

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1623
96TH GENERAL ASSEMBLY

Reported from the Committee on Jobs, Economic Development and Local Government, April 19, 2012, with recommendation that the Senate Committee Substitute do pass.

4664S.10C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 49.272, 50.332, 50.622, 52.320, 64.930, 66.010, 67.320, 67.750, 67.1305, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 67.1360, 67.2010, 82.485, 82.487, 82.515, 82.516, 99.825, 99.845, 137.016, 144.805, 182.802, 184.503, 184.509, 190.335, 320.106, 320.131, 320.136, 320.202, 321.460, 321.711, 479.011, and 577.029, RSMo, and to enact in lieu thereof fifty-nine new sections relating to political subdivisions, with penalty provisions and an emergency clause for certain sections.

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

Section A. Sections 49.272, 50.332, 50.622, 52.320, 64.930, 66.010, 67.320, 67.750, 67.1305, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 67.1360, 67.2010, 82.485, 82.487, 82.515, 82.516, 99.825, 99.845, 137.016, 144.805, 182.802, 184.503, 184.509, 190.335, 320.106, 320.131, 320.136, 320.202, 321.460, 321.711, 479.011, and 577.029, RSMo, is repealed and fifty-nine new sections enacted in lieu thereof, to be known as sections 49.272, 50.332, 50.622, 52.320, 64.930, 66.010, 67.136, 67.314, 67.320, 67.750, 67.1305, 67.1360, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 67.2010, 67.5000, 67.5002, 67.5004, 67.5006, 67.5008, 67.5010, 67.5012, 67.5014, 67.5016, 67.5018, 67.5020, 67.5022, 67.5024, 67.5026, 67.5028, 67.5030, 67.5032, 67.5034, 67.5036, 67.5038, 82.485, 99.825, 99.845, 137.016, 144.805, 182.802, 184.503, 184.509, 190.335, 311.179, 320.106, 320.131, 320.136, 320.202, 321.228, 321.460, 321.711, 479.011, 577.029, and 701.550, to read as follows:

49.272. 1. The county commission of **the following counties may**

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

2 impose civil fines as provided in this section:

3 **(1)** Any county of the first classification [without a charter form of
4 government] and with more than one hundred thirty-five thousand four hundred
5 but less than one hundred thirty-five thousand five hundred inhabitants[, and
6 in];

7 **(2)** Any county of the first classification [without a charter form of
8 government] having a population of at least eighty-two thousand inhabitants, but
9 less than eighty-two thousand one hundred inhabitants[.];

10 **(3)** Any county of the first classification with more than one hundred four
11 thousand six hundred but fewer than one hundred four thousand seven hundred
12 inhabitants[.];

13 **(4)** Any county of the first classification with more than one hundred
14 ninety-eight thousand but fewer than one hundred ninety-nine thousand two
15 hundred inhabitants[, and];

16 **(5)** Any county of the first classification with more than two hundred forty
17 thousand three hundred but less than two hundred forty thousand four hundred
18 inhabitants[, which];

19 **(6) Any county of the first classification with more than**
20 **eighty-three thousand but fewer than ninety-two thousand inhabitants**
21 **and with a home rule city with more than seventy-six thousand but**
22 **fewer than ninety-one thousand inhabitants as the county seat.**

23 **2. Any county listed in subsection 1 of this section that** has an
24 appointed county counselor and which adopts or has adopted rules, regulations,
25 or ordinances under authority of a statute which prescribes or authorizes a
26 violation of such rules, regulations, or ordinances to be a misdemeanor
27 punishable as provided by law, may by rule, regulation, or ordinance impose a
28 civil fine not to exceed one thousand dollars for each violation. Any fines imposed
29 and collected under such rules, regulations, or ordinances shall be payable to the
30 county general fund to be used to pay for the cost of enforcement of such rules,
31 regulations, or ordinances.

 50.332. [Each county officer] In all counties [except first class counties
2 having a charter form of government] **of the first, second, third, and fourth**
3 **classes, and in any county with a charter form of government and with**
4 **more than two hundred thousand but fewer than three hundred fifty**
5 **thousand inhabitants, each county officer** may, subject to the approval of
6 the governing body of the county, contract with the governing body of any

7 municipality located within such county, either in whole or in part, to perform the
8 same type of duties for such municipality as such county officer is performing for
9 the county. Any compensation paid by a municipality for services rendered
10 pursuant to this section shall be paid directly to the county, or county officer, or
11 both, as provided in the provisions of the contract, and any compensation allowed
12 any county officer under any such contract may be retained by such officer in
13 addition to all other compensation provided by law.

50.622. 1. Any county may amend the annual budget during any fiscal
2 year in which the county receives additional funds, and such amount or source,
3 including but not limited to, federal or state grants or private donations, could
4 not be estimated when the budget was adopted. The county shall follow the same
5 procedures as required in sections 50.525 to 50.745 for adoption of the annual
6 budget to amend its budget during a fiscal year.

7 **2. Any county may decrease the annual budget twice during any**
8 **fiscal year in which the county experiences a verifiable decline in**
9 **funds of two percent or more, and such amount could not be estimated**
10 **or anticipated when the budget was adopted, provided that any**
11 **decrease in appropriations shall not unduly affect any one**
12 **officeholder. Before any reduction affecting an independently elected**
13 **officeholder can occur, negotiations shall take place with all**
14 **officeholders who receive funds from the affected category of funds in**
15 **an attempt to cover the shortfall. The county shall follow the same**
16 **procedures as required in sections 50.525 to 50.745 to decrease the**
17 **annual budget, except that the notice provided for in section 50.600**
18 **shall be extended to thirty days for purposes of this subsection. Such**
19 **notice shall include a published summary of the proposed reductions**
20 **and an explanation of the shortfall.**

21 **3. Any decrease in an appropriation authorized under subsection**
22 **2 of this section shall not impact any dedicated fund otherwise**
23 **provided by law.**

24 **4. County commissioners may reduce budgets of departments**
25 **under their direct supervision and responsibility at any time without**
26 **the restrictions imposed by this section.**

27 **5. Subsections 2, 3, and 4 of this section shall expire on July 1,**
28 **2015.**

29 **6. Notwithstanding the provisions of this section, no charter**

30 **county shall be restricted from amending its budget pursuant to the**
31 **terms of its charter.**

52.320. 1. The collector of revenue in counties using data processing
2 systems of record keeping, except counties of the first class having a charter form
3 of government, in addition to other duties provided by law, shall coordinate the
4 purification of the tax data flows from the offices of the recorder, county clerk and
5 assessor with that of the collector of revenue in cooperation with the data
6 processing center handling such records.

7 2. In all counties of the first class not having a charter form of
8 government **and in any county with a charter form of government and**
9 **with more than two hundred thousand but fewer than three hundred**
10 **fifty thousand inhabitants** the collector of revenue may enter into a contract
11 with a city providing for the collection of municipal taxes by the collector. Any
12 compensation paid by a city for services rendered pursuant to this section shall
13 be paid directly to the county, or collector, or both, as provided in the contract,
14 and all compensation, not to exceed three thousand dollars annually from all such
15 contracts, allowed the collector under any such contract may be retained by the
16 collector in addition to all other compensation provided by law.

64.930. 1. The county sports complex authority shall consist of ~~[five]~~ **six**
2 commissioners who shall be qualified voters of the state of Missouri, and
3 residents of such county. The commissioners of the county commission by a
4 majority vote thereof shall submit a panel of nine names to the governor who
5 shall select with the advice and consent of the senate five commissioners from
6 such panel, no more than three of which shall be of any one political party, who
7 shall ~~[constitute the]~~ **be** members of such authority~~;~~ provided, however,
8 ~~that].~~ **The remaining commissioner of the authority shall be the county**
9 **executive, who shall serve as an ex officio member. The ex officio**
10 **member shall have no voting rights. Except as specifically provided in**
11 **this section,** no elective or appointed official of any political subdivision of the
12 state of Missouri shall be a member of the county sports complex authority.

13 2. The ~~[authority]~~ **appointed sports complex commissioners** shall
14 elect ~~[from its number]~~ a chairman, **who shall not be the ex officio member,**
15 and may appoint such officers and employees as it may require for the
16 performance of its duties and fix and determine their qualifications, duties and
17 compensation. No action of the authority shall be binding unless taken at a
18 meeting at which at least three **voting** members are present and unless a

19 majority of the members present at such meeting shall vote in favor thereof.

20 3. [Such] **The appointed** sports complex commissioners shall serve in
21 the following manner: one for two years, one for three years, one for four years,
22 one for five years, and one for six years. Successors shall hold office for terms of
23 five years, or for the unexpired terms of their predecessors.

24 4. In the event a vacancy exists **among appointed commissioners**, a
25 new panel of three names shall be submitted by majority vote of the county
26 commission to the governor for appointment. All such vacancies shall be filled
27 within thirty days from the date thereof. If the county commission has not
28 submitted a panel of three names to the governor within thirty days of the
29 expiration of a commissioner's term, the governor shall immediately make an
30 appointment to the commission with the advice and consent of the senate. In the
31 event the governor does not appoint a replacement, no commissioner shall
32 continue to serve beyond the expiration of that commissioner's term.

33 5. The compensation of the **appointed** sports complex commissioners to
34 be paid by the authority shall be determined by the **appointed** sports complex
35 commissioners, but in no event shall exceed the sum of three thousand dollars per
36 annum. In addition, the **appointed** sports complex commissioners shall be
37 reimbursed by the authority for the actual and necessary expenses incurred in the
38 performance of their duties. No commissioner shall continue to serve beyond the
39 expiration of that commissioner's term.

 66.010. 1. Any county framing and adopting a charter for its own
2 government under the provisions of section 18, article VI of the constitution of
3 this state, may prosecute and punish violations of its county ordinances in the
4 circuit court of such counties in the manner and to the extent herein provided or
5 in a county municipal court. In addition, the county may prosecute and punish
6 municipal ordinance violations in the county municipal court pursuant to a
7 contract with any municipality within the county. Any county municipal court
8 established pursuant to the provisions of this section shall have jurisdiction over
9 violations of that county's ordinances and the ordinances of municipalities with
10 which the county has a contract to prosecute and punish violations of municipal
11 ordinances of the city. Costs and procedures in any such county municipal court
12 shall be governed by the provisions of law relating to municipal ordinance
13 violations in municipal divisions of circuit courts.

14 2. In any county which has elected to establish a county municipal court
15 pursuant to this section, the judges for such court shall be appointed by the

16 county executive of such county, subject to confirmation by the legislative body
17 of such county in the same manner as confirmation for other county appointed
18 officers. The number of judges appointed, and qualifications for their
19 appointment, shall be established by ordinance of the county.

20 3. The number of divisions of such county municipal court and its term
21 shall be established by ordinance of the county.

22 4. Except in any county with a charter form of government and with more
23 than six hundred thousand but fewer than seven hundred thousand inhabitants,
24 the ordinance of the county shall provide for regular sessions of court in the
25 evening hours after 6:00 p.m and at locations outside the county seat. In any
26 county with a charter form of government and with more than six hundred
27 thousand but fewer than seven hundred thousand inhabitants, the ordinance of
28 the county may provide for regular sessions of court in the evening hours after
29 6:00 p.m. and at locations outside the county seat.

30 5. Judges of the county municipal court shall be licensed to practice law
31 in this state and shall [be residents of the county in which they serve] **meet any**
32 **other requirements established by ordinance.** Municipal court judges shall
33 not accept or handle cases in their practice of law which are inconsistent with
34 their duties as a municipal court judge and shall not be a judge or prosecutor for
35 any other court.

36 6. In establishing the county municipal court, provisions shall be made
37 for appropriate circumstances whereby defendants may enter not guilty pleas and
38 obtain trial dates by telephone or written communication without personal
39 appearance, or to plead guilty and deliver by mail or electronic transfer or other
40 approved method the specified amount of the fine and costs as otherwise provided
41 by law, within a specified period of time.

42 7. In a county municipal court established pursuant to this section, the
43 county may provide by ordinance for court costs not to exceed the sum which may
44 be provided by municipalities for municipal violations before municipal
45 courts. The county municipal judge may assess costs against a defendant who
46 pleads guilty or is found guilty except in those cases where the defendant is found
47 by the judge to be indigent and unable to pay the costs. The costs authorized in
48 this subsection are in addition to service costs, witness fees and jail costs that
49 may otherwise be authorized to be assessed, but are in lieu of other court or judge
50 costs or fees. Such costs shall be collected by the authorized clerk and deposited
51 into the county treasury.

52 8. Provisions shall be made for recording of proceedings, except that if
53 such proceedings are not recorded, then, in that event, a person aggrieved by a
54 judgment of a traffic judge or commissioner shall have the right of a trial de
55 novo. The procedures for perfecting the right of a trial de novo shall be the same
56 as that provided under sections 512.180 to 512.320, except that the provisions of
57 subsection 2 of section 512.180 shall not apply to such cases. In the event that
58 such proceedings are recorded, all final decisions of the county municipal court
59 shall be appealable on such record to the appellate court with appropriate
60 jurisdiction.

61 9. Any person charged with the violation of a county ordinance in a county
62 which has established a county municipal court under the provisions of this
63 section shall, upon request, be entitled to a trial by jury before a county
64 municipal court judge. Any jury trial shall be heard with a record being made.

65 10. In the event that a court is established pursuant to this section, the
66 circuit judges of the judicial circuit with jurisdiction within that county may
67 authorize the judges of the county municipal court to act as commissioners to
68 hear in the first instance nonfelony violations of state law involving motor
69 vehicles as provided by local rule.

**67.136. Notwithstanding any other provisions of law to the
2 contrary, any city or county that has established a municipal court may
3 utilize collections agencies to collect any court or administrative fines
4 or costs associated with a finding of guilt for a criminal offense or an
5 infraction, or entry of a civil judgment, which are legally owed,
6 enforceable, past due, and remain uncollected.**

**67.314. 1. The provisions of this section shall apply to contracts
2 for construction of facilities awarded by political subdivisions of the
3 state of Missouri and shall be known as the "Political Subdivision
4 Construction Bidding Standards Act".**

**5 2. Any political subdivision of the state authorizing the
6 construction of facilities which may exceed an expenditure of twenty-
7 five thousand dollars shall publicly advertise:**

**8 (1) Through publication in a central repository developed by the
9 office of administration, or a private firm under contract with the
10 office of administration, at no cost to the state; or**

**11 (2) On the political subdivision's website, and if a central
12 repository has been developed by the office of administration, then the**

13 website shall include a link to said repository; or

14 (3) In a newspaper of general circulation located within the same
15 county as the political subdivision is located, or in an adjoining county
16 if there is no newspaper in the same county, for once a week for two
17 consecutive weeks; or

18 (4) Through publication, at no cost to the political subdivision,
19 in a central repository developed by an organization representing
20 political subdivisions. The organization may charge appropriate fees
21 for access to bid solicitations.

22 3. The political subdivision may, in addition to advertising in the
23 manner described in subsection 2 of this section, also advertise in
24 business, trade, or minority newspapers.

25 4. For purposes of this section, the term "construction of
26 facilities" shall mean the construction of any new structure, including
27 but not limited to buildings, highways, bridges, streets, viaducts, water
28 or sewer lines or systems, or pipelines. The term shall include any
29 demolition or excavation connected therewith, and labor, material, or
30 equipment, as required to perform work under the contract for
31 construction.

32 5. Nothing in this section shall be construed to require the
33 design or engineering of any project, as the term "project" is defined in
34 section 8.287, to be awarded by competitive bidding if the contract for
35 such services is under a separate contract from the contract for
36 construction and is awarded under sections 8.285 to 8.291, or to
37 construction management services governed by sections 8.675 to
38 8.687. Neither shall this section be construed to apply to contracts
39 awarded for the "design/build" method of project delivery, if the
40 political subdivision's procurement of "design/build" projects is
41 otherwise authorized by law, local charter, ordinance, order, or
42 resolution. The advertising requirements contained in this section
43 shall not apply when a political subdivision has publicly stated, in
44 writing, that because of the unique nature or limited availability of
45 material or equipment for a construction project of the type described
46 in subsection 2 of this section, the political subdivision is using a sole
47 source method to award a construction contract. The political
48 subdivision shall not use the sole source method to award a contract
49 under a project labor agreement as the term "project labor agreement"

50 is defined under section 34.216. Nothing in this subsection shall be
51 construed to relieve the political subdivision from the requirement to
52 seek and obtain a bid from the company or firm to whom the contract
53 will be awarded.

54 6. The provisions of this section shall not apply to any political
55 subdivision required to advertise, solicit, award, and reject bids in
56 compliance with:

57 (1) Other Missouri statutes, state rules, and federal and state
58 funding requirements applicable to the specific political subdivision
59 which are in effect on August 28, 2012, or as such requirements may be
60 enacted or amended; or

61 (2) Any provision of a local charter, ordinance, order, resolution,
62 or policy applicable to the specific political subdivision which is in
63 effect or which is subsequently adopted by the political subdivision
64 after August 28, 2012, as long as such state or local provisions require
65 the political subdivision to meet equivalent or stricter competitive
66 bidding requirements for construction of facilities as are contained in
67 this section.

68 7. No bids shall be entertained by a political subdivision which
69 are not made in accordance with the specifications furnished by the
70 political subdivision and all contracts shall be awarded to the lowest
71 and best bidder complying with the terms of the letting, provided that
72 the political subdivision shall have the right to reject any and all bids.

73 8. All bidding shall conform to the following procedures:

74 (1) No bid shall be opened: in advance of the advertised deadline
75 for submission of bids; or in a place other than that specified in the
76 original solicitation of bids or in an amendment to the solicitation
77 communicated in advance to all known bidders;

78 (2) No bid shall be accepted unless it is sealed and is in writing,
79 except bids may be accepted by a dedicated fax line. If the letting of
80 the project for which bids were solicited is cancelled prior to the
81 opening of bids, bids may be returned to the bidders unopened;

82 (3) No bid shall be accepted after the advertised deadline for
83 acceptance of bids;

84 (4) All bids received shall be held secure and confidential from
85 all persons until the bids are opened pursuant to subdivision (1) of this
86 subsection. Bids shall only be opened in public, except as otherwise

87 allowed under section 610.021;

88 (5) Nothing in this section shall be construed to prohibit
89 acceptance and processing of bids through an established program of
90 electronic bidding by computer, provided bids accepted and processed
91 electronically shall meet standards of confidentiality comparable to
92 requirements for written bids established by this section.

93 9. If a political subdivision fails to follow any of the procedures
94 described in this section, any person who bid on the contract shall have
95 standing to seek, within fifteen business days of the contract being
96 awarded, an order from a court of competent jurisdiction ordering the
97 contract to be rebid.

98 10. Any person who would have submitted a bid except for
99 failure of the political subdivision to advertise the contract pursuant
100 to this section shall have standing to seek, within fifteen business days
101 of the date the political subdivision opened the bids for the contract,
102 an order from a court of competent jurisdiction ordering the contract
103 to be rebid.

104 11. Nothing in this section shall be construed to require
105 acceptance of a bid which exceeds the amount estimated by the
106 political subdivision for the contract, nor shall anything in this section
107 prohibit a political subdivision from awarding contracts without
108 competitive bidding when the political subdivision deems it necessary
109 to remove an immediate danger to the public health or safety, to
110 prevent loss to public or private property which requires government
111 action, or to prevent an interruption of or to restore an essential public
112 service, however, the political subdivision shall produce a written
113 public record documenting the need to contract for such services
114 without competitive bidding.

