

**HOUSE****AMENDMENT NO. \_\_\_\_\_****Offered by \_\_\_\_\_****of \_\_\_\_\_**

1 AMEND House Committee Substitute for Senate Bill No. 23, Page 48,  
2 Section 184.865, Line 7, by inserting after all of said line the  
3 following:

4 "249.424. 1. If approved by a majority of the voters  
5 voting on the proposal, and upon the adoption of a resolution by  
6 a majority of the sewer district's board of trustees, any sewer  
7 district established and organized under this chapter, may levy  
8 and impose annually a fee not to exceed fifty dollars per year  
9 within its boundaries for the repair of lateral sewer service  
10 lines on or connecting residential property having six or less  
11 dwelling units, except that the fee shall not be imposed on  
12 property in the sewer district that is located within any city,  
13 town, village, or unincorporated areas of a county that already  
14 imposes a fee under section 249.422. Any sewer district that  
15 establishes or increases the fee used to repair any portion of  
16 the lateral sewer service line shall include all defective  
17 portions of the lateral sewer service line from the residential  
18 structure to its connection with the public sewer system line.  
19 Notwithstanding any provision of chapter 448, the fee imposed  
20 under this chapter shall be imposed upon condominiums that have  
21 six or fewer condominium units per building and each condominium  
22 unit shall be responsible for its proportionate share of any fee  
23 charged under this chapter, and in addition, any condominium unit  
24 shall, if determined to be responsible for and served by its own  
25 individual lateral sewer line, be treated as an individual  
26 residence regardless of the number of units in the development.  
27 It shall be the responsibility of the condominium owner or  
28 condominium association who are of the opinion that they are not  
29 properly classified as provided in this section to notify the

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 sewer district.

2 2. The question shall be submitted to the registered voters  
3 who reside within the boundaries of the sewer district, excluding  
4 any voters who live within the boundaries of any city, town,  
5 village, or unincorporated areas of a county that already imposes  
6 a fee under section 249.422. The question shall be submitted in  
7 substantially the following form:

8 Shall a maximum charge not to exceed fifty dollars be  
9 assessed annually on residential property for each lateral sewer  
10 service line serving six or less dwelling units on that property  
11 and condominiums that have six or less condominium units per  
12 building and any condominium responsible for its own individual  
13 lateral sewer line to provide funds to pay the cost of certain  
14 repairs of those lateral sewer service lines which may be billed  
15 quarterly or annually?

16 3. If a majority of the voters voting thereon approve the  
17 proposal provided for in subsection 2 of this section, any sewer  
18 district established and organized under this chapter may, upon  
19 the adoption of a resolution by a majority of the sewer  
20 district's board of trustees, collect and administer such fee in  
21 order to protect the public health, welfare, peace, and safety.  
22 The funds collected shall be deposited in a special account to be  
23 used solely for the purpose of paying for all or a portion of the  
24 costs reasonably associated with and necessary to administer and  
25 carry out the defective lateral sewer service line repairs. All  
26 interest generated on deposited funds shall be accrued to the  
27 special account established for the repair of lateral sewer  
28 service lines.

29 4. The collector in any county containing a sewer district  
30 that adopts a resolution under this section to collect a fee for  
31 the repair of lateral sewer service lines may add such fee to the  
32 general tax levy bills of property owners within the boundaries  
33 of the sewer district, excluding property located in any city,  
34 town, village, or unincorporated areas of the county that already  
35 imposes a fee under section 249.422. All revenues received on  
36 such combined bill for the purpose of providing for the repair of  
37 lateral sewer service lines shall be separated from all other

1 revenues so collected and credited to the special account  
2 established by the sewer district under subsection 3 of this  
3 section.

4 5. If a city, town, village, or county, which is within the  
5 sewer district and imposed a fee under section 249.422, later  
6 rescinds such fee after voters authorized the fee provided under  
7 this section, the sewer district may submit the question provided  
8 under subsection 2 of this section to the registered voters of  
9 such city, town, village, or county that have property within the  
10 boundaries of the sewer district. If a majority of votes voting  
11 on the proposal approve, the sewer district may levy and impose  
12 the fee as provided under this section on property within such  
13 city, town, village, or county.

14 249.645. 1. Any public sewer district created under the  
15 provisions of sections 249.430 to 249.660 or established pursuant  
16 to article VI, section 30(a) of the Missouri Constitution may  
17 establish, make and collect charges for sewage services,  
18 including tap-on fees. The charges may be set as a flat fee or  
19 based upon the amount of water supplied to the premises and shall  
20 be in addition to those charges which may be levied and collected  
21 for maintenance, repair and administration expenses as provided  
22 for in section 249.640. Any private water company, public water  
23 supply district, or municipality supplying water to the premises  
24 located within a sewer district shall, upon reasonable request,  
25 make available to such sewer district its records and books so  
26 that such sewer district may obtain therefrom such data as may be  
27 necessary to calculate the charges for sewer service. Prior to  
28 establishing any such sewer charges, public hearings shall be  
29 held thereon and at least thirty days' notice shall be given  
30 thereof.

31 2. Any charges made under this section shall be due at  
32 such time or times as specified by the county commission, and  
33 shall, if not paid by the due date, become delinquent and shall  
34 bear interest from the date of delinquency until paid. If such  
35 charges become delinquent, they shall be a lien upon the land  
36 charged, upon the county commission filing with the recorder of  
37 deeds in the county where the land is situated a notice of

1 delinquency. The county commission shall file with the recorder  
2 of deeds a similar notice when the delinquent amounts, plus  
3 interest and any recording fees or attorney's fees, have been  
4 paid in full. The lien hereby created may be enforced by suit or  
5 foreclosure.

6 3. Should a lien be placed upon a customer's property by a  
7 public sewer district for unpaid sewer charges, the lien shall  
8 have priority as and be enforced in the same manner as taxes  
9 levied for state and county purposes.

10 4. Should the sewer charges remain unpaid for a period in  
11 excess of three months, the district, after notice to the  
12 customer [by certified mail], shall have the authority at its  
13 discretion to disconnect the customer's sewer line from the  
14 district's line or request any private water company, public  
15 water supply district, or any municipality supplying water to the  
16 premises to discontinue service to the customer until such time  
17 as the sewer charges and all related costs of this section are  
18 paid."; and  
19

20 Further amend said title, enacting clause and intersectional  
21 references accordingly.