

SECOND REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 1705

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES MOLENDORP (Sponsor) AND SCAVUZZO (Co-sponsor).

4415L.02P

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 204.569, RSMo, and to enact in lieu thereof one new section relating to sewer subdistricts.

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

Section A. Section 204.569, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 204.569, to read as follows:

204.569. When an unincorporated sewer subdistrict of a common sewer district has been formed pursuant to sections 204.565 to 204.573, the board of trustees of the common sewer district shall have the same powers with regard to the subdistrict as for the common sewer district as a whole, plus the following additional powers:

(1) To enter into agreements to accept, take title to, or otherwise acquire, and to operate such sewers, sewer systems, treatment and disposal facilities, and other property, both real and personal, of the political subdivisions included in the subdistrict as the board determines to be in the interest of the common sewer district to acquire or operate, according to such terms and conditions as the board finds reasonable, provided that such authority shall be in addition to the powers of the board of trustees pursuant to section 204.340;

(2) To provide for the construction, extension, improvement, and operation of such sewers, sewer systems, and treatment and disposal facilities, as the board determines necessary for the preservation of public health and maintenance of sanitary conditions in the subdistrict;

(3) For the purpose of meeting the costs of activities undertaken pursuant to the authority granted in this section, to issue bonds in anticipation of revenues of the subdistrict in the same

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

16 manner as set out in sections 204.360 to 204.450, for other bonds of the common sewer district.  
17 Issuance of such bonds for the subdistrict shall require the assent only of four-sevenths of the  
18 voters of the subdistrict voting on the question, [and] **except that, as an alternative to such a**  
19 **vote, if the subdistrict is a part of a common sewer district located in whole or in part in**  
20 **any county of the first classification with more than eighty-two thousand but fewer than**  
21 **eighty-two thousand one hundred inhabitants, bonds may be issued for such subdistrict**  
22 **if the question receives the written assent of three-quarters of the customers of the**  
23 **subdistrict in a manner consistent with section 204.370, where "customer", as used in this**  
24 **subdivision, means any political subdivision within the subdistrict that has a service or user**  
25 **agreement with the common sewer district.** The principal and interest of [such] **any** bonds  
26 **issued under this subdivision** shall be payable only from the revenues of the subdistrict and not  
27 from any revenues of the common sewer district as a whole;

28 (4) To charge the costs of the common sewer district for operation and maintenance  
29 attributable to the subdistrict, plus a proportionate share of the common sewer district's costs of  
30 administration to revenues of the subdistrict and to consider such costs in determining reasonable  
31 charges to impose within the subdistrict under section 204.440;

32 (5) With prior concurrence of the subdistrict's advisory board, to provide for the  
33 treatment and disposal of sewage from the subdistrict in or by means of facilities of the common  
34 sewer district not located within the subdistrict, in which case the board of trustees shall also  
35 have authority to charge a proportionate share of the costs of the common sewer district for  
36 operation and maintenance to revenues of the subdistrict and to consider such costs in  
37 determining reasonable charges to impose within the subdistrict under section 204.440.

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