67.320. 1. Any county of the first classification [with more than one
2 hundred ninety-eight thousand but less than one hundred ninety-nine thousand
3 two hundred inhabitants] may prosecute and punish violations of its county
4 orders in the circuit court of such counties in the manner and to the extent herein
5 provided or in a county municipal court if creation of a county municipal court is
6 approved by order of the county commission. The county may adopt orders with
7 penal provisions consistent with state law, but only in the areas of traffic
8 violations, solid waste management, county building codes, on-site sewer
9 treatment, zoning orders, and animal control. Any county municipal court

10 established pursuant to the provisions of this section shall have jurisdiction over
11 violations of that county's orders and the ordinances of municipalities with which
12 the county has a contract to prosecute and punish violations of municipal
13 ordinances of the municipality.

14 **2. Except as provided in subsection 5 of this section** in any county
15 which has elected to establish a county municipal court pursuant to this section,
16 the judges for such court shall be appointed by the county commission of such
17 county, subject to confirmation by the legislative body of such county in the same
18 manner as confirmation for other county appointed officers. The number of
19 judges appointed, and qualifications for their appointment, shall be established
20 by order of the commission.

21 **3.** The practice and procedure of each prosecution shall be conducted in
22 compliance with all of the terms and provisions of sections 66.010 to 66.140,
23 except as provided for in this section.

24 **4.** Any use of the term ordinance in sections 66.010 to 66.140 shall be
25 synonymous with the term order for purposes of this section.

26 **5. In any county of the first classification with more than one**
27 **hundred one thousand but fewer than one hundred fifteen thousand**
28 **inhabitants, the first judges shall be appointed by the county**
29 **commission for a term of four years, and thereafter the judges shall be**
30 **elected for a term of four years. The number of judges appointed, and**
31 **qualifications for their appointment, shall be established by order of**
32 **the commission.**

 67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to
2 67.1769, the following terms mean:

3 (1) "Board", any board, commission, committee or council appointed or
4 designated to carry out the provisions of sections 67.750 to 67.799 and sections
5 67.1700 to 67.1769;

6 (2) "County", any county or any city not within a county;

7 (3) "District", any regional recreational district proposed or created
8 pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

9 (4) "Executive", any mayor, county executive, presiding commissioner, or
10 other chief executive of a county;

11 (5) **"Gateway Arch grounds", the Jefferson National Expansion**
12 **Memorial National Historic Site as defined by the United States**
13 **Department of the Interior, and related public property and**

14 **improvements;**

15 (6) "Governing body", any city council, county commission, board of
16 aldermen, county council, board of education or township board;

17 [(6)] (7) "Metropolitan district", any metropolitan park and recreation
18 district established pursuant to sections 67.1700 to 67.1769;

19 [(7)] (8) "Political subdivision", any county, township, city, incorporated
20 town or village in the state of Missouri, and any school district in any county of
21 the first classification without a charter form of government with a population of
22 one hundred thousand or more inhabitants which contains all or part of a city
23 with a population of three hundred fifty thousand or more inhabitants;

24 [(8)] (9) "Regional recreation fund" or "metropolitan park and recreation
25 fund", the fund held in the treasury of the county providing the largest financial
26 contribution to the district or metropolitan district, as appropriate, which shall
27 be the repository for all taxes and other moneys raised by or for the regional
28 recreation district or metropolitan park and recreation district pursuant to
29 sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

 67.1305. 1. As used in this section, the term "city" shall mean any
2 incorporated city, town, or village.

3 2. In lieu of the sales taxes authorized under sections 67.1300 and
4 67.1303, the governing body of any city or county may impose, by order or
5 ordinance, a sales tax on all retail sales made in the city or county which are
6 subject to sales tax under chapter 144. The tax authorized in this section shall
7 not be more than one-half of one percent. The order or ordinance imposing the
8 tax shall not become effective unless the governing body of the city or county
9 submits to the voters of the city or county at any citywide, county or state
10 general, primary or special election a proposal to authorize the governing body
11 to impose a tax under this section. The tax authorized in this section shall be in
12 addition to all other sales taxes imposed by law, and shall be stated separately
13 from all other charges and taxes. The tax authorized in this section shall not be
14 imposed by any city or county that has imposed a tax under section 67.1300 or
15 67.1303 unless the tax imposed under those sections has expired or been
16 repealed.

17 3. The ballot of submission for the tax authorized in this section shall be
18 in substantially the following form:

19 Shall (insert the name of the city or county) impose a sales tax at
20 a rate of (insert rate of percent) percent for economic development

21 purposes?

22

☐ YES

☐ NO

23 If a majority of the votes cast on the question by the qualified voters voting
24 thereon are in favor of the question, then the tax shall become effective on the
25 first day of the second calendar quarter following the calendar quarter in which
26 the election was held. If a majority of the votes cast on the question by the
27 qualified voters voting thereon are opposed to the question, then the tax shall not
28 become effective unless and until the question is resubmitted under this section
29 to the qualified voters and such question is approved by a majority of the
30 qualified voters voting on the question, provided that no proposal shall be
31 resubmitted to the voters sooner than twelve months from the date of the
32 submission of the last proposal.

33 4. All sales taxes collected by the director of revenue under this section
34 on behalf of any county or municipality, less one percent for cost of collection
35 which shall be deposited in the state's general revenue fund after payment of
36 premiums for surety bonds as provided in section 32.087, shall be deposited in a
37 special trust fund, which is hereby created, to be known as the "Local Option
38 Economic Development Sales Tax Trust Fund".

39 5. The moneys in the local option economic development sales tax trust
40 fund shall not be deemed to be state funds and shall not be commingled with any
41 funds of the state. The director of revenue shall keep accurate records of the
42 amount of money in the trust fund and which was collected in each city or county
43 imposing a sales tax pursuant to this section, and the records shall be open to the
44 inspection of officers of the city or county and the public.

45 6. Not later than the tenth day of each month the director of revenue shall
46 distribute all moneys deposited in the trust fund during the preceding month to
47 the city or county which levied the tax. Such funds shall be deposited with the
48 county treasurer of each such county or the appropriate municipal officer in the
49 case of a municipal tax, and all expenditures of funds arising from the local
50 economic development sales tax trust fund shall be in accordance with this
51 section.

52 7. The director of revenue may authorize the state treasurer to make
53 refunds from the amounts in the trust fund and credited to any city or county for
54 erroneous payments and overpayments made, and may redeem dishonored checks
55 and drafts deposited to the credit of such cities and counties.

56 8. If any county or municipality abolishes the tax, the city or county shall

57 notify the director of revenue of the action at least ninety days prior to the
58 effective date of the repeal and the director of revenue may order retention in the
59 trust fund, for a period of one year, of two percent of the amount collected after
60 receipt of such notice to cover possible refunds or overpayment of the tax and to
61 redeem dishonored checks and drafts deposited to the credit of such
62 accounts. After one year has elapsed after the effective date of abolition of the
63 tax in such city or county, the director of revenue shall remit the balance in the
64 account to the city or county and close the account of that city or county. The
65 director of revenue shall notify each city or county of each instance of any amount
66 refunded or any check redeemed from receipts due the city or county.

67 9. Except as modified in this section, all provisions of sections 32.085 and
68 32.087 shall apply to the tax imposed pursuant to this section.

69 10. (1) No revenue generated by the tax authorized in this section shall
70 be used for any retail development project, except for the redevelopment of
71 downtown areas and historic districts. Not more than twenty-five percent of the
72 revenue generated shall be used annually for administrative purposes, including
73 staff and facility costs.

74 (2) At least twenty percent of the revenue generated by the tax
75 authorized in this section shall be used solely for projects directly related to
76 long-term economic development preparation, including, but not limited to, the
77 following:

- 78 (a) Acquisition of land;
- 79 (b) Installation of infrastructure for industrial or business parks;
- 80 (c) Improvement of water and wastewater treatment capacity;
- 81 (d) Extension of streets;
- 82 (e) Public facilities directly related to economic development and job
83 creation; and
- 84 (f) Providing matching dollars for state or federal grants relating to such
85 long-term projects.

86 (3) The remaining revenue generated by the tax authorized in this section
87 may be used for, but shall not be limited to, the following:

- 88 (a) Marketing;
- 89 (b) Providing grants and loans to companies for job training, equipment
90 acquisition, site development, and infrastructures;
- 91 (c) Training programs to prepare workers for advanced technologies and
92 high skill jobs;

93 (d) Legal and accounting expenses directly associated with the economic
94 development planning and preparation process;

95 (e) Developing value-added and export opportunities for Missouri
96 agricultural products.

97 11. All revenue generated by the tax shall be deposited in a special trust
98 fund and shall be used solely for the designated purposes. If the tax is repealed,
99 all funds remaining in the special trust fund shall continue to be used solely for
100 the designated purposes. Any funds in the special trust fund which are not
101 needed for current expenditures may be invested by the governing body in
102 accordance with applicable laws relating to the investment of other city or county
103 funds.

104 12. (1) Any city or county imposing the tax authorized in this section
105 shall establish an economic development tax board. The volunteer board shall
106 receive no compensation or operating budget.

107 (2) The economic development tax board established by a city shall consist
108 of **at least** five members, **but may be increased to nine members. Either**
109 **a five-member or nine-member board shall be designated in the order**
110 **or ordinance imposing the sales tax authorized by this section, and the**
111 **members are** to be appointed as follows:

112 (a) One member **of a five member board, or two members of a nine**
113 **member board**, shall be appointed by the school districts included within any
114 economic development plan or area funded by the sales tax authorized in this
115 section. Such member **or members** shall be appointed in any manner agreed
116 upon by the affected districts;

117 (b) Three members **of a five member board, or five members of a**
118 **nine member board**, shall be appointed by the chief elected officer of the city
119 with the consent of the majority of the governing body of the city;

120 (c) One member **of a five member board, or two members of a nine**
121 **member board**, shall be appointed by the governing body of the county in which
122 the city is located.

123 (3) The economic development tax board established by a county shall
124 consist of seven members, to be appointed as follows:

125 (a) One member shall be appointed by the school districts included within
126 any economic development plan or area funded by the sales tax authorized in this
127 section. Such member shall be appointed in any manner agreed upon by the
128 affected districts;

129 (b) Four members shall be appointed by the governing body of the county;
130 and

131 (c) Two members from the cities, towns, or villages within the county
132 appointed in any manner agreed upon by the chief elected officers of the cities or
133 villages.

134 Of the members initially appointed, three shall be designated to serve for terms
135 of two years, **except that when a nine member board is designated, seven**
136 **of the members initially appointed shall be designated to serve for**
137 **terms of two years**, and the remaining members shall be designated to serve
138 for a term of four years from the date of such initial appointments. Thereafter,
139 the members appointed shall serve for a term of four years, except that all
140 vacancies shall be filled for unexpired terms in the same manner as were the
141 original appointments.

142 (4) **If an economic development tax board established by a city**
143 **is already in existence on August 28, 2012, any increase in the number**
144 **of members of the board shall be designated in an order or**
145 **ordinance. The four board members added to the board shall be**
146 **appointed to a term with an expiration coinciding with the expiration**
147 **of the terms of the three board member positions that were originally**
148 **appointed to terms of two years. Thereafter, the additional members**
149 **appointed shall serve for a term of four years, except that all vacancies**
150 **shall be filled for unexpired terms in the same manner as were the**
151 **additional appointments.**

152 13. The board, subject to approval of the governing body of the city or
153 county, shall consider economic development plans, economic development
154 projects, or designations of an economic development area, and shall hold public
155 hearings and provide notice of any such hearings. The board shall vote on all
156 proposed economic development plans, economic development projects, or
157 designations of an economic development area, and amendments thereto, within
158 thirty days following completion of the hearing on any such plan, project, or
159 designation, and shall make recommendations to the governing body within
160 ninety days of the hearing concerning the adoption of or amendment to economic
161 development plans, economic development projects, or designations of an economic
162 development area. The governing body of the city or county shall have the final
163 determination on use and expenditure of any funds received from the tax imposed
164 under this section.

165 14. The board may consider and recommend using funds received from the
166 tax imposed under this section for plans, projects or area designations outside the
167 boundaries of the city or county imposing the tax if, and only if:

168 (1) The city or county imposing the tax or the state receives significant
169 economic benefit from the plan, project or area designation; and

170 (2) The board establishes an agreement with the governing bodies of all
171 cities and counties in which the plan, project or area designation is located
172 detailing the authority and responsibilities of each governing body with regard
173 to the plan, project or area designation.

174 15. Notwithstanding any other provision of law to the contrary, the
175 economic development sales tax imposed under this section when imposed within
176 a special taxing district, including but not limited to a tax increment financing
177 district, neighborhood improvement district, or community improvement district,
178 shall be excluded from the calculation of revenues available to such districts, and
179 no revenues from any sales tax imposed under this section shall be used for the
180 purposes of any such district unless recommended by the economic development
181 tax board established under this section and approved by the governing body
182 imposing the tax.

183 16. The board and the governing body of the city or county imposing the
184 tax shall report at least annually to the governing body of the city or county on
185 the use of the funds provided under this section and on the progress of any plan,
186 project, or designation adopted under this section and shall make such report
187 available to the public.

188 17. Not later than the first day of March each year the board shall submit
189 to the joint committee on economic development a report, not exceeding one page
190 in length, which must include the following information for each project using the
191 tax authorized under this section:

192 (1) A statement of its primary economic development goals;

193 (2) A statement of the total economic development sales tax revenues
194 received during the immediately preceding calendar year;

195 (3) A statement of total expenditures during the preceding calendar year
196 in each of the following categories:

197 (a) Infrastructure improvements;

198 (b) Land and or buildings;

199 (c) Machinery and equipment;

200 (d) Job training investments;

- 201 (e) Direct business incentives;
202 (f) Marketing;
203 (g) Administration and legal expenses; and
204 (h) Other expenditures.

205 18. The governing body of any city or county that has adopted the sales
206 tax authorized in this section may submit the question of repeal of the tax to the
207 voters on any date available for elections for the city or county. The ballot of
208 submission shall be in substantially the following form:

209 Shall (insert the name of the city or county) repeal the sales tax
210 imposed at a rate of (insert rate of percent) percent for economic
211 development purposes?

212 ☐ YES ☐ NO

213 If a majority of the votes cast on the proposal are in favor of the repeal, that
214 repeal shall become effective on December thirty-first of the calendar year in
215 which such repeal was approved. If a majority of the votes cast on the question
216 by the qualified voters voting thereon are opposed to the repeal, then the sales
217 tax authorized in this section shall remain effective until the question is
218 resubmitted under this section to the qualified voters of the city or county, and
219 the repeal is approved by a majority of the qualified voters voting on the question.

220 19. Whenever the governing body of any city or county that has adopted
221 the sales tax authorized in this section receives a petition, signed by ten percent
222 of the registered voters of the city or county voting in the last gubernatorial
223 election, calling for an election to repeal the sales tax imposed under this section,
224 the governing body shall submit to the voters a proposal to repeal the tax. If a
225 majority of the votes cast on the question by the qualified voters voting thereon
226 are in favor of the repeal, that repeal shall become effective on December
227 thirty-first of the calendar year in which such repeal was approved. If a majority
228 of the votes cast on the question by the qualified voters voting thereon are
229 opposed to the repeal, then the tax shall remain effective until the question is
230 resubmitted under this section to the qualified voters and the repeal is approved
231 by a majority of the qualified voters voting on the question.

232 20. If any provision of this section or section 67.1303 or the application
233 thereof to any person or circumstance is held invalid, the invalidity shall not
234 affect other provisions or application of this section or section 67.1303 which can
235 be given effect without the invalid provision or application, and to this end the
236 provisions of this section and section 67.1303 are declared severable.

67.1360. 1. The governing body of the following cities and counties may
2 impose a tax as provided in this section:

3 (1) A city with a population of more than seven thousand and less than
4 seven thousand five hundred;

5 (2) A county with a population of over nine thousand six hundred and less
6 than twelve thousand which has a total assessed valuation of at least sixty-three
7 million dollars, if the county submits the issue to the voters of such county prior
8 to January 1, 2003;

9 (3) A third class city which is the county seat of a county of the third
10 classification without a township form of government with a population of at least
11 twenty-five thousand but not more than thirty thousand inhabitants;

12 (4) Any fourth class city having, according to the last federal decennial
13 census, a population of more than one thousand eight hundred fifty inhabitants
14 but less than one thousand nine hundred fifty inhabitants in a county of the first
15 classification with a charter form of government and having a population of
16 greater than six hundred thousand but less than nine hundred thousand
17 inhabitants;

18 (5) Any city having a population of more than three thousand but less
19 than eight thousand inhabitants in a county of the fourth classification having
20 a population of greater than forty-eight thousand inhabitants;

21 (6) Any city having a population of less than two hundred fifty inhabitants
22 in a county of the fourth classification having a population of greater than
23 forty-eight thousand inhabitants;

24 (7) Any fourth class city having a population of more than two thousand
25 five hundred but less than three thousand inhabitants in a county of the third
26 classification having a population of more than twenty-five thousand but less
27 than twenty-seven thousand inhabitants;

28 (8) Any third class city with a population of more than three thousand two
29 hundred but less than three thousand three hundred located in a county of the
30 third classification having a population of more than thirty-five thousand but less
31 than thirty-six thousand;

32 (9) Any county of the second classification without a township form of
33 government and a population of less than thirty thousand;

34 (10) Any city of the fourth class in a county of the second classification
35 without a township form of government and a population of less than thirty
36 thousand;

37 (11) Any county of the third classification with a township form of
38 government and a population of at least twenty-eight thousand but not more than
39 thirty thousand;

40 (12) Any city of the fourth class with a population of more than one
41 thousand eight hundred but less than two thousand in a county of the third
42 classification with a township form of government and a population of at least
43 twenty-eight thousand but not more than thirty thousand;

44 (13) Any city of the third class with a population of more than seven
45 thousand two hundred but less than seven thousand five hundred within a county
46 of the third classification with a population of more than twenty-one thousand but
47 less than twenty-three thousand;

48 (14) Any fourth class city having a population of more than two thousand
49 eight hundred but less than three thousand one hundred inhabitants in a county
50 of the third classification with a township form of government having a
51 population of more than eight thousand four hundred but less than nine thousand
52 inhabitants;

53 (15) Any fourth class city with a population of more than four hundred
54 seventy but less than five hundred twenty inhabitants located in a county of the
55 third classification with a population of more than fifteen thousand nine hundred
56 but less than sixteen thousand inhabitants;

57 (16) Any third class city with a population of more than three thousand
58 eight hundred but less than four thousand inhabitants located in a county of the
59 third classification with a population of more than fifteen thousand nine hundred
60 but less than sixteen thousand inhabitants;

61 (17) Any fourth class city with a population of more than four thousand
62 three hundred but less than four thousand five hundred inhabitants located in
63 a county of the third classification without a township form of government with
64 a population greater than sixteen thousand but less than sixteen thousand two
65 hundred inhabitants;

