

House _____ Amendment NO. _____

Offered By

AMEND House Committee Substitute for House Bill No. 2140, Page 11, Section 115.165, Line 17, by inserting immediately after the phrase "election authority" on said line the phrase "after the deadline to register to vote, including"; and

Further amend said page and section, Line 18, by inserting immediately after the phrase "election day" on said line the phrase "in person at the office of the election authority"; and

Further amend said bill, Page 46, Section 115.1505, Line 22, by inserting after all of said section and line the following:

"247.215. 1. The board of directors of any public water supply district which is dependent upon purchases of water to supply its needs may sell and convey part or all of its water mains, plant, real estate, or equipment to any water corporation as defined in section 386.020 if all bonds of the district, whether general obligation bonds constituting a lien on the property within the district or special obligation or revenue bonds constituting a lien on the income and revenues arising from the operation of the water system:

(1) Are to be paid in full, or

(2) A sum sufficient to pay all of such bonds together with interest accrued or to accrue thereon, together with all other items of expense incident to the payment of such bonds, shall be set aside from the proceeds of said sale and deposited with the fiscal agent named in the bonds for the purpose of full payment.

2. After the board of directors of any public water supply district has entered into a contract to sell part or all of its water mains, plant, real estate or equipment, pursuant to this section, an application shall be made by said board of directors to the circuit court which originally incorporated the district, which application shall set forth a copy of the contract entered into by the parties, and the facts concerning the bondholders and their rights, and requesting an order of the court approving or disapproving the contract.

3. Upon the filing of the application, the court shall set a time for the hearing thereof and shall order a public notice setting forth the nature of the application, a description of the property to be sold, and the time and place for the hearing, to be published for three weeks consecutively, in a newspaper of general circulation in the county in which the application is pending, the last publication to be not more than five days before the date set for the hearing.

4. If the court finds that the contract provides for the sale of all of the mains, plants, real estate and equipment of the district and protects the bondholders' rights, and also provides for the rendering of the necessary water service in the territory embracing the district, and is in the best interest of the residents and property owners of the district, it shall, by its decree, approve the

Action Taken _____ Date _____

1 contract and order dissolution of the district, provided that such dissolution is assented to by a [~~two-~~
 2 ~~thirds~~] majority of the voters of the district, voting on the question and provided further, that the
 3 dissolution of the district shall not become final until after all its debts have been paid and the
 4 disposition of funds of the district has been fully carried out as hereinafter provided to the
 5 satisfaction of the court, after which a final decree may be entered.

6 5. Such water supply district shall not be finally dissolved, upon the sale of all of its assets,
 7 until final liquidation thereof and until the trustees of the district have first paid to the collector of
 8 the county, or counties, in which the district is located all of its remaining funds which shall be
 9 applied pro rata toward the payment and satisfaction of the taxes of the residents and property
 10 owners of the district on their respective personal and real property tax bills for the next ensuing
 11 year or years. In the event that the sum of money so paid to the collector would amount to less than
 12 the equivalent of one cent reduction in the tax rate and thus impose upon the collector a cost burden
 13 in excess of the money so paid, then and in that event said funds shall be paid over to the treasurer
 14 of the various school districts having real estate within the said water supply district in the ratio that
 15 the assessed valuation of such school district bears to the whole assessed valuation of the water
 16 supply district.

17 247.220. 1. Proceedings for the dissolution of a public water supply district shall be
 18 substantially the same as proceedings for the formation of such a district, as follows: A petition
 19 describing the boundaries of the district sought to be dissolved shall be filed with the clerk of the
 20 circuit court of the county wherein the subject district is situate, or with the clerk of the circuit court
 21 of the county having the largest acreage within the boundaries of the subject district, in the event
 22 that the subject district embraces lands in more than one county. Such petition, in addition to such
 23 boundary description, shall allege that further operation of the subject district is inimicable to the
 24 best interests of the inhabitants of the district, that the district should, in the interest of the public
 25 welfare and safety, be dissolved, that an alternative water supplier is available and better able to
 26 supply water to the inhabitants of the district, and such other information as may be useful to the
 27 court in determining whether the petition should be granted and a decree of dissolution entered.
 28 Such petition shall also include a detailed plan for payment of all debt and obligations of the district
 29 at the time of dissolution. Such petition shall be accompanied by a cash deposit of fifty dollars as an
 30 advancement of the costs of the proceeding and the petition shall be signed by not less than one-fifth
 31 of the registered voters from each subdistrict, or fifty registered voters from each subdistrict,
 32 whichever is less, within the subject district. The petition shall be verified by at least one of the
 33 signers thereof and shall be served upon the board of directors of the district as provided by law.
 34 The district shall be a party, and if the board of directors in its discretion determines that such
 35 dissolution is not in the public interest, the district shall oppose such petition and pay all cost and
 36 expense thereof.

