

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 672

97TH GENERAL ASSEMBLY

2014

5090S.08T

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## AN ACT

To repeal sections 49.266, 56.067, 56.265, 56.363, 56.807, 56.816, 67.281, 67.320, 79.130, 94.270, 182.802, 192.310, 304.190, 321.322, 339.507, 348.407, 408.040, 488.305, 525.040, 525.070, 525.080, 525.230, and 525.310, RSMo, and to enact in lieu thereof thirty-three new sections relating to political subdivisions, with an existing penalty provision, and an effective date for certain sections.

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

Section A. Sections 49.266, 56.067, 56.265, 56.363, 56.807, 56.816, 67.281, 67.320, 79.130, 94.270, 182.802, 192.310, 304.190, 321.322, 339.507, 348.407, 408.040, 488.305, 525.040, 525.070, 525.080, 525.230, and 525.310, RSMo, are repealed and thirty-three new sections enacted in lieu thereof, to be known as sections 49.266, 56.067, 56.265, 56.363, 56.807, 56.816, 57.095, 67.281, 67.320, 79.130, 79.135, 94.270, 105.1415, 135.980, 182.802, 190.088, 192.310, 249.424, 262.960, 262.962, 304.190, 321.322, 339.507, 339.531, 348.407, 407.1610, 408.040, 488.305, 525.040, 525.070, 525.080, 525.230, and 525.310, to read as follows:

49.266. 1. The county commission in all **noncharter** counties [of the first, second or fourth classification] may by order or ordinance promulgate reasonable regulations concerning the use of county property, the hours, conditions, methods and manner of such use and the regulation of pedestrian and vehicular traffic and parking thereon.

2. Violation of any regulation so adopted under subsection 1 of this section is an infraction.

3. Upon a determination by the state fire marshal that a burn ban order

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

9 is appropriate for a county because:

10 (1) An actual or impending occurrence of a natural disaster of major  
11 proportions within the county jeopardizes the safety and welfare of the  
12 inhabitants of such county; and

13 (2) The U.S. Drought Monitor has designated the county as an area of  
14 severe, extreme, or exceptional drought, the county commission may adopt an  
15 order or ordinance issuing a burn ban, which may carry a penalty of up to a class  
16 A misdemeanor. State agencies responsible for fire management or suppression  
17 activities and persons conducting agricultural burning using best management  
18 practices shall not be subject to the provisions of this subsection. The ability of  
19 an individual, organization, or corporation to sell fireworks shall not be affected  
20 by the issuance of a burn ban. The county burn ban may prohibit the explosion  
21 or ignition of any missile or skyrocket as the terms "missile" and "skyrocket" are  
22 defined by the 2012 edition of the American Fireworks Standards Laboratory, but  
23 shall not ban the explosion or ignition of any other consumer fireworks as the  
24 term "consumer fireworks" is defined under section 320.106.

25 4. The regulations so adopted shall be codified, printed and made  
26 available for public use and adequate signs concerning smoking, traffic and  
27 parking regulations shall be posted.

56.067. In counties of the first classification not having a charter form of  
2 government[,] and **other** counties **in** which [have passed the proposition  
3 authorized by section 56.363] **the prosecuting attorney is a full-time**  
4 **position**, the prosecuting attorney, except in the performance of special  
5 prosecutions or otherwise representing the state or its political subdivisions, shall  
6 devote full time to his office, and shall not engage in the practice of law.

56.265. 1. The county prosecuting attorney in any county, other than in  
2 a chartered county, shall receive an annual salary computed using the following  
3 schedule, when applicable. The assessed valuation factor shall be the amount  
4 thereof as shown for the year immediately preceding the year for which the  
5 computation is done.

6 (1) For a full-time prosecutor the prosecutor shall receive compensation  
7 equal to the compensation of an associate circuit judge;

8 (2) For a part-time prosecutor:

9	Assessed Valuation	Amount
10	\$ 18,000,000 to 40,999,999	\$37,000
11	41,000,000 to 53,999,999	38,000

12	54,000,000 to 65,999,999	39,000
13	66,000,000 to 85,999,999	41,000
14	86,000,000 to 99,999,999	43,000
15	100,000,000 to 130,999,999	45,000
16	131,000,000 to 159,999,999	47,000
17	160,000,000 to 189,999,999	49,000
18	190,000,000 to 249,999,999	51,000
19	250,000,000 to 299,999,999	53,000
20	300,000,000 or more	55,000

21           2. Two thousand dollars of the salary authorized in this section shall be  
22 payable to the prosecuting attorney only if the prosecuting attorney has  
23 completed at least twenty hours of classroom instruction each calendar year  
24 relating to the operations of the prosecuting attorney's office when approved by  
25 a professional association of the county prosecuting attorneys of Missouri unless  
26 exempted from the training by the professional association. The professional  
27 association approving the program shall provide a certificate of completion to  
28 each prosecuting attorney who completes the training program and shall send a  
29 list of certified prosecuting attorneys to the treasurer of each county. Expenses  
30 incurred for attending the training session may be reimbursed to the county  
31 prosecuting attorney in the same manner as other expenses as may be  
32 appropriated for that purpose.

33           3. As used in this section, the term "prosecuting attorney" includes the  
34 circuit attorney of any city not within a county.

35           4. The prosecuting attorney of any county which becomes a county of the  
36 first classification during a four-year term of office or a county which passed the  
37 proposition authorized by **subsection 1 of** section 56.363 shall not be required  
38 to devote full time to such office pursuant to section 56.067 until the beginning  
39 of the prosecuting attorney's next term of office or until the proposition otherwise  
40 becomes effective.

41           5. The provisions of section 56.066 shall not apply to full-time prosecutors  
42 who are compensated pursuant to subdivision (1) of subsection 1 of this section.

56.363. 1. The county commission of any county may on its own motion  
2 and shall upon the petition of ten percent of the total number of people who voted  
3 in the previous general election in the county submit to the voters at a general  
4 or special election the proposition of making the county prosecutor a full-time  
5 position. The commission shall cause notice of the election to be published in a

6 newspaper published within the county, or if no newspaper is published within  
7 the county, in a newspaper published in an adjoining county, for three weeks  
8 consecutively, the last insertion of which shall be at least ten days and not more  
9 than thirty days before the day of the election, and by posting printed notices  
10 thereof at three of the most public places in each township in the county. The  
11 proposition shall be put before the voters substantially in the following form:

12           Shall the office of prosecuting attorney be made a full-time position in  
13 ..... County?

14                            YES                            NO

15 If a majority of the voters voting on the proposition vote in favor of making the  
16 county prosecutor a full-time position, it shall become effective upon the date that  
17 the prosecutor who is elected at the next election subsequent to the passage of  
18 such proposal is sworn into office.