66 (18) Any fourth class city with a population of more than two thousand
67 four hundred but less than two thousand six hundred inhabitants located in a
68 county of the first classification without a charter form of government with a
69 population of more than fifty-five thousand but less than sixty thousand
70 inhabitants;

71 (19) Any fourth class city with a population of more than two thousand
72 five hundred but less than two thousand six hundred inhabitants located in a

73 county of the third classification with a population of more than nineteen
74 thousand one hundred but less than nineteen thousand two hundred inhabitants;

75 (20) Any county of the third classification without a township form of
76 government with a population greater than sixteen thousand but less than
77 sixteen thousand two hundred inhabitants;

78 (21) Any county of the second classification with a population of more
79 than forty-four thousand but less than fifty thousand inhabitants;

80 (22) Any third class city with a population of more than nine thousand
81 five hundred but less than nine thousand seven hundred inhabitants located in
82 a county of the first classification without a charter form of government and with
83 a population of more than one hundred ninety-eight thousand but less than one
84 hundred ninety-eight thousand two hundred inhabitants;

85 (23) Any city of the fourth classification with more than five thousand two
86 hundred but less than five thousand three hundred inhabitants located in a
87 county of the third classification without a township form of government and with
88 more than twenty-four thousand five hundred but less than twenty-four thousand
89 six hundred inhabitants;

90 (24) Any third class city with a population of more than nineteen
91 thousand nine hundred but less than twenty thousand in a county of the first
92 classification without a charter form of government and with a population of more
93 than one hundred ninety-eight thousand but less than one hundred ninety-eight
94 thousand two hundred inhabitants;

95 (25) Any city of the fourth classification with more than two thousand six
96 hundred but less than two thousand seven hundred inhabitants located in any
97 county of the third classification without a township form of government and with
98 more than fifteen thousand three hundred but less than fifteen thousand four
99 hundred inhabitants;

100 (26) Any county of the third classification without a township form of
101 government and with more than fourteen thousand nine hundred but less than
102 fifteen thousand inhabitants;

103 (27) Any city of the fourth classification with more than five thousand four
104 hundred but fewer than five thousand five hundred inhabitants and located in
105 more than one county;

106 (28) Any city of the fourth classification with more than six thousand
107 three hundred but fewer than six thousand five hundred inhabitants and located
108 in more than one county through the creation of a tourism district which may

109 include, in addition to the geographic area of such city, the area encompassed by
110 the portion of the school district, located within a county of the first classification
111 with more than ninety-three thousand eight hundred but fewer than ninety-three
112 thousand nine hundred inhabitants, having an average daily attendance for
113 school year 2005-06 between one thousand eight hundred and one thousand nine
114 hundred;

115 (29) Any city of the fourth classification with more than seven thousand
116 seven hundred but less than seven thousand eight hundred inhabitants located
117 in a county of the first classification with more than ninety-three thousand eight
118 hundred but less than ninety-three thousand nine hundred inhabitants;

119 (30) Any city of the fourth classification with more than two thousand
120 nine hundred but less than three thousand inhabitants located in a county of the
121 first classification with more than seventy-three thousand seven hundred but less
122 than seventy-three thousand eight hundred inhabitants;

123 (31) Any city of the third classification with more than nine thousand
124 three hundred but less than nine thousand four hundred inhabitants;

125 (32) Any city of the fourth classification with more than three thousand
126 eight hundred but fewer than three thousand nine hundred inhabitants and
127 located in any county of the first classification with more than thirty-nine
128 thousand seven hundred but fewer than thirty-nine thousand eight hundred
129 inhabitants;

130 (33) Any city of the fourth classification with more than one thousand
131 eight hundred but fewer than one thousand nine hundred inhabitants and located
132 in any county of the first classification with more than one hundred thirty-five
133 thousand four hundred but fewer than one hundred thirty-five thousand five
134 hundred inhabitants;

135 (34) Any county of the third classification without a township form of
136 government and with more than twelve thousand one hundred but fewer than
137 twelve thousand two hundred inhabitants; [or]

138 (35) Any city of the fourth classification with more than three thousand
139 eight hundred but fewer than four thousand inhabitants and located in more than
140 one county; provided, however, that motels owned by not-for-profit organizations
141 are exempt; or

142 **(36) Any city of the fourth classification with more than five**
143 **thousand but fewer than five thousand five hundred inhabitants and**
144 **located in any county with a charter form of government and with more**

145 **than two hundred thousand but fewer than three hundred fifty**
146 **thousand inhabitants.**

147 2. The governing body of any city or county listed in subsection 1 of this
148 section may impose a tax on the charges for all sleeping rooms paid by the
149 transient guests of hotels, motels, bed and breakfast inns and campgrounds and
150 any docking facility which rents slips to recreational boats which are used by
151 transients for sleeping, which shall be at least two percent, but not more than
152 five percent per occupied room per night, except that such tax shall not become
153 effective unless the governing body of the city or county submits to the voters of
154 the city or county at a state general, primary or special election, a proposal to
155 authorize the governing body of the city or county to impose a tax pursuant to the
156 provisions of this section and section 67.1362. The tax authorized by this section
157 and section 67.1362 shall be in addition to any charge paid to the owner or
158 operator and shall be in addition to any and all taxes imposed by law and the
159 proceeds of such tax shall be used by the city or county solely for funding the
160 promotion of tourism. Such tax shall be stated separately from all other charges
161 and taxes.

67.1706. The metropolitan district shall have as its duty the development,
2 operation and maintenance of a public system of interconnecting trails and parks
3 throughout the counties comprising the district, **including any areas under**
4 **concurrent jurisdiction with an agency of the United States**
5 **government.** Nothing in this section shall restrict the district's entering into
6 and initiating projects dealing with parks not necessarily connected to trails. The
7 metropolitan district shall supplement but shall not substitute for the powers and
8 responsibilities of the other parks and recreation systems within the metropolitan
9 district or other conservation and environmental regulatory agencies and shall
10 have the power to contract with other parks and recreation systems as well as
11 with other public and private entities. Nothing in this section shall give the
12 metropolitan district authority to regulate water quality, watershed or land use
13 issues in the counties comprising the district.

67.1712. 1. The governing body of any county located within the proposed
2 metropolitan district is hereby authorized to impose by ordinance a one-tenth of
3 one cent sales tax on all retail sales subject to taxation pursuant to sections
4 144.010 to 144.525 for the purpose of funding the creation, operation and
5 maintenance of a metropolitan park and recreation district.

6 **2. In addition to the tax authorized in subsection 1 of this**

7 section, the governing body of any county located within the
 8 metropolitan district as of January 1, 2012, is authorized to impose by
 9 ordinance an incremental sales tax of up to three-sixteenths of one cent
 10 on all retail sales subject to taxation under sections 144.010 to 144.525
 11 for the purpose of funding the operation and maintenance of the
 12 metropolitan park and recreation district. Such incremental sales tax
 13 shall not be implemented unless approved by the voters of the county
 14 with the largest population within the district and at least one other
 15 such county under subsection 2 of section 67.1715.

16 3. The [tax] taxes authorized by sections 67.1700 to 67.1769 shall be in
 17 addition to all other sales taxes allowed by law. The governing body of any
 18 county within the [proposed] metropolitan district enacting such an ordinance
 19 shall submit to the voters of such county a proposal to approve its ordinance
 20 imposing **or increasing** the tax. Such ordinance shall become effective only
 21 after the majority of the voters voting on such ordinance approve such
 22 ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax
 23 **and increase in tax** approved pursuant to this section and sections 67.1715 to
 24 67.1721.

67.1715. 1. **For the original sales tax of up to one-tenth of one**
 2 **cent authorized in subsection 1 of section 67.1712**, the question shall be
 3 submitted to the voters in each county of the proposed metropolitan district in
 4 substantially the following form:

5 Shall there be organized in the County of , state of Missouri, a
 6 metropolitan park and recreation district for the purposes of improving water
 7 quality, increasing park safety, providing neighborhood trails, improving,
 8 restoring and expanding parks, providing disabled and expanded public access to
 9 recreational areas, preserving natural lands for wildlife and maintaining other
 10 recreational grounds within the boundaries of such proposed metropolitan
 11 district, and shall County join such other of (insert all counties
 12 within proposed district) Counties that approve the formation of such a district
 13 in their respective counties to form one metropolitan district to be known as ". .
 14 Metropolitan Park and Recreation District", with funding authority not to
 15 exceed one-tenth of one cent sales taxation, subject to an independent annual
 16 audit, with fifty percent of such revenue going to the metropolitan district and
 17 fifty percent being returned to County for local park improvements, all as
 18 authorized by the (insert name of governing body) of County

19 pursuant to (insert ordinance number), on the day of (insert month),
20 (insert year)?

21 ☐ YES ☐ NO

22 **2. For the additional sales tax of up to three-sixteenths of one**
23 **cent authorized in subsection 2 of section 67.1712, the question shall be**
24 **submitted to the voters in each county of the proposed metropolitan**
25 **district in substantially the following form:**

26 "SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE
27 For the purpose of increasing safety, security, and public
28 accessibility for the Gateway Arch grounds and local, county, and
29 regional parks and trails for families, disabled and elderly visitors, and
30 providing expanded activities and improvements of these areas, shall
31 (insert county name) County join such other of (insert
32 names of all counties within the metropolitan district considering the
33 increase in sales tax for the metropolitan district) to impose a
34 (insert rate) of one cent sales tax in addition to the existing one-tenth
35 of one cent sales tax applied to such purposes, with sixty percent of the
36 revenues derived from the added tax allocated to the Metropolitan Park
37 and Recreation District for the Gateway Arch grounds and other
38 regional park and trail improvements, and the remaining forty percent
39 allocated to (insert county name) County for local and county park
40 improvements as authorized by the (insert governing body name)
41 of (insert county name) County under (insert ordinance
42 number), on the (insert day) day of (insert month), (insert
43 year), with such tax not to include the sale of food and prescription
44 drugs and to be subject to an independent annual public audit?

45 ☐ YES ☐ NO"

67.1721. In the event that the proposed metropolitan district consists of
2 more than one county, if a majority of the votes cast on the proposal by the
3 qualified voters voting in a county proposed for inclusion in the metropolitan
4 district are in favor of the proposal, then the metropolitan district shall be
5 deemed organized and that county shall be included in the metropolitan district,
6 but if a majority of the votes cast on the proposal by the qualified voters voting
7 in the county proposed for inclusion are opposed to the proposal, then the county
8 shall not be included in the metropolitan district. After the metropolitan district
9 has been created, counties eligible for inclusion in the metropolitan district and

10 not already included in the metropolitan district may join the metropolitan
11 district after such a proposal is submitted to the voters of the county proposed for
12 subsequent inclusion and such proposal is approved by a majority of the qualified
13 voters voting thereon in the county proposed for inclusion in the manner
14 described in this section and [sections] **subsection 1 of section 67.1715 and in**
15 **section 67.1718.**

67.1742. A metropolitan park and recreation district shall have the power
2 to:

3 (1) Issue bonds, notes or other obligations for any of the purposes of the
4 district, and to refund such bonds, notes or obligations, as provided in sections
5 67.1760 to 67.1769; **provided any bonds, notes or obligations issued to**
6 **fund activities under section 67.1754 other than the accessibility,**
7 **safety, improvement, and maintenance of the Gateway Arch grounds**
8 **shall not be secured by tax revenues allocated under section 67.1754 to**
9 **the accessibility, safety, improvement, and maintenance of the Gateway**
10 **Arch grounds and any bonds, notes or obligations issued to fund**
11 **activities under section 67.1754 for the accessibility, safety,**
12 **improvement, and maintenance of the Gateway Arch grounds shall not**
13 **be secured by tax revenues allocated under other provisions of section**
14 **67.1754;**

15 (2) Contract with public and private entities or individuals both within
16 and without the state and shall have the power to contract with the United States
17 or any agency thereof in furtherance of any of the purposes of the district;
18 **provided any contract for capital improvement or maintenance**
19 **activities in the area to be improved with tax revenues allocated under**
20 **provisions of section 67.1754 regarding the Gateway Arch grounds shall**
21 **require the concurrent approval of the metropolitan district, the public**
22 **entity owning or controlling the real property being improved or**
23 **maintained and the public or private not for profit entities directly**
24 **providing supplemental funding for such contract, and all such capital**
25 **improvements or maintenance activities shall be constructed and**
26 **performed in accordance with a comprehensive capital improvements**
27 **program agreement approved by the metropolitan district before the**
28 **vote of the public relating to a sales tax authorized in subsection 2 of**
29 **section 67.1712;**

30 (3) Own, hold, control, lease, purchase from willing sellers, contract and

31 sell any and all rights in land, buildings, improvements, and any and all other
32 real, personal or mixed property, provided that real property within a county may
33 only be purchased by the metropolitan district if a majority of the board members
34 from the county in which such real property is located consent to such acquisition;

35 (4) Receive property, both real and personal, or money which has been
36 granted, donated, devised or bequeathed to the district;

37 (5) Establish and collect reasonable charges for the use of the facilities of
38 the district; and

39 (6) Maintain an office and staff at such place or places in this state as it
40 may designate and conduct such business and operations as is necessary to fulfill
41 the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. 1. The sales tax authorized in sections 67.1712 to 67.1721 shall
2 be collected and allocated as follows:

3 (1) Fifty percent of the sales taxes collected from each county shall be
4 deposited in the metropolitan park and recreational fund to be administered by
5 the board of directors of the district to pay costs associated with the
6 establishment, administration, operation and maintenance of public recreational
7 facilities, parks, and public recreational grounds associated with the
8 district. Costs for office administration beginning in the second fiscal year of
9 district operations may be up to but shall not exceed fifteen percent of the amount
10 deposited pursuant to this subdivision;

11 (2) Fifty percent of the sales taxes collected from each county shall be
12 returned to the source county for park purposes, except that forty percent of such
13 fifty percent amount shall be reserved for distribution to municipalities within
14 the county in the form of grant revenue-sharing funds. Each county in the
15 district shall establish its own process for awarding the grant proceeds to its
16 municipalities for park purposes provided the purposes of such grants are
17 consistent with the purpose of the district. In the case of a county of the first
18 classification with a charter form of government having a population of at least
19 nine hundred thousand inhabitants, such grant proceeds shall be awarded to
20 municipalities by a municipal grant commission as described in section 67.1757;
21 in such county, notwithstanding other provisions to the contrary, the grant
22 proceeds may be used to fund any recreation program or park improvement
23 serving municipal residents and for such other purposes as set forth in section
24 67.1757.

25 **2. The sales tax authorized under subsection 2 of section 67.1712**

26 shall be collected and allocated as follows:

27 (1) Sixty percent of the sales taxes collected from all counties
28 shall be deposited in a separate metropolitan park and recreational
29 fund to be administered by the board of directors of the metropolitan
30 district to pay costs associated with the administration, operation, and
31 maintenance of public recreational facilities, parks, and public
32 recreational grounds associated with the metropolitan district. The
33 amount deposited in this fund shall be used as follows:

34 (a) For a period ending twenty years after the issuance of any
35 bonds issued for the purpose of improving and maintaining the
36 Gateway Arch grounds, but no later than twenty-three years after the
37 effective date of the incremental sales tax as approved by the voters
38 under subsection 2 of section 67.1715:

39 a. Fifty percent shall be apportioned to accessibility, safety,
40 improvement, and maintenance of the Gateway Arch grounds; and

41 b. Fifty percent shall be apportioned to accessibility, safety,
42 improvement, and maintenance of park projects other than the
43 Gateway Arch grounds;

44 (b) After the period of time specified in paragraph (a) of this
45 subdivision:

46 a. Twenty percent shall be apportioned to accessibility, safety,
47 improvement, and maintenance of the Gateway Arch grounds; and

48 b. Eighty percent shall be apportioned to accessibility, safety,
49 improvement, and maintenance of park projects other than the
50 Gateway Arch grounds; and

51 (c) Costs for office administration beginning in the second fiscal
52 year of collection and allocation may be up to but shall not exceed
53 fifteen percent of the amount deposited under this subdivision;

54 (2) Forty percent of the sales taxes collected from each county
55 shall be returned to the source county for park purposes, except that
56 forty percent of the amount allocated to each source county shall be
57 reserved for distribution to municipalities within the county in the
58 form of grant revenue-sharing funds. Each county in the metropolitan
59 district shall establish its own process for awarding the grant proceeds
60 to its municipalities for park purposes, provided the purposes of such
61 grants are consistent with the purpose of the metropolitan district. In
62 the case of any county with a charter form of government and with

63 more than nine hundred fifty thousand inhabitants, such grant
64 proceeds shall be awarded to municipalities by a municipal grant
65 commission as described in section 67.1757, and in such county,
66 notwithstanding any other provision of law to the contrary, such grant
67 proceeds may be used to fund any recreation program or park
68 improvement serving municipal residents and for such other purposes
69 as set forth in section 67.1757.

70 3. At a general election occurring not less than six months before
71 the expiration of twenty years after issuance of any bonds issued for
72 the purpose of improving and maintaining the Gateway Arch grounds,
73 but no later than twenty-three years after the effective date of the
74 incremental sales tax as approved by voter initiative under subsection
75 2 of section 67.1715, the governing body of any county within the
76 metropolitan district whose voters approved such incremental tax shall
77 submit to its voters a proposal to reauthorize such tax after the
78 expiration of such period. The form of the question shall be
79 determined by the metropolitan district. Such reauthorization shall
80 become effective only after a majority of the voters of each such county
81 who vote on such reauthorization approve the reauthorization.

67.2010. 1. Any county of the first classification with more than
2 eighty-two thousand but less than eighty-two thousand one hundred inhabitants
3 and any county of the first classification with more than two hundred
4 sixty thousand but fewer than three hundred thousand inhabitants may
5 elect to have the violations of county ordinances adopted pursuant to [section
6 304.130] the authority provided by statute heard and determined by an
7 associate circuit judge of the circuit in which the county is located; provided,
8 however, if such election is made, all violations of that county's ordinances
9 adopted pursuant to [section 304.130] statutory authority shall be heard and
10 determined before an associate circuit judge or judges. Nothing in this subsection
11 shall preclude the transfer or assignment of another judge to hear and determine
12 a case or class of cases when otherwise authorized by provisions of the
13 constitution, law, or court rule.

14 2. If a county elects to have the violations of its county ordinances
15 [adopted pursuant to section 304.130] heard and determined by an associate
16 circuit judge, the associate circuit judge or judges shall commence hearing and
17 determining such violations six months after the county notifies the presiding

18 judge of the circuit of its election. With the consent of the presiding judge, the
19 associate circuit judge or judges may commence hearing such violations at an
20 earlier date.

67.5000. A parks, trails, and greenways district may be created,
2 incorporated, and managed pursuant to sections 67.5000 to 67.5038 and
3 once created may exercise the powers given to that district pursuant
4 to section 67.5006. A district shall include a county with a charter form
5 of government and with more than six hundred thousand but fewer
6 than seven hundred thousand inhabitants. Any recreation system or
7 public parks system that exists within a district established pursuant
8 to sections 67.5000 to 67.5038 shall remain in existence with the same
9 powers and responsibilities it had prior to the establishment of such
10 district. Nothing in sections 67.5000 to 67.5038 shall be construed in
11 any manner to limit or prohibit:

12 (1) Later establishment or cessation of any park or recreation
13 system provided by law; or

14 (2) Any powers and responsibilities of any park or recreation
15 system provided by state law.

