

FIRST REGULAR SESSION

# HOUSE BILL NO. 410

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE AMATO.

0296H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 67, RSMo, by adding thereto one new section relating to new street light installations.

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

Section A. Chapter 67, RSMo, is amended by adding thereto one new section, to be known as section 67.477, to read as follows:

**67.477. 1. As used in this section, the following terms mean:**

(1) "City", a city, town, or village that is incorporated in accordance with the laws of this state;

(2) "County", a county in this state;

(3) "Department", the Missouri department of economic development;

(4) "Neighborhood improvement district", a district formed under sections 67.453 to 67.475 to:

(a) Pay for the costs of engineering, installing, maintaining, repairing, and replacing street lights in such district;

(b) Pay for the ongoing costs for electric service to street lights in such district;

or

(c) Both purposes described in paragraphs (a) and (b) of this subdivision;

(5) "Street light", an approved pole-mounted light that:

(a) Is designed and located to illuminate a publicly or privately owned street in a residential area;

(b) Is powered by:

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.

17           a. Electricity provided by a public entity or private company regulated by the  
18 Missouri public service commission; or

19           b. Solar power; and

20           (c) Is one of the following:

21           a. A light-emitting diode (LED); or

22           b. A different light source that has been documented and demonstrated to use  
23 less power than an equivalent LED.

24           2. (1) A city or county may create a neighborhood improvement district under  
25 this section. The term for such district shall not exceed twenty years. A neighborhood  
26 improvement district's term may be extended for an additional term of up to twenty  
27 years by the petition process provided in section 67.457.

28           (2) A special assessment levied and collected for a neighborhood improvement  
29 district under this section shall be held separately by the city or county and used for the  
30 sole purpose of paying the obligations of such district under this section.

31           (3) A city or county shall provide its portion of moneys for matching grants  
32 provided by the department under this section from special assessments levied and  
33 collected under subdivision (2) of this subsection.

34           3. (1) There is hereby created in the state treasury the "Neighborhood Safety  
35 and Crime Prevention Street Lighting Fund", which shall consist of moneys  
36 appropriated by the general assembly or received from other sources under this  
37 section. The department shall administer the fund. The state treasurer shall be  
38 custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer  
39 may approve disbursements. The fund shall be a dedicated fund and, upon  
40 appropriation, moneys in this fund shall be used solely as provided in this section.

41           (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys  
42 remaining in the fund at the end of the biennium shall not revert to the credit of the  
43 general revenue fund.

44           (3) The state treasurer shall invest moneys in the fund in the same manner as  
45 other funds are invested. Any interest and moneys earned on such investments shall be  
46 credited to the fund.

47           4. The department may apply for federal grants to provide additional moneys  
48 for the state's portion of the matching grants provided under this section.

49           5. Upon appropriation, the department shall:

50           (1) Use moneys in the neighborhood safety and crime prevention street lighting  
51 fund to pay the state's portion of moneys for matching grants as provided under this  
52 section;

53           **(2) Make annual matching grants available under this section to cities and**  
54 **counties on a first-come, first-served basis;**

55           **(3) Provide such matching grants under this section to a city or county on a per-**  
56 **light basis; and**

57           **(4) Distribute moneys for matching grants under this section on the basis of two-**  
58 **thirds of the cost to be paid by the state and one-third of the cost to be paid by the city or**  
59 **county.**

60           **6. In no instance shall the state's portion of a matching grant made under this**  
61 **section exceed two thousand dollars per street light installed within a city's or county's**  
62 **neighborhood improvement district created under this section.**

63           **7. The department may promulgate all necessary rules and regulations for the**  
64 **administration of this section. Any rule or portion of a rule, as that term is defined in**  
65 **section 536.010, that is created under the authority delegated in this section shall**  
66 **become effective only if it complies with and is subject to all of the provisions of chapter**  
67 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**  
68 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**  
69 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**  
70 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**  
71 **adopted after the effective date of this section shall be invalid and void.**

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