

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1602**  
**100TH GENERAL ASSEMBLY**

4075H.04C

DANA RADEMAN MILLER, Chief Clerk

---

**AN ACT**

To amend chapter 79, RSMo, by adding thereto one new section relating to residency requirements for boards.

---

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

Section A. Chapter 79, RSMo, is amended by adding thereto one new section, to be  
2 known as section 79.235, to read as follows:

**79.235. 1. Notwithstanding any law to the contrary and for any city of the fourth  
2 classification with no more than two thousand inhabitants, if a statute or ordinance  
3 authorizes the mayor of a city of the fourth classification to appoint a member of a board  
4 or commission, any requirement that the appointed person be a resident of the city shall  
5 be deemed satisfied if the person owns real property or a business in the city, regardless  
6 of whether the position to which the appointment is made is considered an officer of the  
7 city under section 79.250.**

**8 2. Notwithstanding any law to the contrary and for any city of the fourth  
9 classification with no more than two thousand inhabitants, if a statute or ordinance  
10 authorizes a mayor to appoint a member of a board that manages a municipal utility of the  
11 city, any requirement that the appointed person be a resident of the city shall be deemed  
12 satisfied if all of the following conditions are met:**

- 13 (1) The board has no authority to set utility rates or to issue bonds;  
14 (2) The person resides within five miles of the city limits;  
15 (3) The person owns real property or a business in the city;  
16 (4) The person or the person's business is a customer of a public utility, as  
17 described under section 91.450, managed by the board; and**

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           **(5) The person has no pecuniary interest in, and is not a board member of, any**  
19 **utility company that offers the same type of service as a utility managed by the board.**

✓