

FIRST REGULAR SESSION

# HOUSE BILL NO. 1208

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE CASTEEL.

2504H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 190.327, RSMo, and to enact in lieu thereof one new section relating to emergency services.

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

Section A. Section 190.327, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 190.327, to read as follows:

190.327. 1. Immediately upon the decision by the commission to utilize a portion of the emergency telephone tax for central dispatching and an affirmative vote of the telephone tax, the commission shall appoint the initial members of a board which shall administer the funds and oversee the provision of central dispatching for emergency services in the county and in municipalities and other political subdivisions which have contracted for such service. Beginning with the general election in 1992, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish to the board and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency telephone service and in chapter 321, with regard to the provision of central dispatching service, and such duties shall be exercised by the board.

2. Elections for board members may be held on general municipal election day, as defined in subsection 3 of section 115.121, after approval by a simple majority of the county commission.

3. For the purpose of providing the services described in this section, the board shall have the following powers, authority and privileges:

(1) To have and use a corporate seal;

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 (2) To sue and be sued, and be a party to suits, actions and proceedings;
- 19 (3) To enter into contracts, franchises and agreements with any person, partnership,  
20 association or corporation, public or private, affecting the affairs of the board;
- 21 (4) To acquire, construct, purchase, maintain, dispose of and encumber real and  
22 personal property, including leases and easements;
- 23 (5) To have the management, control and supervision of all the business affairs of the  
24 board and the construction, installation, operation and maintenance of any improvements;
- 25 (6) To hire and retain agents and employees and to provide for their compensation  
26 including health and pension benefits;
- 27 (7) To adopt and amend bylaws and any other rules and regulations;
- 28 (8) To fix, charge and collect the taxes and fees authorized by law for the purpose of  
29 implementing and operating the services described in this section;
- 30 (9) To pay all expenses connected with the first election and all subsequent elections;  
31 and
- 32 (10) To have and exercise all rights and powers necessary or incidental to or implied  
33 from the specific powers granted in this subsection. Such specific powers shall not be  
34 considered as a limitation upon any power necessary or appropriate to carry out the purposes  
35 and intent of sections 190.300 to 190.329.
- 36 4. (1) Notwithstanding the provisions of subsections 1 and 2 of this section to the  
37 contrary, the county commission may elect to appoint the members of the board to administer  
38 the funds and oversee the provision of central dispatching for emergency services in the  
39 counties, municipalities, and other political subdivisions which have contracted for such  
40 service upon the request of the municipalities and other political subdivisions. Upon  
41 appointment of the initial members of the board, the commission shall relinquish all powers  
42 and duties to the board and no longer exercise the duties prescribed in this chapter with regard  
43 to the provision of central dispatching service and such duties shall be exercised by the board.
- 44 (2) The board shall consist of seven members appointed without regard to political  
45 affiliation. The members shall include:
- 46 (a) Five members who shall serve for so long as they remain in their respective  
47 county or municipal positions as follows:
- 48 a. The county sheriff, or his or her designee;
- 49 b. The heads of the municipal police department who have contracted for central  
50 dispatching service in the two largest municipalities wholly contained within the county, or  
51 their designees; or
- 52 c. The heads of the municipal fire departments or fire divisions who have contracted  
53 for central dispatching service in the two largest municipalities wholly contained within the  
54 county, or their designees;

55 (b) Two members who shall serve two-year terms appointed from among the  
56 following:

57 a. The head of any of the county's fire protection districts who have contracted for  
58 central dispatching service, or his or her designee;

59 b. The head of any of the county's ambulance districts who have contracted for central  
60 dispatching service, or his or her designee;

61 c. The head of any of the municipal police departments located in the county who  
62 have contracted for central dispatching service, or his or her designee, excluding those  
63 mentioned in subparagraph b. of paragraph (a) of this subdivision; and

64 d. The head of any of the municipal fire departments in the county who have  
65 contracted for central dispatching service, or his or her designee, excluding those mentioned  
66 in subparagraph c. of paragraph (a) of this subdivision.

67 (3) Upon the appointment of the board under this subsection, the board shall have the  
68 powers provided in subsection 3 of this section and the commission shall relinquish all  
69 powers and duties relating to the provision of central dispatching service under this chapter to  
70 the board.

71 ~~[5. An emergency services board originally organized under section 190.325~~  
72 ~~operating within a county with a charter form of government and with more than two hundred~~  
73 ~~thousand but fewer than three hundred fifty thousand inhabitants shall not have a sales tax for~~  
74 ~~emergency services or for providing central dispatching for emergency services greater than~~  
75 ~~one quarter of one percent. If on July 9, 2019, such tax is greater than one quarter of one~~  
76 ~~percent, the board shall lower the tax rate.]~~

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