

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 129, Page 1, In the
2 Title, Line 2, by deleting the word "volunteer"; and

3
4 Further amend said bill and page, Section A, Line 3, by inserting after all of said section and lines
5 the following:

6 "96.229. 1. Notwithstanding subsection 5 of section 96.150 regarding the lease of
7 substantially all of a hospital where the board of trustees is lessor, a city in which a hospital is located
8 that:

9 (1) Is organized and operated under this chapter;

10 (2) Has not accepted appropriated funds from the city during the prior twenty years; and

11 (3) Is licensed by the department of health and senior services for two hundred beds or more
12 pursuant to sections 197.010 to 197.120,

13
14 shall not have authority to sell, lease, or otherwise transfer all or substantially all of the property
15 from a hospital organized under this chapter, both real and personal, except in accordance with this
16 section.

17 2. Upon filing with the city clerk of a resolution adopted by no less than two-thirds of the
18 incumbent members of the board of trustees to sell, lease, or otherwise transfer all or substantially all
19 of the hospital property, both real and personal, for reasons specified in the resolution, the clerk shall
20 present the resolution to the city council. If a majority of the incumbent members of the city council
21 determine that sale, lease, or other transfer of the hospital property is desirable, the city council shall
22 submit to the voters of the city the question in substantially the following form:

23 "Shall the city council of _____, Missouri and the board of trustees of _____ hospital be
24 authorized to sell (or lease or otherwise transfer) the property, real and personal, of _____ hospital
25 as approved by, and in accordance with, the resolution of the board of trustees authorizing such sale
26 (or lease or transfer)?"

27
28 A majority of the votes cast on such question shall be required in order to approve and authorize such
29 sale, lease or other transfer. If the question receives less than the required majority, then the city
30 council and the board of trustees shall have no power to sell, lease or otherwise transfer the property,
31 real and personal, of the hospital unless and until the city council has submitted another question to
32 authorize such sale, lease or transfer authorized under this section and such question is approved by
33 the required majority of the qualified voters voting thereon. However, in no event shall a question
34 under this section be submitted to the voters sooner than twelve months from the date of the last
35 question under this section and after the adoption of another resolution by no less than two-thirds of
36 the board of trustees and a subsequent vote by a majority of the city council to again submit the
37 question to the voters.

Action Taken _____ Date _____

1 3. Upon passage of such question by the voters, the board of trustees shall sell and dispose of
2 such property, or lease or transfer such property, in the manner proposed by the board of trustees.
3 The deed of the board of trustees, duly authorized by the board of trustees and duly acknowledged
4 and recorded, shall be sufficient to convey to the purchaser all the rights, title, interest, and estate in
5 the hospital property.

6 4. No sale, lease, or other transfer of such hospital property shall be authorized or effective
7 unless such transaction provides sufficient proceeds to be available to be applied to the payment of
8 all interest and principal of any outstanding valid indebtedness incurred for purchase of the site or
9 construction of the hospital, or for any repairs, alterations, improvements, or additions thereto, or for
10 operation of the hospital.

11 5. Assets donated to the hospital pursuant to section 96.210 shall be used to provide health
12 care services in the city and in the geographic region previously served by the hospital, except as
13 otherwise prescribed by the terms of the deed, gift, devise, or bequest."; and

14
15 Further amend said bill, Page 6, Section 191.1112, Line 58, by inserting after all of said section and
16 line the following:

17 "Section B. Because of the need to ensure local hospitals can continue the purpose of
18 providing the best care and treatment of the sick, disabled, and infirm persons as decided on by the
19 people in the affected community, the enactment of section 96.229 of this act is deemed necessary
20 for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared
21 to be an emergency act within the meaning of the constitution, and the enactment of section 96.229
22 of this act shall be in full force and effect upon its passage its passage and approval."; and

23
24 Further amend said bill by amending the title, enacting clause, and intersectional references
25 accordingly.
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