector in the same manner as assets specified in section 30.260,
55 RSMo, for investment of state moneys. A taxpayer who is entitled to a refund of protested or
56 disputed taxes shall also receive the interest earned on the investment thereof. If the collector
57 is ordered to release and disburse all or part of the taxes paid under protest or dispute to the
58 proper official, such taxes shall be disbursed along with the proportional amount of interest
59 earned on the investment of the taxes due the particular taxing authority.

60 [9.] 8. **Any taxing authority may request to be notified by the county collector of**
61 **current taxes paid under protest. Such request shall be in writing and submitted on or**
62 **before [March] February first next following the delinquent date of current taxes paid under**
63 **protest or disputed, and the county collector shall [notify any] provide such information on or**
64 **before March first of the same year to the requesting** taxing authority of the taxes paid under
65 protest and disputed taxes which would be received by such taxing authority if the funds were
66 not the subject of a protest or dispute. Any taxing authority may apply to the circuit court of the
67 county or city not within a county in which a collector has impounded protested or disputed taxes
68 under this section and, upon a satisfactory showing that such taxing authority would receive such
69 impounded tax funds if they were not the subject of a protest or dispute and that such taxing

70 authority has the financial ability and legal capacity to repay such impounded tax funds in the
71 event a decision ordering a refund to the taxpayer is subsequently made, the circuit court shall
72 order, pendente lite, the disbursal of all or any part of such impounded tax funds to such taxing
73 authority. The circuit court issuing an order under this subsection shall retain jurisdiction of such
74 matter for further proceedings, if any, to compel restitution of such tax funds to the taxpayer.
75 In the event that any protested or disputed tax funds refunded to a taxpayer were disbursed to a
76 taxing authority under this subsection instead of being held and invested by the collector under
77 subsection 8 of this section, such taxing authority shall pay the taxpayer entitled to the refund
78 of such protested or disputed taxes the same amount of interest, as determined by the circuit
79 court having jurisdiction in the matter, such protested or disputed taxes would have earned if
80 they had been held and invested by the collector.

81 [10.] **9.** No appeal filed from the circuit court's or state tax commission's determination
82 pertaining to the amount of refund shall stay any order of refund, but the decision filed by any
83 court of last review modifying that determination shall be binding on the parties, and the decision
84 rendered shall be complied with by the party affected by any modification within ninety days of
85 the date of such decision. No taxpayer shall receive any interest on any additional award of
86 refund, and the collector shall not receive any interest on any ordered return of refund in whole
87 or in part.

139.140. **Except as provided in section 52.361, RSMo,** the personal delinquent lists
2 allowed to any collector shall be delivered to the collector and when [his] **the collector's** term
3 of office expires then to [his] **the** successor, who shall be charged with the full amount thereof,
4 and shall account therefor as for other moneys collected by [him] **the collector**. When [he] **the**
5 **collector** makes [his] **the** next annual settlement [he] **the collector** shall return the lists to the
6 clerk of the county commission, and in the city of St. Louis the lists and the uncollected tax bills
7 to the comptroller of the city, and shall be entitled to credit for the amount [he] **the collector** has
8 been unable to collect. The lists and bills shall be delivered to [his] **the collector's** successor,
9 and so on until the whole are collected.

139.150. And in making collections on the said personal delinquent lists, the said
2 collectors, **except collectors in counties of the first or second classifications,** shall give
3 duplicate receipts therefor, one to be delivered to the person paying the same, and the other to
4 be filed with the clerk of the county commission, who shall charge the collector therewith.

139.210. 1. Every county collector and [ex officio county collector] **collector-treasurer,**
2 **other than the county collector of revenue of each county of the first or second**
3 **classifications and** except in the city of St. Louis, shall, on or before the fifth day of each month,
4 file with the county clerk a detailed statement, verified by affidavit of all state, county, school,
5 road and municipal taxes, and of all licenses by [him] **the collector** collected during the

6 preceding month, and shall, except for tax payments made pursuant to section 139.053, on or
7 before the fifteenth day of the month, pay the same, less [his] **the collector's** commissions, into
8 the county treasuries and to the director of revenue.

9 2. **The county collector of revenue of each county of the first or second**
10 **classifications shall, before the fifteenth day of each month, file with the county clerk and**
11 **auditor a detailed statement, verified by affidavit, of all state, county, school, road, and**
12 **municipal taxes and of all licenses collected by the collector during the preceding month,**
13 **and shall, except for tax payments made under section 139.053, on or before the fifteenth**
14 **day of the month, pay such taxes and licenses, less commissions, into the treasuries of the**
15 **appropriate taxing entities and to the director of revenue.**

16 3. It shall be the duty of the county clerk, and [he] **the clerk** is hereby required, to
17 forward immediately a certified copy of such detailed statement to the director of revenue, who
18 shall keep an account of the state taxes with the collector.

139.220. Every collector of the revenue having made settlement, according to law, of
2 county revenue [by him] collected or received **by the collector**, shall pay the amount found due
3 into the county treasury, and the treasurer shall give [him] **the collector** duplicate receipts
4 therefor, one of which shall be filed in the office of the clerk of the county commission, who
5 shall grant [him] **the collector** full quietus under the seal of the commission.

140.050. 1. **Except as provided in section 52.361, RSMo**, the county clerk shall file
2 the delinquent lists in [his] **the county clerk's** office and within ten days thereafter make, under
3 the seal of the commission, the lists into a back tax book as provided in section 140.060.

4 2. **Except as provided in section 52.361, RSMo**, when completed, the clerk shall
5 deliver the book to the collector taking duplicate receipts therefor, one of which [he] **the clerk**
6 shall file in [his] **the clerk's** office and the other [he] **the clerk** shall file with the director of
7 revenue. The clerk shall charge the collector with the aggregate amount of taxes, interest, and
8 clerk's fees contained in the back tax book.

9 3. The collector shall collect such back taxes and may levy upon, seize and distrain
10 tangible personal property and may sell such property for taxes.

11 4. In the city of St. Louis, the city comptroller or other proper officer shall return the
12 back tax book together with the uncollected tax bills within thirty days to the city collector.

13 5. If any county commission or clerk **in counties not having a county auditor** fails to
14 comply with section 140.040, and this section, to the extent that the collection of taxes cannot
15 be enforced by law, the county commission or clerk, or their successors in office, shall correct
16 such omissions at once and return the back tax book to the collector who shall collect such taxes.

140.070. All back taxes, of whatever kind, whether state, county or school, or of any city
2 or incorporated town, which return delinquent tax lists to the county collector to collect,

3 appearing due upon delinquent real estates shall be extended in the back tax book made under
4 this chapter **or chapter 52, RSMo**. In case the collector of any city or town has omitted or
5 neglected to return to the county collector a list of delinquent lands and lots, as required by
6 section 140.670, the present authorities of the city or town may cause the delinquent list to be
7 certified, as by that section contemplated, and the delinquent taxes shall be by the county clerk
8 put upon the back tax book and collected by the collector under authority of this chapter.

140.080. **Except as provided in section 52.361, RSMo**, the county clerk and the county
2 collector shall compare the back tax book with the corrected delinquent land list made pursuant
3 to sections 140.030 and 140.040 respectively, and the clerk shall certify on the delinquent land
4 list on file in [his] **the clerk's** office that the list has been properly entered in the back tax book
5 and shall attach a certificate at the end of the back tax book that it contains a true copy of the
6 delinquent land list on file in [his] **the collector's** office.

140.150. 1. All lands, lots, mineral rights, and royalty interests on which taxes or
2 neighborhood improvement district special assessments are delinquent and unpaid are subject
3 to sale to discharge the lien for the delinquent and unpaid taxes or unpaid special assessments
4 as provided for in this chapter on the fourth Monday in August of each year.

5 2. No real property, lots, mineral rights, or royalty interests shall be sold for state, county
6 or city taxes or special assessments without judicial proceedings, unless the notice of sale
7 contains the names of all record owners thereof, or the names of all owners appearing on the land
8 tax book and all other information required by law. Delinquent taxes or unpaid special
9 assessments, penalty, interest and costs due thereon may be paid to the county collector at any
10 time before the property is sold therefor. **The collector shall send notices to the publicly**
11 **recorded owner of record before any delinquent and unpaid taxes or unpaid special**
12 **assessments as specified in this section subject to sale are published. The first notice shall**
13 **be by first class mail, and the second notice shall be by certified mail. If the certified mail**
14 **is returned to the collector unsigned, then notice shall be sent before the sale by first class**
15 **mail to both the owner of record and the occupant of the real property at least fifteen days**
16 **before the fourth Monday in August. The postage for the mailing of the notices shall be**
17 **paid by the county commission. The failure of the taxpayer or the publicly recorded owner**
18 **to receive the notice provided for in this section shall not relieve the taxpayer or publicly**
19 **recorded owner of any tax liability imposed by law.**

20 3. The entry in the back tax book by the county clerk of the delinquent lands, lots,
21 mineral rights, and royalty interests constitutes a levy upon the delinquent lands, lots, mineral
22 rights, and royalty interests for the purpose of enforcing the lien of delinquent and unpaid taxes
23 or unpaid special assessments as provided in section 67.469, RSMo, together with penalty,
24 interest and costs.

140.160. 1. No proceedings for the sale of land and lots for delinquent taxes pursuant to this chapter or unpaid special assessments as provided in section 67.469, RSMo, relating to the collection of delinquent and back taxes and unpaid special assessments and providing for foreclosure sale and redemption of land and lots therefor, shall be valid unless initial proceedings therefor shall be commenced within three years after delinquency of such taxes and unpaid special assessments, and any sale held pursuant to initial proceedings commenced within such period of three years shall be deemed to have been in compliance with the provisions of said law insofar as the time at which such sales are to be had is specified therein; provided further, that in suits or actions to collect delinquent drainage and/or levee assessments on real estate such suits or actions shall be commenced within three years after delinquency, otherwise no suit or action therefor shall be commenced, had or maintained, except that the three-year limitation described in this subsection shall not be applicable if any written instrument conveys any real estate having a tax-exempt status, if such instrument causes such real estate to again become taxable real property and if such instrument has not been recorded in the office of the recorder in the county in which the real estate has been situated. Such three-year limitation shall only be applicable once the recording of the title has occurred.

2. [In order to enable county and city collectors to be able to collect delinquent and back taxes and unpaid special assessments,] The county auditor in all counties having a county auditor shall annually audit [and list all delinquent and back taxes and unpaid special assessments] **collections, deposits, and supporting reports of the collector** and provide a copy of such audit [and list] to the county collector and to the governing body of the county. A copy of the audit [and list] may be provided to [city collectors] **all applicable taxing entities** within the county at the discretion of the county collector.

140.190. 1. On the day mentioned in the notice, the county collector shall commence the sale of such lands, and shall continue the same from day to day until each parcel assessed or belonging to each person assessed shall be sold as will pay the taxes, interest and charges thereon, or chargeable to such person in said county.

