

HB 246 -- RULE OF NECESSITY

SPONSOR: Neely

This bill relates to conflicts of interest for the governing body of a political subdivision. The bill specifies the process for resolution of certain conflict of interest problems that arise when a quorum of members is prevented from voting because one or more members has a conflict of interest.

In such cases, the board or other entity may seek an opinion from the Missouri Ethics Commission either allowing the vote because it is in the best interests of the public or not allow the vote. If the commission declines to allow a member with a conflict of interest from participating in a vote, then the common law rule of necessity cannot be invoked to allow the vote. The commission must notify the governing body of its decision within 30 days of receiving the referral and the disqualified member may appeal to the commission within 30 days of being notified of the decision, as specified in the bill.