

FIRST REGULAR SESSION

# HOUSE BILL NO. 889

## 96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GATSCHENBERGER.

1285L.03I

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 67, RSMo, by adding thereto one new section relating to political subdivisions.

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

Section A. Chapter 67, RSMo, is amended by adding thereto one new section, to be known as section 67.319, to read as follows:

**67.319. 1. If approved by a majority of the voters voting on the proposal, any city, town, village, sewer district, or water supply district located within this state may, by order or ordinance, levy and impose annually, upon lateral sewer service lines providing sewer service to residential property having four or fewer dwelling units within the jurisdiction of such city, town, village, sewer district, or water supply district, a fee not to exceed four dollars per month or forty-eight dollars annually.**

**2. The ballot of submission shall be in substantially the following form:**

**For the purpose of repair or replacement of lateral sewer service lines extending from the residential dwelling to its connection with the public sewer system line, due to failure of the line, shall..... (city, town, village, sewer district, or water supply district) be authorized to impose a fee not to exceed four dollars per month or forty-eight dollars annually on residential property for each lateral sewer service line providing sewer service within the (city, town, village, sewer district, or water supply district) to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary lateral sewer service line repairs or replacements?**

**3. For the purpose of this section, a lateral sewer service line may be defined by local order or ordinance, but shall not include the water meter or exceed that portion of**

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 water piping and related valves and connectors which extends from the water mains owned  
19 by the utility or municipality distributing public water supply to the first opportunity for  
20 a connection or joint beyond the point of entry into the premises receiving sewer service,  
21 and may not include facilities owned by the utility or municipality distributing public  
22 water supply. For purposes of this section, repair may be defined and limited by local  
23 ordinance, and may include replacement or repairs.

24       4. If a majority of the voters voting thereon approve the proposal authorized in  
25 subsection 1 of this section, the governing body of the city, town, village, sewer district, or  
26 water supply district may enact an order or ordinance for the collection of such fee. The  
27 funds collected under such ordinance shall be deposited in a special account to be used  
28 solely for the purpose of paying for the reasonable costs associated with and necessary to  
29 administer and carry out the lateral sewer service line repairs as defined in the order or  
30 ordinance and, if sufficient revenues are available, to reimburse the necessary costs of  
31 lateral sewer service line repair or replacement. All interest generated on deposited funds  
32 shall be accrued to the special account established for the repair of lateral sewer service  
33 lines.

34       5. The city, town, village, sewer district, or water supply district may establish, as  
35 provided in the order or ordinance, regulations necessary for the administration of  
36 collections, claims, repairs, replacements and all other activities necessary and convenient  
37 for the implementation of any order or ordinance adopted and approved under this  
38 section. The city, town, village, sewer district, or water supply district may administer the  
39 program or may contract with one or more persons, through a competitive process, to  
40 provide for administration of any portion of implementation activities of any order or  
41 ordinance adopted and approved under this section, and reasonable costs of administering  
42 the program may be paid from the special account established under this section.

43       6. Notwithstanding any other provision of law to the contrary, the collector in any  
44 city, town, village, sewer district, or water supply district that adopts an order or ordinance  
45 under this section, who now or hereafter collects any fee to provide for, ensure or  
46 guarantee the repair of lateral sewer service lines, may add such fee to the general tax levy  
47 bills of property owners within the city, town, village, sewer district, or water supply  
48 district. All revenues received on such combined bill which are for the purpose of  
49 providing for, ensuring or guaranteeing the repair of lateral sewer service lines, shall be  
50 separated from all other revenues so collected and credited to the appropriate fund or  
51 account of the city, town, village, sewer district, or water supply district. The collector of  
52 the city, town, village, sewer district, or water supply district may collect such fee in the

53 same manner and to the same extent as the collector now or hereafter may collect  
54 delinquent real estate taxes and tax bills.

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