

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 2070

95TH GENERAL ASSEMBLY

4962L.03P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 321.243, RSMo, and to enact in lieu thereof one new section relating to taxes for joint central fire and emergency dispatching services.

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

Section A. Section 321.243, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 321.243, to read as follows:

321.243. 1. Notwithstanding any other provision of law to the contrary, an additional tax of not to exceed three cents per one hundred dollars of assessed valuation may be levied and collected by any city, town, village, county, or fire protection district, or a central fire and emergency services board established in subsection 4 of this section. All the funds derived from such tax, **including any existing surplus funds**, shall be used [solely] for the purpose of establishing and providing a joint central fire and emergency dispatching service[, and, in any county with a charter form of government and with more than one million inhabitants,] **and** for expenditures for equipment and services, except for salaries, wages, and benefits, by cities, towns, villages, counties, or fire protection districts which contract with such joint central fire and emergency dispatching service.

2. The additional tax prescribed by this section shall be levied only when the governing body of the city, town, village, county, fire protection district, or central fire and emergency services board determines that a central fire and emergency dispatching center will meet the minimum requirements set by section 321.245, and, except where a central fire and emergency services board is established in accordance with subsection 4 of this section, when the governing body has entered into a contract with the center for fire and emergency dispatching services. The funds from the tax shall be kept separate and apart from all other funds of the city, town, village,

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

18 county, fire protection district, or central fire and emergency services board and shall be paid out
19 only on order of the governing body. Except as provided in subsection 4 of this section, all funds
20 received by such center, and all operations of such center shall be governed and controlled by
21 a board of directors consisting of one member from each such agency using the joint central fire
22 and emergency dispatching service. Except as otherwise provided in subsection 4 of this section,
23 in any county, city, town, or village, where a tax-supported fire protection district is provided
24 emergency dispatching services by any form of joint communication organization or emergency
25 dispatching center, receiving directly or indirectly any funds so levied and collected as provided
26 in this section including any funds or tariffs paid by telephone subscribers for 911 emergency
27 service, such joint communication organization, however organized, shall be governed by a
28 board of directors, and the board of directors shall consist in part of one member appointed by
29 each county, city, town, village or tax-supported fire protection district, so served. The members
30 shall be an elected official of a fire protection district, ambulance district or city council
31 appointed by each such agency to serve for a one-year term or until a successor is duly appointed.

32 3. In addition to the tax prescribed by subsections 1 and 2 of this section, an additional
33 tax of not to exceed two cents per one hundred dollars of assessed valuation which has been
34 approved by the voters may be levied and collected by any city, town, village, county, or fire
35 protection district, or a central fire and emergency services board established in subsection 4 of
36 this section of a county of the first classification with a charter form of government which has
37 a population between two hundred thousand and five hundred thousand inhabitants, but all of
38 the funds derived from such tax shall be used solely for the purpose of establishing and providing
39 a joint central fire and emergency dispatching service.

40 4. A central fire and emergency services board shall be established in any county of the
41 first classification with a charter form of government which has a population between two
42 hundred thousand and five hundred thousand inhabitants in the manner prescribed in this
43 subsection. The board shall have all powers and duties prescribed in this section and section
44 321.245 to establish and provide a joint central fire and emergency dispatching service. The
45 initial board shall be established at the April, 1996, election. The election authority shall be
46 ordered to conduct such election, which shall be conducted as a nonpartisan election. The board
47 shall consist of one member elected from each county council district. All board members shall
48 serve for four-year terms, except that of the initial members elected, the members elected from
49 odd-numbered county council districts shall serve for terms of two years and the members
50 elected from even-numbered county council districts shall serve for terms of four years. Each
51 member shall be a resident of the county council district from which the member is elected. No
52 person who is a paid employee of any fire protection district, ambulance district, joint central fire
53 and emergency dispatch board, or a paid employee of a fire or ambulance department of a

54 municipality shall be elected to the joint central fire and emergency dispatch board. At such
55 election, the election authority of the county shall submit to the qualified voters of the county a
56 proposal for the board to levy and collect the taxes prescribed in this section, and such tax shall
57 be conditioned on the replacement of the tax levied in such county by the county under this
58 section with the new tax levied by the board. A portion of the funds derived from the tax levied
59 pursuant to this subsection shall be used to reimburse the county for the cost of the election held
60 in April, 1996, and any subsequent elections that are necessary for the operation of the board and
61 the board's duties. In addition, if such a tax is approved, any funds remaining in the separate
62 fund kept by the county, as required by subsection 2 of this section, and any property and
63 equipment purchased with moneys in such separate fund held by the county shall be transferred
64 to the fund maintained by the board for the same purpose. The board shall abide by section
65 50.660, RSMo, in the letting of contracts. The board shall be audited by the state auditor
66 pursuant to section 29.230, RSMo. Except as otherwise provided in this subsection, the board
67 shall meet as established in the bylaws. Any other meeting may be called by four of the seven
68 members voting in favor of having an additional meeting.

69 **5. Any fire protection district in any county with a charter form of government and**
70 **with more than one hundred ninety-eight thousand but fewer than one hundred ninety-**
71 **nine thousand two hundred inhabitants that has levied any tax under this section and has**
72 **levied and imposed any communications tax for central fire and emergency dispatching**
73 **services may submit a proposal to the voters of the fire protection district to use the**
74 **revenue derived from the tax imposed under this section for general revenue purposes. No**
75 **revenues derived from any such tax imposed under this section shall be used for any**
76 **purpose other than the stated purpose unless and until such proposal to use the revenue**
77 **for general revenue purposes has been submitted to and approved by the voters of the fire**
78 **protection district in the same manner as other proposals are submitted to and approved**
79 **by the voters of the fire protection district.**

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