67.5002. When a district authorized by section 67.5000 is created,
2 it shall be a body corporate and a political subdivision of this state and
3 the district shall be known as ". Parks, Trails, and Greenways
4 District". In that name, the district may sue and be sued, issue bonds
5 and levy and collect taxes or fees pursuant to the limitations of sections
6 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to
2 67.5033 shall be responsible for the planning, development, operation,
3 and maintenance of a public system of interconnecting trails, open
4 space, greenways, and parks throughout the county comprising such
5 district, except as otherwise specifically provided for by statute. The
6 powers and responsibilities of the district shall be supplemental to, but
7 shall not be a substitute for, the powers and responsibilities of other
8 parks and recreation systems located within the district or for the
9 powers of other conservation and environmental regulatory
10 agencies. Nothing in this section shall be interpreted to give any
11 district the authority to regulate water quality, watershed, or land use
12 issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the

2 power to:

3 (1) Prepare or cause to be prepared and adopt a plan or plans for
4 interconnecting systems of public trails, open spaces, greenways, and
5 parks throughout the county comprising the district;

6 (2) Develop, supervise, improve, maintain, and take custody of
7 an interconnecting system of public parks, trails, open spaces,
8 greenways, and recreational facilities owned, operated, managed, or
9 maintained by that district;

10 (3) Issue bonds, notes, or other obligations in furtherance of any
11 power or duty of a district and to refund those bonds, notes, or
12 obligations, as provided in sections 67.5032 to 67.5036;

13 (4) Contract with public and private entities, including other
14 parks and recreation agencies, or individuals both within and without
15 the state and shall have the power to contract with the United States
16 or any agency thereof in furtherance of any power or duty of the
17 district;

18 (5) Lease, purchase, own, hold, control, contract, and sell any and
19 all rights in land, buildings, improvements, and any and all other real,
20 personal, or property that is a combination of both; provided that, real
21 property within a county may only be purchased by a district if a
22 majority of the board members consent to that purchase;

23 (6) Receive property, both real and personal, or money that has
24 been granted, donated, devised, or bequeathed to the district;

25 (7) Establish a separate district account into which all local sales
26 taxes received from the director of the department of revenue and
27 other funds received by that district shall be deposited;

28 (8) Establish and collect reasonable charges for the use of the
29 facilities of the district;

30 (9) Maintain an office and staff at any place or places in this
31 state as the district may designate and conduct its business and
32 operations as is necessary to fulfill that district's duties, pursuant to
33 sections 67.5000 to 67.5038; and

34 (10) Appoint, when the district board determines it is
35 appropriate, advisory committees to assist the district board in the
36 exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be
2 submitted to the voters in each county authorized to establish a

3 district:

4 "Shall there be organized in the County of , state of
5 Missouri, a parks, trails, and greenways district for the purposes of
6 planning, developing, supervising, improving, maintaining, and taking
7 custody of an interconnecting system of public parks, trails, open
8 spaces, greenways, and recreational facilities within the boundaries of
9 that district to be known as ". Parks, Trails, and Greenways
10 District", and further shall a local sales tax of one tenth of one cent be
11 levied and collected in County for the support of this
12 parks, trails, and greenways district, with forty-five percent of that
13 revenue going to the district and fifty-five percent being returned to .
14 . . County and the cities within the County for local park
15 improvements?

16 ☐ YES ☐ NO"

67.5010. If a majority of the votes cast by the qualified voters
2 voting on the question submitted pursuant to section 67.5008 voted
3 YES, then that district shall be deemed created. However, if a majority
4 of the qualified voters cast NO votes, that district shall not be deemed
5 created unless and until another question of whether to authorize the
6 creation of a district and impose the one-tenth of one cent local sales
7 tax is submitted to the qualified voters of that county and that question
8 is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a
2 district established pursuant to sections 67.5000 to 67.5038 is
3 authorized to impose by order, ordinance, or otherwise a one-tenth of
4 one cent local sales tax on all retail sales subject to taxation pursuant
5 to sections 144.010 to 144.525 for the purpose of funding activities that
6 are consistent with the powers and duties of a district, as set forth in
7 section 67.5006. The tax authorized by this section shall be in addition
8 to all other sales taxes allowed by law. The provisions of sections
9 32.085 and 32.087 shall apply to each local sales tax approved pursuant
10 to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be
2 collected and allocated in the district as follows:

3 (1) Forty-five percent of the local sales taxes collected as
4 described in section 67.5012 shall be deposited by the department of

5 revenue in the parks, trails, and greenways district fund to be
6 administered by the board of directors of that district to pay costs
7 associated with the planning, development, supervision, improvement,
8 maintenance, and custody of an interconnecting system of public parks,
9 trails, open spaces, greenways, and recreational facilities within the
10 boundaries of that district. Up to five percent of the amount deposited
11 in that parks, trails, and greenways fund shall be used for grants to
12 local public agencies to be used for activities that are consistent with
13 the district's powers and duties as set forth in section 67.5006. Costs
14 for office and project administration may be up to, but shall not exceed,
15 fifteen percent of the amount deposited in a district fund pursuant to
16 this subdivision;

17 (2) Fifteen percent of the local sales taxes collected as described
18 in section 67.5012 shall be distributed by the department of revenue to
19 the county to be used for planning, development, supervision,
20 improvement, maintenance, and custody of public parks, trails, open
21 spaces, greenways, and recreational facilities within the boundaries of
22 a district; and

23 (3) Forty percent of the local sales taxes collected as described
24 in section 67.5012 shall be distributed by the department of revenue to
25 each of the cities in that county, in proportion to each city's relative
26 local sales tax contribution, to be used for planning, development,
27 supervision, improvement, maintenance, and custody of public parks,
28 trails, open spaces, greenways, and recreational facilities within the
29 boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the
2 authority of sections 67.5000 to 67.5038 shall not administer or collect
3 the tax locally, but shall utilize the services of the state department of
4 revenue to administer, enforce, and collect the tax. The sales tax shall
5 be administered, enforced, and collected in the same manner and by the
6 same procedure as other local sales taxes are levied and collected and
7 shall be in addition to any other sales tax authorized by law. Except as
8 modified in this section, all provisions of sections 32.085 and 32.087
9 shall apply to the tax imposed pursuant to this section.

10 2. Upon receipt of a certified copy of a resolution from the
11 county authorizing the levy of a local sales tax, which resolution shall
12 state the name of the district in which that county is included, the

13 director of the department of revenue shall cause this tax to be
14 collected at the same time and in the same manner provided for the
15 collection of the state sales tax. All moneys derived from this local
16 sales tax imposed under the authority of sections 67.5000 to 67.5038 and
17 collected under the provisions of this section by the director of revenue
18 shall be credited to a fund established for the district, which is hereby
19 established in the state treasury, under the name of that district, as
20 established. Any refund due on any local sales tax collected pursuant
21 to section 67.5000 to 67.5038 shall be paid out of the sales tax refund
22 fund and reimbursed by the director of revenue from the sales tax
23 revenue collected under this section. All local sales tax revenue
24 derived from the authority granted by sections 67.5000 to 67.5038 and
25 collected from within any county, under this section, shall be remitted
26 at least quarterly by the director of revenue to the district established
27 by sections 67.5000 to 67.5038, the source county included in the district
28 and the cities in that county, in the percentages set forth in section
29 67.5014.

67.5018. 1. The treasurer of the board of each district created
2 shall keep accurate accounts of all receipts and disbursements. The
3 receipts and disbursements of each district created by sections 67.5000
4 to 67.5038 shall be audited yearly by a certified or licensed public
5 accountant and the report of the audit shall be approved by the board
6 of each district created. Upon board approval, the report shall be
7 available for inspection.

8 2. The accounts of the district shall be open at any reasonable
9 time for inspection by duly authorized representatives of the county
10 and cities included within the jurisdictional boundaries of that district.

11 3. Annually, no later than one hundred twenty days after the
12 close of each district's fiscal year, the board of each district created by
13 sections 67.5000 to 67.5038 shall cause to be prepared a report on the
14 operations and transactions conducted by that district during the
15 preceding year. The report shall be an open record and shall be
16 submitted to the governing bodies of each city and county within the
17 jurisdictional boundaries of that district commencing the year
18 following the year in which the that district is created. The board of
19 each district shall take those actions as are reasonably required to
20 make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the
2 contrary, the revenues from the local sales taxes imposed under the
3 authority set forth in section 67.5012 shall not be allocated to and paid
4 by the state department of revenue to any special allocation fund
5 established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections
2 67.5000 to 67.5038, the district shall be governed by a board of
3 directors. The presiding commissioner or elected county executive of
4 the county with a charter form of government and with more than six
5 hundred thousand but fewer than seven hundred thousand inhabitants
6 shall appoint one member of the district's board of directors chosen
7 from the residents of that county. The mayor of the largest city in that
8 county shall appoint two persons from the residents of that city in that
9 county, and the mayors of the next five most populous cities in the
10 county shall, on a rotating basis and in accordance with subsection 2
11 of this section, appoint four persons from the residents of those
12 respective cities in that county to serve on the board.

13 2. The mayors of the second through sixth most populous cities
14 in that county, as determined by the most recent decennial census,
15 shall appoint the board members from the residents of those cities in
16 the county by December 15 of each year. Representation on the board
17 from these second through sixth most populous cities shall be on a
18 rotating basis, as follows. In the initial year:

19 (1) The second most populous city shall be represented on the
20 board, and that member shall serve for a term of one year;

21 (2) The third most populous city shall be represented on the
22 board, and that member shall serve for a term of two years;

23 (3) The fourth most populous city shall be represented on the
24 board, and that member shall serve for a term of three years;

25 (4) The fifth most populous city shall be represented on the
26 board, and that member shall serve for a term of four years; and

27 (5) The sixth most populous city shall not be represented on the
28 board.

29 In the second year, the sixth most populous city shall be represented
30 on the board, and the member shall serve for a term of four years. In
31 that second year, the second most populous city shall have no
32 representation on the board. Membership on the board shall rotate in

33 this manner every year thereafter, with each of the second through
34 sixth most populous cities not being represented on the board, in this
35 alternating basis, one of every succeeding four years.

36 3. The board members appointed to a district shall hold office for
37 four-year terms; provided that, initial terms of the representative of the
38 second through the sixth most populous cities in the county shall be of
39 the staggered lengths as set forth in subsection 2 of this section. On the
40 expiration of the initial terms of appointment and on the expiration of
41 any subsequent term, the resulting vacancies shall be filled by the chief
42 elected official of each of the represented cities and the county. All
43 vacancies on the board shall be filled in the same manner for the
44 duration of the term being filled. Board members shall serve until their
45 successors are named and the successors have commenced their terms
46 as board members. Board members shall be eligible for reappointment.

47 4. The chief elected official of each city or county that has
48 membership on the board of a district may replace a board member
49 representing that elected official's city or county at any time, in that
50 elected official's sole discretion. Upon this removal, the chief elected
51 official shall appoint another individual to represent that city or
52 county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board
2 members of a district created pursuant to sections 67.5000 to 67.5038
3 shall hold an organizational meeting at which they shall elect a
4 president, secretary, treasurer, and any other officers from among their
5 number as they may deem necessary. The members shall make and
6 adopt bylaws, rules, and regulations for their guidance, as may be
7 expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and
2 shall reside within the county or city, as the case may be, from which
3 they are appointed. No board member shall receive compensation for
4 performance of duties as a board member. No board member shall be
5 financially interested directly or indirectly in any contract entered into
6 pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or
2 through a public trail, trail area, greenway, or park area of a district,
3 or when a public highway, street, or road forms all or part of a suitable
4 connection between two or more public trails, trail areas, or park areas

5 within a district, and it is advisable by the board to make alterations
6 in the route or width of the highway or to grade, drain, pave, or
7 otherwise improve the highway, the board may enter into agreements,
8 consistent with the purposes of that district, with the public authorities
9 in control of the portion of the highway, street, or road that lies within
10 any, or forms any part of, a connecting link to and between any, public
11 trail, trail area, or park area of a district. Any agreement with any
12 such public authority shall follow the procedure authorized by law for
13 dealing with that authority, and any agreement shall provide for the
14 payment by the board of an agreed-upon portion of the costs of that
15 agreement. This section shall not alter the legal status of that highway,
16 street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to
2 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to
2 67.5038 shall be issued pursuant to a resolution adopted by the board
3 of directors of that district, which resolution shall set out the estimated
4 cost to that district of the proposed improvements, and shall further set
5 out the amount of bonds to be issued, their purpose or purposes, their
6 date or dates, denomination or denominations, rate or rates of interest,
7 time or times of payment, both of principal and of interest, place or
8 places of payment, and all other details in connection with those
9 bonds. These bonds may be subject to provision for redemption prior
10 to maturity, with or without premium, and at the times and upon the
11 conditions as may be provided by the resolution.

12 2. Notwithstanding the provisions of section 108.170, these bonds
13 shall bear interest at rate or rates determined by the issuing district
14 and shall mature within a period not exceeding twenty years and may
15 be sold at public or private sale for not less than ninety-five percent of
16 the principal amount of the bonds to be issued. Bonds issued by a
17 district shall possess all of the qualities of negotiable instruments
18 pursuant to the laws of this state.

19 3. These bonds may be payable to bearer, may be registered or
20 coupon bonds and, if payable to bearer, may contain any registration
21 provisions as to either principal and interest, or principal only, as may
22 be provided in the resolution authorizing those bonds, which resolution
23 may also provide for the exchange of registered and coupon

24 bonds. These bonds and any coupons attached thereto shall be signed
25 in the manner and by the officers of the district as may be provided by
26 the resolution authorizing the bonds. A district may provide for the
27 replacement of any bond that has become mutilated, destroyed, or lost.

28 4. Bonds issued by a district shall be payable as to principal,
29 interest, and redemption premium, if any, out of all or any part of the
30 issuing district's parks, trails, and greenways fund, including revenues
31 derived from local sales taxes and any other monies held by that
32 district. Neither the board members nor any person executing the
33 bonds shall be personally liable on those bonds by reason of the
34 issuance of those bonds. Bonds issued pursuant to this section or
35 section 67.5034 shall not constitute a debt, liability, or obligation of this
36 state, or any political subdivision of this state, nor shall any of these
37 obligations be a pledge of the faith and credit of this state, but shall be
38 payable solely from the revenues and assets held by the issuing
39 district. The issuance of bonds pursuant to this section or section
40 67.5034 shall not directly, indirectly, or contingently obligate this state
41 or any political subdivision of this state, other than the district issuing
42 the bonds, to levy any form of taxation for those bonds or to make any
43 appropriation for their payment. Each obligation or bond issued
44 pursuant to this section or section 67.5034 shall contain, on its face, a
45 statement to the effect that the issuing district shall not be obligated
46 to pay those bonds nor the interest on those bonds, except from the
47 revenues received by the issuing district or assets of that district
48 lawfully pledged for that district, and that neither the good faith and
49 credit nor the taxing power of this state or of any political subdivision
50 of this state, other than the issuing district, is pledged to the payment
51 of the principal of or the interest on that obligation or bond. The
52 proceeds of these bonds shall be disbursed in the manner and pursuant
53 to the restrictions the district may provide in the resolution
54 authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for
2 the purpose of refunding, extending, or unifying the whole or any part
3 of any bonds of a district then outstanding, or any bonds, notes, or
4 other obligations issued by any other public agency, public body, or
5 political subdivision in connection with any facilities to be acquired,
6 leased, or subleased by that district, which refunding bonds shall not

7 exceed the amount necessary to refund the principal of the outstanding
8 bonds to be refunded and the accrued interest on those bonds to the
9 date of that refunding, together with any redemption premium,
10 amounts necessary to establish reserve and escrow funds and all costs
11 and expenses incurred in connection with the refunding. The board
12 shall provide for the payment of interest and principal of any refunding
13 bonds in the same manner as was provided for the payment of interest
14 and principal of the bonds refunded.

15 2. In the event that any of the board members or officers of a
16 district whose signatures appear on any bonds or coupons shall cease
17 to be on the board or cease to be an officer before the delivery of those
18 bonds, those signatures shall remain valid and sufficient for all
19 purposes, the same as if that board member or officer had remained in
20 office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a
2 public function and bonds of a district are declared to be issued for an
3 essential public and governmental purpose and, accordingly, interest
4 on those bonds and income from those bonds shall be exempt from
5 income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand
2 dollars used in the construction or maintenance of any public
3 recreational facility, trail, park, or greenway in that district shall be
4 made pursuant to the lowest and best bid standard as provided in
5 section 34.040 or pursuant to the lowest and best proposal standard as
6 provided in section 34.042. The board of any district shall have the
7 same discretion, powers, and duties as granted to the commissioner of
8 administration by sections 34.040 and 34.042.

82.485. [1.] The [treasurer] mayor of any city not within a county is
2 hereby made and constituted supervisor of parking meters. The mayor shall
3 oversee public parking in the city and enforce all parking regulations
4 and parking meters. The mayor, on behalf of the city, shall assume any
5 existing contracts entered into by the supervisor of parking or the
6 parking commission.

7 [2. It shall be the duty of the supervisor of parking meters to install
8 parking meters, collect all parking meter fees, supervise the expenditures for
9 repairs and maintenance, establish and supervise a parking enforcement division
10 and a parking meter division to enforce any statute or ordinances now or

11 hereafter established pertaining to the parking of motor vehicles, including
12 automated zone parking and all other parking functions, and to make all
13 disbursements on any parking contracts, including employment, consulting, legal
14 services, capital improvement and purchase of equipment and real property which
15 may hereafter be made by such cities, subject to audit in the manner provided by
16 state statute.

17 3. The supervisor of parking meters shall establish and maintain a
18 parking meter fund and any other funds therein which the supervisor of parking
19 meters determines to be necessary, including debt service funds and capital
20 improvement funds for purposes including, but not restricted to, the construction
21 of off-street parking facilities and supervising and directing the financing of such
22 projects. The supervisor of parking meters of such city may issue revenue bonds
23 and pledge parking division and other revenues and assets, including real
24 property and future income, for the purpose of capital improvements and debt
25 service. The parking meter fund shall be the sole depository for all parking
26 revenue derived from parking fees, fines, penalties, administrative costs and
27 booting or any other revenues derived from the efforts of the employees of the
28 supervisor of parking, including the parking meter division or parking violation
29 enforcement division.

30 4. The supervisor of the parking meters shall each year submit for
31 approval to the board of aldermen, having first been reviewed by the parking
32 commission, an operating budget projecting revenues and expenses for the fiscal
33 year beginning July 1, 1990, and for each fiscal year thereafter. The parking
34 commission, which shall consist of the supervisor of parking meters as
35 chairperson, the chairperson of the aldermanic traffic committee, the director of
36 streets, the comptroller and the director of the parking meter operations, shall
37 approve parking policy as necessary to control public parking, shall set rates and
38 fees to ensure the successful operation of the parking division, and require a
39 detailed accounting of parking division revenues from any agent or agency, public
40 or private, involved in the collection of parking revenues. The supervisor of
41 parking meters shall draw upon the parking meter fund annually a portion of
42 such fund according to the parking meter division's operating budget to pay any
43 debt obligations, salaries, contracts, expenditures for repairs and maintenance,
44 and make any capital improvements, and a portion of such fund shall at the end
45 of each fiscal year then be transferred to the general fund of the city. The
46 transfer to the general fund shall be no more than forty percent of the parking

47 meter fund's net change in the fund's balance after all payments for capital
48 improvements and debt service have been made.]