2. The person offering at said sale to pay the required sum for a tract shall be considered the purchaser of such land; provided, no sale shall be made to any person who is currently delinquent on any tax payments on any property, other than a delinquency on the property being offered for sale, and who does not sign an affidavit stating such at the time of sale. Failure to sign such affidavit as well as signing a false affidavit may invalidate such sale. No bid shall be received from any person not a resident of the state of Missouri [until such person] **or a foreign corporation or entity all deemed nonresidents. A nonresident** shall file with said collector an agreement in writing consenting to the jurisdiction of the circuit court of the county in which such sale shall be made, and also filing with such collector an appointment of some citizen of

14 said county as agent [of said purchaser], and consenting that service of process on such agent
15 shall give such court jurisdiction to try and determine any suit growing out of or connected with
16 such sale for taxes. **After the delinquent auction sale, any certificate of purchase shall be**
17 **issued to the agent. After meeting the requirements of section 140.405, the property shall**
18 **be conveyed to the agent on behalf of the nonresident, and the agent shall thereafter convey**
19 **the property to the nonresident.**

20 3. All such written consents to jurisdiction and selective appointments shall be preserved
21 by the county collector and shall be binding upon any person or corporation claiming under the
22 person consenting to jurisdiction and making the appointment herein referred to; provided
23 further, that in the event of the death, disability or refusal to act of the person appointed as agent
24 of said nonresident purchaser the county clerk shall become the appointee as agent of said
25 nonresident purchaser.

140.230. 1. When real estate has been sold for taxes or other debt by the sheriff or
2 collector of any county within the state of Missouri, and the same sells for a greater amount than
3 the debt or taxes and all costs in the case it shall be the duty of the sheriff or collector of the
4 county, when such sale has been or may hereafter be made, to make a written statement
5 describing each parcel or tract of land sold by him for a greater amount than the debt or taxes and
6 all costs in the case together with the amount of surplus money in each case. The statement shall
7 be subscribed and sworn to by the sheriff or collector making it before some officer competent
8 to administer oaths within this state, and then presented to the county commission of the county
9 where the sale has been or may be made; and on the approval of the statement by the
10 commission, the sheriff or collector making the same shall pay the surplus money into the county
11 treasury, take the receipt in duplicate of the treasurer for the overplus of money and retain one
12 of the duplicate receipts himself and file the other with the county commission, and thereupon
13 the commission shall charge the treasurer with the amount.

14 2. The treasurer shall place such moneys **in the county treasury to be held for the use**
15 **and benefit of the person entitled to such moneys or** to the credit of the school fund of the
16 county, to be held in trust for the term of three years for the **publicly recorded** owner or owners
17 **of the property sold at the delinquent land tax auction** or their legal representatives. At the
18 end of three years, if such fund shall not be called for, then it shall become a permanent school
19 fund of the county.

20 3. County commissions shall compel owners or agents to make satisfactory proof of their
21 claims before receiving their money; provided, that no county shall pay interest to the claimant
22 of any such fund.

140.250. 1. Whenever any lands have been or shall hereafter be offered for sale for
2 delinquent taxes, interest, penalty and costs by the collector of the proper county for any two

3 successive years and no person shall have bid therefor a sum equal to the delinquent taxes
4 thereon, interest, penalty and costs provided by law, then such county collector shall at the next
5 regular tax sale of lands for delinquent taxes sell same to the highest bidder, **except the highest**
6 **bid shall not be less than the sum equal to the delinquent taxes, interest, penalties, and**
7 **costs**, and there shall be a ninety-day period of redemption from such sales as specified in section
8 140.405.

9 2. [No] A certificate of purchase shall issue as to such sales, [but] **and** the purchaser at
10 such sales shall be entitled to the issuance and delivery of a collector's deed upon completion of
11 title search action as specified in section 140.405.

12 3. If any lands or lots are not sold at such third offering, then the collector, in his
13 discretion, need not again advertise or offer such lands or lots for sale more often than once every
14 five years after the third offering of such lands or lots, and such offering shall toll the operation
15 of any applicable statute of limitations.

16 4. A purchaser at any sale subsequent to the third offering of any land or lots, **whether**
17 **by the collector or a trustee as provided in section 140.260**, shall be entitled to the immediate
18 issuance and delivery of a collector's deed and there shall be no period of redemption from such
19 sales **after the third offering**; provided, however, before any purchaser at a sale to which this
20 section is applicable shall be entitled to a collector's deed it shall be the duty of the collector to
21 demand, and the purchaser to pay, in addition to his bid, all taxes due and unpaid on such lands
22 or lots that become due and payable on such lands or lots subsequent to the date of the taxes
23 included in such advertisement and sale. **The collector's deed or trustee's deed shall have**
24 **priority over all other liens or encumbrances on the property sold except for real property**
25 **taxes or federal liens.**

26 5. In the event the real purchaser at any sale to which this section is applicable shall be
27 the owner of the lands or lots purchased, or shall be obligated to pay the taxes for the
28 nonpayment of which such lands or lots were sold, then no collector's deed shall issue to such
29 purchaser, or to anyone acting for or on behalf of such purchaser, without payment to the
30 collector of such additional amount as will discharge in full all delinquent taxes, penalty, interest
31 and costs.

140.260. 1. It shall be lawful for the county commission of any county, and the
2 comptroller, mayor and president of the board of assessors of the city of St. Louis, to designate
3 and appoint a suitable person or persons with discretionary authority to bid at all sales to which
4 section 140.250 is applicable, and to purchase at such sales all lands or lots necessary to protect
5 all taxes due and owing and prevent their loss to the taxing authorities involved from inadequate
6 bids.

7 2. Such person or persons so designated are hereby declared as to such purchases and
8 as titleholders pursuant to collector's deeds issued on such purchases, to be trustees for the
9 benefit of all funds entitled to participate in the taxes against all such lands or lots so sold.

10 3. Such person or persons so designated shall not be required to pay the amount bid on
11 any such purchase but the collector's deed issuing on such purchase shall recite the delinquent
12 taxes for which said lands or lots were sold, the amount due each respective taxing authority
13 involved, and that the grantee in such deed or deeds holds title as trustee for the use and benefit
14 of the fund or funds entitled to the payment of the taxes for which said lands or lots were sold.

15 4. The costs of all collectors' deeds, the recording of same and the advertisement of such
16 lands or lots shall be paid out of the county treasury in the respective counties and such fund as
17 may be designated therefor by the authorities of the city of St. Louis.

18 5. All lands or lots so purchased shall be sold and deeds ordered executed and delivered
19 by such trustees upon order of the county commission of the respective counties and the
20 comptroller, mayor and president of the board of assessors of the city of St. Louis, and the
21 proceeds of such sales shall be applied, first, to the payment of the costs incurred and advanced,
22 and the balance shall be distributed pro rata to the funds entitled to receive the taxes on the lands
23 or lots so disposed of, **and then any excess proceeds shall be distributed to the county**
24 **treasurer to be held for the use and benefit of the person or persons entitled to such**
25 **proceeds or to the credit of the school fund of the county, to be held in trust for three years**
26 **for the publicly recorded owner or owners of the property sold at the delinquent land tax**
27 **auction or their legal representatives. At the end of three years, if such proceeds shall not**
28 **be called for, then the proceeds shall become permanent in the school fund of the county.**

29 6. Upon appointment of any such person or persons to act as trustee as herein designated
30 a certified copy of the order making such appointment shall be delivered to the collector, and if
31 such authority be revoked a certified copy of the revoking order shall also be delivered to the
32 collector.

33 7. Compensation to trustees as herein designated shall be payable solely from proceeds
34 derived from the sale of lands purchased by them as such trustees and shall be fixed by the
35 authorities herein designated, but not in excess of ten percent of the price for which any such
36 lands and lots are sold by the trustees; provided further, that if at any such sale any person bid
37 a sufficient amount to pay in full all delinquent taxes, penalties, interest and costs, then the
38 trustees herein designated shall be without authority to further bid on any such land or lots. **If**
39 **a third party is a successful bidder and there are excess proceeds, such proceeds shall be**
40 **distributed as provided in subsection 5 of this section.**

41 8. If the county commission of any county does not designate and appoint a suitable
42 person or persons as trustee or trustees, so appointed, or the trustee or trustees do not accept

43 property after the third offering where no sale occurred then it shall be at the discretion of the
44 collector to sell such land subsequent to the third offering of such land and lots at any time and
45 for any amount.

140.290. 1. After payment shall have been made the county collector shall give the
2 purchaser a certificate in writing, to be designated as a certificate of purchase, which shall carry
3 a numerical number and which shall describe the land so purchased, each tract or lot separately
4 stated, the total amount of the tax, with penalty, interest and costs, and the year or years of
5 delinquency for which said lands or lots were sold, separately stated, and the aggregate of all
6 such taxes, penalty, interest and costs, and the sum bid on each tract.

7 2. If the purchaser bid for any tract or lot of land a sum in excess of the delinquent tax,
8 penalty, interest and costs for which said tract or lot of land was sold, such excess sum shall also
9 be noted in the certificate of purchase, in a separate column to be provided therefor. Such
10 certificate of purchase shall also recite the name and address of the owner or reputed owner if
11 known, and if unknown then the party or parties to whom each tract or lot of land was assessed,
12 together with the address of such party, if known, and shall also have incorporated therein the
13 name and address of the purchaser. Such certificate of purchase shall also contain the true date
14 of the sale and the time when the purchaser will be entitled to a deed for said land, if not
15 redeemed as in this chapter provided, and the rate of interest that such certificate of purchase
16 shall bear, which rate of interest shall not exceed the sum of ten percent per annum. Such
17 certificate shall be authenticated by the county collector, who shall record the same in a
18 permanent record book in his office before delivery to the purchaser.

19 3. Such certificate shall be assignable, but no assignment thereof shall be valid unless
20 endorsed on such certificate and acknowledged before some officer authorized to take
21 acknowledgment of deeds and an entry of such assignment entered in the record of said
22 certificate of purchase in the office of the county collector.

23 4. For each certificate of purchase issued, including the recording of the same, the county
24 collector shall be entitled to receive and retain a fee of fifty cents, to be paid by the purchaser and
25 treated as a part of the cost of the sale, and so noted on the certificate. For noting any assignment
26 of any certificate the county collector shall be entitled to a fee of twenty-five cents, to be paid
27 by the person requesting such recital of assignment, and which shall not be treated as a part of
28 the cost of the sale. **For each certificate of purchase issued, as a part of the cost of the sale,**
29 **the purchaser shall pay to the collector the fee necessary to record such certificate of**
30 **purchase in the office of the county recorder. The collector shall record the certificate of**
31 **purchase before delivering such certificate of purchase to the purchaser.**

32 5. No collector shall be authorized to issue a certificate of purchase to any nonresident
33 of the state of Missouri or to enter a recital of any assignment of such certificate upon his record

34 to a nonresident of the state, until such purchaser or assignee of such purchaser, as the case may
35 be, shall have complied with the provisions of section 140.190 pertaining to nonresident
36 purchasers.

37 **6. This section shall not apply to any post-third year tax sale.**

140.310. 1. The purchaser of any tract or lot of land at sale for delinquent taxes,
2 homesteads excepted, shall at any time after one year from the date of sale be entitled to the
3 immediate possession of the premises so purchased during the redemption period provided for
4 in this law, unless sooner redeemed; provided, however, any owner or occupant of any tract or
5 lot of land purchased may retain possession of said premises by making a written assignment of,
6 or agreement to pay, rent certain or estimated to accrue during such redemption period or so
7 much thereof as shall be sufficient to discharge the bid of the purchaser with interest thereon as
8 provided in the certificate of purchase.

9 2. The purchaser, his heirs or assigns, may enforce his rights under said written
10 assignment or agreement in any manner now authorized or hereafter authorized by law for the
11 collection of delinquent and unpaid rent; provided further, nothing herein contained shall
12 operate to the prejudice of any owner not in default and whose interest in the tract or lot of land
13 is not encumbered by the certificate of purchase, nor shall it prejudice the rights of any occupant
14 of any tract or lot of land not liable to pay taxes thereon nor such occupant's interest in any
15 planted, growing or unharvested crop thereon.

16 3. Any additions or improvements made to any tract or lot of land by any occupant
17 thereof, as tenant or otherwise, and made prior to such tax sale, which such occupant would be
18 permitted to detach and remove from the land under his contract of occupancy shall also, to the
19 same extent, be removable against the purchaser, his heirs or assigns.