19           2. The provisions of subsection 1 of this section notwithstanding, in any  
20 county where the proposition of making the county prosecutor a full-time position  
21 was submitted to the voters at a general election in 1998 and where a majority  
22 of the voters voting on the proposition voted in favor of making the county  
23 prosecutor a full-time position, the proposition shall become effective on May 1,  
24 1999. Any prosecuting attorney whose position becomes full time on May 1, 1999,  
25 under the provisions of this subsection shall have the additional duty of providing  
26 not less than three hours of continuing education to peace officers in the county  
27 served by the prosecuting attorney in each year of the term beginning January  
28 1, 1999.

29           3. In counties that, prior to August 28, 2001, have elected pursuant to this  
30 section to make the position of prosecuting attorney a full-time position, the  
31 county commission may at any time elect to have that position also qualify for the  
32 retirement benefit available for a full-time prosecutor of a county of the first  
33 classification. Such election shall be made by a majority vote of the county  
34 commission and once made shall be irrevocable, **unless the voters of the**  
35 **county elect to change the position of prosecuting attorney back to a**  
36 **part-time position under subsection 4 of this section.** When such an  
37 election is made, the results shall be transmitted to the Missouri prosecuting  
38 attorneys and circuit attorneys' retirement system fund, and the election shall be  
39 effective on the first day of January following such election. Such election shall  
40 also obligate the county to pay into the Missouri prosecuting attorneys and circuit  
41 attorneys' system retirement fund the same retirement contributions for full-time

42 prosecutors as are paid by counties of the first classification.

43           **4. In any county of the third classification without a township**  
44 **form of government and with more than twelve thousand but fewer**  
45 **than fourteen thousand inhabitants and with a city of the fourth**  
46 **classification with more than one thousand seven hundred but fewer**  
47 **than one thousand nine hundred inhabitants as the county seat that has**  
48 **elected to make the county prosecutor a full-time position under this**  
49 **section after the effective date of this act, the county commission may**  
50 **on its own motion and shall upon the petition of ten percent of the total**  
51 **number of people who voted in the previous general election in the**  
52 **county submit to the voters at a general or special election the**  
53 **proposition of changing the full-time prosecutor position to a part-time**  
54 **position. The commission shall cause notice of the election to be**  
55 **published in a newspaper published within the county, or if no**  
56 **newspaper is published within the county, in a newspaper published in**  
57 **an adjoining county, for three weeks consecutively, the last insertion**  
58 **of which shall be at least ten days and not more than thirty days before**  
59 **the day of the election, and by posting printed notices thereof at three**  
60 **of the most public places in each township in the county. The**  
61 **proposition shall be put before the voters substantially in the following**  
62 **form:**

63           **Shall the office of prosecuting attorney be made a part-time**  
64 **position in ..... County?**

65                            **YES**                            **NO**

66 **If a majority of the voters vote in favor of making the county**  
67 **prosecutor a part-time position, it shall become effective upon the date**  
68 **that the prosecutor who is elected at the next election subsequent to**  
69 **the passage of such proposal is sworn into office.**

70           **5. In any county that has elected to make the full-time position**  
71 **of county prosecutor a part-time position under subsection 4 of this**  
72 **section, the county's retirement contribution to the retirement system**  
73 **and the retirement benefit earned by the member shall prospectively**  
74 **be that of a part-time prosecutor as established in this chapter. Any**  
75 **retirement contribution made and retirement benefit earned prior to**  
76 **the effective date of the voter approved proposition under subsection**  
77 **4 of this section shall be maintained by the retirement system and used**

78 to calculate the retirement benefit for such prior full-time position  
79 service. Under no circumstances shall a member in a part-time  
80 prosecutor position earn full-time position retirement benefit service  
81 accruals for time periods after the effective date of the proposition  
82 changing the county prosecutor back to a part-time position.

56.807. 1. Beginning August 28, 1989, and continuing monthly thereafter  
2 until August 27, 2003, the funds for prosecuting attorneys and circuit attorneys  
3 provided for in subsection 2 of this section shall be paid from county or city funds.

4 2. Beginning August 28, 1989, and continuing monthly thereafter until  
5 August 27, 2003, each county treasurer shall pay to the system the following  
6 amounts to be drawn from the general revenues of the county:

7 (1) For counties of the third and fourth classification except as provided  
8 in subdivision (3) of this subsection, three hundred seventy-five dollars;

9 (2) For counties of the second classification, five hundred forty-one dollars  
10 and sixty-seven cents;

11 (3) For counties of the first classification, **and, except as otherwise**  
12 **provided under section 56.363**, counties which pursuant to section 56.363  
13 elect to make the position of prosecuting attorney a full-time position after  
14 August 28, 2001, or whose county commission has elected a full-time retirement  
15 benefit pursuant to subsection 3 of section 56.363, and the city of St. Louis, one  
16 thousand two hundred ninety-one dollars and sixty-seven cents.

17 3. Beginning August 28, 1989, and continuing until August 27, 2003, the  
18 county treasurer shall at least monthly transmit the sums specified in subsection  
19 2 of this section to the Missouri office of prosecution services for deposit to the  
20 credit of the "Missouri Prosecuting Attorneys and Circuit Attorneys' Retirement  
21 System Fund", which is hereby created. All moneys held by the state treasurer  
22 on behalf of the system shall be paid to the system within ninety days after  
23 August 28, 1993. Moneys in the Missouri prosecuting attorneys and circuit  
24 attorneys' retirement system fund shall be used only for the purposes provided  
25 in sections 56.800 to 56.840 and for no other purpose.

26 4. Beginning August 28, 2003, the funds for prosecuting attorneys and  
27 circuit attorneys provided for in this section shall be paid from county or city  
28 funds and the surcharge established in this section and collected as provided by  
29 this section and sections 488.010 to 488.020.

30 5. Beginning August 28, 2003, each county treasurer shall pay to the  
31 system the following amounts to be drawn from the general revenues of the

32 county:

33 (1) For counties of the third and fourth classification except as provided  
34 in subdivision (3) of this subsection, one hundred eighty-seven dollars;

35 (2) For counties of the second classification, two hundred seventy-one  
36 dollars;

37 (3) For counties of the first classification, counties which pursuant to  
38 section 56.363 elect to make the position of prosecuting attorney a full-time  
39 position after August 28, 2001, or whose county commission has elected a  
40 full-time retirement benefit pursuant to subsection 3 of section 56.363, and the  
41 city of St. Louis, six hundred forty-six dollars.

42 6. Beginning August 28, 2003, the county treasurer shall at least monthly  
43 transmit the sums specified in subsection 5 of this section to the Missouri office  
44 of prosecution services for deposit to the credit of the Missouri prosecuting  
45 attorneys and circuit attorneys' retirement system fund. Moneys in the Missouri  
46 prosecuting attorneys and circuit attorneys' retirement system fund shall be used  
47 only for the purposes provided in sections 56.800 to 56.840, and for no other  
48 purpose.