99.825. 1. Prior to the adoption of an ordinance proposing the designation
2 of a redevelopment area, or approving a redevelopment plan or redevelopment
3 project, the commission shall fix a time and place for a public hearing as required
4 in subsection 4 of section 99.820 and notify each taxing district located wholly or
5 partially within the boundaries of the proposed redevelopment area, plan or
6 project. At the public hearing any interested person or affected taxing district
7 may file with the commission written objections to, or comments on, and may be
8 heard orally in respect to, any issues embodied in the notice. The commission
9 shall hear and consider all protests, objections, comments and other evidence
10 presented at the hearing. The hearing may be continued to another date without
11 further notice other than a motion to be entered upon the minutes fixing the time
12 and place of the subsequent hearing; provided, if the commission is created under
13 subsection 3 of section 99.820, the hearing shall not be continued for more than
14 thirty days beyond the date on which it is originally opened unless such longer
15 period is requested by the chief elected official of the municipality creating the
16 commission and approved by a majority of the commission. Prior to the
17 conclusion of the hearing, changes may be made in the redevelopment plan,
18 redevelopment project, or redevelopment area, provided that each affected taxing
19 district is given written notice of such changes at least seven days prior to the
20 conclusion of the hearing. After the public hearing but prior to the adoption of
21 an ordinance approving a redevelopment plan or redevelopment project, or
22 designating a redevelopment area, changes may be made to the redevelopment
23 plan, redevelopment projects or redevelopment areas without a further hearing,
24 if such changes do not enlarge the exterior boundaries of the redevelopment area
25 or areas, and do not substantially affect the general land uses established in the
26 redevelopment plan or substantially change the nature of the redevelopment
27 projects, provided that notice of such changes shall be given by mail to each
28 affected taxing district and by publication in a newspaper of general circulation
29 in the area of the proposed redevelopment not less than ten days prior to the
30 adoption of the changes by ordinance. After the adoption of an ordinance
31 approving a redevelopment plan or redevelopment project, or designating a
32 redevelopment area, no ordinance shall be adopted altering the exterior
33 boundaries, affecting the general land uses established pursuant to the
34 redevelopment plan or changing the nature of the redevelopment project without

35 complying with the procedures provided in this section pertaining to the initial
36 approval of a redevelopment plan or redevelopment project and designation of a
37 redevelopment area. Hearings with regard to a redevelopment project,
38 redevelopment area, or redevelopment plan may be held simultaneously.

39 2. [Effective January 1, 2008,] If, after concluding the hearing required
40 under this section, the commission makes a recommendation under section 99.820
41 in opposition to a proposed redevelopment plan, redevelopment project, or
42 designation of a redevelopment area, or any amendments thereto, a municipality
43 desiring to approve such project, plan, designation, or amendments shall do so
44 only upon a two-thirds majority vote of the governing body of such
45 municipality. **Except that no municipality which is a county with a**
46 **charter form of government and with more than nine hundred fifty**
47 **thousand inhabitants, a county with a charter form of government and**
48 **with more than three hundred thousand but fewer than four hundred**
49 **fifty thousand inhabitants, or a county with a charter form of**
50 **government and with more than two hundred thousand but fewer than**
51 **three hundred fifty thousand inhabitants, or is located in any such**
52 **county, shall approve such project, plan, designation, or amendments**
53 **thereto, unless a majority of the commission members vote to make a**
54 **recommendation to approve such project, plan, designation, or**
55 **amendments, or such municipality places the question before the**
56 **qualified voters affected within such county and the question is**
57 **approved by a majority of the voters voting thereon.**

58 3. Tax incremental financing projects within an economic development
59 area shall apply to and fund only the following infrastructure projects: highways,
60 roads, streets, bridges, sewers, traffic control systems and devices, water
61 distribution and supply systems, curbing, sidewalks and any other similar public
62 improvements, but in no case shall it include buildings.

99.845. 1. A municipality, either at the time a redevelopment project is
2 approved or, in the event a municipality has undertaken acts establishing a
3 redevelopment plan and redevelopment project and has designated a
4 redevelopment area after the passage and approval of sections 99.800 to 99.865
5 but prior to August 13, 1982, which acts are in conformance with the procedures
6 of sections 99.800 to 99.865, may adopt tax increment allocation financing by
7 passing an ordinance providing that after the total equalized assessed valuation
8 of the taxable real property in a redevelopment project exceeds the certified total

9 initial equalized assessed valuation of the taxable real property in the
10 redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if
11 any, arising from the levies upon taxable real property in such redevelopment
12 project by taxing districts and tax rates determined in the manner provided in
13 subsection 2 of section 99.855 each year after the effective date of the ordinance
14 until redevelopment costs have been paid shall be divided as follows:

15 (1) That portion of taxes, penalties and interest levied upon each taxable
16 lot, block, tract, or parcel of real property which is attributable to the initial
17 equalized assessed value of each such taxable lot, block, tract, or parcel of real
18 property in the area selected for the redevelopment project shall be allocated to
19 and, when collected, shall be paid by the county collector to the respective
20 affected taxing districts in the manner required by law in the absence of the
21 adoption of tax increment allocation financing;

22 (2) (a) Payments in lieu of taxes attributable to the increase in the
23 current equalized assessed valuation of each taxable lot, block, tract, or parcel of
24 real property in the area selected for the redevelopment project and any
25 applicable penalty and interest over and above the initial equalized assessed
26 value of each such unit of property in the area selected for the redevelopment
27 project shall be allocated to and, when collected, shall be paid to the municipal
28 treasurer who shall deposit such payment in lieu of taxes into a special fund
29 called the "Special Allocation Fund" of the municipality for the purpose of paying
30 redevelopment costs and obligations incurred in the payment thereof. Payments
31 in lieu of taxes which are due and owing shall constitute a lien against the real
32 estate of the redevelopment project from which they are derived and shall be
33 collected in the same manner as the real property tax, including the assessment
34 of penalties and interest where applicable. The municipality may, in the
35 ordinance, pledge the funds in the special allocation fund for the payment of such
36 costs and obligations and provide for the collection of payments in lieu of taxes,
37 the lien of which may be foreclosed in the same manner as a special assessment
38 lien as provided in section 88.861. No part of the current equalized assessed
39 valuation of each lot, block, tract, or parcel of property in the area selected for the
40 redevelopment project attributable to any increase above the total initial
41 equalized assessed value of such properties shall be used in calculating the
42 general state school aid formula provided for in section 163.031 until such time
43 as all redevelopment costs have been paid as provided for in this section and
44 section 99.850;

45 (b) Notwithstanding any provisions of this section to the contrary, for
46 purposes of determining the limitation on indebtedness of local government
47 pursuant to article VI, section 26(b) of the Missouri Constitution, the current
48 equalized assessed value of the property in an area selected for redevelopment
49 attributable to the increase above the total initial equalized assessed valuation
50 shall be included in the value of taxable tangible property as shown on the last
51 completed assessment for state or county purposes;

52 (c) The county assessor shall include the current assessed value of all
53 property within the taxing district in the aggregate valuation of assessed property
54 entered upon the assessor's book and verified pursuant to section 137.245, and
55 such value shall be utilized for the purpose of the debt limitation on local
56 government pursuant to article VI, section 26(b) of the Missouri Constitution;

57 (3) For purposes of this section, "levies upon taxable real property in such
58 redevelopment project by taxing districts" shall not include the blind pension fund
59 tax levied under the authority of article III, section 38(b) of the Missouri
60 Constitution, or the merchants' and manufacturers' inventory replacement tax
61 levied under the authority of subsection 2 of section 6 of article X of the Missouri
62 Constitution, except in redevelopment project areas in which tax increment
63 financing has been adopted by ordinance pursuant to a plan approved by vote of
64 the governing body of the municipality taken after August 13, 1982, and before
65 January 1, 1998.

66 2. In addition to the payments in lieu of taxes described in subdivision (2)
67 of subsection 1 of this section, for redevelopment plans and projects adopted or
68 redevelopment projects approved by ordinance after July 12, 1990, and prior to
69 August 31, 1991, fifty percent of the total additional revenue from taxes, penalties
70 and interest imposed by the municipality, or other taxing districts, which are
71 generated by economic activities within the area of the redevelopment project over
72 the amount of such taxes generated by economic activities within the area of the
73 redevelopment project in the calendar year prior to the adoption of the
74 redevelopment project by ordinance, while tax increment financing remains in
75 effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by
76 transient guests of hotels and motels, taxes levied pursuant to section 70.500,
77 licenses, fees or special assessments other than payments in lieu of taxes and any
78 penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant
79 to section 94.660, for the purpose of public transportation, shall be allocated to,
80 and paid by the local political subdivision collecting officer to the treasurer or

81 other designated financial officer of the municipality, who shall deposit such
82 funds in a separate segregated account within the special allocation fund. Any
83 provision of an agreement, contract or covenant entered into prior to July 12,
84 1990, between a municipality and any other political subdivision which provides
85 for an appropriation of other municipal revenues to the special allocation fund
86 shall be and remain enforceable.

87 3. In addition to the payments in lieu of taxes described in subdivision (2)
88 of subsection 1 of this section, for redevelopment plans and projects adopted or
89 redevelopment projects approved by ordinance after August 31, 1991, fifty percent
90 of the total additional revenue from taxes, penalties and interest which are
91 imposed by the municipality or other taxing districts, and which are generated
92 by economic activities within the area of the redevelopment project over the
93 amount of such taxes generated by economic activities within the area of the
94 redevelopment project in the calendar year prior to the adoption of the
95 redevelopment project by ordinance, while tax increment financing remains in
96 effect, but excluding personal property taxes, taxes imposed on sales or charges
97 for sleeping rooms paid by transient guests of hotels and motels, taxes levied
98 pursuant to section 70.500, taxes levied for the purpose of public transportation
99 pursuant to section 94.660, licenses, fees or special assessments other than
100 payments in lieu of taxes and penalties and interest thereon, or any sales tax
101 imposed by a county with a charter form of government and with more than six
102 hundred thousand but fewer than seven hundred thousand inhabitants, for the
103 purpose of sports stadium improvement **or levied by such county pursuant**
104 **to section 238.410 for the purpose of the county transit authority**
105 **operating transportation facilities**, shall be allocated to, and paid by the
106 local political subdivision collecting officer to the treasurer or other designated
107 financial officer of the municipality, who shall deposit such funds in a separate
108 segregated account within the special allocation fund.

109 4. Beginning January 1, 1998, for redevelopment plans and projects
110 adopted or redevelopment projects approved by ordinance and which have
111 complied with subsections 4 to 12 of this section, in addition to the payments in
112 lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of
113 this section, up to fifty percent of the new state revenues, as defined in subsection
114 8 of this section, estimated for the businesses within the project area and
115 identified by the municipality in the application required by subsection 10 of this
116 section, over and above the amount of such taxes reported by businesses within

117 the project area as identified by the municipality in their application prior to the
118 approval of the redevelopment project by ordinance, while tax increment
119 financing remains in effect, may be available for appropriation by the general
120 assembly as provided in subsection 10 of this section to the department of
121 economic development supplemental tax increment financing fund, from the
122 general revenue fund, for distribution to the treasurer or other designated
123 financial officer of the municipality with approved plans or projects.

124 5. The treasurer or other designated financial officer of the municipality
125 with approved plans or projects shall deposit such funds in a separate segregated
126 account within the special allocation fund established pursuant to section 99.805.

127 6. No transfer from the general revenue fund to the Missouri
128 supplemental tax increment financing fund shall be made unless an appropriation
129 is made from the general revenue fund for that purpose. No municipality shall
130 commit any state revenues prior to an appropriation being made for that
131 project. For all redevelopment plans or projects adopted or approved after
132 December 23, 1997, appropriations from the new state revenues shall not be
133 distributed from the Missouri supplemental tax increment financing fund into the
134 special allocation fund unless the municipality's redevelopment plan ensures that
135 one hundred percent of payments in lieu of taxes and fifty percent of economic
136 activity taxes generated by the project shall be used for eligible redevelopment
137 project costs while tax increment financing remains in effect. This account shall
138 be separate from the account into which payments in lieu of taxes are deposited,
139 and separate from the account into which economic activity taxes are deposited.

140 7. In order for the redevelopment plan or project to be eligible to receive
141 the revenue described in subsection 4 of this section, the municipality shall
142 comply with the requirements of subsection 10 of this section prior to the time the
143 project or plan is adopted or approved by ordinance. The director of the
144 department of economic development and the commissioner of the office of
145 administration may waive the requirement that the municipality's application be
146 submitted prior to the redevelopment plan's or project's adoption or the
147 redevelopment plan's or project's approval by ordinance.

148 8. For purposes of this section, "new state revenues" means:

149 (1) The incremental increase in the general revenue portion of state sales
150 tax revenues received pursuant to section 144.020, excluding sales taxes that are
151 constitutionally dedicated, taxes deposited to the school district trust fund in
152 accordance with section 144.701, sales and use taxes on motor vehicles, trailers,

153 boats and outboard motors and future sales taxes earmarked by law. In no event
154 shall the incremental increase include any amounts attributable to retail sales
155 unless the municipality or authority has proven to the Missouri development
156 finance board and the department of economic development and such entities
157 have made a finding that the sales tax increment attributable to retail sales is
158 from new sources which did not exist in the state during the baseline year. The
159 incremental increase in the general revenue portion of state sales tax revenues
160 for an existing or relocated facility shall be the amount that current state sales
161 tax revenue exceeds the state sales tax revenue in the base year as stated in the
162 redevelopment plan as provided in subsection 10 of this section; or

163 (2) The state income tax withheld on behalf of new employees by the
164 employer pursuant to section 143.221 at the business located within the project
165 as identified by the municipality. The state income tax withholding allowed by
166 this section shall be the municipality's estimate of the amount of state income tax
167 withheld by the employer within the redevelopment area for new employees who
168 fill new jobs directly created by the tax increment financing project.

169 9. Subsection 4 of this section shall apply only to blighted areas located
170 in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas
171 located in federal empowerment zones, or to blighted areas located in central
172 business districts or urban core areas of cities which districts or urban core areas
173 at the time of approval of the project by ordinance, provided that the enterprise
174 zones, federal empowerment zones or blighted areas contained one or more
175 buildings at least fifty years old; and

176 (1) Suffered from generally declining population or property taxes over the
177 twenty-year period immediately preceding the area's designation as a project area
178 by ordinance; or

179 (2) Was a historic hotel located in a county of the first classification
180 without a charter form of government with a population according to the most
181 recent federal decennial census in excess of one hundred fifty thousand and
182 containing a portion of a city with a population according to the most recent
183 federal decennial census in excess of three hundred fifty thousand.

184 10. The initial appropriation of up to fifty percent of the new state
185 revenues authorized pursuant to subsections 4 and 5 of this section shall not be
186 made to or distributed by the department of economic development to a
187 municipality until all of the following conditions have been satisfied:

188 (1) The director of the department of economic development or his or her

189 designee and the commissioner of the office of administration or his or her
190 designee have approved a tax increment financing application made by the
191 municipality for the appropriation of the new state revenues. The municipality
192 shall include in the application the following items in addition to the items in
193 section 99.810:

194 (a) The tax increment financing district or redevelopment area, including
195 the businesses identified within the redevelopment area;

196 (b) The base year of state sales tax revenues or the base year of state
197 income tax withheld on behalf of existing employees, reported by existing
198 businesses within the project area prior to approval of the redevelopment project;

199 (c) The estimate of the incremental increase in the general revenue
200 portion of state sales tax revenue or the estimate for the state income tax
201 withheld by the employer on behalf of new employees expected to fill new jobs
202 created within the redevelopment area after redevelopment;

203 (d) The official statement of any bond issue pursuant to this subsection
204 after December 23, 1997;

205 (e) An affidavit that is signed by the developer or developers attesting
206 that the provisions of subdivision (1) of section 99.810 have been met and
207 specifying that the redevelopment area would not be reasonably anticipated to be
208 developed without the appropriation of the new state revenues;

209 (f) The cost-benefit analysis required by section 99.810 includes a study
210 of the fiscal impact on the state of Missouri; and

211 (g) The statement of election between the use of the incremental increase
212 of the general revenue portion of the state sales tax revenues or the state income
213 tax withheld by employers on behalf of new employees who fill new jobs created
214 in the redevelopment area;

215 (h) The name, street and mailing address, and phone number of the mayor
216 or chief executive officer of the municipality;

217 (i) The street address of the development site;

218 (j) The three-digit North American Industry Classification System number
219 or numbers characterizing the development project;

220 (k) The estimated development project costs;

221 (l) The anticipated sources of funds to pay such development project costs;

222 (m) Evidence of the commitments to finance such development project
223 costs;

224 (n) The anticipated type and term of the sources of funds to pay such

225 development project costs;

226 (o) The anticipated type and terms of the obligations to be issued;

227 (p) The most recent equalized assessed valuation of the property within
228 the development project area;

229 (q) An estimate as to the equalized assessed valuation after the
230 development project area is developed in accordance with a development plan;

231 (r) The general land uses to apply in the development area;

232 (s) The total number of individuals employed in the development area,
233 broken down by full-time, part-time, and temporary positions;

234 (t) The total number of full-time equivalent positions in the development
235 area;

236 (u) The current gross wages, state income tax withholdings, and federal
237 income tax withholdings for individuals employed in the development area;

238 (v) The total number of individuals employed in this state by the
239 corporate parent of any business benefitting from public expenditures in the
240 development area, and all subsidiaries thereof, as of December thirty-first of the
241 prior fiscal year, broken down by full-time, part-time, and temporary positions;

242 (w) The number of new jobs to be created by any business benefitting from
243 public expenditures in the development area, broken down by full-time, part-time,
244 and temporary positions;

245 (x) The average hourly wage to be paid to all current and new employees
246 at the project site, broken down by full-time, part-time, and temporary positions;

247 (y) For project sites located in a metropolitan statistical area, as defined
248 by the federal Office of Management and Budget, the average hourly wage paid
249 to nonmanagerial employees in this state for the industries involved at the
250 project, as established by the United States Bureau of Labor Statistics;

251 (z) For project sites located outside of metropolitan statistical areas, the
252 average weekly wage paid to nonmanagerial employees in the county for
253 industries involved at the project, as established by the United States
254 Department of Commerce;

255 (aa) A list of other community and economic benefits to result from the
256 project;

257 (bb) A list of all development subsidies that any business benefitting from
258 public expenditures in the development area has previously received for the
259 project, and the name of any other granting body from which such subsidies are
260 sought;

261 (cc) A list of all other public investments made or to be made by this state
262 or units of local government to support infrastructure or other needs generated
263 by the project for which the funding pursuant to this section is being sought;

264 (dd) A statement as to whether the development project may reduce
265 employment at any other site, within or without the state, resulting from
266 automation, merger, acquisition, corporate restructuring, relocation, or other
267 business activity;

268 (ee) A statement as to whether or not the project involves the relocation
269 of work from another address and if so, the number of jobs to be relocated and the
270 address from which they are to be relocated;

271 (ff) A list of competing businesses in the county containing the
272 development area and in each contiguous county;

273 (gg) A market study for the development area;

274 (hh) A certification by the chief officer of the applicant as to the accuracy
275 of the development plan;

276 (2) The methodologies used in the application for determining the base
277 year and determining the estimate of the incremental increase in the general
278 revenue portion of the state sales tax revenues or the state income tax withheld
279 by employers on behalf of new employees who fill new jobs created in the
280 redevelopment area shall be approved by the director of the department of
281 economic development or his or her designee and the commissioner of the office
282 of administration or his or her designee. Upon approval of the application, the
283 director of the department of economic development or his or her designee and
284 the commissioner of the office of administration or his or her designee shall issue
285 a certificate of approval. The department of economic development may request
286 the appropriation following application approval;

287 (3) The appropriation shall be either a portion of the estimate of the
288 incremental increase in the general revenue portion of state sales tax revenues
289 in the redevelopment area or a portion of the estimate of the state income tax
290 withheld by the employer on behalf of new employees who fill new jobs created
291 in the redevelopment area as indicated in the municipality's application,
292 approved by the director of the department of economic development or his or her
293 designee and the commissioner of the office of administration or his or her
294 designee. At no time shall the annual amount of the new state revenues
295 approved for disbursements from the Missouri supplemental tax increment
296 financing fund exceed thirty-two million dollars;

297 (4) Redevelopment plans and projects receiving new state revenues shall
298 have a duration of up to fifteen years, unless prior approval for a longer term is
299 given by the director of the department of economic development or his or her
300 designee and the commissioner of the office of administration or his or her
301 designee; except that, in no case shall the duration exceed twenty-three years.

