

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 739

95TH GENERAL ASSEMBLY

2010

4274L.02T

AN ACT

To repeal section 320.097, RSMo, and to enact in lieu thereof one new section relating to fire department employee residency requirements.

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

Section A. Section 320.097, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 320.097, to read as follows:

320.097. 1. As used in this section, "fire department" means any agency
2 or organization that provides fire suppression and related activities, including but
3 not limited to fire prevention, rescue, emergency medical services, hazardous
4 material response, dispatching, or special operations to a population within a
5 fixed and legally recorded geographical area.

6 2. [Upon approval of the board of aldermen,] No employee of a fire
7 department **who has worked for seven years for such department** shall,
8 as a condition of employment, be required to reside within a fixed and legally
9 recorded geographical area of the fire department if the only public school district
10 available to the employee within such fire department's geographical area is a
11 public school district that is or has been unaccredited or provisionally accredited
12 in the last five years of such employee's employment. **Employees who have**
13 **satisfied the seven-year requirement in this subsection and who choose**
14 **to reside outside the geographical boundaries of the department shall**
15 **reside within a one-hour response time.** No charter school shall be deemed
16 a public school for purposes of this section.

17 3. No employee of a fire department who has not resided in such fire
18 department's fixed and legally recorded geographical area, or who has changed

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 such employee's residency because of conditions described in subsection 2 of this
20 section, shall as a condition of employment be required to reside within the fixed
21 and legally recorded geographical area of the fire department if such school
22 district subsequently becomes fully accredited.

23 [4. Unless the voters of a city not within a county vote to supersede this
24 section by the same majority needed to change the charter of said city by
25 September 1, 2008, this section shall be in force for the city not within a county.
26 In addition, any employee who resides outside the city will forfeit one percent of
27 his or her salary for the time the employee is not living in the city to offset any
28 lost revenue to the city.

29 5. The ballot of submission for this authorization shall be in substantially
30 the following form:

31 Shall (insert name of city) be allowed to
32 prevent fire department employees from paying one percent of their salaries to
33 the city in order to reside outside the city limits when the public school system
34 is or has been unaccredited or provisionally accredited?

35 YES NO

36 If you are in favor of the question, place an "X" in the box opposite "YES". If you
37 are opposed to the question, place an "X" in the box opposite "NO".]

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