

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 46, Section
2 320.202, Line 33, by inserting after all of said section and line the following:

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4 "321.315. 1. Notwithstanding any other provision of this chapter or chapter 72, any owner of real
5 property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts,
6 or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire
7 department, may petition the circuit court in the county in which the real property is located requesting a
8 declaratory judgment under sections 527.010 to 527.130 as to which one fire protection district or fire
9 department has jurisdiction over the property regarding the provision of fire protection and emergency
10 services and the levy of taxes. Two or more owners of real property that is alleged to be subject to the levy
11 of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and
12 the jurisdiction of one fire protection district and one fire department, may jointly petition the circuit court.

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

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

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19 Further amend said bill, Page 49, Section 353.110, Line 88, by inserting after all of said section and line the
20 following:

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22 "527.130. The word "person", wherever used in sections 527.010 to 527.130, shall be construed to
23 mean any person, including a minor represented by next friend or guardian ad litem and any other person
24 under disability lawfully represented, partnership, joint-stock company, corporation, unincorporated
25 association or society, fire protection district, or municipal or other corporation of any character
26 whatsoever."; and

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28 Further amend said bill, Page 50, Section 701.377, Line 17, by inserting after all of said section and line the
29 following:

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31 "Section B. Because immediate action is necessary to prevent citizens of this state from double
32 taxation for fire protection services, the enactment of section 321.315 and the repeal and reenactment of
33 section 527.130 of section A of this act is deemed necessary for the immediate preservation of the public
34 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the
35 constitution, and the enactment of section 321.315 and the repeal and reenactment of section 527.130 of
36 section A of this act shall be in full force and effect upon its passage and approval."; and

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

Action Taken _____ Date _____