20 4. Any rent collected by the purchaser, his heirs or assigns, shall operate as a payment
21 upon the amount due the holder of such certificate of purchase, and such amount or amounts,
22 together with the date paid and by whom shall be endorsed as a credit upon said certificate, and
23 which said sums shall be taken into consideration in the redemption of such land, as provided
24 for in this chapter.

25 5. Any purchaser, heirs or assigns, in possession within the period of redemption against
26 whom rights of redemption are exercised shall be protected in the value of any planted, growing
27 and/or unharvested crop on the lands redeemed in the same manner as such purchaser, heirs or
28 assigns would be protected in valuable and lasting improvements made upon said lands after the
29 period of redemption and referred to in section 140.360.

30 **6. The one-year redemption period shall not apply to third year tax sales, but the**
31 **ninety-day redemption period as provided in section 140.405 shall apply to such sales.**

32 **There shall be no redemption period for a post-third year tax sale, or any offering**
33 **thereafter.**

140.340. 1. The owner or occupant of any land or lot sold for taxes, or any other persons
2 having an interest therein, may redeem the same at any time during the one year next ensuing,
3 in the following manner: by paying to the county collector, for the use of the purchaser, his heirs
4 or assigns, the full sum of the purchase money named in his certificate of purchase and all the
5 cost of the sale, **including the cost to record the certificate of purchase as required in section**
6 **140.290, the fee necessary to record the release of such certificate of purchase, and the cost**
7 **of the title search and certified mailings of notification required in sections 140.150 to**
8 **140.405,** together with interest at the rate specified in such certificate, not to exceed ten percent
9 annually, except on a sum paid by a purchaser in excess of the delinquent taxes due plus costs
10 of the sale, no interest shall be owing on the excess amount, with all subsequent taxes which
11 have been paid thereon by the purchaser, his heirs or assigns, with interest at the rate of eight
12 percent per annum on such taxes subsequently paid, and in addition thereto the person redeeming
13 any land shall pay the costs incident to entry of recital of such redemption. **The collector shall**
14 **record the release of the certificate of purchase at the time the owner of record redeems**
15 **such tax sale property within the time period for redemption.**

16 2. Upon deposit with the county collector of the amount necessary to redeem as herein
17 provided, it shall be the duty of the county collector to mail to the purchaser, his heirs or assigns,
18 at the last post office address if known, and if not known, then to the address of the purchaser
19 as shown in the record of the certificate of purchase, notice of such deposit for redemption.

20 3. Such notice, given as herein provided, shall stop payment to the purchaser, his heirs
21 or assigns, of any further interest or penalty.

22 4. In case the party purchasing said land, his heirs or assigns, fails to take a tax deed for
23 the land so purchased within six months after the expiration of the one year next following the
24 date of sale, no interest shall be charged or collected from the redemptioner after that time.

140.405. Any person purchasing property at a delinquent land tax auction shall not
2 acquire the deed to the real estate, as provided for in section 140.420, until the [person]
3 **purchaser** meets [with the following requirement or until such person makes affidavit that a title
4 search has revealed no publicly recorded deed of trust, mortgage, lease, lien or claim on the real
5 estate] **the requirements of this section.** [At least] **The purchaser shall obtain a title search**
6 **from a licensed attorney, abstract, or title company** ninety days prior to the date when a
7 purchaser is authorized to acquire the deed[.] . **Such title search shall be declared invalid if**
8 **obtained more than thirty days preceding such ninety-day period, except that no ninety-**
9 **day notice is required for post-third year tax sales as provided in subsection 4 of section**
10 **140.250.** The purchaser shall notify any person who holds a publicly recorded deed of trust,

11 mortgage, lease, lien or claim upon that real estate of the latter person's right to redeem such
12 person's publicly recorded security or claim. Notice shall be sent by certified mail to any such
13 person, including one who was the publicly recorded owner of the property sold at the delinquent
14 land tax auction previous to such sale, at such person's last known available address. **Under the**
15 **requirements of this section, the first day of the ninety-day period before the date the**
16 **purchaser is authorized to acquire the deed shall be established on the day the purchaser**
17 **provides the collector with an original affidavit specifying that the required title search is**
18 **complete, a copy of the title search, and copies of the certified mail notices and the mail**
19 **certifications and receipts. Such deed shall not be acquired before the expiration date of**
20 **the redemption period as provided in section 140.340.** Failure of the purchaser to comply
21 with this provision shall result in such purchaser's loss of all interest in the real estate. **Any such**
22 **publicly recorded owner of the property sold at the delinquent land tax auction desiring**
23 **to transact or transfer ownership of such property, or execute any additional liens or**
24 **encumbrances on the property, after the delinquent land tax auction, shall first redeem**
25 **such property under section 140.340. Failure of the publicly recorded owner of the**
26 **property to comply with this provision shall result in such owner's reimbursement to the**
27 **purchaser for all the cost of the sale, including the cost for recording the certificate of**
28 **purchase under section 140.290, the fee necessary to record the release of such certificate**
29 **of purchase, the cost of the title search and certified mail notifications required in sections**
30 **140.150 to 140.405, and interest at the rate specified in the certificate of purchase, not to**
31 **exceed ten percent annually, and such owner shall make further reimbursement for any**
32 **taxes that the purchaser may have paid plus eight percent interest on such taxes.** If any real
33 estate is purchased at a third-offering tax auction and has a publicly recorded deed of trust,
34 mortgage, lease, lien or claim upon the real estate, the purchaser of said property at a
35 third-offering tax auction shall notify anyone with a publicly recorded deed of trust, mortgage,
36 lease, lien or claim upon the real estate pursuant to this section **within forty-five days after the**
37 **purchase at the collector's sale.** Once the purchaser has [notified] **provided** the county
38 collector [by affidavit that proper notice has been given] **the documents required under this**
39 **section,** anyone with a publicly recorded deed of trust, mortgage, lease, lien or claim upon the
40 property shall have ninety days to redeem said property or be forever barred from redeeming said
41 property, **except that no notice is required for post-third year tax sales as provided in**
42 **subsection 4 of section 140.250.** If the county collector chooses to have the title search done
43 then the county collector must comply with all provisions of this section, and may charge the
44 purchaser the cost of the title search before giving the purchaser a deed pursuant to section
45 140.420.

140.420. If no person shall redeem the lands sold for taxes, **if redemption is allowed,**
2 within one year [from the sale] **or within the ninety-day notice as specified in section 140.405**
3 **for a third-year tax sale,** at the expiration thereof, and on production of certificate of purchase,
4 the collector of the county in which the sale of such lands took place shall execute to the
5 purchaser, his heirs or assigns, in the name of the state, a conveyance of the real estate so sold,
6 which shall vest in the grantee an absolute estate in fee simple, subject, however, to all claims
7 thereon for unpaid taxes except such unpaid taxes existing at time of the purchase of said lands
8 and the lien for which taxes was inferior to the lien for taxes for which said tract or lot of land
9 was sold.

165.071. 1. At least once in every month the county collector in all counties of the first
2 and second classifications and the collector-treasurer in counties having township organization
3 shall pay over to the treasurer of the school board of all seven-director districts all moneys
4 received and collected by the **county collector and the** collector-treasurer to which the board
5 is entitled and take duplicate receipts from the treasurer, one of which the **county collector and**
6 **the** collector-treasurer shall file with the secretary of the school board and the other the **county**
7 **collector and the** collector-treasurer shall file in his or her settlement with the county
8 commission.

9 2. The county collector in counties of the third and fourth classification, except in
10 counties under township organization, shall pay over to the county treasurer at least once in every
11 month all moneys received and collected by the county collector which are due each school
12 district and shall take duplicate receipts therefor, one of which the county collector shall file in
13 his or her settlement with the county commission. The county treasurer in such counties shall
14 pay over to the treasurer of the school board of seven-director districts, at least once in every
15 month, all moneys so received by the county treasurer to which the board is entitled. Upon
16 payment the county treasurer shall take duplicate receipts from the treasurer of the school board,
17 one of which the county treasurer shall file with the secretary of the school board, and the other
18 [he] **the county treasurer** shall file in his or her settlement with the county commission.

182.647. 1. The treasurer, the librarian and other employees as designated by the board,
2 before entering upon the discharge of their duties as such, shall enter into bond or bonds with a
3 corporate surety to be approved by the board of trustees in such amount as may be fixed by the
4 board, conditioned that they will render a faithful and just account of all money that comes into
5 their hands, and otherwise perform the duties of their office according to law. The consolidated
6 public library district shall pay the premium for the bond or bonds from its operating fund. A
7 copy of such bond or bonds shall be filed with the treasurer of the board and clerk for each
8 county included within the consolidated public library district. In case of a breach of the
9 conditions of the bond or bonds the board or any taxpayer of the consolidated public library

10 district may cause suit to be brought thereon. The suit shall be prosecuted in the name of the
11 state of Missouri at the relation of and for use of the proper consolidated public library district.

12 2. The librarian, for and on behalf of the board, shall keep or cause to be kept financial
13 records and accounts according to generally accepted accounting standards, and shall furnish to
14 the board or any member thereof the financial records and accounts, or summaries thereof, that
15 the board or any member thereof may request.

16 3. On or before the [thirty-first] **thirtieth** day of [August] **September** of each year, the
17 librarian shall make a report to the board, stating the condition of the library and its services as
18 of the thirtieth day of June of the preceding fiscal year. This report shall be accompanied by an
19 audit conducted by an independent auditing firm. On or before the [thirtieth] **thirty-first** day of
20 [September] **October**, the reports shall be submitted to the county commissions and county
21 executive officers and Missouri state library commission by the board of trustees of the
22 consolidated public library district.

221.105. 1. The governing body of any county and of any city not within a county shall
2 fix the amount to be expended for the cost of incarceration of prisoners confined in jails or
3 medium security institutions. The per diem cost of incarceration of these prisoners chargeable
4 by the law to the state shall be determined, subject to the review and approval of the department
5 of corrections.

6 2. [When the final determination of any criminal prosecution shall be such as to render
7 the state liable for costs under existing laws] **If the state would otherwise be liable for costs**
8 **under existing laws, upon the final determination of any criminal prosecution, regardless**
9 **of the final disposition of the case**, it shall be the duty of the sheriff to certify to the clerk of the
10 circuit court or court of common pleas in which the case was determined the total number of
11 days any prisoner who was a party in such case remained in the county jail. It shall be the duty
12 of the county commission to supply the cost per diem for county prisons to the clerk of the circuit
13 court on the first day of each year, and thereafter whenever the amount may be changed. It shall
14 then be the duty of the clerk of the court in which the case was determined to include in the bill
15 of cost against the state all fees which are properly chargeable to the state. In any city not within
16 a county it shall be the duty of the superintendent of any facility boarding prisoners to certify to
17 the chief executive officer of such city not within a county the total number of days any prisoner
18 who was a party in such case remained in such facility. It shall be the duty of the superintendents
19 of such facilities to supply the cost per diem to the chief executive officer on the first day of each
20 year, and thereafter whenever the amount may be changed. It shall be the duty of the chief
21 executive officer to bill the state all fees for boarding such prisoners which are properly
22 chargeable to the state. The chief executive may by notification to the department of corrections
23 delegate such responsibility to another duly sworn official of such city not within a county. The

24 clerk of the court of any city not within a county shall not include such fees in the bill of costs
25 chargeable to the state. The department of corrections shall revise its criminal cost manual in
26 accordance with this provision.

