

SECOND REGULAR SESSION

HOUSE BILL NO. 2102

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE AMATO.

3922H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

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

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
2 known as section 67.477, to read as follows:

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

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

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

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

6 (4) "Neighborhood improvement district", a district formed under sections
7 67.453 to 67.475 to:

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

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

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

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

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

16 (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 may 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 (4) (a) As used in this subdivision, "retail electric supplier" has the same
35 definition as such term in section 386.890.
- 36 (b) In lieu of levying and collecting a special assessment for the neighborhood
37 improvement district created under this section, the district may request each retail
38 electric supplier, as such term is defined in section 386.890, that provides retail electrical
39 service within the district to bill an equal amount to each account receiving such service
40 within such district to recover the ongoing costs for electric service to street lights in
41 such district. Upon receiving such request, the retail electric supplier shall perform
42 such necessary billing services as requested by the district.
- 43 (c) An investor-owned utility that receives a request under this subdivision may
44 bill accounts as provided in this subdivision without being required to apply for or
45 receive the approval of the public service commission for such billing.
- 46 3. (1) There is hereby created in the state treasury the "Neighborhood Safety
47 and Crime Prevention Street Lighting Fund", which shall consist of moneys
48 appropriated by the general assembly or received from other sources under this
49 section. The department shall administer the fund. The state treasurer shall be
50 custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer
51 may approve disbursements. The fund shall be a dedicated fund and, upon
52 appropriation, moneys in this fund shall be used solely as provided in this section.

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

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

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

61 5. Upon appropriation, the department shall:

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

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

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

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

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

75 7. The department may promulgate all necessary rules and regulations for the
76 administration of this section. Any rule or portion of a rule, as that term is defined in
77 section 536.010, that is created under the authority delegated in this section shall
78 become effective only if it complies with and is subject to all of the provisions of chapter
79 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
80 and if any of the powers vested with the general assembly pursuant to chapter 536 to
81 review, to delay the effective date, or to disapprove and annul a rule are subsequently
82 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
83 adopted after the effective date of this section shall be invalid and void.

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