49 7. Beginning August 28, 2003, the following surcharge for prosecuting  
50 attorneys and circuit attorneys shall be collected and paid as follows:

51 (1) There shall be assessed and collected a surcharge of four dollars in all  
52 criminal cases filed in the courts of this state including violation of any county  
53 ordinance or any violation of criminal or traffic laws of this state, including  
54 infractions, but no such surcharge shall be assessed when the costs are waived  
55 or are to be paid by the state, county, or municipality or when a criminal  
56 proceeding or the defendant has been dismissed by the court or against any  
57 person who has pled guilty and paid their fine pursuant to subsection 4 of section  
58 476.385. For purposes of this section, the term "county ordinance" shall include  
59 any ordinance of the city of St. Louis;

60 (2) The clerk responsible for collecting court costs in criminal cases shall  
61 collect and disburse such amounts as provided by sections 488.010 to  
62 488.026. Such funds shall be payable to the prosecuting attorneys and circuit  
63 attorneys' retirement fund. Moneys credited to the prosecuting attorneys and  
64 circuit attorneys' retirement fund shall be used only for the purposes provided for  
65 in sections 56.800 to 56.840 and for no other purpose.

66 8. The board may accept gifts, donations, grants and bequests from  
67 private or public sources to the Missouri prosecuting attorneys and circuit

68 attorneys' retirement system fund.

69 9. No state moneys shall be used to fund section 56.700 and sections  
70 56.800 to 56.840 unless provided for by law.

56.816. 1. The normal annuity of a retired member who served as  
2 prosecuting attorney of a county of the third or fourth class shall, except as  
3 provided in subsection 3 of this section, be equal to:

4 (1) Any member who has served twelve or more years as a prosecuting  
5 attorney and who meets the conditions of retirement at or after the member's  
6 normal retirement age shall be entitled to a normal annuity in a monthly amount  
7 equal to one hundred five dollars multiplied by the number of two-year periods  
8 and partial two-year periods served as a prosecuting attorney;

9 (2) Any member who has served twenty or more years as a prosecuting  
10 attorney and who meets the conditions of retirement at or after the member's  
11 normal retirement age shall be entitled to a normal annuity in a monthly amount  
12 equal to one hundred thirty dollars multiplied by the number of two-year periods  
13 and partial two-year periods as a prosecuting attorney.

14 2. The normal annuity of a retired member who served as prosecuting  
15 attorney of a first or second class county or as circuit attorney of a city not within  
16 a county shall be equal to fifty percent of the final average compensation.

17 3. **Except as otherwise provided under section 56.363**, the normal  
18 annuity of a retired member who served as a prosecuting attorney of a county  
19 which after August 28, 2001, elected to make the position of prosecuting attorney  
20 full time pursuant to section 56.363 shall be equal to fifty percent of the final  
21 average compensation.

22 4. The actuarial present value of a retired member's benefits shall be  
23 placed in a reserve account designated as a "Retired Lives Reserve". The value  
24 of the retired lives reserve shall be increased by the actuarial present value of  
25 retiring members' benefits, and by the interest earning of the total fund on a pro  
26 rata basis and it shall be decreased by payments to retired members and their  
27 survivors. Each year the actuary shall compare the actuarial present value of  
28 retired members' benefits with the retired lives reserve. If the value of the  
29 retired lives reserve plus one year's interest at the assumed rate of interest  
30 exceeds the actuarial present value of retired lives, then distribution of this  
31 excess may be made equally to all retired members, or their eligible  
32 survivors. The distribution may be in a single sum or in monthly payments at  
33 the discretion of the board on the advice of the actuary.

57.095. Notwithstanding the provisions of section 537.600 to the  
2 contrary, sheriffs or any other law enforcement officers shall have  
3 immunity from any liability, civil or criminal, while conducting service  
4 of process at the direction of any court to the extent that the officers'  
5 actions do not violate clearly established statutory or constitutional  
6 rights of which a reasonable person would have known.

67.281. 1. A builder of one- or two-family dwellings or townhouses shall  
2 offer to any purchaser on or before the time of entering into the purchase contract  
3 the option, at the purchaser's cost, to install or equip fire sprinklers in the  
4 dwelling or townhouse. Notwithstanding any other provision of law to the  
5 contrary, no purchaser of such a one- or two-family dwelling or townhouse shall  
6 be denied the right to choose or decline to install a fire sprinkler system in such  
7 dwelling or townhouse being purchased by any code, ordinance, rule, regulation,  
8 order, or resolution by any county or other political subdivision. Any county or  
9 other political subdivision shall provide in any such code, ordinance, rule,  
10 regulation, order, or resolution the mandatory option for purchasers to have the  
11 right to choose and the requirement that builders offer to purchasers the option  
12 to purchase fire sprinklers in connection with the purchase of any one- or  
13 two-family dwelling or townhouse. The provisions of this section shall expire on  
14 December 31, [2019] **2024**.

2. Any governing body of any political subdivision that adopts the 2009  
16 International Residential Code for One- and Two-Family Dwellings or a  
17 subsequent edition of such code without mandated automatic fire sprinkler  
18 systems in Section R313 of such code shall retain the language in section R317  
19 of the 2006 International Residential Code for two-family dwellings (R317.1) and  
20 townhouses (R317.2).

67.320. 1. Any county [of the first classification with more than one  
2 hundred ninety-eight thousand but less than one hundred ninety-nine thousand  
3 two hundred] **with a charter form of government and with more than two**  
4 **hundred thousand but fewer than three hundred fifty thousand**  
5 inhabitants or any county of the first classification with more than one hundred  
6 one thousand but fewer than one hundred fifteen thousand inhabitants may  
7 prosecute and punish violations of its county orders in the circuit court of such  
8 counties in the manner and to the extent herein provided or in a county  
9 municipal court if creation of a county municipal court is approved by order of the  
10 county commission. The county may adopt orders with penal provisions

11 consistent with state law, but only in the areas of traffic violations, solid waste  
12 management, county building codes, on-site sewer treatment, zoning orders, and  
13 animal control. Any county municipal court established pursuant to the  
14 provisions of this section shall have jurisdiction over violations of that county's  
15 orders and the ordinances of municipalities with which the county has a contract  
16 to prosecute and punish violations of municipal ordinances of the municipality.

17       2. Except as provided in subsection 5 of this section in any county which  
18 has elected to establish a county municipal court pursuant to this section, the  
19 judges for such court shall be appointed by the county commission of such county,  
20 subject to confirmation by the legislative body of such county in the same manner  
21 as confirmation for other county appointed officers. The number of judges  
22 appointed, and qualifications for their appointment, shall be established by order  
23 of the commission.

24       3. The practice and procedure of each prosecution shall be conducted in  
25 compliance with all of the terms and provisions of sections 66.010 to 66.140,  
26 except as provided for in this section.

27       4. Any use of the term ordinance in sections 66.010 to 66.140 shall be  
28 synonymous with the term order for purposes of this section.

29       5. In any county of the first classification with more than one hundred one  
30 thousand but fewer than one hundred fifteen thousand inhabitants, the first  
31 judges shall be appointed by the county commission for a term of four years, and  
32 thereafter the judges shall be elected for a term of four years. The number of  
33 judges appointed, and qualifications for their appointment, shall be established  
34 by order of the commission.

