

SECOND REGULAR SESSION

# HOUSE BILL NO. 2456

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ANDREWS.

5165H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 233.180, RSMo, and to enact in lieu thereof one new section relating to special road district commissioner elections.

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

Section A. Section 233.180, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 233.180, to read as follows:

233.180. 1. At the term of the county commission in which such order is made, or at any subsequent term thereafter, the county commission shall appoint three commissioners of the special road district, who shall be voters of the district and owners of land within the district, who shall hold their office until the second Tuesday in April thereafter. The voters of the district shall elect three commissioners of the special road district, one of whom shall serve one year, one for two years and one for three years, and on municipal election days each year thereafter they shall elect a commissioner of the special road district to take the place of the one whose term is about to expire, who shall serve three years.

2. No person shall be elected or appointed commissioner of the special road district who is not a **registered** voter of **the county in which the district is located or any adjoining county in the state of Missouri and an owner of land in** the district. Any vacancy caused by resignation, death, removal from the district of a commissioner of the special road district or sale of all land owned by [him] **the commissioner** in the district shall be filled for the unexpired term by appointment by the remaining commissioners of the special road district. All commissioners of the special road district shall qualify by taking, subscribing and filing with the county clerk the oath prescribed by the constitution of this state, and that they will faithfully, honestly and impartially discharge their duties as commissioners of the special road district according to law.

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.

18           3. If for any reason the board of commissioners of the special road district herein  
19 mentioned shall fail to fill a vacancy or vacancies caused by the expiration of the term of any one  
20 or more of the commissioners of the special road district, then the county commission is hereby  
21 authorized and required to appoint a person to fill the vacancy. **In the event that two**  
22 **consecutive elections pass without any candidates for a special road district commissioner**  
23 **in municipal elections, then the county commission is hereby authorized and required to**  
24 **appoint commissioners of the special road district for three-year terms thereafter with no**  
25 **further elections being held.**

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