

HCS SS SB 124 -- POLITICAL SUBDIVISIONS

SPONSOR: Wasson

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Economic Development by a vote of 9 to 2. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 10 to 3.

POPULATION DESIGNATIONS

Currently, any law that is limited to certain cities, counties or political subdivisions based on population at the time of enactment shall include any such entity that later acquires such population. This bill provides that once such an entity comes under operation of such a law, a subsequent change in population shall not remove the city, county, or political subdivision from the operation of that law (Section 1.100, RSMo).

COUNTY EMPLOYEE'S RETIREMENT FUND

This bill also modifies the fees deposited in the County Employees' Retirement Fund (CERF) for funding the plan. The recorder of deeds' fee on documents recorded or filed is increased from \$6 to \$9; the county recorder shall collect an additional dollar on the recordings of specified documents; a fee on delinquent and back dated taxes is increased from 7% to 9%; the penalty for failing to return personal property assessment lists is increased by \$5; and the amount the county collector and clerk receive per tract of land recorded as delinquent on taxes in the city of St. Louis and all counties, except those counties having a charter form of government before January 1, 2008, is increased from \$.10 to an additional \$10 with such sum going to CERF (Sections 50.1190, 52.290, 137.280, and 137.345).

DOG BREED SPECIFIC LEGISLATION

The bill further specifies that the General Assembly occupies and preempts the entire field of legislation touching in any way the control or regulation of specific breeds of dogs. However, a village, town, or city can still prohibit dogs from running at large or to further control or regulate dogs within its boundaries so long as the ordinance, order, policy, or regulation is not breed specific (Section 67.142).

SALES TAX RATE LIMITATION

The bill prohibits all counties and the city of St. Louis from submitting to their voters any proposal that results in a combined

sales tax rate in excess of 1% adopted under Section 67.547 (Section 67.547).

PUBLIC SAFETY SALES TAX

This bill also enables the cities of Macon, Charleston, Eldon, Higginsville, Lamar, Mount Vernon, Mountain Grove, Mt. Vernon, Peculiar, Platte City, Rock Hill, Salem, St. Clair, Jackson, Lake St. Louis, Republic, Carl Junction, Dexter, Oak Grove, Pacific, Sullivan, Warrenton, Bolivar, Branson, Eureka, Harrisonville, Troy, and Union to impose a public safety sales tax. Special voting procedures apply to any proposed sales tax imposed by Macon, Charleston, Bolivar, Branson, Eureka, Harrisonville, Troy, and Union. Any such sales tax imposed by Bolivar, Branson, Eureka, Harrisonville, Troy, or Union under Section 94.902 shall expire on December 31, 2038 (Sections 94.900, 94.902, and 94.903).

COMPETITIVE SALE OF PUBLIC BONDS

In addition, this bill requires that any political subdivision maintaining a credit rating of A, AA, or AAA issuing debt to use a competitive public bonding process unless employing a municipal advisor. The municipal advisor can use a negotiated or competitive process to issue debt, but cannot profit financially either directly or indirectly from the underwriter of a negotiated bond issuance and must be independent of the underwriter. The bill also requires the State Treasurer to provide authoritative guidance and information to political subdivisions on debt issuance to aid them with the process of issuing debt and awarding bonds to the highest and best bidder (Section 108.170).

PUBLIC SERVICE OFFICER'S OR EMPLOYEE'S CHILD SURVIVOR GRANT PROGRAM

This bill adds air ambulance pilots, air ambulance registered professional nurses, air ambulance registered respiratory therapists, emergency medical technicians, and flight crew members to the Public Service Officer's or Employee's Child Survivor Grant Program (Section 173.260).

EMERGENCY MEDICAL SERVICES

This bill further specifies that the state Emergency Medical Systems (EMS) medical director shall be elected by the members of the regional EMS Medical Director's Advisory Committee, shall serve a term of four years, and shall seek to coordinate EMS services between EMS regions, promote educational efforts for agency medical directors, represent Missouri EMS nationally, and seek to incorporate the EMS system into the health care system serving Missouri. The bill also specifies various rights and duties of

regional Emergency Medical Services medical directors. Currently, there are restrictions on whom a licensee who is the subject of an investigation by the department may have present during his or her interview by the Department of Health and Senior Services. This bill removes the restriction prohibiting a licensee from having other ambulance or emergency personnel present. During the subsequent proceedings, the Administrative Hearing Commission shall hear all relevant evidence on remediation activities of the licensee and shall make a recommendation to the department as to licensure disposition based on such evidence (Sections 190.103, 190.142, 190.144, and 190.165).

LINE OF DUTY COMPENSATION ACT

Currently, under the "Line of Duty Compensation Act," the estate of the deceased files a claim for compensation with the Division of Workers' Compensation no later than one year from the date of the death of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. This bill provides that the survivors of the deceased shall file the claim, rather than the estate of the deceased. The bill further establishes the hierarchy for distribution of compensation, and provides that any survivor of any person who was killed in the line of duty on or after June 19, 2009, who would have been eligible to receive benefits under the Act shall also be eligible to receive compensation under the Act (Section 287.243).

LOCAL LOG TRUCKS AND LOG TRUCK TRACTORS

Furthermore, the bill allows local log trucks and log truck tractors to obtain an extended distance local log truck permit for an additional \$300. This permit allows the truck to transport harvested and processed forest products outside the 100-mile radius at weight limits specified for commercial vehicles (Sections 301.010 and 301.062).

FIRE PROTECTION DISTRICT SALES TAX

This bill adds fire protection districts within Ripley County to the list of fire protection districts authorized to impose, upon voter approval, a sales tax not to exceed 0.5% for the purpose of providing revenues for the operation of the fire protection district (Sections 321.242 and 321.246).

MARRIAGE LICENSES

Currently, a county recorder must issue a license authorizing the

marriage of any person under 15 years of age so long as certain requirements are met. This bill increases the age to 17 years and requires the court to hold a hearing, requiring the parties seeking a marriage license to present evidence that the marriage is advisable. No marriage license shall be issued to any person 21 years of age or older if the other party to the marriage is less than 17 years of age. Applicants are required to provide proof of age documentation (Section 451.090).

JUDICIAL PROCEEDINGS

Currently, no municipal judge can serve as a municipal judge in more than five municipalities at one time. This bill clarifies that if one court serves more than one municipality it is to be considered a single municipality for this purpose. This bill also allows a court to waive or reduce the original fine or sentence when an individual has been held in custody on a notice to show cause warrant for an underlying minor traffic violation. Any notice to appear in court, citation, or summons for a minor traffic violation shall include the date and time a defendant is to appear in court when the defendant is first provided the summons, notice to appear in court, or citation. If the summons, notice to appear in court, or citation does not include such information when first given to the defendant, the summons will be void (Sections 479.020, 479.353, and 479.354).

This bill is similar to HB 69, HB 270, HB 380, HB 426, HB 545, HB 905, HB 950, HB 979, HB 1151, HB 1044, HB 1114, SB 295 (2017), SB 949, HB 1811, and HB 1964 (2016).

PROPONENTS: Supporters say that this bill restores the legislative intent of prior General Assemblies that statutes targeting specific political subdivisions would apply regardless of subsequent population changes of those political subdivisions. Without this statutory clarity, numerous taxation and economic development laws are in jeopardy.

Testifying for the bill were Senator Wasson; Missouri Municipal League; Missouri Chamber of Commerce and Industry; City of Springfield; Municipal League Metro St Louis; and Boone County Missouri.

OPPONENTS: There was no opposition voiced to the committee.