

HCS SB 851 -- NOTICE REQUIREMENTS FOR PUBLIC MEETINGS

SPONSOR: Schmitt (Parson)

COMMITTEE ACTION: Voted "do pass by consent" by the Special Committee on General Laws by a vote of 14 to 0.

This substitute requires the governing body of any county, city, town, or village or any entity created by these political subdivisions to give notice four business days prior to voting and hold a public meeting to allow public comment on an issue involving the implementation of a tax increase, a retail development project which utilizes the power of eminent domain, creation of a transportation development or community improvement district, or the approval of a redevelopment plan that pledges public funds as financing. Any legal action challenging the notice requirements must be filed within 30 days or the meeting will be deemed to have been properly noticed and held. These provisions will not apply to any votes or discussions related to proposed ordinances that require a minimum of two separate readings on different days; and tax measures under these provisions will not include the setting of the annual tax rates in Sections 67.110 and 137.055, RSMo.

FISCAL NOTE: No impact on state funds in FY 2011, FY 2012, and FY 2013.

PROPOSERS: Supporters say that the bill will provide additional notice to the general public before a governing body votes on important matters involving taxes, zoning, and property rights.

Testifying for the bill were Senator Schmitt; Missouri Retailers Association; Missouri Press Association; and Mid America Retail Food Joint Labor Management Committee.

OPPOSERS: Those who oppose the bill say that it is unclear how the bill will interact with many existing statutory requirements and how it will apply to closed meetings. A statute of limitations on lawsuits should be included.

Testifying against the bill was St. Louis County Municipal League.