302 11. In addition to the areas authorized in subsection 9 of this section, the
303 funding authorized pursuant to subsection 4 of this section shall also be available
304 in a federally approved levee district, where construction of a levee begins after
305 December 23, 1997, and which is contained within a county of the first
306 classification without a charter form of government with a population between
307 fifty thousand and one hundred thousand inhabitants which contains all or part
308 of a city with a population in excess of four hundred thousand or more
309 inhabitants.

310 12. There is hereby established within the state treasury a special fund
311 to be known as the "Missouri Supplemental Tax Increment Financing Fund", to
312 be administered by the department of economic development. The department
313 shall annually distribute from the Missouri supplemental tax increment financing
314 fund the amount of the new state revenues as appropriated as provided in the
315 provisions of subsections 4 and 5 of this section if and only if the conditions of
316 subsection 10 of this section are met. The fund shall also consist of any gifts,
317 contributions, grants or bequests received from federal, private or other
318 sources. Moneys in the Missouri supplemental tax increment financing fund shall
319 be disbursed per project pursuant to state appropriations.

320 13. Redevelopment project costs may include, at the prerogative of the
321 state, the portion of salaries and expenses of the department of economic
322 development and the department of revenue reasonably allocable to each
323 redevelopment project approved for disbursements from the Missouri
324 supplemental tax increment financing fund for the ongoing administrative
325 functions associated with such redevelopment project. Such amounts shall be
326 recovered from new state revenues deposited into the Missouri supplemental tax
327 increment financing fund created under this section.

328 14. For redevelopment plans or projects approved by ordinance that result
329 in net new jobs from the relocation of a national headquarters from another state
330 to the area of the redevelopment project, the economic activity taxes and new
331 state tax revenues shall not be based on a calculation of the incremental increase
332 in taxes as compared to the base year or prior calendar year for such

333 redevelopment project, rather the incremental increase shall be the amount of
334 total taxes generated from the net new jobs brought in by the national
335 headquarters from another state. In no event shall this subsection be construed
336 to allow a redevelopment project to receive an appropriation in excess of up to
337 fifty percent of the new state revenues.

137.016. 1. As used in section 4(b) of article X of the Missouri
2 Constitution, the following terms mean:

3 (1) "Residential property", all real property improved by a structure which
4 is used or intended to be used for residential living by human occupants, vacant
5 land in connection with an airport, land used as a golf course, [and]
6 manufactured home parks, **and time-share units as defined in section**
7 **407.600, except to the extent such units are actually rented and subject**
8 **to sales tax under subdivision (6) of subsection 1 of section 144.020**, but
9 residential property shall not include other similar facilities used primarily for
10 transient housing. For the purposes of this section, "transient housing" means
11 all rooms available for rent or lease for which the receipts from the rent or lease
12 of such rooms are subject to state sales tax pursuant to subdivision (6) of
13 subsection 1 of section 144.020;

14 (2) "Agricultural and horticultural property", all real property used for
15 agricultural purposes and devoted primarily to the raising and harvesting of
16 crops; to the feeding, breeding and management of livestock which shall include
17 breeding, showing, and boarding of horses; to dairying, or to any other
18 combination thereof; and buildings and structures customarily associated with
19 farming, agricultural, and horticultural uses. Agricultural and horticultural
20 property shall also include land devoted to and qualifying for payments or other
21 compensation under a soil conservation or agricultural assistance program under
22 an agreement with an agency of the federal government. Agricultural and
23 horticultural property shall further include land and improvements, exclusive of
24 structures, on privately owned airports that qualify as reliever airports under the
25 National Plan of Integrated Airports System, to receive federal airport
26 improvement project funds through the Federal Aviation Administration. Real
27 property classified as forest croplands shall not be agricultural or horticultural
28 property so long as it is classified as forest croplands and shall be taxed in
29 accordance with the laws enacted to implement section 7 of article X of the
30 Missouri Constitution. Agricultural and horticultural property shall also include
31 any sawmill or planing mill defined in the U.S. Department of Labor's Standard

32 Industrial Classification (SIC) Manual under Industry Group 242 with the SIC
33 number 2421;

34 (3) "Utility, industrial, commercial, railroad and other real property", all
35 real property used directly or indirectly, for any commercial, mining, industrial,
36 manufacturing, trade, professional, business, or similar purpose, including all
37 property centrally assessed by the state tax commission but shall not include
38 floating docks, portions of which are separately owned and the remainder of
39 which is designated for common ownership and in which no one person or
40 business entity owns more than five individual units. All other real property not
41 included in the property listed in subclasses (1) and (2) of section 4(b) of article
42 X of the Missouri Constitution, as such property is defined in this section, shall
43 be deemed to be included in the term "utility, industrial, commercial, railroad and
44 other real property".

45 2. Pursuant to article X of the state constitution, any taxing district may
46 adjust its operating levy to recoup any loss of property tax revenue, except
47 revenues from the surtax imposed pursuant to article X, subsection 2 of section
48 6 of the constitution, as the result of changing the classification of structures
49 intended to be used for residential living by human occupants which contain five
50 or more dwelling units if such adjustment of the levy does not exceed the highest
51 tax rate in effect subsequent to the 1980 tax year. For purposes of this section,
52 loss in revenue shall include the difference between the revenue that would have
53 been collected on such property under its classification prior to enactment of this
54 section and the amount to be collected under its classification under this
55 section. The county assessor of each county or city not within a county shall
56 provide information to each taxing district within its boundaries regarding the
57 difference in assessed valuation of such property as the result of such change in
58 classification.

59 3. All reclassification of property as the result of changing the
60 classification of structures intended to be used for residential living by human
61 occupants which contain five or more dwelling units shall apply to assessments
62 made after December 31, 1994.

63 4. Where real property is used or held for use for more than one purpose
64 and such uses result in different classifications, the county assessor shall allocate
65 to each classification the percentage of the true value in money of the property
66 devoted to each use; except that, where agricultural and horticultural property,
67 as defined in this section, also contains a dwelling unit or units, the farm

68 dwelling, appurtenant residential-related structures and up to five acres
69 immediately surrounding such farm dwelling shall be residential property, as
70 defined in this section.

71 5. All real property which is vacant, unused, or held for future use; which
72 is used for a private club, a not-for-profit or other nonexempt lodge, club,
73 business, trade, service organization, or similar entity; or for which a
74 determination as to its classification cannot be made under the definitions set out
75 in subsection 1 of this section, shall be classified according to its immediate most
76 suitable economic use, which use shall be determined after consideration of:

77 (1) Immediate prior use, if any, of such property;

78 (2) Location of such property;

79 (3) Zoning classification of such property; except that, such zoning
80 classification shall not be considered conclusive if, upon consideration of all
81 factors, it is determined that such zoning classification does not reflect the
82 immediate most suitable economic use of the property;

83 (4) Other legal restrictions on the use of such property;

84 (5) Availability of water, electricity, gas, sewers, street lighting, and other
85 public services for such property;

86 (6) Size of such property;

87 (7) Access of such property to public thoroughfares; and

88 (8) Any other factors relevant to a determination of the immediate most
89 suitable economic use of such property.

90 6. All lands classified as forest croplands shall not, for taxation purposes,
91 be classified as subclass (1), subclass (2), or subclass (3) real property, as such
92 classes are prescribed in section 4(b) of article X of the Missouri Constitution and
93 defined in this section, but shall be taxed in accordance with the laws enacted to
94 implement section 7 of article X of the Missouri Constitution.

144.805. 1. In addition to the exemptions granted pursuant to the
2 provisions of section 144.030, there shall also be specifically exempted from the
3 provisions of sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**,
4 and section 238.235, and the provisions of any local sales tax law, as defined in
5 section 32.085, and from the computation of the tax levied, assessed or payable
6 pursuant to sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**,
7 and section 238.235, and the provisions of any local sales tax law, as defined in
8 section 32.085, all sales of aviation jet fuel in a given calendar year to common
9 carriers engaged in the interstate air transportation of passengers and cargo, and

10 the storage, use and consumption of such aviation jet fuel by such common
11 carriers, if such common carrier has first paid to the state of Missouri, in
12 accordance with the provisions of this chapter, state sales and use taxes pursuant
13 to the foregoing provisions and applicable to the purchase, storage, use or
14 consumption of such aviation jet fuel in a maximum and aggregate amount of one
15 million five hundred thousand dollars of state sales and use taxes in such
16 calendar year.

17 2. To qualify for the exemption prescribed in subsection 1 of this section,
18 the common carrier shall furnish to the seller a certificate in writing to the effect
19 that an exemption pursuant to this section is applicable to the aviation jet fuel
20 so purchased, stored, used and consumed. The director of revenue shall permit
21 any such common carrier to enter into a direct-pay agreement with the
22 department of revenue, pursuant to which such common carrier may pay directly
23 to the department of revenue any applicable sales and use taxes on such aviation
24 jet fuel up to the maximum aggregate amount of one million five hundred
25 thousand dollars in each calendar year. The director of revenue shall adopt
26 appropriate rules and regulations to implement the provisions of this section, and
27 to permit appropriate claims for refunds of any excess sales and use taxes
28 collected in calendar year 1993 or any subsequent year with respect to any such
29 common carrier and aviation jet fuel.

30 3. The provisions of this section shall apply to all purchases and deliveries
31 of aviation jet fuel from and after May 10, 1993.

32 4. All sales and use tax revenues upon aviation jet fuel received pursuant
33 to this chapter, less the amounts specifically designated pursuant to the
34 constitution or pursuant to section 144.701 for other purposes, shall be deposited
35 to the credit of the aviation trust fund established pursuant to section 155.090;
36 provided however, the amount of such state sales and use tax revenues deposited
37 to the credit of such aviation trust fund shall not exceed ten million dollars in
38 each calendar year.

39 5. The provisions of this section and section 144.807 shall expire on
40 December 31, [2013] **2023**.

182.802. 1. **[A] (1) Any public library district located in any of the
2 following counties may impose a tax as provided in this section:**

3 **(a)** At least partially within any county of the third classification without
4 a township form of government and with more than forty thousand eight hundred
5 but fewer than forty thousand nine hundred inhabitants;

6 **(b)** Any county of the third classification without a township form of
7 government and with more than thirteen thousand five hundred but fewer than
8 thirteen thousand six hundred inhabitants;

9 **(c)** Any county of the third classification without a township form of
10 government and with more than thirteen thousand two hundred but fewer than
11 thirteen thousand three hundred inhabitants;

12 **(d)** Any county of the third classification with a township form of
13 government and with more than twenty-nine thousand seven hundred but fewer
14 than twenty-nine thousand eight hundred inhabitants;

15 **(e)** Any county of the second classification with more than nineteen
16 thousand seven hundred but fewer than nineteen thousand eight hundred
17 inhabitants; [or]

18 **(f)** Any county of the third classification with a township form of
19 government and with more than thirty-three thousand one hundred but fewer
20 than thirty-three thousand two hundred inhabitants;

21 **(g) Any county of the third classification without a township**
22 **form of government and with more than eighteen thousand but fewer**
23 **than twenty thousand inhabitants and with a city of the third**
24 **classification with more than six thousand but fewer than seven**
25 **thousand inhabitants as the county seat.**

26 **(2) Any public library district listed in subdivision (1) of this**
27 **subsection** may, by a majority vote of its board of directors, impose a tax not to
28 exceed one-half of one cent on all retail sales subject to taxation under sections
29 144.010 to 144.525 for the purpose of funding the operation and maintenance of
30 public libraries within the boundaries of such library district. The tax authorized
31 by this subsection shall be in addition to all other taxes allowed by law. No tax
32 under this subsection shall become effective unless the board of directors submits
33 to the voters of the district, at a county or state general, primary or special
34 election, a proposal to authorize the tax, and such tax shall become effective only
35 after the majority of the voters voting on such tax approve such tax.

36 2. In the event the district seeks to impose a sales tax under this
37 subsection, the question shall be submitted in substantially the following form:

38 Shall a cent sales tax be levied on all retail sales within the district
39 for the purpose of providing funding for library district?

40 ☐ YES ☐ NO

41 If a majority of the votes cast on the proposal by the qualified voters voting

42 thereon are in favor of the proposal, then the tax shall become effective. If a
43 majority of the votes cast by the qualified voters voting are opposed to the
44 proposal, then the board of directors shall have no power to impose the tax unless
45 and until another proposal to authorize the tax is submitted to the voters of the
46 district and such proposal is approved by a majority of the qualified voters voting
47 thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax
48 approved under this subsection.

49 3. As used in this section, "qualified voters" or "voters" means any
50 individuals residing within the district who are eligible to be registered voters
51 and who have registered to vote under chapter 115, or, if no individuals are
52 eligible and registered to vote reside within the proposed district, all of the
53 owners of real property located within the proposed district who have
54 unanimously petitioned for or consented to the adoption of an ordinance by the
55 governing body imposing a tax authorized in this section. If the owner of the
56 property within the proposed district is a political subdivision or corporation of
57 the state, the governing body of such political subdivision or corporation shall be
58 considered the owner for purposes of this section.

59 4. For purposes of this section the term "public library district" shall
60 mean any city library district, county library district, city-county library district,
61 municipal library district, consolidated library district, or urban library district.

184.503. 1. The governing body of any eligible county may, by resolution,
2 authorize the creation of or participation in a district, and may impose a sales tax
3 on all retail sales made within the eligible county which are subject to sales tax
4 under chapter 144. The tax authorized in this section shall not exceed one-fourth
5 of one percent, and shall be imposed solely for the purpose of funding the support
6 of zoological activities within the district. The tax authorized in this section shall
7 be in addition to all other sales taxes imposed by law, and shall be stated
8 separately from all other charges and taxes. Such creation of or participation in
9 such district and the levy of the sales tax may be accomplished individually or on
10 a cooperative basis with another eligible county or other eligible counties for
11 financial support of the district. A petition requesting such creation of or
12 participation in such district and the levy of the sales tax for the purpose of
13 funding the support of zoological activities within the district may also be filed
14 with the governing body, and shall be signed by not less than the number of
15 qualified electors of an eligible county equal to five percent of the number of
16 ballots cast and counted at the last preceding gubernatorial election held in such

17 county. No such resolution adopted or petition presented under this section shall
18 become effective unless the governing body of the eligible county submits to the
19 voters residing within the eligible county at a state general, primary, or special
20 election a proposal to authorize the governing body of the eligible county to create
21 or participate in a district and to impose a tax under this section. The county
22 election official shall give legal notice at least sixty days prior to such general or
23 primary election or special election in at least two newspapers that such
24 proposition or propositions shall be submitted at the next general or primary
25 election or special election held for submission of this proposition. The resolution
26 or proposition shall be printed on the ballot and in the notice of
27 election. Provisions of this section to the contrary notwithstanding, no tax
28 authorized under the provisions of this section shall be effective in any eligible
29 noncharter county unless the tax authorized under the provisions of this section
30 is also collected by an eligible charter county.

31 2. The ballot for the proposition in any county shall be in substantially
32 the following form:

33 Shall a retail sales tax of (insert amount, not to exceed
34 one-quarter of one percent) be levied and collected for the benefit of the Kansas
35 City Zoological District, which shall be created and consist of the county(s) of
36 (insert name of counties), for the support of zoological activities with the
37 district?

38 ☐ YES ☐ NO

39 The governing body of the county may place additional language on the ballot to
40 describe the use or allocation of the funds.

41 3. In the event that a majority of the voters voting on such proposition in
42 such county at said election cast votes for the proposition, then the district shall
43 be deemed established and the tax rate for such subdistrict shall be deemed in
44 full force and effect as of the first day of the year following the year of said
45 election and the governing body of such county may proceed with the performance
46 of all things necessary and incidental to participation in the district. The results
47 of the aforesaid election shall be certified by the election officials of such county
48 to the governing body of such county not less than thirty days after the day of
49 election. In the event the proposition shall fail to receive a majority of the votes
50 "FOR", then such proposition shall not be resubmitted at any election held within
51 one year of the date of the election the proposition was rejected. Any such
52 resubmissions of such proposition shall substantially comply with the provisions

53 of sections 184.500 to 184.515.

54 4. Except as modified in this section, all provisions of sections 32.085 and
55 32.087 shall apply to the tax imposed under this section.

56 5. All sales taxes collected by the director of revenue from the tax
57 authorized by this section on behalf of the district, less one percent for cost of
58 collection, which shall be deposited in the state's general revenue fund after
59 payment of premiums for surety bonds, as provided in section 32.087, shall be
60 deposited in a special trust fund, which is hereby created, to be known as the
61 "Kansas City Zoological District Sales Tax Trust Fund". The moneys in the
62 Kansas City zoological district sales tax trust fund shall not be deemed to be
63 state funds and shall not be commingled with any funds of the state. The
64 director of revenue shall keep accurate records of the amount of money collected
65 and deposited in the trust fund and the records shall be open to the inspection
66 of officers of the district, the counties composing the district, and the public. Not
67 later than the tenth day of each month the director of revenue shall distribute all
68 moneys deposited in the Kansas City zoological district sales tax trust fund
69 during the preceding month to the district.

70 6. The director of revenue may make refunds from the amounts in the
71 Kansas City zoological district sales tax trust fund and credited to the district for
72 erroneous payments and overpayments made, and may redeem dishonored checks
73 and drafts deposited to the credit of the district. If the district abolishes the tax,
74 the county shall notify the director of revenue of the action at least ninety days
75 prior to the effective date of the repeal and the director of revenue may order
76 retention in the Kansas City zoological district sales tax trust fund, for a period
77 of one year, of two percent of the amount collected after receipt of such notice to
78 cover possible refunds or overpayment of the tax and to redeem dishonored checks
79 and drafts deposited to the credit of such account. After one year has elapsed
80 after the effective date of abolition of the tax in the district, the director of
81 revenue shall remit the balance in the account to the district and close the
82 account of the district. The director of revenue shall notify the district of each
83 instance of any amount refunded or any check redeemed from receipts due the
84 district.