79.130. 1. The style of the ordinances of the city shall be: "Be it ordained  
2 by the board of aldermen of the city of ....., as follows:" No ordinance shall be  
3 passed except by bill, and no bill shall become an ordinance unless on its final  
4 passage a majority of the members elected to the board of aldermen shall vote for  
5 it, and the ayes and nays be entered on the journal. Every proposed ordinance  
6 shall be introduced to the board of aldermen in writing and shall be read by title  
7 or in full two times prior to passage, both readings may occur at a single meeting  
8 of the board of aldermen. If the proposed ordinance is read by title only, copies  
9 of the proposed ordinance shall be made available for public inspection prior to  
10 the time the bill is under consideration by the board of aldermen. No bill shall  
11 become an ordinance until it shall have been signed by the mayor or person  
12 exercising the duties of the mayor's office, or shall have been passed over the

13 mayor's veto, as herein provided.

14 **2. The provisions of this section shall not apply to ordinances**  
15 **proposed or passed under section 79.135.**

**79.135. 1. In any city of the fourth classification with more than**  
2 **five thousand but fewer than six thousand inhabitants and located in**  
3 **any county of the third classification without a township form of**  
4 **government and with more than sixteen thousand but fewer than**  
5 **eighteen thousand inhabitants, a proposed ordinance may be submitted**  
6 **to the board of aldermen by petition signed by at least ten percent of**  
7 **the registered voters voting for mayor at the last municipal**  
8 **election. The petition shall contain, in addition to the requisite number**  
9 **of valid signatures, the full text of the ordinance sought to be passed**  
10 **and a request that the ordinance be submitted to a vote of the people**  
11 **if not passed by the board of aldermen.**

12 **2. The signatures to the petition need not all be appended to one**  
13 **paper, but each signer shall add to his or her signature his or her place**  
14 **of residence, giving the street and number. One of the signers of each**  
15 **such paper shall make oath before an officer competent to administer**  
16 **oaths that the statements therein made are true as he or she believes**  
17 **and that each signature to the paper appended is the genuine signature**  
18 **of the person whose name it purports to be.**

19 **3. Within ten days from the date of filing such petition, the city**  
20 **clerk shall examine and ascertain whether the petition is signed by the**  
21 **requisite number of voters, and, if necessary, the board of aldermen**  
22 **shall allow the clerk extra help for such purpose. The clerk shall**  
23 **attach a certificate of examination to the petition. If by the clerk's**  
24 **certificate the petition is shown to be insufficient, the petition may be**  
25 **amended within ten days from the date of the issuance of the clerk's**  
26 **certificate. The clerk shall, within ten days after such amendment,**  
27 **make like examination of the amended petition. If the second**  
28 **certificate shows the petition to be insufficient, the petition shall be**  
29 **returned to the person filing it, without prejudice to the filing of a new**  
30 **petition to the same effect. If the petition is deemed to be sufficient,**  
31 **the clerk shall submit it to the board of aldermen without delay.**

32 **4. Upon receipt of the petition and certificate from the clerk, the**  
33 **board of aldermen shall either:**

34 **(1) Pass said ordinance without alteration within twenty days**

35 after attachment of the clerk's certificate to the accompanying petition;  
36 or

37 (2) Submit the question without alteration to the voters at the  
38 next municipal election, or, if the petition has been signed by twenty-  
39 five percent or more of the registered voters voting for mayor at the  
40 last municipal election, the board of aldermen shall immediately submit  
41 the question without alteration to the voters of the city.

42 5. The question shall be submitted in substantially the following  
43 form:

44 Shall the following ordinance be (adopted) (repealed)? (Set  
45 out ordinance)

46 6. If a majority of the voters vote in favor thereof, such  
47 ordinance shall thereupon become a valid and binding ordinance of the  
48 city.

49 7. Any number of proposed ordinances may be voted upon at the  
50 same election, in accordance with the provisions of this section.

51 8. Any ordinance in effect that was proposed by petition cannot  
52 be repealed except by a vote of the people. The board of aldermen may  
53 submit a proposition for the repeal of any such ordinance or for  
54 amendments thereto, to be voted upon at any municipal election; and  
55 should such proposition receive a majority of the votes cast thereon,  
56 such ordinance shall thereby be repealed or amended accordingly. The  
57 board of aldermen may amend an ordinance proposed by petition  
58 without a vote of the people, but the original purpose of the ordinance  
59 may not be changed by such amendment.

94.270. 1. The mayor and board of aldermen shall have power and  
2 authority to regulate and to license and to levy and collect a license tax on  
3 auctioneers, druggists, hawkers, peddlers, banks, brokers, pawnbrokers,  
4 merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns,  
5 hotels, public boardinghouses, billiard and pool tables and other tables, bowling  
6 alleys, lumber dealers, real estate agents, loan companies, loan agents, public  
7 buildings, public halls, opera houses, concerts, photographers, bill posters, artists,  
8 agents, porters, public lecturers, public meetings, circuses and shows, for parades  
9 and exhibitions, moving picture shows, horse or cattle dealers, patent right  
10 dealers, stockyards, inspectors, gaugers, mercantile agents, gas companies,  
11 insurance companies, insurance agents, express companies, and express agents,  
12 telegraph companies, light, power and water companies, telephone companies,

13 manufacturing and other corporations or institutions, automobile agencies, and  
14 dealers, public garages, automobile repair shops or both combined, dealers in  
15 automobile accessories, gasoline filling stations, soft drink stands, ice cream  
16 stands, ice cream and soft drink stands combined, soda fountains, street railroad  
17 cars, omnibuses, drays, transfer and all other vehicles, traveling and auction  
18 stores, plumbers, and all other business, trades and avocations whatsoever, and  
19 fix the rate of carriage of persons, drayage and cartage of property; and to license,  
20 tax, regulate and suppress ordinaries, money brokers, money changers,  
21 intelligence and employment offices and agencies, public masquerades, balls,  
22 street exhibitions, dance houses, fortune tellers, pistol galleries, corn doctors,  
23 private venereal hospitals, museums, menageries, equestrian performances,  
24 horoscopic views, telescopic views, lung testers, muscle developers, magnifying  
25 glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables,  
26 theatrical or other exhibitions, boxing and sparring exhibitions, shows and  
27 amusements, tippling houses, and sales of unclaimed goods by express companies  
28 or common carriers, auto wrecking shops and junk dealers; to license, tax and  
29 regulate hackmen, draymen, omnibus drivers, porters and all others pursuing like  
30 occupations, with or without vehicles, and to prescribe their compensation; and  
31 to regulate, license and restrain runners for steamboats, cars, and public houses;  
32 and to license ferries, and to regulate the same and the landing thereof within  
33 the limits of the city, and to license and tax auto liveries, auto drays and jitneys.

34         2. Notwithstanding any other law to the contrary, no city of the fourth  
35 classification with more than eight hundred but less than nine hundred  
36 inhabitants and located in any county with a charter form of government and  
37 with more than one million inhabitants shall levy or collect a license fee on hotels  
38 or motels in an amount in excess of [twenty-seven] **thirteen** dollars **fifty** cents  
39 per room per year. No hotel or motel in such city shall be required to pay a  
40 license fee in excess of such amount, and any license fee in such city that exceeds  
41 the limitations of this subsection shall be automatically reduced to comply with  
42 this subsection.

