

SECOND REGULAR SESSION

# HOUSE BILL NO. 1576

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SOLON (Sponsor), BRATTIN, KORMAN, HINSON, HAEFNER, ELLINGER, BERRY, CURTMAN, HANSEN, HIGDON, STREAM, KELLEY (127), MARSHALL, ROWDEN, CONWAY (104), LICHTENEGGER, HOUGHTON AND GANNON (Co-sponsors).

5359H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 260.247, RSMo, and to enact in lieu thereof one new section relating to solid waste services.

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

Section A. Section 260.247, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 260.247, to read as follows:

260.247. 1. Any city or political subdivision which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.

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.

15           3. If the services to be provided under a contract with the city or political subdivision  
16 pursuant to subsection 2 of this section are substantially the same as the services rendered in the  
17 area prior to the decision of the city to annex the area or to enter into or expand its solid waste  
18 collection services into the area, the amount paid by the city shall be at least equal to the amount  
19 the private entity or entities would have received for providing such services during that period.

20           4. Any private entity or entities which provide collection service in the area which the  
21 city or political subdivision has decided to annex or enter into or expand its solid waste  
22 collection services into shall make available upon written request by the city not later than thirty  
23 days following such request all information in its possession or control which pertains to its  
24 activity in the area necessary for the city to determine the nature and scope of the potential  
25 contract.

26           **5. If a city or political subdivision intends to expand solid waste collection services**  
27 **into an area where the collection of solid waste is presently being provided by one or more**  
28 **private entities, such intent shall be put to a vote of the people in the area where the city**  
29 **or political subdivision intends to expand.**

30           6. The provisions of this section shall apply to private entities that service fifty or more  
31 residential accounts or any commercial accounts in the area in question.

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