

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 835, Page 1, Section A, Line 2, by
2 inserting after all of said section and line the following:

3
4 "249.422. 1. If approved by a majority of the voters voting on the proposal, any city, town,
5 village or county on behalf of the unincorporated area, located either within the boundaries of a
6 sewer district established pursuant to Article VI, Section 30(a) of the Missouri Constitution or
7 within any county of the first classification having a charter form of government with a population
8 of more than two hundred ten thousand inhabitants but less than three hundred thousand inhabitants,
9 may by city, town, village or county ordinance levy and impose annually for the repair of lateral
10 sewer service lines on or connecting residential property having six or less dwelling units a fee not
11 to exceed fifty dollars per year. Any city, town, village, or county that establishes or increases the
12 fee used to repair any portion of the lateral sewer service line shall include all defective portions of
13 the lateral sewer service line from the residential structure to its connection with the public sewer
14 system line. Notwithstanding any provision of chapter 448, the fee imposed pursuant to this chapter
15 shall be imposed upon condominiums that have six or less condominium units per building and each
16 condominium unit shall be responsible for its proportionate share of any fee charged pursuant to this
17 chapter~~[, and]~~. In addition, any condominium unit shall, if determined to be responsible for and
18 served by its own individual lateral sewer line and notified of the determination in writing each time
19 a notification of change of assessment is sent to the property owner under section 137.180, be
20 treated as an individual residence regardless of the number of units in the development. It shall be
21 the responsibility of the condominium owner or condominium association who are of the opinion
22 that they are not properly classified as provided in this section to notify the county or municipal
23 office administering the program. Where an existing sewer lateral program was in effect prior to
24 August 28, 2003, condominium and apartment units not previously enrolled may be ineligible for
25 enrollment if it is determined that the sewer lateral serving the unit is defective.

26 2. The question shall be submitted in substantially the following form:

27 Shall a maximum charge not to exceed fifty dollars be assessed annually on residential
28 property for each lateral sewer service line serving six or less dwelling units on that property and
29 condominiums that have six or less condominium units per building and any condominium
30 responsible for its own individual lateral sewer line to provide funds to pay the cost of certain
31 repairs of those lateral sewer service lines which may be billed quarterly or annually?

32 ☐ YES ☐ NO

33 3. If a majority of the voters voting thereon approve the proposal provided for in subsection
34 2 of this section, the governing body of the city, town, village or county may enact an ordinance for
35 the collection and administration of such fee in order to protect the public health, welfare, peace and
36 safety. The funds collected pursuant to such ordinance shall be deposited in a special account to be

Action Taken _____ Date _____

1 used solely for the purpose of paying for all or a portion of the costs reasonably associated with and
2 necessary to administer and carry out the defective lateral sewer service line repairs. All interest
3 generated on deposited funds shall be accrued to the special account established for the repair of
4 lateral sewer service lines.

5 4. Fee payments that are authorized by this section shall be exempt from the requirements of
6 section 139.031, and class action challenges are authorized, including challenges under Article X,
7 Sections 22 and 23 of the Constitution of Missouri, as well as other measures approved by law.";
8 and
9

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