43         3. Notwithstanding any other law to the contrary, no city of the fourth  
44 classification with more than four thousand one hundred but less than four  
45 thousand two hundred inhabitants and located in any county with a charter form  
46 of government and with more than one million inhabitants shall levy or collect  
47 a license fee on hotels or motels in an amount in excess of thirteen dollars and  
48 fifty cents per room per year. No hotel or motel in such city shall be required to

49 pay a license fee in excess of such amount, and any license fee in such city that  
50 exceeds the limitations of this subsection shall be automatically reduced to  
51 comply with this subsection.

52 4. Notwithstanding any other law to the contrary, on or after January 1,  
53 2006, no city of the fourth classification with more than fifty-one thousand three  
54 hundred and eighty but less than fifty-one thousand four hundred inhabitants  
55 and located in any county with a charter form of government and with more than  
56 two hundred eighty thousand but less than two hundred eighty-five thousand or  
57 no city of the fourth classification with more than fifty-one thousand but fewer  
58 than fifty-two thousand inhabitants and located in any county with a charter  
59 form of government and with more than two hundred eighty thousand but less  
60 than two hundred eighty-five thousand shall levy or collect a license fee on hotels  
61 or motels in an amount in excess of one thousand dollars per year. No hotel or  
62 motel in such city shall be required to pay a license fee in excess of such amount,  
63 and any license fee in such city that exceeds the limitation of this subsection  
64 shall be automatically reduced to comply with this subsection.

65 5. Any city under subsection 4 of this section may increase a hotel and  
66 motel license tax by five percent per year but the total tax levied under this  
67 section shall not exceed one-eighth of one percent of such hotels' or motels' gross  
68 revenue.

69 6. Any city under subsection 1 of this section may increase a hotel and  
70 motel license tax by five percent per year but the total tax levied under this  
71 section shall not exceed the greater of:

- 72 (1) One-eighth of one percent of such hotels' or motels' gross revenue; or  
73 (2) The business license tax rate for such hotel or motel on May 1, 2005.

74 7. The provisions of subsection 6 of this section shall not apply to any tax  
75 levied by a city when the revenue from such tax is restricted for use to a project  
76 from which bonds are outstanding as of May 1, 2005.

**105.1415. Any person who performs volunteer work in the office  
2 of a judge or prosecutor and receives no pay or compensation shall not  
3 be considered an employee of the county or municipality.**

**135.980. 1. As used in this section, the following terms shall  
2 mean:**

- 3 (1) "NAICS", the classification provided by the most recent  
4 edition of the North American Industry Classification System as  
5 prepared by the Executive Office of the President, Office of

**6 Management and Budget;**

**7 (2) "Public financial incentive", any economic or financial  
8 incentive offered including:**

**9 (a) Any tax reduction, credit, forgiveness, abatement, subsidy, or  
10 other tax-relieving measure;**

**11 (b) Any tax increment financing or similar financial  
12 arrangement;**

**13 (c) Any monetary or non-monetary benefit related to any bond,  
14 loan, or similar financial arrangement;**

**15 (d) Any reduction, credit, forgiveness, abatement, subsidy, or  
16 other relief related to any bond, loan, or similar financial arrangement;  
17 and**

**18 (e) The ability to form, own, direct, or receive any economic or  
19 financial benefit from any special taxation district.**

**20 2. No city not within a county shall by ballot measure impose any  
21 restriction on any public financial incentive authorized by statute for  
22 a business with a NAICS code of 212111.**

**23 3. The provisions of this section shall expire on December 31,  
24 2017.**

182.802. 1. (1) Any public library district located in any of the following  
2 counties may impose a tax as provided in this section:

**3 (a) At least partially within any county of the third classification without  
4 a township form of government and with more than forty thousand eight hundred  
5 but fewer than forty thousand nine hundred inhabitants;**

**6 (b) Any county of the third classification without a township form of  
7 government and with more than thirteen thousand five hundred but fewer than  
8 thirteen thousand six hundred inhabitants;**

**9 (c) Any county of the third classification without a township form of  
10 government and with more than thirteen thousand two hundred but fewer than  
11 thirteen thousand three hundred inhabitants;**

**12 (d) Any county of the third classification with a township form of  
13 government and with more than twenty-nine thousand seven hundred but fewer  
14 than twenty-nine thousand eight hundred inhabitants;**

**15 (e) Any county of the second classification with more than nineteen  
16 thousand seven hundred but fewer than nineteen thousand eight hundred  
17 inhabitants;**

18 (f) Any county of the third classification with a township form of  
19 government and with more than thirty-three thousand one hundred but fewer  
20 than thirty-three thousand two hundred inhabitants;

21 (g) Any county of the third classification without a township form of  
22 government and with more than eighteen thousand but fewer than twenty  
23 thousand inhabitants and with a city of the third classification with more than  
24 six thousand but fewer than seven thousand inhabitants as the county seat;

25 **(h) Any county of the fourth classification with more than twenty**  
26 **thousand but fewer than thirty thousand inhabitants.**

27 (2) Any public library district listed in subdivision (1) of this subsection  
28 may, by a majority vote of its board of directors, impose a tax not to exceed one-  
29 half of one cent on all retail sales subject to taxation under sections 144.010 to  
30 144.525 for the purpose of funding the operation and maintenance of public  
31 libraries within the boundaries of such library district. The tax authorized by  
32 this subsection shall be in addition to all other taxes allowed by law. No tax  
33 under this subsection shall become effective unless the board of directors submits  
34 to the voters of the district, at a county or state general, primary or special  
35 election, a proposal to authorize the tax, and such tax shall become effective only  
36 after the majority of the voters voting on such tax approve such tax.

37 2. In the event the district seeks to impose a sales tax under this  
38 subsection, the question shall be submitted in substantially the following form:

39 Shall a ..... cent sales tax be levied on all retail sales within the district  
40 for the purpose of providing funding for ..... library district?

41  YES  NO

42 If a majority of the votes cast on the proposal by the qualified voters voting  
43 thereon are in favor of the proposal, then the tax shall become effective. If a  
44 majority of the votes cast by the qualified voters voting are opposed to the  
45 proposal, then the board of directors shall have no power to impose the tax unless  
46 and until another proposal to authorize the tax is submitted to the voters of the  
47 district and such proposal is approved by a majority of the qualified voters voting  
48 thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax  
49 approved under this subsection.

50 3. As used in this section, "qualified voters" or "voters" means any  
51 individuals residing within the district who are eligible to be registered voters  
52 and who have registered to vote under chapter 115, or, if no individuals are  
53 eligible and registered to vote reside within the proposed district, all of the

54 owners of real property located within the proposed district who have  
55 unanimously petitioned for or consented to the adoption of an ordinance by the  
56 governing body imposing a tax authorized in this section. If the owner of the  
57 property within the proposed district is a political subdivision or corporation of  
58 the state, the governing body of such political subdivision or corporation shall be  
59 considered the owner for purposes of this section.

