

HCS SCS SB 854 -- POLITICAL SUBDIVISIONS

SPONSOR: Wasson (Elmer)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on General Laws by a vote of 14 to 0.

This bill changes the laws regarding political subdivisions. In its main provisions, the bill:

- (1) Authorizes a county commission, instead of the State Fire Marshal, to determine whether a burn ban is appropriate for that county because of specified circumstances (Section 49.266, RSMo);
- (2) Requires moneys in a county law enforcement restitution fund to be used for specified purposes for the sheriff or prosecuting attorney and adds two citizens of the county appointed by the prosecuting attorney to the board of trustees supervising the fund (Section 50.565);
- (3) Adds Christian County to the list of counties that are not required to obtain bids on purchases of \$6,000 or less (Section 50.660);
- (4) Adds Christian County to the counties that must advertise and post notice and advertise of proposed purchases where the estimated expenditure is \$6,000 or more (Section 50.783);
- (5) Revises the provisions regarding the Missouri Prosecuting Attorneys and Circuit Attorneys' Retirement System (Section 56.807);
- (6) Changes, from December 31, 2019, to December 31, 2024, the expiration date of the provisions requiring a builder to offer the purchaser of a family dwelling or townhouse the option of installing or equipping fire sprinklers at the purchaser's cost (Section 67.281);
- (7) Revises the provisions regarding county municipal courts in Jefferson and Franklin counties (Section 67.320);
- (8) Authorizes, upon voter approval, a .5 % sales tax within a recreational and community center district if it is established in Clay County to be used to fund new and existing community centers and other purposes of recreation and wellness (Section 67.585);
- (9) Allows any municipality to establish a municipal law enforcement restitution fund (Section 71.950);

(10) Specifies that any annexation of property approved by a majority of the property owners and by ordinance of any municipality that is a service provider for the water and sanitary sewer within the municipality must be effective and not be subject to review by the boundary commission (Section 72.401);

(11) Authorizes specified third class and fourth class cities to establish a system for holding elections for one-half of the council members or board of aldermen every other year (Sections 77.030 and 79.050);

(12) Lowers the maximum yearly license fee for a hotel or motel in St. Louis City from \$27 per room to \$13.50 per room (Section 94.270);

(13) Exempts taxes imposed on sales for capital improvements in certain counties enacted after August 28, 2013, for the purpose of funding emergency communication systems from the provisions regarding tax increment financing local sales taxes (Section 99.845);

(14) Allows a Department of Corrections employee classified as a corrections officers I or II who has accrued overtime hours to use those as compensatory leave time if the leave time is available and agreed on by the employee and his or her supervisor (Section 105.935);

(15) Prohibits St. Louis City from imposing by ballot measure any restriction on a public financial incentive authorized by statute for a business with NAICS code of 221112 (Fossil Fuels) (Section 135.980);

(16) Specifies that property used for charitable purposes includes residential facilities for the aged owned by an organization that is exempt from taxation under Section 501(c)(3) of the federal Internal Revenue Code and must be exempt from state, county, and local property taxes (Section 137.100);

(17) Specifies that for sales and use tax purposes the amount paid by a person that results in the first opportunity to purchase or decline tickets for admission to events at a specified multi-use arena but does not itself result in admission must not be considered "sales at retail" (Section 144.1030);

(18) Allows a school district to include data from a charter school within the district if the local board of education or special administrative board for the district and the charter school reach a mutual agreement for the inclusion of the data from the charter school and the terms of the agreement are approved by

the State Board of Education (Section 160.522);

(19) Establishes the First Informer Broadcasters Act that certifies radio and television broadcasters to prepare for and respond appropriately to an emergency or disaster (Section 190.275);

(20) Allows the City of St. Charles to establish and maintain a local health department (Section 192.310);

(21) Allows certain sewer districts to seek voter approval for an annual fee of up to \$50 for the repair of lateral sewer service lines on or connecting residential property having six or fewer dwelling units (Section 249.424);

(22) Establishes the Farm-to-School Program to connect Missouri schools and farmers in order to provide locally grown food to schools and to strengthen local farming economies and establishes the Farm-to-School Taskforce under the AgriMissouri Program to provide recommendations for specified strategies to ensure greater use of locally grown agricultural products. The provisions regarding the taskforce will expire on December 31, 2015 (Sections 262.960 and 262.962);

(23) Establishes a commercial zone in the City of Columbia (Section 304.190);

(24) Revises the term "lucrative office or employment" as it applies to a member of a fire protection district board (Section 321.015);

(25) Increases the filing fee for a candidate for director of a fire protection district board from \$10 to a filing fee equal to the amount of a candidate for county office (Sections 321.130 and 321.210);

(26) Repeals the provision exempting the City of Harrisonville from the fire protection district annexation procedures under Section 321.322 (Section 321.322);

(27) Allows the Missouri Agricultural and Small Business Development Authority to make grants, loans, or loan guarantees to Missouri businesses to access resources for accessing and processing locally grown agricultural products for use in Missouri schools (Section 348.407);

(28) Specifies that it must be unlawful for any person or entity to engage in the speculative accumulation of asphalt roofing shingles in St. Louis City (Section 407.1610);

(29) Revises the provisions regarding the payment of a surcharge in all criminal cases that is to be credited to the Prosecuting Attorneys and Circuit Attorneys' Retirement Fund (Section 488.026);

(30) Allows the City of Kansas City to assess an additional court cost of up to \$5 per case for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge to be used only for the restoration, maintenance, and upkeep of the municipal courthouse. These provisions will expire on August 28, 2021 (Section 488.2235);

(31) Removes the option for the right of a trial de novo in forcible entry and detainer actions and landlord tenant actions (Section 512.180) ;

(32) Requires all cases regarding forcible entry and unlawful detainer actions to be heard on the record. If the plaintiff in a county with centralized filing has designated the case as one to be heard under the practice and procedure applicable before circuit judges, the case must be heard and determined under the rules of practice and procedure in the Missouri Rules of Civil Procedure instead of those contained in Chapter 517 (Section 534.060);

(33) Requires all courts that require mandatory e-filing to accept, file, and docket a notice of entry of appearance filed by an attorney that was sent by fax or regular mail (Section 1); and

(34) Repeals provisions relating to violations of county orders in Jefferson County and Franklin County and the provisions relating to the identification of vehicles in a funeral procession (Sections 67.320 and 300.320).

PROPOSERS: Supporters say that the bill increases cost efficiency in contract bidding in Christian County.

Testifying for the bill was Senator Wasson.

OPPOSERS: There was no opposition voiced to the committee.