27 3. The actual costs chargeable to the state, including those incurred for a prisoner who
28 is incarcerated in the county jail because the prisoner's parole or probation has been revoked or
29 because the prisoner has, or allegedly has, violated any condition of the prisoner's parole or
30 probation, and such parole or probation is a consequence of a violation of a state statute, or the
31 prisoner is a fugitive from the Missouri department of corrections or otherwise held at the request
32 of the Missouri department of corrections regardless of whether or not a warrant has been issued
33 shall be the actual cost of incarceration not to exceed:

34 (1) Until July 1, 1996, seventeen dollars per day per prisoner;

35 (2) On and after July 1, 1996, twenty dollars per day per prisoner;

36 (3) On and after July 1, 1997, up to thirty-seven dollars and fifty cents per day per
37 prisoner, subject to appropriations, but not less than the amount appropriated in the previous
38 fiscal year.

2 **221.360. 1. The sheriff of each county in this state may employ all persons in the**
3 **jail of their respective counties who are under sentence for one or more crimes to labor in**
4 **county prisoner work programs upon the roads, bridges, or other public works of the**
5 **county where they are so imprisoned, or on other projects for which the county commission**
6 **could lawfully expend public funds and which the county commission determines to be**
7 **necessary for the health, safety, and welfare of the county.**

8 **2. In the event the county commission of any county deems it in the best interest of**
9 **their county, the sheriff may hire out the county's prisoners to any other county in the state**
10 **to be worked upon the public roads, bridges, or other public works of that county, or on**
11 **other projects for which the county commission of that county could otherwise lawfully**
12 **expend public funds and which it determines to be necessary for the health, safety, and**
13 **welfare of that county, or the sheriff may, upon such terms as agreed upon between the**
14 **sheriff and the department of transportation, lease or let such prisoners to the department**
15 **of transportation instead of keeping them in the county jail where they are sentenced. The**
16 **money derived from the hire of such prisoners shall be paid to the county hiring out such**
17 **prisoners.**

18 **3. As used in this section and section 221.380, "county prisoner work program"**
19 **means a group of two or more county jail prisoners who are required to labor according**
20 **to the discretion of the sheriff of the county in which such prisoners are imprisoned.**

2 **221.365. Sheriffs shall not lease prisoners to work for any private interests,**
3 **however, this prohibition does not apply to nonprofit organizations.**

221.370. The sheriff, when working county prisoners on the public works of the
2 counties, shall provide, or cause to be provided, substantial food, clothes, shoes, medical
3 attention, and any other necessity for such prisoners.

221.375. No prisoner shall be compelled to labor more than eight hours per day nor
2 be subject to punishment for any refusal to labor beyond such limit, and no more than an
3 additional two hours total travel time shall be allowed for travel to and from the work site
4 or work sites.

221.380. No prisoner who has legitimate physical, medical, or mental health
2 problems which would prevent such prisoner from being able to perform the work
3 assigned shall be compelled to work on a county prisoner work program and no prisoner
4 shall be compelled to work on a county prisoner work program if the work assigned would
5 cause such prisoner to suffer unreasonably or would be detrimental to such prisoner's
6 physical or mental health.

221.385. 1. Any sheriff or person employed by the sheriff working county prisoners
2 who shall fail to return the prisoners, except in the case of an unexpected emergency,
3 within the time specified in section 221.375, or who shall otherwise fail to discharge the
4 duties imposed upon him or her by sections 221.360 to 221.390, shall be guilty of a class B
5 misdemeanor.

6 2. Any sheriff or person employed by the sheriff working county prisoners who
7 shall treat any prisoner in a cruel and inhumane manner shall be guilty of a class A
8 misdemeanor.

9 3. Any sheriff or person employed by the sheriff working county prisoners shall
10 protect such prisoners from insult and annoyance and communication with others while
11 at labor, and in going to and returning from labor, and may use such means as are
12 necessary and proper therefor, and any person persisting in insulting and annoying or
13 communicating with any prisoner after being first commanded by such sheriff, or person
14 employed by the sheriff, to desist shall be guilty of a class C misdemeanor.

221.390. Every working prisoner shall be entitled to receive, together with
2 subsistence, a credit at the rate of one dollar per day worked, on account of fines and costs
3 adjudged against him or her.

233.103. 1. The limitations on amounts which may be expended upon roads and streets
2 within the corporate limits of any city, as provided in sections 233.095 and 233.100, shall be
3 inapplicable in a county of the first class not having a charter form of government, or of the
4 second class which contains all or part of a city having a population of three hundred fifty
5 thousand or more, or in any county of the second classification with more than fifty-four
6 thousand two hundred but fewer than fifty-four thousand three hundred inhabitants.

7 2. In such a county, the revenue set aside and credited to a road district may, with the
8 consent of a city, town or village located within the district, be expended within such
9 incorporated city, town or village.

**300.349. 1. For purposes of this section, "off-highway vehicle" means an all-terrain
2 vehicle, motorized bicycle, motortricycle, trail bike, or utility vehicle operated primarily
3 on gravel or dirt roads that is designed by the manufacturer primarily for travel over
4 unimproved terrain, and has an unladen weight of eighteen hundred pounds or less.**

5 **2. Notwithstanding any other section, a licensed driver may operate an off-highway
6 vehicle on gravel or dirt roads located within any county of the third or fourth
7 classification provided the vehicle meets the requirements of this section.**

8 **3. A driver shall not operate an off-highway vehicle as follows:**

9 **(1) With reckless disregard for the safety of persons or property;**

10 **(2) Off of an existing road, trail, or route in a manner that causes damage to
11 wildlife habitat, riparian areas, cultural or natural resources, property, or improvements;**

12 **(3) On roads, trails, routes, or areas closed as indicated in rules or regulations of
13 a federal agency, the state of Missouri, a county or municipality, or by proper posting if
14 the land is private land;**

15 **(4) Over unimproved roads, trails, routes, or areas unless driving on roads, trails,
16 routes, or areas where such driving is allowed by rule or regulation.**

17 **4. A person shall not operate an off-highway vehicle in a manner that damages the
18 environment, including excessive pollution of air, water, or land, abuse of the watershed
19 or cultural or natural resources or impairment of plant or animal life, where it is
20 prohibited by rule, regulation, ordinance, or code.**

21 **5. An off-highway vehicle in operation in this state shall be equipped with the
22 following:**

23 **(1) Brakes adequate to control the movement of the vehicle and to stop and hold
24 the vehicle under normal operating conditions;**

25 **(2) Lighted headlights and taillights that meet or exceed original equipment
26 manufacturer guidelines if operated between one-half hour after sunset and one-half hour
27 before sunrise;**

28 **(3) Except when operating on a closed course, either a muffler or other noise
29 dissipating device that prevents sound above ninety-six decibels;**

30 **(4) A spark arrester device that is approved by the United States Department of
31 Agriculture and that is in constant operation, except if operating on a closed course; and**

32 **(5) A safety flag that is at least six by twelve inches and that is attached to an off-
33 highway vehicle at least eight feet above the surface of level ground.**

34 **6. No person shall operate or ride an off-highway vehicle on public or state land**
35 **unless that person is wearing protective eyewear and protective headgear that is properly**
36 **fitted and fastened, designed for motorized vehicle use, and has a minimum United States**
37 **Department of Transportation safety rating.**

38 **7. Nothing in this section shall prohibit a private landowner or lessee from**
39 **performing normal agricultural or ranching practices while operating an all-terrain**
40 **vehicle or an off-highway vehicle on the private or leased land.**

41 **8. A violation of this section shall be a class C misdemeanor. In addition to other**
42 **legal remedies, the attorney general or county prosecuting attorney may institute a civil**
43 **action in the court of competent jurisdiction for injunctive relief to prevent such violation**
44 **or future violations and for the assessment of a civil penalty not to exceed one thousand**
45 **dollars per day of violation.**

304.287. 1. The provisions of sections 304.287 to 304.290 shall be known as the
2 **"Missouri Universal Red Light Enforcement Act" (MURLE). For the purposes of sections**
3 **304.287 to 304.290, the following terms mean:**

4 **(1) "Agency", any county, city, town, village, municipality, state agency, or other**
5 **political subdivision of this state that is authorized to issue a notice of violation for a**
6 **violation of a state or local traffic law or regulation;**

7 **(2) "Automated photo red light enforcement system" or "system", a device owned**
8 **by an agency consisting of a camera or cameras and vehicle sensor or sensors, installed to**
9 **work in conjunction with a traffic control signal;**

10 **(3) "Owner", the owner of a motor vehicle as shown on the motor vehicle**
11 **registration records of the Missouri department of revenue or the analogous department**
12 **or agency of another state or country. The term "owner" includes:**

13 **(a) A lessee of a motor vehicle under a lease of six months or more; or**

14 **(b) The lessee of a motor vehicle rented or leased from a motor vehicle rental or**
15 **leasing company, but does not include the motor vehicle rental or leasing company itself.**

16

17 **If there is more than one owner of the motor vehicle, the primary owner will be deemed the**
18 **owner. If no primary owner is named, the first-listed owner will be deemed the owner;**

19 **(4) "Recorded image", an image recorded by an automated photo red light**
20 **enforcement system that depicts the rear view of a motor vehicle and is automatically**
21 **recorded by a high-resolution camera as a digital image;**

22 **(5) "Steady red signal indication violation" or "violation", a violation of a steady**
23 **red signal indication under sections 304.271 and 304.281 or substantially similar agency**
24 **ordinance or traffic laws;**

25 (6) "Traffic control signal", a traffic control device that displays alternating red,
26 yellow, and green lights intended to direct traffic as when to stop at or proceed through an
27 intersection.

28 2. All automated photo red light enforcement systems shall be registered with the
29 Missouri department of transportation prior to installation. The department of
30 transportation shall collect a one-time registration fee of five hundred dollars per light and
31 all registration fees collected shall be deposited in the "Red Light Enforcement Fund"
32 hereby established. The state treasurer shall be custodian of the fund and shall approve
33 disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Upon
34 appropriation, money in the fund shall be used to conduct audits to ensure agency
35 compliance with the provisions of sections 304.271 to 304.281, including, but not limited
36 to, ensuring that the agency is distributing the fines collected as required under section
37 304.288. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any
38 moneys remaining in the fund at the end of the biennium shall not revert to the credit of
39 the general revenue fund. The state treasurer shall invest moneys in the fund in the same
40 manner as other funds are invested. Any interest and moneys earned on such investments
41 shall be credited to the fund.

42 3. No agency shall use an automated photo red light enforcement system unless the
43 system is capable of producing at least two high-resolution color digital recorded images
44 that show:

45 (1) The traffic control signal while it is emitting a steady red signal;

46 (2) The offending vehicle; and

47 (3) The front and rear license plate of the offending vehicle. One of the images
48 must be of sufficient resolution to show clearly, while the vehicle is in the intersection and
49 while the traffic signal is emitting a steady red signal, all three elements set forth in this
50 subdivision and subdivisions (1) and (2) of this subsection.

51 4. The automated photo red light enforcement system shall utilize a video recording
52 component which shall record the local time at which the two violation images were
53 captured, as well as at least five seconds before and at least five seconds after the violation
54 event.

55 5. The automated photo red light enforcement system shall photograph or
56 otherwise capture an image of the driver's face.

57 6. Agencies that utilize automated photo red light enforcement systems to detect
58 and enforce steady red signal indication violations are subject to the conditions and
59 limitations specified in sections 304.287 to 304.290.

