

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 739
95TH GENERAL ASSEMBLY

4274L.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 320.097, RSMo, and to enact in lieu thereof one new section relating to fire department employee residency requirements.

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

Section A. Section 320.097, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 320.097, to read as follows:

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

2. [Upon approval of the board of aldermen,] No employee of a fire department **who has worked for seven years for such department** shall, as a condition of employment, be required to reside within a fixed and legally recorded geographical area of the fire department if the only public school district available to the employee within such fire department's geographical area is a public school district that is or has been unaccredited or provisionally accredited in the last five years of such employee's employment. **Employees who have satisfied the seven-year requirement in this subsection and who choose to reside outside the geographical boundaries of the department shall reside within a one-hour response time.** No charter school shall be deemed a public school for purposes of this section.

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

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.

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

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

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

30 YES NO

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