37 2. Upon the filing of the petition, the same shall be presented to the circuit court, and such
 38 court shall fix a date for a hearing on such petition, as provided in this section. Thereupon, the clerk
 39 of the court shall give notice of the filing of the petition in some newspaper of general circulation in
 40 the county in which the proceedings are pending, and if the district extends into any other county or
 41 counties, such notice shall also be published in some newspaper of general circulation in such other
 42 county or counties. The notice shall contain a description of the subject boundary lines of the

1 district and the general purposes of the petition, and shall set forth the date fixed for the hearing on
2 the petition, which shall not be less than seven nor more than twenty-one days after the date of the
3 last publication of the notice and shall be on some regular judicial day of the court wherein the
4 petition is pending. Such notice shall be signed by the clerk of the circuit court and shall be
5 published in three successive issues of a weekly newspaper or in twenty successive issues of a daily
6 newspaper.

7 3. The court, for good cause shown, may continue the case or the hearing thereon from time
8 to time until final disposition thereof.

9 4. Exceptions to the dissolution of a district may be made by any voter or landowner of the
10 district, and by the district as herein provided; such exceptions shall be filed not less than five days
11 prior to the date set for the hearing on the petition. Such exceptions shall specify the grounds upon
12 which the exceptions are filed and the court shall take them into consideration in passing upon the
13 petition and shall also consider the evidence in support of the petition and in support of the
14 exceptions made. Unless petitioners prove that all debts and financial obligations of the district can
15 be paid in full upon dissolution, the petition shall be dismissed at the cost of the petitioners.

16 5. Should the court find that it would not be to the public interest to dissolve a district, the
17 petition shall be dismissed at the costs of the petitioners. If, however, the court should find in favor
18 of the petitioners, the court shall enter its interlocutory decree of dissolution which decree shall
19 provide for the submission of the question to the voters of the district in substantially the following
20 form:

21 Shall _____ Public Water Supply District be dissolved?

22 6. The decree of dissolution shall not become final and conclusive until it shall have been
23 submitted to the voters residing within the boundaries described in such decree and until it shall
24 have been assented to by a majority [~~of two-thirds~~] of the voters of the district voting on the
25 proposition. The decree shall provide for the submission of the question and shall fix the date
26 thereof. The returns shall be certified by the election authority to the circuit court having
27 jurisdiction in the case and the court shall thereupon enter its order canvassing the returns and
28 declaring the result of such election.

29 7. If, upon canvass and declaration, it is found and determined that the question shall have
30 been assented to by a majority of [~~two-thirds of~~] the voters of the district voting on such proposition
31 then the court shall, in such order declaring the result of the election, enter a further order declaring
32 the decree of dissolution to be final and conclusive. In the event, however, that the court should find
33 that the question had not been assented to by the majority required, the court shall enter a further
34 order declaring such decree of dissolution to be void and of no effect. No appeal shall lie from any
35 of the aforesaid orders. In the event that the court declares the decree of dissolution to be final, as
36 provided in this section, the clerk of the circuit court shall file certified copies of such decree of
37 dissolution and of such final order with the secretary of state of the state of Missouri, and with the
38 recorder of deeds of the county or counties in which the district is situate and with the clerk of the
39 county commission of the county or counties in which the district is situate.

1 8. Notwithstanding anything in this section to the contrary, no district shall be dissolved
2 until after all of its debts shall have been paid, and the court, in its decree of dissolution, shall
3 provide for the disposition of the property of the district."; and

4
5 Further amend said bill, Page 47, Section 1, Line 48, by inserting after all of said section and line
6 the following:

7
8 "Section 2. A person commits the offense of tampering with an election official if, with the
9 purpose to harass, intimidate, or influence such official in the performance of such official's official
10 duties, such person disseminates through any means, including by posting on the internet, the
11 official's family's personal information. For purposes of this section, "personal information"
12 includes a home address, Social Security number, federal tax identification number, checking or
13 savings account numbers, marital status, and identity of a child under eighteen years of age. For the
14 purposes of this section, the term "election official" includes election judges, challengers, watchers,
15 and other volunteers or employees of an election authority. The offense of tampering with an
16 election official shall be a class D felony. If a violation of this section results in death or bodily
17 injury to an election official or a member of the official's family, the offense shall be a class B
18 felony."; and

19
20 Further amend said bill by amending the title, enacting clause, and intersectional references
21 accordingly.