60 7. Prior to activation of the system at an intersection:

61 (1) If not already present, the roadway first must be clearly marked with a white
62 stripe indicating the stop line and the perimeter of the intersection;

63 (2) Warning signs shall be installed within five hundred feet of the white stripe
64 indicating the stop line;

65 (3) Signal phase timings at intersections equipped with a system shall be certified
66 by the Missouri department of transportation before the automated photo red light
67 enforcement systems may be activated for enforcement purposes and any adjustment to
68 such timing shall be made only by a department of transportation traffic engineer. If an
69 agency alters the signal phase timing at an intersection without prior written approval
70 from the Missouri department of transportation and without certification by the
71 department of transportation traffic engineer, the agency shall be assessed a municipal fine
72 of fifty thousand dollars for a first offense and the red light device shall be removed upon
73 a subsequent violation. In no case shall a private vendor have the ability to control the
74 signal phase timing connected with a system.

75 8. Prior to installing the automated photo red light enforcement system, the agency
76 shall give notice of the intersection where the system will be located and of the date on
77 which the system will begin to monitor the intersection. The agency shall give reasonable
78 notice at least fourteen days prior to the installation of the system in a newspaper of
79 general circulation throughout the political subdivision served by the agency.

80 9. Any agency that implements a system shall submit an annual report to the
81 Missouri department of transportation. The report shall include, at a minimum:

82 (1) The number of intersections enforced by active systems;

83 (2) The number of notices of violation mailed;

84 (3) The number of notices of violation paid;

85 (4) The number of hearings; and

86 (5) The total revenue collected as a result of the program.

87

88 Any agency failing to complete the annual report required under this subsection within
89 forty-five days of the time such report is due shall be assessed a fine of fifty thousand
90 dollars and all automated photo red light enforcement systems shall be removed from the
91 agency's jurisdiction.

92 10. Within three years of the establishment of an automated photo traffic law
93 enforcement program, the implementing jurisdiction shall initiate a formal evaluation of
94 the program to determine the program's impact on traffic safety. That evaluation shall be
95 completed within one year.

96 **11. An agency that establishes an automated photo red light enforcement system**
97 **may enter into an agreement or agreements for the purpose of compensating a private**
98 **vendor to perform operational and administrative tasks associated with the use of such**
99 **system. The notice of violation issued under section 304.288, however, shall not be issued**
100 **by a private vendor. Any compensation paid to a private vendor shall not be derived from**
101 **finances received for violations nor shall compensation be based upon the number of violations**
102 **mailed, the number of citations issued, the number of violations paid, or the amount of**
103 **revenue collected by the agency. The compensation paid to a private vendor shall be based**
104 **upon the value of the equipment and the services provided or rendered in support of the**
105 **system.**

304.288. 1. Before a notice may be issued, all violation images produced by a
2 **system shall be reviewed and approved by a law or code enforcement officer employed by**
3 **the agency in which the alleged violation occurred. Such review and acceptance shall be**
4 **based on a full review of the images that clearly identify the driver of the vehicle and**
5 **demonstrate a violation.**

6 **2. Based on inspection of recorded images produced by a system, a notice of**
7 **violation or copy of such notice alleging that the violation occurred and signed manually**
8 **or digitally by a duly authorized agent of the agency shall be evidence of the facts**
9 **contained therein and shall be admissible in any proceeding alleging a violation under**
10 **sections 304.287 to 304.290.**

11 **3. An agency shall mail or cause to be mailed a notice of violation by certified mail**
12 **to the owner of the motor vehicle, which notice shall include, in addition to the**
13 **requirements of supreme court rule no. 37:**

14 **(1) The name and address of the owner of the vehicle;**

15 **(2) The registration number of the motor vehicle involved in the violation;**

16 **(3) A copy of the two recorded images and a zoomed and cropped image of the**
17 **vehicle license plate which was extracted from one of the two images;**

18 **(4) Information advising the registered owner of how he or she can review the**
19 **video, photographic, and recorded images that captured the alleged violation. The agency**
20 **may provide access to the video and other recorded images through the Internet. If access**
21 **to the video and other recorded images is provided through the Internet, the agency shall**
22 **ensure that such video and recorded images are accessible only to the registered owner**
23 **through a password-protected system;**

24 **(5) A manually or digitally signed statement by a law or code enforcement officer**
25 **employed by the agency that, based on inspection of the two recorded images and video**

26 sequence, the motor vehicle was operated in violation of a traffic control device or
27 prevailing traffic laws or statutes;

28 (6) Information advising the registered owner of the manner, time, and place in
29 which liability as alleged in the notice of violation may be contested, and warning that
30 failure to pay the penalty or to contest liability within fourteen days from the mailing of
31 notice is an admission of liability; and

32 (7) Information advising the registered owner that he or she may file an affidavit
33 under subsection 8 of this section stating that he or she was not the operator of the vehicle
34 at the time of the violation.

35 4. A notice of violation issued under this section shall be mailed no later than three
36 business days after the violation was recorded by the automated photo red light
37 enforcement system. The issuance of a notice of violation under this section shall be made
38 by the agency, and shall not be subcontracted to a third party.

39 5. Any violation detected by a system shall be deemed a moving violation as defined
40 in section 302.302, RSMo, and points shall be assessed accordingly. Fees and court costs
41 for such violation shall be collected by the agency issuing the violation and shall not exceed
42 an amount that would have been imposed if the violation had been detected by a law
43 enforcement officer present when the violation occurred. If a person charged with a
44 violation detected by a system fails to dispose of the charges through authorized
45 prepayment of fine and court costs and fails to appear on the return date or at any
46 subsequent date to which the case has been continued, the provisions of section 302.341,
47 RSMo, shall apply. Any fines collected under this section shall go to the local school
48 district where the moving violation occurred and shall not be distributed through the
49 school funding mechanism of section 163.031, RSMo.

50 6. Payment of the established fine and any applicable civil penalties shall operate
51 as a final disposition of the case. Payment of the fine and any penalties, whether before or
52 after hearing, by one motor vehicle owner shall be satisfaction of the fine as to all other
53 motor vehicle owners of the same motor vehicle for the same violation.

54 7. In the prosecution of a steady red signal indication violation under sections
55 304.287 to 304.290, the agency shall have the burden of proving that the vehicle described
56 in the notice of violation issued under this section was operated in violation of sections
57 304.287 to 304.290 and that the defendant was at the time of such violation the owner and
58 the driver of such vehicle. The agency shall not enter into any plea-bargaining agreements
59 in relation to any violation occurring under sections 304.287 to 304.290.

304.289. 1. For each automated photo red light enforcement system that is installed
2 at an intersection by an agency, during the first thirty days the system is monitoring an

3 intersection, the agency shall issue only warning notices and shall not issue any ticket or
4 citation for any violation detected by the system.

5 2. No agency shall employ the use of a photo radar system to enforce speeding
6 violations. As used in this subsection, the term "photo radar system" shall mean a device
7 used primarily for highway speed limit enforcement substantially consisting of a radar unit
8 linked to a camera, which automatically produces a photograph of a motor vehicle
9 traveling in excess of the legal speed limit.

304.290. Photographic and other recorded evidence obtained through the use of
2 **automated photo red light enforcement devices shall be maintained according to law and**
3 **shall be maintained by the appropriate agency for a period of at least three years. Such**
4 **photographic and other recorded evidence obtained through the use of an automated photo**
5 **red light enforcement system shall be confidential and shall not be deemed a "public**
6 **record" under section 610.010, RSMo, and shall not be subject to the provisions of section**
7 **109.180, RSMo, or chapter 610, RSMo.**

 311.060. 1. No person shall be granted a license hereunder unless such person is of good
2 moral character and a qualified legal voter and a taxpaying citizen of the county, town, city or
3 village, nor shall any corporation be granted a license hereunder unless the managing officer of
4 such corporation is of good moral character and a qualified legal voter and taxpaying citizen of
5 the county, town, city or village; and no person shall be granted a license or permit hereunder
6 whose license as such dealer has been revoked, or who has been convicted, since the ratification
7 of the twenty-first amendment to the Constitution of the United States, of a violation of the
8 provisions of any law applicable to the manufacture or sale of intoxicating liquor, or who
9 employs in his **or her** business as such dealer, any person whose license has been revoked or
10 who has been convicted of violating such law since the date aforesaid; provided, that nothing in
11 this section contained shall prevent the issuance of licenses to nonresidents of Missouri or
12 foreign corporations for the privilege of selling to duly licensed wholesalers and soliciting orders
13 for the sale of intoxicating liquors to, by or through a duly licensed wholesaler, within this state.

14 2. (1) No person, partnership or corporation shall be qualified for a license under this
15 law if such person, any member of such partnership, or such corporation, or any officer, director,
16 or any stockholder owning, legally or beneficially, directly or indirectly, ten percent or more of
17 the stock of such corporation, or other financial interest therein, or ten percent or more of the
18 interest in the business for which the person, partnership or corporation is licensed, or any person
19 employed in the business licensed under this law shall have had a license revoked under this law
20 or shall have been convicted of violating the provisions of any law applicable to the manufacture
21 or sale of intoxicating liquor since the ratification of the twenty-first amendment to the
22 Constitution of the United States, or shall not be a person of good moral character.

23 (2) No license issued under this chapter or chapter 312, RSMo, shall be denied,
24 suspended, revoked or otherwise affected based solely on the fact that an employee of the
25 licensee has been convicted of a felony unrelated to the manufacture or sale of intoxicating liquor
26 so long as any such employee does not directly participate in retail sales of intoxicating liquor
27 **at any establishment or premises holding a license to sell intoxicating liquor at retail by the**
28 **drink where less than fifty percent of the gross income of which is derived from the sale of**
29 **prepared meals or food consumed on the premises.** Each employer shall report the identity
30 of any employee convicted of a felony to the division of liquor control. The division of liquor
31 control shall promulgate rules to enforce the provisions of this subdivision.

32 (3) No wholesaler license shall be issued to a corporation for the sale of intoxicating
33 liquor containing alcohol in excess of five percent by weight, except to a resident corporation
34 as defined in this section.

35 3. A "resident corporation" is defined to be a corporation incorporated under the laws
36 of this state, all the officers and directors of which, and all the stockholders, who legally and
37 beneficially own or control sixty percent or more of the stock in amount and in voting rights,
38 shall be qualified legal voters and taxpaying citizens of the county and municipality in which
39 they reside and who shall have been bona fide residents of the state for a period of three years
40 continuously immediately prior to the date of filing of application for a license, provided that a
41 stockholder need not be a voter or a taxpayer, and all the resident stockholders of which shall
42 own, legally and beneficially, at least sixty percent of all the financial interest in the business to
43 be licensed under this law; provided, that no corporation, licensed under the provisions of this
44 law on January 1, 1947, nor any corporation succeeding to the business of a corporation licensed
45 on January 1, 1947, as a result of a tax-free reorganization coming within the provisions of
46 Section 112, United States Internal Revenue Code, shall be disqualified by reason of the new
47 requirements herein, except corporations engaged in the manufacture of alcoholic beverages
48 containing alcohol in excess of five percent by weight, or owned or controlled, directly or
49 indirectly, by nonresident persons, partnerships or corporations engaged in the manufacture of
50 alcoholic beverages containing alcohol in excess of five percent by weight.

51 4. The term "financial interest" as used in this chapter is defined to mean all interest,
52 legal or beneficial, direct or indirect, in the capital devoted to the licensed enterprise and all such
53 interest in the net profits of the enterprise, after the payment of reasonable and necessary
54 operating business expenses and taxes, including interest in dividends, preferred dividends,
55 interest and profits, directly or indirectly paid as compensation for, or in consideration of interest
56 in, or for use of, the capital devoted to the enterprise, or for property or money advanced, loaned
57 or otherwise made available to the enterprise, except by way of ordinary commercial credit or
58 bona fide bank credit not in excess of credit customarily granted by banking institutions, whether

59 paid as dividends, interest or profits, or in the guise of royalties, commissions, salaries, or any
60 other form whatsoever.

