

# HOUSE BILL NO. 2237

## 102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BROWN (149).

4917H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

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

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*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 known as section 79.235, to read as follows:

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

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

- (1) The board has no authority to set utility rates or to issue bonds;**
- (2) The person resides within five miles of the city limits;**
- (3) The person owns real property or a business in the city;**
- (4) The person or the person's business is a customer of a public utility, as 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.**

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