

FIRST REGULAR SESSION  
[PERFECTED]  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 73**  
**103RD GENERAL ASSEMBLY**

0684H.02P

JOSEPH ENGLER, 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 fewer than three thousand inhabitants, if a statute or ordinance authorizes the mayor of such city to appoint a member of a nonelected 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 fewer than three thousand inhabitants, if a statute or ordinance authorizes the mayor of such city to appoint a member of a nonelected 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;**

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           **(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**

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.**

22           **3. The provisions of this section shall not apply to any city within a county with**  
23 **more than one million inhabitants.**

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