61 5. The supervisor shall by regulation require all applicants for licenses to file written
62 statements, under oath, containing the information reasonably required to administer this section.
63 Statements by applicants for licenses as wholesalers and retailers shall set out, with other
64 information required, full information concerning the residence of all persons financially
65 interested in the business to be licensed as required by regulation. All material changes in the
66 information filed shall be promptly reported to the supervisor.

319.015. For the purposes of sections 319.010 to 319.050, the following terms mean:

2 (1) "Approximate location", a strip of land not wider than the width of the underground
3 facility plus [two feet] **eighteen inches** on either side thereof. In situations where reinforced
4 concrete, multiplicity of adjacent facilities or other unusual specified conditions interfere with
5 location attempts, the owner or operator shall designate to the best of his or her ability an
6 approximate location of greater width;

7 (2) "Design request", a request from any person for facility location information for
8 design purposes only;

9 (3) "Emergency", either:

10 (a) A sudden, unexpected occurrence, presenting a clear and imminent danger
11 demanding immediate action to prevent or mitigate loss or damage to life, health, property, or
12 essential public services. "Unexpected occurrence" includes, but is not limited to,
13 thunderstorms, high winds, ice or snow storms, fires, floods, earthquakes, or other soil or
14 geologic movements, riots, accidents, water or wastewater pipe breaks, vandalism, or sabotage;
15 or

16 (b) Any interruption in the generation, transmission, or distribution of electricity, or any
17 damage to property or facilities that causes or could cause such an interruption;

18 (4) "Excavation", any operation in which earth, rock or other material in or on the ground
19 is moved, removed or otherwise displaced by means of any tools, equipment or explosives and
20 includes, without limitation, backfilling, grading, trenching, digging, ditching, drilling,
21 well-drilling, augering, boring, tunneling, scraping, cable or pipe plowing, plowing-in, pulling-in,
22 ripping, driving, and demolition of structures, except that, the use of mechanized tools and
23 equipment to break and remove pavement and masonry down only to the depth of such pavement
24 or masonry, the use of pressurized air to disintegrate and suction to remove earth, rock and other
25 materials, the tilling of soil for agricultural or seeding purposes, and the installation of marking
26 flags and stakes for the location of underground facilities that are not driven shall not be deemed
27 excavation. Backfilling or moving earth on the ground in connection with other excavation
28 operations at the same site shall not be deemed separate instances of excavation;

29 (5) "Excavator", any person making one or more excavations who is required to make
30 notices of excavation under the requirements of sections 319.010 to 319.050;

31 (6) "Marking", the use of paint, flags, stakes, or other clearly identifiable materials to
32 show the field location of underground facilities, or the area of proposed excavation, in
33 accordance with the color code standard of the American Public Works Association. Unless
34 otherwise provided by the American Public Works Association, the following color scheme shall
35 be used: blue for potable water; purple for reclaimed water, irrigation and slurry lines; green for
36 sewers and drain lines; red for electric, power lines, cables, conduit and lighting cables; orange
37 for communications, including telephone, cable television, alarm or signal lines, cable or
38 conduit; yellow for gas, oil, steam, petroleum or gaseous materials; white for proposed
39 excavation; pink for temporary marking of construction project site features such as centerline
40 and top of slope and toe of slope;

41 (7) "Notification center", a statewide organization operating twenty-four hours a day,
42 three hundred sixty-five days a year on a not-for-profit basis, supported by its participants, or by
43 more than one operator of underground facilities, having as its principal purpose the statewide
44 receipt and dissemination to participating owners and operators of underground facilities of
45 information concerning intended excavation activities in the area where such owners and
46 operators have underground facilities, and open to participation by any and all such owners and
47 operators on a fair and uniform basis. Such notification center shall be governed by a board of
48 directors elected by the membership and composed of representatives from each general
49 membership group, provided that one of the board members shall be a representative of the state
50 highways and transportation commission so long as the commission is a participant in the
51 notification center;

52 (8) "Notification center participant", an underground facility owner who is a member and
53 participant in the notification center;

54 (9) "Permitted project", a project for which a permit for the work to be performed is
55 required to be issued by a local, state or federal agency and, as a prerequisite to receiving such
56 permit, the applicant is required to notify all underground facility owners in the area of the work
57 for purposes of identifying the location of existing underground facilities;

58 (10) "Person", any individual, firm, joint venture, partnership, corporation, association,
59 cooperative, municipality, political subdivision, governmental unit, department or agency and
60 shall include a notification center and any trustee, receiver, assignee or personal representative
61 thereof;

62 (11) "Pipeline facility" includes, without limitation, new and existing pipe, rights-of-way,
63 and any equipment, facility, or building used or intended for use in the transportation of gas or

64 the treatment of gas, or used or intended for use in the transportation of hazardous liquids
65 including petroleum, or petroleum products;

66 (12) "Preengineered project", a project which is approved by an agency or political
67 subdivision of the state and for which the agency or political subdivision responsible for the
68 project, as part of its engineering and contract procedures, holds a meeting prior to the
69 commencement of any construction work on such project and in such meeting all persons
70 determined by the agency or political subdivision to have underground facilities located within
71 the excavation area of the project are invited to attend and given an opportunity to verify or
72 inform any agency or political subdivision of the location of their underground facilities, if any,
73 within the excavation area and where the location of all known underground facilities are duly
74 located or noted on the engineering drawing as specifications for the project;

75 (13) "State plane coordinates", a system of locating a point on a flat plane developed by
76 the National Oceanic and Atmospheric Administration and utilized by state agencies, local
77 governments, and other persons to designate the site of a construction project;

78 (14) "Trenchless excavation", horizontal excavation parallel to the surface of the earth
79 which does not use trenching or vertical digging as the primary means of excavation, including
80 but not limited to directional boring, tunneling, or augering;

81 (15) "Underground facility", any item of personal property which shall be buried or
82 placed below ground for use in connection with the storage or conveyance of water, storm
83 drainage, sewage, telecommunications service, cable television service, electricity, oil, gas,
84 hazardous liquids or other substances, and shall include but not be limited to pipes, sewers,
85 conduits, cables, valves, lines, wires, manholes, attachments, or appurtenances, and those
86 portions of pylons or other supports below ground that are within any public or private street,
87 road or alley, right-of-way dedicated to the public use or utility easement of record, or
88 prescriptive easement. If gas distribution lines or electric lines, telecommunications facilities,
89 cable television facilities, water service lines, water system, storm drainage or sewer system
90 lines, other than those used for vehicular traffic control, lighting of streets and highways and
91 communications for emergency response, are located on private property and are owned solely
92 by the owner or owners of such private property, such lines or facilities receiving service shall
93 not be considered underground facilities for purposes of this chapter, except at locations where
94 they cross or lie within an easement or right-of-way dedicated to public use or owned by a person
95 other than the owner of the private property. Water and sanitary sewer lines providing service
96 to private property that are owned solely by the owner of such property shall not be considered
97 underground facilities at any location. Water, storm drainage, cross road drainage, or sewer lines
98 owned by the state highways and transportation commission shall not be considered underground
99 facilities at any location. For railroads regulated by the Federal Railroad Administration,

100 "underground facility" as used in sections 319.015 to 319.050 shall not include any excavating
101 done by a railroad when such excavating is done entirely on land which the railroad owns or on
102 which the railroad operates, or in the event of emergency, on adjacent land;

103 (16) "Underground facility owner", any person who owns or operates underground
104 facilities as defined by this section;

105 (17) "Working day", every day, except Saturday, Sunday or a legally declared local, state
106 or federal holiday.

320.097. 1. As used in this section, "fire department" means any agency or organization
2 that provides fire suppression and related activities, including but not limited to fire prevention,
3 rescue, emergency medical services, hazardous material response, dispatching, or special
4 operations to a population within a fixed and legally recorded geographical area.

5 2. [Upon approval of the board of aldermen,] No employee of a fire department shall,
6 as a condition of employment, be required to reside within a fixed and legally recorded
7 geographical area of the fire department if the only public school district available to the
8 employee within such fire department's geographical area is a public school district that is or has
9 been unaccredited or provisionally accredited in the last five years of such employee's
10 employment. No charter school shall be deemed a public school for purposes of this section.

11 3. No employee of a fire department who has not resided in such fire department's fixed
12 and legally recorded geographical area, or who has changed such employee's residency because
13 of conditions described in subsection 2 of this section, shall as a condition of employment be
14 required to reside within the fixed and legally recorded geographical area of the fire department
15 if such school district subsequently becomes fully accredited.

16 [4. Unless the voters of a city not within a county vote to supersede this section by the
17 same majority needed to change the charter of said city by September 1, 2008, this section shall
18 be in force for the city not within a county. In addition, any employee who resides outside the
19 city will forfeit one percent of his or her salary for the time the employee is not living in the city
20 to offset any lost revenue to the city.

21 5. The ballot of submission for this authorization shall be in substantially the following
22 form:

23 Shall (insert name of city) be allowed to prevent fire department employees from
24 paying one percent of their salaries to the city in order to reside outside the city limits when the
25 public school system is or has been unaccredited or provisionally accredited?

26 ☐ YES ☐ NO

27

28 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed
29 to the question, place an "X" in the box opposite "NO".]

327.272. 1. **A professional land surveyor shall include** any person who practices in Missouri as a professional land surveyor who uses the title of "surveyor" alone or in combination with any other word or words including, but not limited to "registered", "professional" or "land" indicating or implying that the person is, or holds himself or herself out to be a professional land surveyor who by word or words, letters, figures, degrees, titles or other descriptions indicates or implies that the person is a professional land surveyor or is willing or able to practice professional land surveying or who renders or offers to render, or holds himself or herself out as willing or able to render, or perform any service or work, the adequate performance of which involves the special knowledge and application of the principles of **land surveying**, mathematics, the related physical and applied sciences, and the relevant requirements of law, all of which are acquired by education, training, experience and examination, that affect real property rights on, under or above the land and which service or work involves:

- (1) The **determination, location, relocation, establishment, reestablishment, layout or retracing** of land boundaries **and positions of the United States Public Land Survey System**;
- (2) Monumentation of land boundaries, land boundary corners and corners of the United States Public Land Survey System;
- (3) The subdivision of land into smaller tracts;
- (4) **Creating, preparing, or modifying electronic or computerized data relative to the performance of the activities in subdivisions (1) to (3) of this subsection**;
- (5) Consultation, investigation, evaluation, planning, design and execution of surveys;
- [(5)] (6) The preparation of any drawings showing the shape, location, dimensions or area of tracts of land;
- [(6)] (7) Monumentation of geodetic control and the determination of their horizontal and vertical positions;
- [(7)] (8) Establishment of state plane coordinates;
- [(8)] (9) Topographic surveys and the determination of the horizontal and vertical location of any physical features on, under or above the land;
- [(9)] (10) The preparation of plats, maps or other drawings showing elevations and the locations of improvements and the measurement and preparation of drawings showing existing improvements after construction;
- [(10)] (11) Layout of proposed improvements;
- [(11)] (12) The determination of azimuths by astronomic observations.

2. None of the specific duties listed in subdivisions (4) to [(11)] (12) of subsection 1 of this section are exclusive to professional land surveyors unless they affect real property rights.

36 For the purposes of this section, the term "real property rights" means a recordable interest in real
37 estate as it affects the location of land boundary lines.

38 3. Nothing in this section shall be construed to preclude the practice of architecture or
39 professional engineering as provided in sections 327.091 and 327.181.

