

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 246

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE HURLBERT.

0782H.01P

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 71.360, 82.480, and 82.487, RSMo, and to enact in lieu thereof four new sections relating to parking fees.

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

Section A. Sections 71.360, 82.480, and 82.487, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 71.360, 82.480, 82.487, and 231.505, to read as follows:

71.360. Any such incorporated city, town, or constitutional charter county may finance and pay for the planning, designing, acquisition, construction, equipment and improvement of property for parking motor vehicles by any one or combination of the following methods:

(1) General revenue funds, including any proceeds derived from the operation of such parking facilities;

(2) General obligation bonds within legal debt limitations;

(3) Negotiable interest-bearing revenue bonds, the principal and interest of which shall be payable solely from the revenue derived from the operation of such parking facilities, ~~[and from the proceeds, or any part thereof, from on-street parking meter receipts of any city or town,]~~ which proceeds or any part thereof may be pledged by the city, town or constitutional charter county to the retirement of negotiable interest-bearing revenue bonds, which revenue bonds may be issued and sold by such municipality or constitutional charter county when authorized by the city council, board of aldermen, county council or other legislative authority of the city, town or county.

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.

82.480. 1. Any such constitutional charter city is empowered to finance and pay for the planning, designing, acquisition, construction, equipment and improvement of property for parking motor vehicles by any one or combination of the following methods:

(1) General revenue funds, including any proceeds derived from the leasing of the parking facilities;

(2) General obligation bonds within legal debt limitations;

(3) Negotiable interest-bearing revenue bonds, the principal and interest of which shall be payable from the revenues derived by such municipality from the leasing of the parking facilities~~;~~ and ~~when~~, if the existing facility is located within five hundred feet of a municipally owned and operated auditorium and convention hall, then the interest and principal of the bonds may be payable from any parking meter receipts or revenues from municipal parking meters ~~located on~~ **for any ~~streets or~~ off-street parking at the** facility ~~and~~ designated by ordinance to be used for that purpose~~, which~~. Proceeds or any part thereof may be pledged by the city to the retirement of negotiable interest-bearing bonds, which revenue bonds may be issued and sold by the municipality when authorized by the legislative authority of the city;

(4) Special benefit assessments, equal to the total cost of land and improvements or only a portion thereof, to be assessed against benefitted property in proportion to the benefit derived, to be paid entirely or in such installments and at such rate of interest as the legislative authority of any such city may prescribe.

2. The benefit assessments shall be determined in accordance with established local special assessment practice after proper notice and hearing, subject to the approval of the legislative authority of the city.

82.487. 1. The parking commission of any city not within a county shall be the city's authority for overseeing public parking, including planning and coordinating policies, programs and operations for any parking facility or spaces owned in whole or part, leased or managed by the parking division. On behalf of the city, the parking commission shall approve:

(1) Guidelines governing the administrative adjudication, disposition and collection of any parking violations or complaints issued by the city;

(2) Budget modifications for the parking fund, also known as the "parking meter fund"; and

(3) The acquisition, development, regulation and operation of such parking facilities or spaces owned in whole or in part, leased or managed by the parking division.

2. The treasurer of any city not within a county shall be the parking supervisor, also known as the "supervisor of parking meters", for any parking facility or space owned in whole or part, leased or managed by the city parking division, and by virtue of his office, shall be

15 subject to the oversight and authorized funding in whole or in part, by the parking  
16 commission:

17 (1) Establish joint public-private parking ventures;

18 (2) Supervise the acquisition, development and operation of parking division  
19 properties or facilities owned by title or funded in whole or in part, leased or managed by the  
20 parking division;

21 (3) Make and pay contracts and other obligations;

22 (4) Supervise any ~~other on-street and~~ off-street parking programs and assets;

23 (5) Shall provide the comptroller with monthly reports of all parking revenues  
24 collected by the city; and

25 (6) Make biannual installment payments of the annual general fund transfer subject to  
26 the parking commission's approval and provide the comptroller and treasurer with monthly  
27 reports of all parking revenues collected by the city.

28 3. Nothing in this section shall be construed as limiting or altering the powers and  
29 duties of the license collector of the city prescribed in section 82.340, and the exclusive  
30 authority to issue licenses and receipts for license taxes shall remain with and be exercised by  
31 the license collector.

32 4. Nothing in this section shall be construed as limiting or altering the powers and  
33 duties of the city's collector of revenue as provided in section 52.220.

**231.505. The state, any political subdivision thereof, and any other entity that  
2 receives public funds shall not establish, levy, maintain, or collect any fee for parking on  
3 any public street or road and shall not use any mechanical or electronic device to receive  
4 funds for such a fee including, but not limited to, on-street parking meters unless  
5 requested by a business located on such street. This section shall not prohibit fees for  
6 off-street parking.**

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