60 4. For purposes of this section the term "public library district" shall  
61 mean any city library district, county library district, city-county library district,  
62 municipal library district, consolidated library district, or urban library district.

**190.088. 1. A city of the fourth classification with more than two  
2 thousand seven hundred but fewer than three thousand inhabitants and  
3 located in any county of the first classification with more than  
4 eighty-three thousand but fewer than ninety-two thousand inhabitants  
5 that is located partially within an ambulance district may file with the  
6 ambulance district's board of directors a notice of intention of  
7 detachment stating the city's intent that the area located within the  
8 city and the ambulance district, or a portion of such area, is to be  
9 excluded and taken from the district. The filing of a notice of intention  
10 of detachment must be authorized by ordinance. Such notice of  
11 intention of detachment shall describe the subject area to be excluded  
12 from the ambulance district in the form of a legal description and map.**

**13 2. After filing the notice of intention of detachment with the  
14 ambulance district, the city shall conduct a public hearing on the  
15 notice of intention of detachment and give notice by publication in a  
16 newspaper of general circulation qualified to publish legal matters in  
17 the county where the subject area is located, at least once a week for  
18 three consecutive weeks prior to the hearing, with the last notice being  
19 not more than twenty days and not less than ten days before the  
20 hearing. The hearing may be continued to another date without further  
21 notice other than a motion to be entered upon the minutes fixing the  
22 time and place of the subsequent hearing. At the public hearing, the  
23 city shall present its reasons why it desires to detach the subject area  
24 from the ambulance district and its plan to provide or cause to be  
25 provided ambulance services to the subject area.**

**26 3. Following the public hearing, the governing body of the city  
27 may approve the detachment of the subject area from the ambulance  
28 district by enacting an ordinance with two-thirds of all members of the**

29 legislative body of the city voting in favor of the ordinance.

30           4. Upon duly enacting such detachment ordinance, the city shall  
31 cause three certified copies of the same to be filed with the county  
32 assessor and the clerk of the county wherein the city is located and one  
33 certified copy to be filed with the election authority if different from  
34 the clerk of the county that has jurisdiction over the area being  
35 detached.

36           5. Upon the effective date of the ordinance, which may be up to  
37 one year from the date of its passage and approval, the ambulance  
38 district shall no longer provide or cause to be provided ambulance  
39 services to the subject area and shall no longer levy and collect any tax  
40 upon the property included within the detached area, provided that all  
41 real property excluded from an ambulance district shall thereafter be  
42 subject to the levy of taxes for the payment of any indebtedness of the  
43 ambulance district outstanding at the time of exclusion; provided that  
44 after any real property shall have been excluded from an ambulance  
45 district as provided under this section, any buildings and  
46 improvements thereafter erected or constructed on the excluded real  
47 property, all machinery and equipment thereafter installed or placed  
48 on the excluded real property, and all tangible personal property not  
49 in the ambulance district at the time of the exclusion of the subject  
50 area, shall not be subject to any taxes levied by the ambulance district.

51           6. The city shall also:

52           (1) On or before January first of the second calendar year after  
53 the date on which the property was detached from the ambulance  
54 district, pay to the ambulance district a fee equal to the amount of  
55 revenue that would have been generated during the previous calendar  
56 year by the ambulance district tax on the property in the area detached  
57 which was formerly part of the ambulance district;

58           (2) On or before January first of the third calendar year after the  
59 date on which the property was detached from the ambulance district,  
60 pay to the ambulance district a fee equal to four-fifths of the amount of  
61 revenue that would have been generated during the previous calendar  
62 year by the ambulance district tax on the property in the area detached  
63 which was formerly a part of the ambulance district;

64           (3) On or before January first of the fourth calendar year  
65 occurring after the date on which the property was detached from the

66 ambulance district, pay to the ambulance district a fee equal to three-  
67 fifths of the amount of revenue that would have been generated during  
68 the previous calendar year by the ambulance district tax on the  
69 property in the area detached which was formerly a part of the  
70 ambulance district;

71 (4) On or before January first of the fifth calendar year  
72 occurring after the date on which the property was detached from the  
73 ambulance district, pay to the ambulance district a fee equal to two-  
74 fifths of the amount of revenue that would have been generated during  
75 the previous calendar year by the ambulance district tax on the  
76 property in the area detached which was formerly a part of the  
77 ambulance district; and

78 (5) On or before January first of the sixth calendar year  
79 occurring after the date on which the property was detached from the  
80 ambulance district, pay to the ambulance district a fee equal to one-  
81 fifth of the amount of revenue that would have been generated during  
82 the previous calendar year by the ambulance district tax on the  
83 property in the area detached which was formerly a part of the  
84 ambulance district.

85 7. The provisions of this section shall not apply to any county in  
86 which a boundary commission has been established under sections  
87 72.400 to 72.423.

192.310. Nothing in sections 192.260 to 192.320 shall apply to any home  
2 rule city with more than sixty-four thousand but fewer than  
3 seventy-one thousand inhabitants, or cities which now have, or may  
4 hereafter have, a population of seventy-five thousand or over which are  
5 maintaining organized health departments; provided, that such cities shall  
6 furnish the department of health and senior services reports of contagious,  
7 infectious, communicable or dangerous diseases, which have been designated by  
8 them as such and such other statistical information as the board may require.

249.424. 1. If approved by a majority of the voters voting on the  
2 proposal, and upon the adoption of a resolution by a majority of the  
3 sewer district's board of trustees, any sewer district established and  
4 organized under this chapter, may levy and impose annually a fee not  
5 to exceed thirty-six dollars per year within its boundaries for the  
6 repair of lateral sewer service lines on or connecting residential  
7 property having six or fewer dwelling units, except that the fee shall

8 not be imposed on property in the sewer district that is located within  
9 any city, town, village, or unincorporated area of a county that already  
10 imposes a fee under section 249.422. Any sewer district that establishes  
11 or increases the fee used to repair any portion of the lateral sewer  
12 service line shall include all defective portions of the lateral sewer  
13 service line from the residential structure to its connection with the  
14 public sewer system line. Notwithstanding any provision of chapter  
15 448, the fee imposed pursuant to this chapter shall be imposed upon  
16 condominiums that have six or fewer condominium units per building  
17 and each condominium unit shall be responsible for its proportionate  
18 share of any fee charged pursuant to this chapter, and in addition, any  
19 condominium unit shall, if determined to be responsible for and served  
20 by its own individual lateral sewer line, be treated as an individual  
21 residence regardless of the number of units in the development. It  
22 shall be the responsibility of the condominium owner or condominium  
23 association to notify the sewer district that they are not properly  
24 classified as provided in this section.