40 4. Nothing in this section shall be construed to prohibit the subdivision of land pursuant
41 to section 137.185, RSMo.

429.015. 1. Every registered architect or corporation registered to practice architecture,
2 every registered professional engineer or corporation registered to practice professional
3 engineering, every registered landscape architect or corporation registered to practice landscape
4 architecture, and every registered land surveyor or corporation registered to practice land
5 surveying, who does any landscape architectural, architectural, engineering or land surveying
6 work upon or performs any landscape architectural, architectural, engineering or land surveying
7 service directly connected with the erection or repair of any building or other improvement upon
8 land under or by virtue of any contract with the owner or lessee thereof, or such owner's or
9 lessee's agent, trustee, contractor or subcontractor, or without a contract if ordered by a city,
10 town, village or county having a charter form of government to abate the conditions that caused
11 a structure on that property to be deemed a dangerous building under local ordinances pursuant
12 to section 67.410, RSMo, upon complying with the provisions of this chapter, shall have for such
13 person's landscape architectural, architectural, engineering or land surveying work or service so
14 done or performed, a lien upon the building or other improvements and upon the land belonging
15 to the owner or lessee on which the building or improvements are situated, to the extent of [one
16 acre] **three acres**. If the building or other improvement is upon any lot of land in any town, city
17 or village, then the lien shall be upon such building or other improvements, and the lot or land
18 upon which the building or other improvements are situated, to secure the payment for the
19 landscape architectural, architectural, engineering or land surveying work or service so done or
20 performed. For purposes of this section, a corporation engaged in the practice of architecture,
21 engineering, landscape architecture, or land surveying, shall be deemed to be registered if the
22 corporation itself is registered under the laws of this state to practice architecture, engineering
23 or land surveying.

24 2. Every mechanic or other person who shall do or perform any work or labor upon or
25 furnish any material or machinery for the digging of a well to obtain water under or by virtue of
26 any contract with the owner or lessee thereof, or such owner's or lessee's agent, trustee,
27 contractor or subcontractor, upon complying with the provisions of sections 429.010 to 429.340
28 shall have for such person's work or labor done, or materials or machinery furnished, a lien upon
29 the land belonging to such owner or lessee on which the same are situated, to the extent of [one

30 acre] **three acres**, to secure the payment of such work or labor done, or materials or machinery
31 furnished as aforesaid.

32 3. Every mechanic or other person who shall do or perform any work or labor upon, or
33 furnish any material, fixtures, engine, boiler or machinery, for the purpose of demolishing or
34 razing a building or structure under or by virtue of any contract with the owner or lessee thereof,
35 or such owner's or lessee's agent, trustee, contractor or subcontractor, or without a contract if
36 ordered by a city, town, village or county having a charter form of government to abate the
37 conditions that caused a structure on that property to be deemed a dangerous building under local
38 ordinances pursuant to section 67.410, RSMo, upon complying with the provisions of sections
39 429.010 to 429.340, shall have for such person's work or labor done, or materials, fixtures,
40 engine, boiler or machinery furnished, a lien upon the land belonging to such owner or lessee on
41 which the same are situated, to the extent of [one acre] **three acres**. If the building or buildings
42 to be demolished or razed are upon any lot of land in any town, city or village, then the lien shall
43 be upon the lot or lots or land upon which the building or other improvements are situated, to
44 secure the payment for the labor and materials performed.

45 4. The provisions of sections 429.030 to 429.060 and sections 429.080 to 429.430
46 applicable to liens of mechanics and other persons shall apply to and govern the procedure with
47 respect to the liens provided for in subsections 1, 2 and 3 of this section.

48 5. Any design professional or corporation authorized to have lien rights under subsection
49 1 of this section shall have a lien upon the building or other improvement and upon the land,
50 whether or not actual construction of the planned work or improvement has commenced if:

51 (1) The owner or lessee thereof, or such owner's or lessee's agent or trustee, contracted
52 for such professional services directly with the design professional or corporation asserting the
53 lien; and

54 (2) The owner or lessee is the owner or lessee of such real property either at the time the
55 contract is made or at the time the lien is filed.

56 6. Priority between a design professional or corporation lien claimant and any other
57 mechanic's lien claimant shall be determined pursuant to the provisions of section 429.260 on
58 a pro rata basis.

59 7. In any civil action, the owner or lessee may assert defenses which include that the
60 actual construction of the planned work or improvement has not been performed in compliance
61 with the professional services contract, is impracticable or is economically infeasible.

62 8. The agreement is in writing.

**431.210. 1. When a contract for service, maintenance, or repair to or for any real
2 residential property intended for personal, family, or household use that states that the
3 term of the contract shall be deemed renewed for a specified additional period of twelve**

4 months or more unless the person receiving the residential service, maintenance, or repair
5 gives notice to the person furnishing such contract service, maintenance, or repair of his
6 or her intention to terminate the contract at the expiration of such term, such provision
7 shall not be enforceable against the person receiving the service, maintenance, or repair,
8 unless the person furnishing the residential service, maintenance, or repair gives written
9 notice by certified United States mail at the last known address or electronic notice at the
10 customers' last known email address to the person receiving the service, maintenance, or
11 repair of the existence of the provision in the contract at least thirty days but not more than
12 ninety days before the time specified as the time of renewal.

13 **2. For purposes of this section, a contract for residential service, maintenance, or**
14 **repair shall include any contract that includes rental equipment as a component of the**
15 **residential service, maintenance, or repair excluding video services, voice and data services,**
16 **and Internet service providers.**

447.708. 1. For eligible projects, the director of the department of economic
2 development, with notice to the directors of the departments of natural resources and revenue,
3 and subject to the other provisions of sections 447.700 to 447.718, may not create a new
4 enterprise zone but may decide that a prospective operator of a facility being remedied and
5 renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions
6 pursuant to sections 135.100 to 135.150, RSMo, and sections 135.200 to 135.257, RSMo. The
7 tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter
8 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or the
9 tax otherwise imposed by chapter 147, RSMo, or the tax otherwise imposed by chapter 148,
10 RSMo. For purposes of this subsection:

11 (1) For receipt of the ad valorem tax abatement pursuant to section 135.215, RSMo, the
12 eligible project must create at least ten new jobs or retain businesses which supply at least
13 twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must
14 provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and
15 not more than twenty-five years;

16 (2) For receipt of the income tax exemption pursuant to section 135.220, RSMo, and tax
17 credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and
18 135.225, RSMo, the eligible project must create at least ten new jobs or retain businesses which
19 supply at least twenty-five existing jobs, or combination thereof. For purposes of sections
20 447.700 to 447.718, the tax credits described in section 135.225, RSMo, are modified as follows:
21 the tax credit shall be four hundred dollars per employee per year, an additional four hundred
22 dollars per year for each employee exceeding the minimum employment thresholds of ten and
23 twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars

24 per year for each person who is a person difficult to employ as defined by section 135.240,
25 RSMo, and investment tax credits at the same amounts and levels as provided in subdivision (4)
26 of subsection 1 of section 135.225, RSMo;

27 (3) For eligibility to receive the income tax refund pursuant to section 135.245, RSMo,
28 the eligible project must create at least ten new jobs or retain businesses which supply at least
29 twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of
30 section 135.245, RSMo, for application and use of the refund and the eligibility requirements of
31 this section;

32 (4) The eligible project operates in compliance with applicable environmental laws and
33 regulations, including permitting and registration requirements, of this state as well as the federal
34 and local requirements;

35 (5) The eligible project operator shall file such reports as may be required by the director
36 of economic development or the director's designee;

37 (6) The taxpayer may claim the state tax credits authorized by this subsection and the
38 state income exemption for a period not in excess of ten consecutive tax years. For the purpose
39 of this section, "taxpayer" means an individual proprietorship, partnership or corporation
40 described in section 143.441 or 143.471, RSMo, who operates an eligible project. The director
41 shall determine the number of years the taxpayer may claim the state tax credits and the state
42 income exemption based on the projected net state economic benefits attributed to the eligible
43 project;

44 (7) For the purpose of meeting the new job requirement prescribed in subdivisions (1),
45 (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and
46 maintained during the taxpayer's tax period for which the credits are earned, in the case of an
47 eligible project that does not replace a similar facility in Missouri. "New job" means a person
48 who was not previously employed by the taxpayer or related taxpayer within the twelve-month
49 period immediately preceding the time the person was employed by that taxpayer to work at, or
50 in connection with, the eligible project on a full-time basis. "Full-time basis" means the
51 employee works an average of at least thirty-five hours per week during the taxpayer's tax period
52 for which the tax credits are earned. For the purposes of this section, "related taxpayer" has the
53 same meaning as defined in subdivision (9) of section 135.100, RSMo;

54 (8) For the purpose of meeting the existing job retention requirement, if the eligible
55 project replaces a similar facility that closed elsewhere in Missouri prior to the end of the
56 taxpayer's tax period in which the tax credits are earned, it shall be required that at least
57 twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time
58 basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a
59 person who was previously employed by the taxpayer or related taxpayer, at a facility similar to

60 the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period
61 in which the tax credits are earned, within the tax period immediately preceding the time the
62 person was employed by the taxpayer to work at, or in connection with, the eligible project on
63 a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five
64 hours per week during the taxpayer's tax period for which the tax credits are earned;

65 (9) In the case where an eligible project replaces a similar facility that closed elsewhere
66 in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the
67 owner and operator of the eligible project shall provide the director with a written statement
68 explaining the reason for discontinuing operations at the closed facility. The statement shall
69 include a comparison of the activities performed at the closed facility prior to the date the facility
70 ceased operating, to the activities performed at the eligible project, and a detailed account
71 describing the need and rationale for relocating to the eligible project. If the director finds the
72 relocation to the eligible project significantly impaired the economic stability of the area in
73 which the closed facility was located, and that such move was detrimental to the overall
74 economic development efforts of the state, the director may deny the taxpayer's request to claim
75 tax benefits;

76 (10) Notwithstanding any provision of law to the contrary, for the purpose of this
77 section, the number of new jobs created and maintained, the number of existing jobs retained,
78 and the value of new qualified investment used at the eligible project during any tax year shall
79 be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals
80 employed at the eligible project, or in the case of new qualified investment, the value of new
81 qualified investment used at the eligible project, on the last business day of each full calendar
82 month of the tax year. If the eligible project is in operation for less than the entire tax year, the
83 number of new jobs created and maintained, the number of existing jobs retained, and the value
84 of new qualified investment created at the eligible project during any tax year shall be
85 determined by dividing the sum of the number of individuals employed at the eligible project,
86 or in the case of new qualified investment, the value of new qualified investment used at the
87 eligible project, on the last business day of each full calendar month during the portion of the tax
88 year during which the eligible project was in operation, by the number of full calendar months
89 during such period;

90 (11) For the purpose of this section, "new qualified investment" means new business
91 facility investment as defined and as determined in subdivision (7) of section 135.100, RSMo,
92 which is used at and in connection with the eligible project. "New qualified investment" shall
93 not include small tools, supplies and inventory. "Small tools" means tools that are portable and
94 can be hand held.

95 2. The determination of the director of economic development pursuant to subsection
96 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval
97 of the granting of real property tax abatement by the municipal or county government where the
98 eligible project is located.

