

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 73
103RD GENERAL ASSEMBLY

0684H.02C

JOSEPH ENGLER, Chief Clerk

AN ACT

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

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
2 known as section 79.235, to read as follows:

**79.235. 1. Notwithstanding any other provision of law to the contrary, for any
2 city of the fourth classification with fewer than three thousand inhabitants, if a statute
3 or ordinance authorizes the mayor of such city to appoint a member of a nonelected
4 board or commission, any requirement that the appointed person be a resident of the
5 city shall be deemed satisfied if the person owns real property or a business in the city,
6 regardless of whether the position to which the appointment is made is considered an
7 officer of the city under section 79.250.**

**8 2. Notwithstanding any other provision of law to the contrary, for any city of the
9 fourth classification with fewer than three thousand inhabitants, if a statute or
10 ordinance authorizes the mayor of such city to appoint a member of a nonelected board
11 that manages a municipal utility of the city, any requirement that the appointed person
12 be a resident of the city shall be deemed satisfied if all of the following conditions are
13 met:**

- 14 (1) The board has no authority to set utility rates or to issue bonds;
15 (2) The person resides within five miles of the city limits;
16 (3) The person owns real property or a business in the city;
17 (4) The person or the person's business is a customer of a public utility, as
18 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.

19 **(5) The person has no pecuniary interest in, and is not an employee or board**
20 **member of, any utility or other entity that offers the same kind of service as the utility**
21 **managed by the board.**

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