25 2. The question shall be submitted to the registered voters who  
26 reside within the boundaries of the sewer district, excluding any voters  
27 who live within the boundaries of any city, town, village, or  
28 unincorporated area of a county that already imposes a fee under  
29 section 249.422. The question shall be submitted in substantially the  
30 following form:

31 Shall a maximum charge not to exceed thirty-six dollars be  
32 assessed annually on residential property for each lateral sewer service  
33 line serving six or fewer dwelling units on that property and  
34 condominiums that have six or fewer condominium units per building  
35 and any condominium responsible for its own individual lateral sewer  
36 line to provide funds to pay the cost of certain repairs of those lateral  
37 sewer service lines which may be billed quarterly or annually?

38  YES  NO

39 3. If a majority of the voters voting thereon approve the proposal  
40 provided for in subsection 2 of this section, any sewer district  
41 established and organized under this chapter may, upon the adoption  
42 of a resolution by a majority of the sewer district's board of trustees,  
43 collect and administer such fee in order to protect the public health,

44 welfare, peace, and safety. The funds collected shall be deposited in a  
45 special account to be used solely for the purpose of paying for all or a  
46 portion of the costs reasonably associated with and necessary to  
47 administer and carry out the defective lateral sewer service line  
48 repairs. All interest generated on deposited funds shall be accrued to  
49 the special account established for the repair of lateral sewer service  
50 lines.

51 4. The collector in any county containing a sewer district that  
52 adopts a resolution under this section to collect a fee for the repair of  
53 lateral sewer service lines may add such fee to the general tax levy bills  
54 of property owners within the boundaries of the sewer district,  
55 excluding property located in any city, town, village, or unincorporated  
56 area of the county that already imposes a fee under section 249.422. All  
57 revenues received on such combined bill for the purpose of providing  
58 for the repair of lateral sewer service lines shall be separated from all  
59 other revenues so collected and credited to the special account  
60 established by the sewer district under subsection 3 of this section.

61 5. If a city, town, village, or county, which is within the sewer  
62 district and imposed a fee under section 249.422, later rescinds such fee  
63 after voters authorized the fee provided under this section, the sewer  
64 district may submit the question provided under subsection 2 of this  
65 section to the registered voters of such city, town, village, or county  
66 that have property within the boundaries of the sewer district. If a  
67 majority of voters voting on the proposal approve, the sewer district  
68 may levy and impose the fee as provided under this section on property  
69 within such city, town, village, or county.

262.960. 1. This section shall be known and may be cited as the  
2 "Farm-to-School Act".

3 2. There is hereby created within the department of agriculture  
4 the "Farm-to-School Program" to connect Missouri farmers and schools  
5 in order to provide schools with locally grown agricultural products for  
6 inclusion in school meals and snacks and to strengthen local farming  
7 economies. The department shall designate an employee to administer  
8 and monitor the farm-to-school program and to serve as liaison between  
9 Missouri farmers and schools.

10 3. The following agencies shall make staff available to the  
11 Missouri farm-to-school program for the purpose of providing

12 professional consultation and staff support to assist the implementation  
13 of this section:

- 14 (1) The department of health and senior services;
- 15 (2) The department of elementary and secondary education; and
- 16 (3) The office of administration.

17 4. The duties of the department employee coordinating the farm-  
18 to-school program shall include, but not be limited to:

19 (1) Establishing and maintaining a website database to allow  
20 farmers and schools to connect whereby farmers can enter the locally  
21 grown agricultural products they produce along with pricing  
22 information, the times such products are available, and where they are  
23 willing to distribute such products;

24 (2) Providing leadership at the state level to encourage schools  
25 to procure and use locally grown agricultural products;

26 (3) Conducting workshops and training sessions and providing  
27 technical assistance to school food service directors, personnel,  
28 farmers, and produce distributors and processors regarding the farm-  
29 to-school program; and

30 (4) Seeking grants, private donations, or other funding sources  
31 to support the farm-to-school program.

262.962. 1. As used in this section, section 262.960, and  
2 subsection 5 of section 348.407, the following terms shall mean:

3 (1) "Locally grown agricultural products", food or fiber produced  
4 or processed by a small agribusiness or small farm;

5 (2) "Schools", includes any school in this state that maintains a  
6 food service program under the United States Department of  
7 Agriculture and administered by the school;

8 (3) "Small agribusiness", a qualifying agribusiness as defined in  
9 section 348.400, and located in Missouri with gross annual sales of less  
10 than five million dollars;

11 (4) "Small farm", a family-owned farm or family farm corporation  
12 as defined in section 350.010, and located in Missouri with less than two  
13 hundred fifty thousand dollars in gross sales per year.

14 2. There is hereby created a taskforce under the AgriMissouri  
15 program established in section 261.230, which shall be known as the  
16 "Farm-to-School Taskforce". The taskforce shall be made up of at least  
17 one representative from each of the following agencies: the University

18 of Missouri extension service, the department of agriculture, the  
19 department of elementary and secondary education, and the office of  
20 administration. In addition, the director of the department of  
21 agriculture shall appoint two persons actively engaged in the practice  
22 of small agribusiness. In addition, the director of the department of  
23 elementary and secondary education shall appoint two persons from  
24 schools within the state who direct a food service program. One  
25 representative for the department of agriculture shall serve as the  
26 chairperson for the taskforce and shall coordinate the taskforce  
27 meetings. The taskforce shall hold at least two meetings, but may hold  
28 more as it deems necessary to fulfill its requirements under this  
29 section. Staff of the department of agriculture may provide  
30 administrative assistance to the taskforce if such assistance is  
31 required.

32       **3. The mission of the taskforce is to provide recommendations**  
33 **for strategies that:**

34       **(1) Allow schools to more easily incorporate locally grown**  
35 **agricultural products into their cafeteria offerings, salad bars, and**  
36 **vending machines; and**

37       **(2) Allow schools to work with food service providers to ensure**  
38 **greater use of locally grown agricultural products by developing**  
39 **standardized language for food service contracts.**

40       **4. In fulfilling its mission under this section, the taskforce shall**  
41 **review various food service contracts of schools within the state to**  
42 **identify standardized language that could be included in such contracts**  
43 **to allow schools to more easily procure and use locally grown**  
44 **agricultural products.**

45       **5. The taskforce shall prepare a report containing its findings**  
46 **and recommendations and shall deliver such report to the governor, the**  
47 **general assembly, and to the director of each agency represented on the**  
48 **taskforce by no later than December 31, 2015.**

49       **6. In conducting its work, the taskforce may hold public**  
50 **meetings at which it may invite testimony from experts, or it may**  
51 **solicit information from any party it deems may have information**  
52 **relevant to its duties under this section.**

53       **7. This section shall expire on December 31, 2015.**

304.190. 1. No motor vehicle, unladen or with load, operating exclusively

2 within the corporate limits of cities containing seventy-five thousand inhabitants  
3 or more or within two miles of the corporate limits of the city or within the  
4 commercial zone of the city shall exceed fifteen feet in height.

5           2. No motor vehicle operating exclusively within any said area shall have  
6 a greater weight than twenty-two thousand four hundred pounds on one axle.