99 3. (1) The director of the department of economic development, with the approval of
100 the director of the department of natural resources, may, in addition to the tax credits allowed
101 in subsection 1 of this section, grant a remediation tax credit to the applicant for up to one
102 hundred percent of the costs of materials, supplies, equipment, labor, professional engineering,
103 consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement,
104 **environmental insurance premiums, backfill of areas where contaminated soil excavation**
105 **occurs**, and direct utility charges for performing the voluntary remediation activities for the
106 preexisting hazardous substance contamination and releases, including, but not limited to, the
107 costs of performing operation and maintenance of the remediation equipment at the property
108 beyond the year in which the systems and equipment are built and installed at the eligible project
109 and the costs of performing the voluntary remediation activities over a period not in excess of
110 four tax years following the taxpayer's tax year in which the system and equipment were first put
111 into use at the eligible project, provided the remediation activities are the subject of a plan
112 submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to
113 260.575, RSMo. The tax credit may also include up to one hundred percent of the costs of
114 demolition that are not directly part of the remediation activities, provided that the demolition
115 is on the property where the voluntary remediation activities are occurring, the demolition is
116 necessary to accomplish the planned use of the facility where the remediation activities are
117 occurring, and the demolition is part of a redevelopment plan approved by the municipal or
118 county government and the department of economic development. The demolition may occur
119 on an adjacent property if the project is located in a municipality which has a population less
120 than twenty thousand and the above conditions are otherwise met. The adjacent property shall
121 independently qualify as abandoned or underutilized. The amount of the credit available for
122 demolition not associated with remediation cannot exceed the total amount of credits approved
123 for remediation including demolition required for remediation.

124 (2) The amount of remediation tax credits issued shall be limited to the least amount
125 necessary to cause the project to occur, as determined by the director of the department of
126 economic development.

127 (3) The director may, with the approval of the director of natural resources, extend the
128 tax credits allowed for performing voluntary remediation maintenance activities, in increments
129 of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed
130 in this subsection shall be used to offset the tax imposed by chapter 143, RSMo, excluding

131 withholding tax imposed by sections 143.191 to 143.265, RSMo, or the tax otherwise imposed
132 by chapter 147, RSMo, or the tax otherwise imposed by chapter 148, RSMo. The remediation
133 tax credit may be taken in the same tax year in which the tax credits are received or may be taken
134 over a period not to exceed twenty years.

135 (4) The project facility shall be projected to create at least ten new jobs or at least
136 twenty-five retained jobs, or a combination thereof, as determined by the department of
137 economic development, to be eligible for tax credits pursuant to this section.

138 (5) No more than seventy-five percent of earned remediation tax credits may be issued
139 when the remediation costs were paid, and the remaining percentage may be issued when the
140 department of natural resources issues a "Letter of Completion" letter or covenant not to sue
141 following completion of the voluntary remediation activities. It shall not include any costs
142 associated with ongoing operational environmental compliance of the facility or remediation
143 costs arising out of spills, leaks, or other releases arising out of the ongoing business operations
144 of the facility. **In the event the department of natural resources issues a "Letter of**
145 **Completion" letter for a portion of a property, an impacted media such as soil or**
146 **groundwater, or for a site or a portion of a site improvement, a prorated amount of the**
147 **remaining percentage may be released based on the percentage of the total site receiving**
148 **a "Letter of Completion".**

149 4. In the exercise of the sound discretion of the director of the department of economic
150 development or the director's designee, the tax credits and exemptions described in this section
151 may be terminated, suspended or revoked, if the eligible project fails to continue to meet the
152 conditions set forth in this section. In making such a determination, the director shall consider
153 the severity of the condition violation, actions taken to correct the violation, the frequency of any
154 condition violations and whether the actions exhibit a pattern of conduct by the eligible facility
155 owner and operator. The director shall also consider changes in general economic conditions and
156 the recommendation of the director of the department of natural resources, or his or her designee,
157 concerning the severity, scope, nature, frequency and extent of any violations of the
158 environmental compliance conditions. The taxpayer or person claiming the tax credits or
159 exemptions may appeal the decision regarding termination, suspension or revocation of any tax
160 credit or exemption in accordance with the procedures outlined in subsections 4 to 6 of section
161 135.250, RSMo. The director of the department of economic development shall notify the
162 directors of the departments of natural resources and revenue of the termination, suspension or
163 revocation of any tax credits as determined in this section or pursuant to the provisions of section
164 447.716.

165 5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax
166 credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection

167 1 of this section and the tax credits otherwise allowed in section 135.110, RSMo, or the tax
168 credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and
169 135.245, RSMo, respectively, for the same facility for the same tax period.

170 6. The total amount of the tax credits allowed in subsection 1 of this section may not
171 exceed the greater of:

172 (1) That portion of the taxpayer's income attributed to the eligible project; or

173 (2) One hundred percent of the total business' income tax if the eligible facility does not
174 replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax
175 period in which the tax credits are earned, and further provided the taxpayer does not operate any
176 other facilities besides the eligible project in Missouri; fifty percent of the total business' income
177 tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the
178 end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer
179 does not operate any other facilities besides the eligible project in Missouri; or twenty-five
180 percent of the total business income if the taxpayer operates, in addition to the eligible facility,
181 any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible
182 project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business
183 income in any tax period. That portion of the taxpayer's income attributed to the eligible project
184 as referenced in subdivision (1) of this subsection, for which the credits allowed in sections
185 135.110 and 135.225, RSMo, and subsection 3 of this section, may apply, shall be determined
186 in the same manner as prescribed in subdivision (6) of section 135.100, RSMo. That portion of
187 the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit
188 may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision
189 (6) of section 135.100, RSMo.

190 7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of
191 subsection 1 of this section shall be required to file all applicable tax credit applications, forms
192 and schedules prescribed by the director during the taxpayer's tax period immediately after the
193 tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to
194 claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax
195 credits shall not be carried forward but shall be initially claimed for the tax period during which
196 the eligible project was first capable of being used, and during any applicable subsequent tax
197 periods.

198 8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section
199 shall be required to file all applicable tax credit applications, forms and schedules prescribed by
200 the director during the taxpayer's tax period immediately after the tax period in which the eligible
201 project was first put into use, or during the taxpayer's tax period immediately after the tax period
202 in which the voluntary remediation activities were performed.

203 9. The recipient of remediation tax credits, for the purpose of this subsection referred to
204 as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed
205 in subsection 3 of this section to any other person, for the purpose of this subsection referred to
206 as assignee. To perfect the transfer, the assignor shall provide written notice to the director of
207 the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective,
208 the assignee's name, address and the assignee's tax period and the amount of tax credits to be
209 transferred. The number of tax periods during which the assignee may subsequently claim the
210 tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor
211 previously claimed the credits before the transfer occurred.

212 10. In the case where an operator and assignor of an eligible project has been certified
213 to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and
214 sells or otherwise transfers title of the eligible project to another taxpayer or assignee who
215 continues the same or substantially similar operations at the eligible project, the director shall
216 allow the assignee to claim the credits for a period of time to be determined by the director;
217 except that, the total number of tax periods the tax credits may be earned by the assignor and the
218 assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice
219 to the director of the assignor's intent to transfer the tax credits to the assignee, the date the
220 transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount
221 of tax credits to be transferred.

222 11. For the purpose of the state tax benefits described in this section, in the case of a
223 corporation described in section 143.471, RSMo, or partnership, in computing Missouri's tax
224 liability, such state benefits shall be allowed to the following:

225 (1) The shareholders of the corporation described in section 143.471, RSMo;

226 (2) The partners of the partnership. The credit provided in this subsection shall be
227 apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion
228 to their share of ownership on the last day of the taxpayer's tax period.

**473.745. 1. Any city not within a county shall provide suitable furnishings for the
2 public administrator and through its supply commissioner shall purchase all necessary
3 supplies for such public administrator. All such supplies shall be furnished upon
4 requisition of the public administrator for such city not within a county, which shall be
5 approved by the comptroller.**

**6 2. All the necessary expenses incurred by the public administrator of any city not
7 within a county in the conduct of the duties of the office shall, upon the public
8 administrator's requisition, be approved by the comptroller and be paid out of the treasury
9 of such city not within a county.**

10 **3. The public administrator for any city not within a county shall, with the**
11 **approval of a majority of the circuit judges of the circuit court of such city not within a**
12 **county, employ as many deputies and assistants as may be necessary to perform the duties**
13 **of the office, and fix the compensation for their services; however, such compensation shall**
14 **not in any case exceed the annual rate of compensation fixed by the board of aldermen for**
15 **such city not within a county. For additional duties imposed by this section, the public**
16 **administrator shall act as trustee or successor trustee when so appointed by the circuit**
17 **court or the probate division of the circuit court.**

 490.240. Printed copies of the ordinances, resolutions, rules, orders and bylaws of any
2 city or incorporated town in this state, purporting to be published by authority of such city or
3 incorporated town, and manuscript or printed copies of such ordinances, resolutions, rules, orders
4 and bylaws, certified under the hand of the officer having the same in lawful custody, with the
5 seal of such city or town annexed, shall be received as evidence in all courts and places in this
6 state, without further proof; and any printed pamphlet or volume, **or any electronic version of**
7 **such ordinances, resolutions, rules, orders, or bylaws of such town or city**, purporting to be
8 published by authority of any such town or city, and to contain the ordinances, resolutions, rules,
9 orders or bylaws of such town or city, shall be evidence, in all courts and places within this state,
10 of such ordinances, resolutions, rules, orders or bylaws.

 701.355. The board shall have the following powers:

- 2 (1) To consult with engineering authorities and organizations who are studying and
3 developing elevator safety codes;
4 (2) To adopt a code of rules and regulations governing **licenses of elevator mechanics**
5 **and elevator contractors**, construction, maintenance, testing, and inspection of both new and
6 existing installations and. The board shall have the power to adopt a safety code only for those
7 types of equipment defined in the rule. In promulgating the elevator safety code the board may
8 consider any existing or future American National Standards Institute safety code affecting
9 elevators as defined in sections 701.350 to 701.380, or any other nationally acceptable standard;
10 (3) To certify state, municipal inspectors and political subdivision inspectors, and special
11 inspectors, who shall enforce the provisions of a safety code adopted pursuant to sections
12 701.350 to 701.380;
13 (4) To appoint a chief safety inspector together with a staff for the purpose of ensuring
14 compliance with any safety code established pursuant to sections 701.350 to 701.380.

Section 1. 1. Any county of the first classification may make and promulgate
2 **orders, ordinances, rules, or regulations establishing curfew hours for persons under the**
3 **age of seventeen for public streets, highways, roads, alleys, parks, playgrounds, or other**
4 **public grounds, public places, and public buildings, places of amusement and**

5 entertainment, vacant lots, or other unsupervised places available to persons under the age
6 of seventeen.

7 2. Any minor who violates the provisions of any order, ordinance, rule, or
8 regulation adopted under this section shall be guilty of a class C misdemeanor.

9 3. Any parent, guardian, or other person having the legal care or custody of a
10 minor child in violation of any order, ordinance, rule, or regulation adopted under this
11 section shall be guilty of a class C misdemeanor if such parent, guardian, or other person
12 has knowledge of the violation.

Section 2. Notwithstanding any other provision of law to the contrary, all political
2 subdivisions shall immediately revise the applicable rates of levy for each purpose for each
3 subclass of real property, individually, and personal property, in the aggregate, for which
4 taxes are levied to the extent necessary to produce from all taxable property, exclusive of
5 new construction and improvements, substantially the same amount of tax revenue as was
6 produced in the previous year for each subclass of real property, individually, and personal
7 property, in the aggregate, as provided by subsection 2 of section 137.073, RSMo, except
8 that the rate shall not exceed the greater of the rate in effect in the 1984 tax year or the
9 most recent voter-approved rate.

Section 3. Every person seeking election to the position of county executive or
2 presiding commissioner for any charter county with an assessed valuation of fifteen billion
3 dollars or more shall hold a bachelor's degree from an accredited four-year university.

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