

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 572, Page 1, In the Title, Line 4, by deleting the word "municipalities" and inserting
3 in lieu thereof the words "political subdivisions"; and
4

5 Further amend said bill, Page 9, Section 82.148, Line 5, by inserting after all of said section and line
6 the following:
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8 "321.315. 1. Notwithstanding any other provision of this chapter or chapter 72, any owner
9 of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire
10 protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire
11 protection district and one fire department, may petition the circuit court in the county in which the
12 real property is located requesting a declaratory judgment under sections 527.010 to 527.130 as to
13 which one fire protection district or fire department has jurisdiction over the property regarding the
14 provision of fire protection and emergency services and the levy of taxes. Two or more owners of
15 real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire
16 protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire
17 protection district and one fire department, may jointly petition the circuit court.

18 2. The fire protection district or fire department that is found not to have jurisdiction over
19 the real property that is the subject of the declaratory judgment shall be liable for the costs of the
20 action, including reasonable attorney fees, to the other parties to the action.

21 3. Any person as defined in section 527.130 that is aggrieved by the judgment and decree of
22 the circuit court may appeal in like manner as appeals are taken in other civil cases."; and
23

24 Further amend said bill, Page 16, Section 479.368, Line 83, by inserting after all of said section and
25 line the following:
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27 "527.130. The word "person", wherever used in sections 527.010 to 527.130, shall
28 be construed to mean any person, including a minor represented by next friend or guardian ad litem
29 and any other person under disability lawfully represented, partnership, joint-stock company,
30 corporation, unincorporated association or society, fire protection district, or municipal or other
31 corporation of any character whatsoever."; and
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33 Further amend said bill and page, Section 1, Line 10, by inserting after all of said section and line
34 the following:
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36 "Section B. Because immediate action is necessary to prevent citizens of this state from
Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 double taxation for fire protection services, the enactment of section 321.315 and the repeal and
2 reenactment of section 527.130 of section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an
4 emergency act within the meaning of the constitution, and the enactment of section 321.315 and the
5 repeal and reenactment of section 527.130 of section A of this act shall be in full force and effect
6 upon its passage and approval."; and

7
8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.