

SECOND REGULAR SESSION

# HOUSE BILL NO. 1764

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MCGIRL.

5269H.011

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 233.095, RSMo, and to enact in lieu thereof two new sections relating to special road districts.

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

Section A. Section 233.095, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 233.095 and 233.096, to read as follows:

233.095. 1. Said board shall have authority to expend ~~[not more than one-fourth of the]~~ revenue which may now or which may hereafter be paid into its treasury for the purpose of grading and repairing any roads or streets within the corporate limits of any city within said special road district in conformity with the established grade of said roads and streets in said cities and for the purpose of constructing and maintaining macadam, gravel, rock or paved roads or streets within the corporate limits of any city within the said special road district in conformity with the established grade of said roads and streets in said city~~[- provided, that]~~. **The board shall have authority to limit the expenditure to the percentage equal to the road mileage within the corporate limits of a city within the special road district divided by the total road miles of the special road district.** No part of the revenue of any special road district in this state shall be expended outside of the county in which such special road district is situated.

2. **Notwithstanding any provision of subsection 1 of this section to the contrary, in a county with more than two hundred thousand but fewer than two hundred thirty thousand inhabitants, the board shall spend a percentage equal to the road mileage within the corporate limits of a city wholly or partially within the special road district divided by the total road miles of the special road district.**

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.

233.096. 1. Within a county with more than two hundred thousand but fewer  
2 than two hundred thirty thousand inhabitants, the governing body of an incorporated  
3 city may, by ordinance, exclude all parcels of real property and all personal property  
4 within such city from any special road district. The exclusion of such incorporated area  
5 from the special road district shall apply beginning on January first of the calendar year  
6 immediately following approval of such ordinance.

7 2. In each year in which an exclusion under subsection 1 of this section applies,  
8 the special road district shall not collect from such city any real or personal property tax  
9 or assessment from real or personal property within such incorporated city. Such  
10 special road district shall have no obligation to expend revenues within such  
11 incorporated city under section 233.095.

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