

SECOND REGULAR SESSION

# HOUSE BILL NO. 1275

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES ENGLISH (Sponsor), HICKS, LICHTENEGGER, ZERR,  
MEREDITH, MIMS, MCCAHERTY, MUNTZEL, RUNIONS, FUNDERBURK, BURNS,  
PACE AND SCHUPP (Co-sponsors).

4225H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 321.130 and 321.210, RSMo, and to enact in lieu thereof two new sections relating to fire protection districts.

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

Section A. Sections 321.130 and 321.210, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 321.130 and 321.210, to read as follows:

321.130. [1.] A person, to be qualified to serve as a director, shall be a **resident and** voter of the district **for** at least one year before the election or appointment and be over the age of twenty-five years[; except as provided in subsections 2 and 3 of this section. The person shall also be a resident of such fire protection district]. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a [ten dollar] filing fee [and] **equal to the amount of a candidate for county office as set forth under section 115.357**, filing a statement under oath that such person possesses the required qualifications, **and at least sixty days prior to the election, filing a declaration of candidacy containing the signatures of at least one hundred registered voters who are residents of the district. The election authority shall determine the validity of all signatures on declarations of candidacy.**

[2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 first class county as described herein, a resident shall have been a resident of the district for more  
17 than one year to be qualified to serve as a director.

18 3. In any fire protection district located in a county of the third or fourth classification,  
19 a person to be qualified to serve as a director shall be over the age of twenty-five years and shall  
20 be a voter of the district for more than one year before the election or appointment, except that  
21 for the first board of directors in such district, a person need only be a voter of the district for one  
22 year before the election or appointment.

23 4. A person desiring to become a candidate for the first board of directors of the  
24 proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and  
25 shall file with the election authority a statement under oath that such person possesses all of the  
26 qualifications set out in this chapter for a director of a fire protection district.] Thereafter, such  
27 candidate shall have the candidate's name placed on the ballot as a candidate for director.

321.210. On the first Tuesday in April after the expiration of at least two full calendar  
2 years from the date of the election of the first board of directors, and on the first Tuesday in April  
3 every two years thereafter, an election for members of the board of directors shall be held in the  
4 district. Nominations shall be filed at the headquarters of the fire protection district in which a  
5 majority of the district is located by paying a filing fee up to the amount of a candidate for [state  
6 representative] **county office** as set forth under section 115.357 and filing a statement under oath  
7 that [he] **the candidate** possesses the required qualifications. **The name of a candidate for**  
8 **nomination shall be printed on the ballot only when the candidate, at least sixty days prior**  
9 **to the election, has filed a declaration of candidacy at the headquarters of the fire**  
10 **protection district containing the signatures of at least one hundred registered voters who**  
11 **are residents of the district. The election authority shall determine the validity of all**  
12 **signatures on declarations of candidacy.** The candidate receiving the most votes shall be  
13 elected. Any new member of the board shall qualify in the same manner as the members of the  
14 first board qualify.

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