

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1705
95TH GENERAL ASSEMBLY

Reported from the Committee on Jobs, Economic Development and Local Government, April 15, 2010, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

4415S.03C

TERRY L. SPIELER, Secretary.

AN ACT

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

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

Section A. Section 204.569, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 204.569 and 249.669, to read as follows: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

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

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

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

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

249.669. Any sewer district established under sections 249.430 to
2 **249.668 in any county with a charter form of government may subdivide**
3 **the district into subdistricts, issue bonds, collect annual rental charges,**
4 **and construct and finance additional lateral sewers as provided in**
5 **sections 249.360 to 249.420.**