85 7. Any of the eligible counties composing the Kansas City zoological
86 district may withdraw from the district by adoption of a resolution and approval
87 of the [resolution] **question** by a majority of the qualified electors of the county,
88 in the same manner provided in this section for creating or becoming a part of the

89 district. **The ballot for the proposition shall be in substantially the**
90 **following form:**

91 **Shall (insert name of county) repeal the (insert amount) tax**
92 **levied and collected for the Kansas City Zoological District and**
93 **withdraw from the district?**

94 ☐ **YES** ☐ **NO**

95 The governing body of a withdrawing county shall provide for the sending of
96 formal written notice of withdrawal from the district to the governing body of the
97 other county or each of the other counties comprising the district. Actual
98 withdrawal **and the repeal of the sales tax** shall not take effect until ninety
99 days after [notice has been sent] **the county has satisfied any obligation**
100 **that the county may have assumed or incurred by reason of being a**
101 **part of the district.** A withdrawing county shall not be relieved from any
102 obligation that such county may have assumed or incurred by reason of being a
103 part of the district, including, but not limited to, the retirement of any
104 outstanding bonded indebtedness of the district.

105 **8. When any action is brought regarding the obligations of any**
106 **county under this section including counties that have withdrawn from**
107 **the district, all attorney's fees and costs of the county shall be**
108 **reimbursed from the Kansas City zoological district sales tax fund.**

109 **9. This section shall expire unless reauthorized by act of the**
110 **general assembly by August 28, 2017.**

184.509. 1. The commission shall adopt a seal and suitable bylaws
2 governing its management and procedure. The commission shall have the power
3 to contract and to be contracted with, and to sue and to be sued. The commission
4 may own and acquire, by gift, purchase, lease, or devise, zoological facilities
5 within the territory of the district. The commission may plan, construct, operate,
6 and maintain and contract for the operation and maintenance of zoological
7 facilities within the territory of the district. The commission may sell, lease,
8 donate, transfer, or otherwise dispose of zoological facilities within the territory
9 of the district. The commission may receive for any of its purposes and functions
10 any contributions or moneys appropriated by counties or cities and may solicit
11 and receive any and all donations, and grants of money, equipment, supplies,
12 materials, and services from any state or the United States or any agency thereof,
13 or from any institution, foundation, organization, person, firm, or corporation, and
14 may utilize and dispose of the same.

15 2. At any time following five years from the date of creation of the Kansas
16 City zoological district, the commission may borrow moneys for the planning,
17 construction, equipping, operation, maintenance, repair, extension, expansion, or
18 improvement of any zoological facility by:

19 (1) Issuing notes, bonds or other instruments in writing of the commission
20 in evidence of the sum or sums to be borrowed. **All notes, bonds, or other**
21 **instruments in writing issued pursuant to this subsection shall be**
22 **redeemed within seven years.** No notes, bonds or other instruments in
23 writing shall be issued pursuant to this subsection until the issuance of such
24 notes, bonds or instruments has been submitted to and approved by a majority
25 of the qualified electors of **each county participating in** the district voting at
26 an election called and held thereon. Such election shall be called and held in the
27 manner provided by law;

28 (2) Issuing refunding notes, bonds or other instruments in writing for the
29 purpose of refunding, extending or unifying the whole or any part of its
30 outstanding indebtedness from time to time, whether evidenced by notes, bonds
31 or other instruments in writing. Such refunding notes, bonds or other
32 instruments in writing shall not exceed in amount the principal of the
33 outstanding indebtedness to be refunded and the accrued interest thereon to the
34 date of such refunding;

35 (3) Providing that all notes, bonds and other instruments in writing
36 issued hereunder shall or may be payable, both as to principal and interest, from
37 sales tax revenues authorized under this compact and disbursed to the district
38 by counties comprising the district, admissions and other revenues collected from
39 the use of any zoological facility or facilities constructed hereunder, or from any
40 other resources of the commission, and further may be secured by a mortgage or
41 deed of trust upon any property interest of the commission; and

42 (4) Prescribing the details of all notes, bonds or other instruments in
43 writing, and of the issuance and sale thereof. The commission shall have the
44 power to enter into covenants with the holders of such notes, bonds or other
45 instruments in writing, not inconsistent with the powers granted herein, without
46 further legislative authority.

47 3. The commission may provide donations, contributions, and grants or
48 other support, financial or otherwise for, or in aid of, zoological activities in
49 counties that are part of the district. In determining whether to provide any such
50 support the commission shall consider the following factors:

51 (1) The commission's primary purpose is to support the maintenance and
52 operation of the Kansas City zoo through donations, contributions, grants, and
53 other financial support;

54 (2) The economic impact upon the district;

55 (3) The benefit to citizens of the district and to the general public;

56 (4) The contribution to the quality of life and popular image of the
57 district;

58 (5) The breadth of popular appeal within and outside the district; and

59 (6) Any other factor deemed appropriate by the commission.

60 4. The commission may provide for actual and necessary expenses of
61 commissioners incurred in the performance of their official duties.

62 5. The commission shall cause to be prepared annually a report on the
63 operations and transactions conducted by the commission during the preceding
64 year. The report shall be submitted to the governing bodies of the counties
65 comprising the district, to the governing body of each county that appoints a
66 commissioner, to the Kansas City, Missouri, board of parks and recreation, and
67 to the executive board of Friends of the Zoo, Inc. The commission shall publish
68 the annual report in the official county newspaper of each of the counties
69 comprising the district.

70 6. The commission has the power to perform all other necessary and
71 incidental functions and duties and to exercise all other necessary and
72 appropriate powers not inconsistent with the constitution or laws of this state to
73 effectuate the same.

74 7. Nothing in this section shall be construed as granting the commission
75 authority or power to manage the Kansas City zoo or to retain title to, or control
76 over, the lands occupied by the Kansas City zoo.

190.335. 1. In lieu of the tax levy authorized under section 190.305 for
2 emergency telephone services, the county commission of any county may impose
3 a county sales tax for the provision of central dispatching of fire protection,
4 including law enforcement agencies, emergency ambulance service or any other
5 emergency services, including emergency telephone services, which shall be
6 collectively referred to herein as "emergency services", and which may also
7 include the purchase and maintenance of communications and emergency
8 equipment, including the operational costs associated therein, in accordance with
9 the provisions of this section.

10 2. Such county commission may, by a majority vote of its members, submit

11 to the voters of the county, at a public election, a proposal to authorize the county
12 commission to impose a tax under the provisions of this section. If the residents
13 of the county present a petition signed by a number of residents equal to ten
14 percent of those in the county who voted in the most recent gubernatorial
15 election, then the commission shall submit such a proposal to the voters of the
16 county.

17 3. The ballot of submission shall be in substantially the following form:

18 Shall the county of (insert name of county) impose
19 a county sales tax of (insert rate of percent) percent for the purpose of
20 providing central dispatching of fire protection, emergency ambulance service,
21 including emergency telephone services, and other emergency services?

22 ☐ YES

☐ NO

23 If a majority of the votes cast on the proposal by the qualified voters voting
24 thereon are in favor of the proposal, then the ordinance shall be in effect as
25 provided herein. If a majority of the votes cast by the qualified voters voting are
26 opposed to the proposal, then the county commission shall have no power to
27 impose the tax authorized by this section unless and until the county commission
28 shall again have submitted another proposal to authorize the county commission
29 to impose the tax under the provisions of this section, and such proposal is
30 approved by a majority of the qualified voters voting thereon.

31 4. The sales tax may be imposed at a rate not to exceed one percent on the
32 receipts from the sale at retail of all tangible personal property or taxable
33 services at retail within any county adopting such tax, if such property and
34 services are subject to taxation by the state of Missouri under the provisions of
35 sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six
36 months before operation of the central dispatching of emergency services.

37 5. Except as modified in this section, all provisions of sections 32.085 and
38 32.087 shall apply to the tax imposed under this section.

39 6. Any tax imposed pursuant to section 190.305 shall terminate at the end
40 of the tax year in which the tax imposed pursuant to this section for emergency
41 services is certified by the board to be fully operational. Any revenues collected
42 from the tax authorized under section 190.305 shall be credited for the purposes
43 for which they were intended.

44 7. At least once each calendar year, the board shall establish a tax rate,
45 not to exceed the amount authorized, that together with any surplus revenues
46 carried forward will produce sufficient revenues to fund the expenditures

47 authorized by this act. Amounts collected in excess of that necessary within a
48 given year shall be carried forward to subsequent years. The board shall make
49 its determination of such tax rate each year no later than September first and
50 shall fix the new rate which shall be collected as provided in this
51 act. Immediately upon making its determination and fixing the rate, the board
52 shall publish in its minutes the new rate, and it shall notify every retailer by
53 mail of the new rate.

54 8. Immediately upon the affirmative vote of voters of such a county on the
55 ballot proposal to establish a county sales tax pursuant to the provisions of this
56 section, the county commission shall appoint the initial members of a board to
57 administer the funds and oversee the provision of emergency services in the
58 county. Beginning with the general election in 1994, all board members shall be
59 elected according to this section and other applicable laws of this state. At the
60 time of the appointment of the initial members of the board, the commission shall
61 relinquish and no longer exercise the duties prescribed in this chapter with
62 regard to the provision of emergency services and such duties shall be exercised
63 by the board.

64 9. The initial board shall consist of seven members appointed without
65 regard to political affiliation, who shall be selected from, and who shall represent,
66 the fire protection districts, ambulance districts, sheriff's department,
67 municipalities, any other emergency services and the general public. This initial
68 board shall serve until its successor board is duly elected and installed in
69 office. The commission shall ensure geographic representation of the county by
70 appointing no more than four members from each district of the county
71 commission.

72 10. Beginning in 1994, three members shall be elected from each district
73 of the county commission and one member shall be elected at large, such member
74 to be the chairman of the board. Of those first elected, four members from
75 districts of the county commission shall be elected for terms of two years and two
76 members from districts of the county commission and the member at large shall
77 be elected for terms of four years. In 1996, and thereafter, all terms of office
78 shall be four years.

79 11. Notwithstanding the provisions of subsections 8 to 10 of this section
80 to the contrary, in any county of the first classification with more than two
81 hundred forty thousand three hundred but fewer than two hundred forty
82 thousand four hundred inhabitants, any emergency telephone service 911 board

83 appointed by the county under section 190.309 which is in existence on the date
84 the voters approve a sales tax under this section shall continue to exist and shall
85 have the powers set forth under section 190.339.

86 12. (1) Notwithstanding the provisions of subsections 8 to 10 of this
87 section to the contrary, in any county **that has approved a sales tax under**
88 **this section and is** of the second classification with more than fifty-four
89 thousand two hundred but fewer than fifty-four thousand three hundred
90 inhabitants [that has approved a sales tax under this section] **or is of the first**
91 **classification with more than fifty thousand but fewer than seventy**
92 **thousand inhabitants**, the county commission shall appoint the members of the
93 board to administer the funds and oversee the provision of emergency services in
94 the county.

95 (2) The board shall consist of seven members appointed without regard
96 to political affiliation. **Except as provided in subdivision (4) of this**
97 **subsection**, each member shall be one of the following:

- 98 (a) The head of any of the county's fire protection districts, or a designee;
99 (b) The head of any of the county's ambulance districts, or a designee;
100 (c) The county sheriff, or a designee;
101 (d) The head of any of the police departments in the county, or a designee;
102 and
103 (e) The head of any of the county's emergency management organizations,
104 or a designee.

105 (3) Upon the appointment of the board under this subsection, the board
106 shall have the power provided in section 190.339 and shall exercise all powers
107 and duties exercised by the county commission under this chapter, and the
108 commission shall relinquish all powers and duties relating to the provision of
109 emergency services under this chapter to the board.

110 (4) **In any county of the first classification with more than fifty**
111 **thousand but fewer than seventy thousand inhabitants, each of the**
112 **entities listed in subdivision (2) of this subsection shall be represented**
113 **on the board by at least one member.**

311.179. 1. **Any person possessing the qualifications and meeting**
2 **the requirements of this chapter who is licensed to sell intoxicating**
3 **liquor by the drink at retail in an international airport located in a**
4 **county with a charter form of government and with more than nine**
5 **hundred fifty thousand inhabitants may apply to the supervisor of**

6 liquor control for a special permit. The permit shall allow the premises
7 located in the international airport in such county to open at 4 a.m. and
8 sell intoxicating liquor by the drink at retail for consumption on the
9 premises where sold. The provisions of this section and not those of
10 section 311.097 regarding the time of opening shall apply to the sale of
11 intoxicating liquor by the drink at retail for consumption on the
12 premises where sold on Sunday.

13 2. An applicant granted a special permit pursuant to this section
14 shall, in addition to all other fees required by this chapter, pay an
15 additional fee of three hundred dollars a year payable at the time and
16 in the same manner as its other license fees.

320.106. As used in sections 320.106 to 320.161, unless clearly indicated
2 otherwise, the following terms mean:

3 (1) "American Pyrotechnics Association (APA), Standard 87-1", or
4 subsequent standard which may amend or supersede this standard for
5 manufacturers, importers and distributors of fireworks;

6 (2) "Chemical composition", all pyrotechnic and explosive composition
7 contained in fireworks devices as defined in American Pyrotechnics Association
8 (APA), Standard 87-1;

9 (3) "Consumer fireworks", explosive devices designed primarily to produce
10 visible or audible effects by combustion and includes aerial devices and ground
11 devices, all of which are classified as fireworks, UN0336, [1.4G by regulation of
12 the United States Department of Transportation, as amended from time to time,
13 and which were formerly classified as class C common fireworks by regulation of
14 the United States Department of Transportation] **within 49 CFR Part 172**;

15 (4) "Discharge site", the area immediately surrounding the fireworks
16 mortars used for an outdoor fireworks display;

17 (5) "Dispenser", a device designed for the measurement and delivery of
18 liquids as fuel;

19 (6) "Display fireworks", explosive devices designed primarily to produce
20 visible or audible effects by combustion, deflagration or detonation. This term
21 includes devices containing more than two grains (130 mg) of explosive
22 composition intended for public display. These devices are classified as fireworks,
23 **UN0333 or UN0334 or UN0335**, [1.3G by regulation of the United States
24 Department of Transportation, as amended from time to time, and which were
25 formerly classified as class B display fireworks by regulation of the United States

26 Department of Transportation] **within 49 CFR Part 172;**

27 (7) "Display site", the immediate area where a fireworks display is
28 conducted, including the discharge site, the fallout area, and the required
29 separation distance from mortars to spectator viewing areas, but not spectator
30 viewing areas or vehicle parking areas;

31 (8) "Distributor", any person engaged in the business of selling fireworks
32 to wholesalers, jobbers, seasonal retailers, other persons, or governmental bodies
33 that possess the necessary permits as specified in sections 320.106 to 320.161,
34 including any person that imports any fireworks of any kind in any manner into
35 the state of Missouri;

36 (9) "Fireworks", any composition or device for producing a visible, audible,
37 or both visible and audible effect by combustion, deflagration, or detonation and
38 that meets the definition of consumer, proximate, or display fireworks as set forth
39 by 49 CFR Part 171 to end, United States Department of Transportation
40 hazardous materials regulations[, and American Pyrotechnics Association 87-1
41 standards];

42 (10) "Fireworks season", the period beginning on the twentieth day of
43 June and continuing through the tenth day of July of the same year and the
44 period beginning on the twentieth day of December and continuing through the
45 second day of January of the next year, which shall be the only periods of time
46 that seasonal retailers may be permitted to sell consumer fireworks;

47 (11) "Jobber", any person engaged in the business of making sales of
48 consumer fireworks at wholesale or retail within the state of Missouri to
49 nonlicensed buyers for use and distribution outside the state of Missouri during
50 a calendar year from the first day of January through the thirty-first day of
51 December;

52 (12) "Licensed operator", any person who supervises, manages, or directs
53 the discharge of outdoor display fireworks, either by manual or electrical means;
54 who has met additional requirements established by promulgated rule and has
55 successfully completed a display fireworks training course recognized and
56 approved by the state fire marshal;

57 (13) "Manufacturer", any person engaged in the making, manufacture,
58 assembly or construction of fireworks of any kind within the state of Missouri;

59 (14) "NFPA", National Fire Protection Association, an international codes
60 and standards organization;

61 (15) "Permanent structure", buildings and structures with permanent

62 foundations other than tents, mobile homes, and trailers;

63 (16) "Permit", the written authority of the state fire marshal issued
64 pursuant to sections 320.106 to 320.161 to sell, possess, manufacture, discharge,
65 or distribute fireworks;

66 (17) "Person", any corporation, association, partnership or individual or
67 group thereof;

68 (18) "Proximate fireworks", a chemical mixture used in the entertainment
69 industry to produce visible or audible effects by combustion, deflagration, or
70 detonation, as [defined by the most current edition of the American Pyrotechnics
71 Association (APA), Standard 87-1, section 3.8, specific requirements for theatrical
72 pyrotechnics] **classified within 49 CFR Part 172 as UN0431 or UN0432;**

73 (19) "Pyrotechnic operator" or "special effects operator", an individual who
74 has responsibility for pyrotechnic safety and who controls, initiates, or otherwise
75 creates special effects for proximate fireworks and who has met additional
76 requirements established by promulgated rules and has successfully completed
77 a proximate fireworks training course recognized and approved by the state fire
78 marshal;

79 (20) "Sale", an exchange of articles of fireworks for money, including
80 barter, exchange, gift or offer thereof, and each such transaction made by any
81 person, whether as a principal proprietor, salesman, agent, association,
82 copartnership or one or more individuals;

83 (21) "Seasonal retailer", any person within the state of Missouri engaged
84 in the business of making sales of consumer fireworks in Missouri only during a
85 fireworks season as defined by subdivision (10) of this section;

86 (22) "Wholesaler", any person engaged in the business of making sales of
87 consumer fireworks to any other person engaged in the business of making sales
88 of consumer fireworks at retail within the state of Missouri.

320.131. 1. It is unlawful for any person to possess, sell or use within the
2 state of Missouri, or ship into the state of Missouri, except as provided in section
3 320.126, any pyrotechnics commonly known as "fireworks" and defined as
4 consumer fireworks in subdivision (3) of section 320.106 other than items now or
5 hereafter classified as fireworks UNO336, 1.4G by the United States Department
6 of Transportation that comply with the construction, chemical composition,
7 labeling and other regulations relative to consumer fireworks regulations
8 promulgated by the United States Consumer Product Safety Commission and
9 permitted for use by the general public pursuant to such commission's

10 regulations.

11 2. No wholesaler, jobber, or seasonal retailer, or any other person shall
12 sell, offer for sale, store, display, or have in their possession any consumer
13 fireworks that have not been approved as fireworks UNO336, 1.4G by the United
14 States Department of Transportation.

15 3. No jobber, wholesaler, manufacturer, or distributor shall sell to
16 seasonal retailer dealers, or any other person, in this state for the purpose of
17 resale, or use, in this state, any consumer fireworks which do not have the
18 numbers and letter "1.4G" printed within an orange, diamond-shaped label
19 printed on or attached to the fireworks shipping carton.

20 4. This section does not prohibit a manufacturer, distributor or any other
21 person **possessing the proper permits as specified by state and federal**
22 **law** from storing, selling, shipping or otherwise transporting display or proximate
23 fireworks[, defined as fireworks UNO335, 1.3G/UNO431, 1.4G or UNO432, 1.4S
24 by the United States Department of Transportation, provided they possess the
25 proper permits as specified by state and federal law].

26 5. Matches, toy pistols, toy canes, toy guns, party poppers, or other
27 devices in which paper caps containing twenty-five hundredths grains or less of
28 explosive compound, provided that they are so constructed that the hand cannot
29 come into contact with the cap when in place for use, and toy pistol paper caps
30 which contain less than twenty-five hundredths grains of explosive mixture shall
31 be permitted for sale and use at all times and shall not be regulated by the
32 provisions of sections 320.106 to 320.161.

 320.136. Ground salutes commonly known as "cherry bombs", "M-80's",
2 "M-100's", "M-1000's", and any other tubular salutes or any items described as
3 prohibited chemical components or forbidden devices as listed in the American
4 Pyrotechnics Association Standard 87-1 or which exceed the [federal] limits set
5 for **consumer** fireworks [UNO336, 1.4G formerly known as class C common
6 fireworks, display fireworks UNO335, 1.3F, and proximate fireworks UNO431,
7 1.4F/UNO432, 1.4S by the United States Department of Transportation], **display**
8 **fireworks, or proximate fireworks** for explosive composition are expressly
9 prohibited from shipment into, manufacture, possession, sale, or use within the
10 state of Missouri for consumer use. Possession, sale, manufacture, or transport
11 of this type of illegal explosive shall be punished as provided by the provisions
12 of section 571.020.

 320.202. 1. There is hereby established within the department of public

2 safety a "Division of Fire Safety", which shall have as its chief executive officer
3 the fire marshal appointed under section 320.205. The fire marshal and the
4 division shall be responsible for:

5 (1) The voluntary training of firefighters, investigators, inspectors, and
6 public or private employees or volunteers in the field of emergency response,
7 rescue, fire prevention or preparedness;

8 (2) Establishing and maintaining a statewide reporting system, which
9 shall, as a minimum, include the records required by section 320.235 and a record
10 of all fires occurring in Missouri showing:

11 (a) The name of all owners of personal and real property affected by the
12 fire;

13 (b) The name of each occupant of each building in which a fire occurred;

14 (c) The total amount of insurance carried by, the total amount of
15 insurance collected by, and the total amount of loss to each owner of property
16 affected by the fire; and

17 (d) All the facts, statistics and circumstances, including, but not limited
18 to, the origin of the fire, which are or may be determined by any investigation
19 conducted by the division or any local firefighting agency under the laws of this
20 state. All records maintained under this subdivision shall be open to public
21 inspections during all normal business hours of the division;

22 (3) Conducting all investigations of fires mandated by sections 320.200 to
23 320.270;

24 (4) Conducting all fire inspections required of any private premises in
25 order for any license relating to such private premises to be issued under any
26 licensing law of this state, except those organizations and institutions licensed
27 pursuant to chapter 197;

28 (5) Establishing and maintaining a voluntary training and certification
29 program based upon nationally recognized standards. A certification testing fee
30 and recertification fee shall be established by promulgated rules and regulations
31 by the state fire marshal under the provisions of section 536.024.

32 Fees collected shall be deposited into the [general revenue] **fire education** fund
33 **established in section 320.094.**

34 2. The state fire marshal shall exercise and perform all powers and duties
35 necessary to carry out the responsibilities imposed by subsection 1 of this section,
36 including, but not limited to, the power to contract with any person, firm,
37 corporation, state agency, or political subdivision for services necessary to

38 accomplish any of the responsibilities imposed by subsection 1 of this section.

39 3. The state fire marshal shall have the authority to promulgate rules and
40 regulations under the provisions of section 536.024 to carry out the provisions of
41 this section.

321.228. 1. As used in this section, the following terms shall
2 **mean:**

3 **(1) "Residential construction", new construction and erection of**
4 **detached single-family or two-family dwellings or the development of**
5 **land to be used for detached single-family or two-family dwellings;**

6 **(2) "Residential construction regulatory system", any bylaw,**
7 **ordinance, order, rule, or regulation adopted, implemented, or enforced**
8 **by any city, town, village, or county that pertains to residential**
9 **construction, to any permitting system, or program relating to**
10 **residential construction, including but not limited to the use or**
11 **occupancy by the initial occupant thereof, or to any system or program**
12 **for the inspection of residential construction. Residential construction**
13 **regulatory system also includes the whole or any part of a nationally**
14 **recognized model code, with or without amendments specific to such**
15 **city, town, village, or county.**

16 **2. Notwithstanding the provisions of any other law to the**
17 **contrary, if a city, town, village, or county adopts or has adopted,**
18 **implements, and enforces a residential construction regulatory system**
19 **applicable to residential construction within its jurisdiction, any fire**
20 **protection districts wholly or partly located within such city, town,**
21 **village, or county shall be without power, authority, or privilege to**
22 **enforce or implement a residential construction regulatory system**
23 **purporting to be applicable to any residential construction within such**
24 **city, town, village, or county. Any such residential construction**
25 **regulatory system adopted by a fire protection district or its board**
26 **shall be treated as advisory only and shall not be enforced by such fire**
27 **protection district or its board.**

28 **3. Notwithstanding the provisions of any other law to the**
29 **contrary, fire protection districts:**

30 **(1) Shall have final regulatory authority regarding the location**
31 **and specifications of fire hydrants, fire hydrant flow rates, and fire**
32 **lanes, all as it relates to residential construction; and**

33 **(2) May inspect the alteration, enlargement, replacement or**

34 **repair of a detached single-family or two-family dwelling; and**
35 **(3) Shall not collect a fee for the services described in**
36 **subdivisions (1) and (2) of this subsection.**

321.460. 1. Two or more fire protection districts may consolidate with
2 each other in the manner hereinafter provided, and only if the districts have one
3 or more common boundaries, in whole or in part, **or are located within the**
4 **same county, in whole or in part**, as to any respective two of the districts
5 which are so consolidating.

6 2. By a majority vote of each board of directors of each fire protection
7 district included within the proposed consolidation, a consolidation plan may be
8 adopted. The consolidation plan shall include the name of the proposed
9 consolidated district, the legal description of the boundaries of each district to be
10 consolidated, and a legal description of the boundaries of the consolidated district,
11 the amount of outstanding bonds, if any, of each district proposed to be
12 consolidated, a listing of the firehouses within each district, and the names of the
13 districts to be consolidated.

14 3. Each board of the districts approving the plan for proposed
15 consolidation shall duly certify and file in the office of the clerk of the circuit
16 court of the county in which the district is located a copy of the plan of
17 consolidation, bearing the signatures of those directors who vote in favor thereof,
18 together with a petition for consolidation. The petition may be made jointly by
19 all of the districts within the respective plan of consolidation. A filing fee of fifty
20 dollars shall be deposited with the clerk, on the filing of the petition, against the
21 costs of court.

22 4. The circuit court sitting in and for any county to which the petition is
23 presented is hereby vested with jurisdiction, power and authority to hear the
24 same, and to approve the consolidation and order such districts consolidated,
25 after holding an election, as hereinafter provided.

26 5. If the circuit court finds the plan for consolidation to have been duly
27 approved by the respective boards of directors of the fire protection districts
28 proposed to be consolidated, then the circuit court shall enter its order of record,
29 directing the submission of the question.

30 6. The order shall direct publication of notice of election, and shall fix the
31 date thereof. The order shall direct that the elections shall be held to vote on the
32 proposition of consolidating the districts and to elect three persons, having the
33 qualifications declared in section 321.130 and being among the then directors of

34 the districts proposed to be consolidated, to become directors of the consolidated
35 district.

36 7. The question shall be submitted in substantially the following form:

37 Shall the Fire Protection Districts and the Fire Protection District
38 be consolidated into one fire protection district to be known as the Fire
39 Protection District, with tax levies not in excess of the following amounts:
40 maintenance fund cents per one hundred dollars assessed valuation;
41 ambulance service cents per one hundred dollars assessed valuation; pension
42 fund cents per one hundred dollars assessed valuation; and dispatching fund
43 cents per one hundred dollars assessed valuation?

44 8. If, upon the canvass and declaration, it is found and determined that
45 a majority of the voters of the districts voting on the proposition or propositions
46 have voted in favor of the proposition to incorporate the consolidated district,
47 then the court shall then further, in its order, designate the first board of
48 directors of the consolidated district, who have been elected by the voters voting
49 thereon, the one receiving the third highest number of votes to hold office until
50 the first Tuesday in April which is more than one year after the date of election,
51 the one receiving the second highest number of votes to hold office until two years
52 after the first Tuesday aforesaid, and the one receiving the highest number of
53 votes until four years after the first Tuesday in April as aforesaid. If any other
54 propositions are also submitted at the election, the court, in its order, shall also
55 declare the results of the votes thereon. If the court shall find and determine,
56 upon the canvass and declaration, that a majority of the voters of the consolidated
57 district have not voted in favor of the proposition to incorporate the consolidated
58 district, then the court shall enter its order declaring the proceedings void and
59 of no effect, and shall dismiss the same at the cost of petitioners.

321.711. 1. A recall petition shall be filed with the election authority not
2 more than one hundred eighty days after the filing of the notice of intention.

3 2. The number of qualified signatures required in order to recall an officer
4 shall be equal in number to at least [twenty-five] **twenty** percent of the number
5 of voters who voted in the most recent gubernatorial election in that district.

6 3. Within twenty days from the filing of the recall petition the election
7 authority shall determine whether or not the petition was signed by the required
8 number of qualified signatures. The election authority shall file with the petition
9 a certificate showing the results of the examination. The authority shall give the
10 proponents a copy of the certificate upon their request.

11 4. If the election authority certifies the petition to be insufficient, it may
12 be supplemented within ten days of the date of certificate by filing additional
13 petition sections containing all of the information required by section 321.709 and
14 this section. Within ten days after the supplemental copies are filed, the election
15 authority shall file with it a certificate stating whether or not the petition as
16 supplemented is sufficient.

17 5. If the certificate shows that the petition as supplemented is
18 insufficient, no action shall be taken on it; however, the petition shall remain on
19 file.

 479.011. 1. (1) The following cities may establish an administrative
2 adjudication system under this section:

3 (a) Any city not within a county;

4 (b) Any home rule city with more than four hundred thousand inhabitants
5 and located in more than one county; [and]

6 (c) Any home rule city with more than seventy-three thousand but fewer
7 than seventy-five thousand inhabitants; **and**

8 **(d) Any home rule city with more than one hundred fifty-five**
9 **thousand but fewer than two hundred thousand inhabitants.**

10 (2) The cities listed in subdivision (1) of this subsection may establish, by
11 order or ordinance, an administrative system for adjudicating housing, property
12 maintenance, nuisance, parking, and other civil, nonmoving municipal code
13 violations consistent with applicable state law. Such administrative adjudication
14 system shall be subject to practice, procedure, and pleading rules established by
15 the state supreme court, circuit court, or municipal court. This section shall not
16 be construed to affect the validity of other administrative adjudication systems
17 authorized by state law and created before August 28, 2004.

18 2. The order or ordinance creating the administrative adjudication system
19 shall designate the administrative tribunal and its jurisdiction, including the code
20 violations to be reviewed. The administrative tribunal may operate under the
21 supervision of the municipal court, parking commission, or other entity
22 designated by order or ordinance and in a manner consistent with state law. The
23 administrative tribunal shall adopt policies and procedures for administrative
24 hearings, and filing and notification requirements for appeals to the municipal
25 or circuit court, subject to the approval of the municipal or circuit court.

26 3. The administrative adjudication process authorized in this section shall
27 ensure a fair and impartial review of contested municipal code violations, and

28 shall afford the parties due process of law. The formal rules of evidence shall not
29 apply in any administrative review or hearing authorized in this
30 section. Evidence, including hearsay, may be admitted only if it is the type of
31 evidence commonly relied upon by reasonably prudent persons in the conduct of
32 their affairs. The code violation notice, property record, and related
33 documentation in the proper form, or a copy thereof, shall be prima facie evidence
34 of the municipal code violation. The officer who issued the code violation citation
35 need not be present.

36 4. An administrative tribunal may not impose incarceration or any fine
37 in excess of the amount allowed by law. Any sanction, fine or costs, or part of any
38 fine, other sanction, or costs, remaining unpaid after the exhaustion of, or the
39 failure to exhaust, judicial review procedures under chapter 536 shall be a debt
40 due and owing the city, and may be collected in accordance with applicable law.

41 5. Any final decision or disposition of a code violation by an
42 administrative tribunal shall constitute a final determination for purposes of
43 judicial review. Such determination is subject to review under chapter 536 or, at
44 the request of the defendant made within ten days, a trial de novo in the circuit
45 court. After expiration of the judicial review period under chapter 536, unless
46 stayed by a court of competent jurisdiction, the administrative tribunal's
47 decisions, findings, rules, and orders may be enforced in the same manner as a
48 judgment entered by a court of competent jurisdiction. Upon being recorded in
49 the manner required by state law or the uniform commercial code, a lien may be
50 imposed on the real or personal property of any defendant entering a plea of nolo
51 contendere, pleading guilty to, or found guilty of a municipal code violation in the
52 amount of any debt due the city under this section and enforced in the same
53 manner as a judgment lien under a judgment of a court of competent
54 jurisdiction. The city may also issue a special tax bill to collect fines issued for
55 housing, property maintenance, and nuisance code violations.

577.029. A licensed physician, registered nurse, or trained **in hospital**
2 medical technician, acting at the request and direction of the law enforcement
3 officer, shall withdraw blood for the purpose of determining the alcohol content
4 of the blood, unless such medical personnel, in his or her good faith medical
5 judgment, believes such procedure would endanger the life or health of the person
6 in custody. Blood may be withdrawn only by such medical personnel, but such
7 restriction shall not apply to the taking of a breath test, a saliva specimen, or a
8 urine specimen. In withdrawing blood for the purpose of determining the alcohol

9 content thereof, only a previously unused and sterile needle and sterile vessel
10 shall be utilized and the withdrawal shall otherwise be in strict accord with
11 accepted medical practices. Upon the request of the person who is tested, full
12 information concerning the test taken at the direction of the law enforcement
13 officer shall be made available to him or her.

701.550. 1. As used in this section the following terms mean:

2 (1) "Anemometer", an instrument for measuring and recording
3 the speed of the wind;

4 (2) "Anemometer tower", a structure, including all guy wires and
5 accessory facilities, that has been constructed solely for the purpose of
6 mounting an anemometer to document whether a site has wind
7 resources sufficient for the operation of a wind turbine generator;

8 (3) "Area surrounding the anchor point", an area not less than
9 sixty-four square feet whose outer boundary is at least four feet from
10 the anchor point.

11 2. Any anemometer tower that is fifty feet in height above the
12 ground or higher that is located outside the exterior boundaries of any
13 municipality, and whose appearance is not otherwise mandated by state
14 or federal law, shall be marked, painted, flagged, or otherwise
15 constructed to be recognizable in clear air during daylight hours. Any
16 anemometer tower that was erected before August 28, 2012, shall be
17 marked as required in this section by January 1, 2014. Any
18 anemometer tower that is erected on or after August 28, 2012, shall be
19 marked as required in this section at the time it is erected. Marking
20 required under this section includes marking the anemometer tower,
21 guy wires, and accessory facilities as follows:

22 (1) The top one-third of the anemometer tower shall be painted
23 in equal, alternating bands of aviation orange and white, beginning
24 with orange at the top of the tower and ending with orange at the
25 bottom of the marked portion of the tower;

26 (2) Two marker balls shall be attached to and evenly spaced on
27 each of the outside guy wires;

28 (3) The area surrounding each point where a guy wire is
29 anchored to the ground shall have a contrasting appearance with any
30 surrounding vegetation. If the adjacent land is grazed, the area
31 surrounding the anchor point shall be fenced; and

32 (4) One or more seven-foot safety sleeves shall be placed at each

33 **anchor point and shall extend from the anchor point along each guy**
34 **wire attached to the anchor point.**

35 **3. A violation of this section is a class B misdemeanor.**

2 [82.487. 1. The parking commission of any city not within
3 a county shall be the city's authority for overseeing public parking,
4 including planning and coordinating policies, programs and
5 operations for any parking facility or spaces owned in whole or
6 part, leased or managed by the parking division. On behalf of the
7 city, the parking commission shall approve:

8 (1) Guidelines governing the administrative adjudication,
9 disposition and collection of any parking violations or complaints
10 issued by the city;

11 (2) Budget modifications for the parking fund, also known
12 as the "parking meter fund"; and

13 (3) The acquisition, development, regulation and operation
14 of such parking facilities or spaces owned in whole or in part,
15 leased or managed by the parking division.

16 2. The treasurer of any city not within a county shall be the
17 parking supervisor, also known as the "supervisor of parking
18 meters", for any parking facility or space owned in whole or part,
19 leased or managed by the city parking division, and by virtue of his
20 office, shall be subject to the oversight and authorized funding in
21 whole or in part, by the parking commission:

22 (1) Establish joint public-private parking ventures;

23 (2) Supervise the acquisition, development and operation of
24 parking division properties or facilities owned by title or funded in
25 whole or in part, leased or managed by the parking division;

26 (3) Make and pay contracts and other obligations;

27 (4) Supervise any other on-street and off-street parking
28 programs and assets;

29 (5) Shall provide the comptroller with monthly reports of all
30 parking revenues collected by the city; and

31 (6) Make biannual installment payments of the annual
32 general fund transfer subject to the parking commission's approval
33 and provide the comptroller and treasurer with monthly reports of
all parking revenues collected by the city.

34 3. Nothing in this section shall be construed as limiting or
35 altering the powers and duties of the license collector of the city
36 prescribed in section 82.340, and the exclusive authority to issue
37 licenses and receipts for license taxes shall remain with and be
38 exercised by the license collector.

39 4. Nothing in this section shall be construed as limiting or
40 altering the powers and duties of the city's collector of revenue as
41 provided in section 52.220.]

 [82.515. The treasurer of any city not within a county shall
2 enter upon the duties of the office of supervisor of parking meters
3 immediately upon taking the oath of the elected office of treasurer.]

 [82.516. For such services as supervisor of parking meters,
2 the city treasurer may receive the sum of sixteen thousand dollars
3 per year from the parking fund, as approved by the parking
4 commission.]

 Section B. Because immediate action is necessary to ensure public safety
2 and improve access to the Gateway Arch grounds, the repeal and reenactment of
3 sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 320.106,
4 320.131, and 320.136 of this act is deemed necessary for the immediate
5 preservation of the public health, welfare, peace, and safety, and is hereby
6 declared to be an emergency act within the meaning of the constitution, and the
7 repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721,
8 67.1742, 67.1754, 320.106, 320.131, and 320.136 of this act shall be in full force
9 and effect upon its passage and approval.

✓