7           3. The "commercial zone" of the city is defined to mean that area within  
8 the city together with the territory extending one mile beyond the corporate limits  
9 of the city and one mile additional for each fifty thousand population or portion  
10 thereof provided, however:

11           (1) The commercial zone surrounding a city not within a county shall  
12 extend twenty-five miles beyond the corporate limits of any such city not located  
13 within a county and shall also extend throughout any county with a charter form  
14 of government which adjoins that city and throughout any county with a charter  
15 form of government and with more than two hundred fifty thousand but fewer  
16 than three hundred fifty thousand inhabitants that is adjacent to such county  
17 adjoining such city;

18           (2) The commercial zone of a city with a population of at least four  
19 hundred thousand inhabitants but not more than four hundred fifty thousand  
20 inhabitants shall extend twelve miles beyond the corporate limits of any such  
21 city; except that this zone shall extend from the southern border of such city's  
22 limits, beginning with the western-most freeway, following said freeway south to  
23 the first intersection with a multilane undivided highway, where the zone shall  
24 extend south along said freeway to include a city of the fourth classification with  
25 more than eight thousand nine hundred but less than nine thousand inhabitants,  
26 and shall extend north from the intersection of said freeway and multilane  
27 undivided highway along the multilane undivided highway to the city limits of  
28 a city with a population of at least four hundred thousand inhabitants but not  
29 more than four hundred fifty thousand inhabitants, and shall extend east from  
30 the city limits of a special charter city with more than two hundred seventy-five  
31 but fewer than three hundred seventy-five inhabitants along State Route 210 and  
32 northwest from the intersection of State Route 210 and State Route 10 to include  
33 the boundaries of any city of the third classification with more than ten thousand  
34 eight hundred but fewer than ten thousand nine hundred inhabitants and located  
35 in more than one county. The commercial zone shall continue east along State  
36 Route 10 from the intersection of State Route 10 and State Route 210 to the  
37 eastern city limit of a city of the fourth classification with more than five hundred

38 fifty but fewer than six hundred twenty-five inhabitants and located in any  
39 county of the third classification without a township form of government and with  
40 more than twenty-three thousand but fewer than twenty-six thousand inhabitants  
41 and with a city of the third classification with more than five thousand but fewer  
42 than six thousand inhabitants as the county seat. The commercial zone described  
43 in this subdivision shall be extended to also include the stretch of State Route 45  
44 from its intersection with Interstate 29 extending northwest to the city limits of  
45 any village with more than forty but fewer than fifty inhabitants and located in  
46 any county of the first classification with more than eighty-three thousand but  
47 fewer than ninety-two thousand inhabitants and with a city of the fourth  
48 classification with more than four thousand five hundred but fewer than five  
49 thousand inhabitants as the county seat;

50 (3) The commercial zone of a city of the third classification with more than  
51 nine thousand six hundred fifty but fewer than nine thousand eight hundred  
52 inhabitants shall extend south from the city limits along U.S. Highway 61 to the  
53 intersection of State Route OO in a county of the third classification without a  
54 township form of government and with more than seventeen thousand eight  
55 hundred but fewer than seventeen thousand nine hundred inhabitants;

56 (4) **The commercial zone of a home rule city with more than one**  
57 **hundred eight thousand but fewer than one hundred sixteen thousand**  
58 **inhabitants shall extend north from the city limits along U.S. Highway**  
59 **63 for eight miles, and shall extend east from the city limits along State**  
60 **Route WW to the intersection of State Route J and continue south on**  
61 **State Route J for four miles.**

62 4. In no case shall the commercial zone of a city be reduced due to a loss  
63 of population. The provisions of this section shall not apply to motor vehicles  
64 operating on the interstate highways in the area beyond two miles of a corporate  
65 limit of the city unless the United States Department of Transportation increases  
66 the allowable weight limits on the interstate highway system within commercial  
67 zones. In such case, the mileage limits established in this section shall be  
68 automatically increased only in the commercial zones to conform with those  
69 authorized by the United States Department of Transportation.

70 5. Nothing in this section shall prevent a city, county, or municipality, by  
71 ordinance, from designating the routes over which such vehicles may be operated.

72 6. No motor vehicle engaged in interstate commerce, whether unladen or  
73 with load, whose operations in the state of Missouri are limited exclusively to the

74 commercial zone of a first class home rule municipality located in a county with  
75 a population between eighty thousand and ninety-five thousand inhabitants  
76 which has a portion of its corporate limits contiguous with a portion of the  
77 boundary between the states of Missouri and Kansas, shall have a greater weight  
78 than twenty-two thousand four hundred pounds on one axle, nor shall exceed  
79 fifteen feet in height.

321.322. 1. If any property located within the boundaries of a fire  
2 protection district shall be included within a city having a population of at least  
3 two thousand five hundred but not more than sixty-five thousand which is not  
4 wholly within the fire protection district and which maintains a city fire  
5 department, then upon the date of actual inclusion of the property within the city,  
6 as determined by the annexation process, the city shall within sixty days assume  
7 by contract with the fire protection district all responsibility for payment in a  
8 lump sum or in installments an amount mutually agreed upon by the fire  
9 protection district and the city for the city to cover all obligations of the fire  
10 protection district to the area included within the city, and thereupon the fire  
11 protection district shall convey to the city the title, free and clear of all liens or  
12 encumbrances of any kind or nature, any such tangible real and personal property  
13 of the fire protection district as may be agreed upon, which is located within the  
14 part of the fire protection district located within the corporate limits of the city  
15 with full power in the city to use and dispose of such tangible real and personal  
16 property as the city deems best in the public interest, and the fire protection  
17 district shall no longer levy and collect any tax upon the property included within  
18 the corporate limits of the city; except that, if the city and the fire protection  
19 district cannot mutually agree to such an arrangement, then the city shall  
20 assume responsibility for fire protection in the annexed area on or before January  
21 first of the third calendar year following the actual inclusion of the property  
22 within the city, as determined by the annexation process, and furthermore the  
23 fire protection district shall not levy and collect any tax upon that property  
24 included within the corporate limits of the city after the date of inclusion of that  
25 property:

26 (1) On or before January first of the second calendar year occurring after  
27 the date on which the property was included within the city, the city shall pay to  
28 the fire protection district a fee equal to the amount of revenue which would have  
29 been generated during the previous calendar year by the fire protection district  
30 tax on the property in the area annexed which was formerly a part of the fire

31 protection district;

32 (2) On or before January first of the third calendar year occurring after  
33 the date on which the property was included within the city, the city shall pay to  
34 the fire protection district a fee equal to four-fifths of the amount of revenue  
35 which would have been generated during the previous calendar year by the fire  
36 protection district tax on the property in the area annexed which was formerly  
37 a part of the fire protection district;

38 (3) On or before January first of the fourth calendar year occurring after  
39 the date on which the property was included within the city, the city shall pay to  
40 the fire protection district a fee equal to three-fifths of the amount of revenue  
41 which would have been generated during the previous calendar year by the fire  
42 protection district tax on the property in the area annexed which was formerly  
43 a part of the fire protection district;

44 (4) On or before January first of the fifth calendar year occurring after the  
45 date on which the property was included within the city, the city shall pay to the  
46 fire protection district a fee equal to two-fifths of the amount of revenue which  
47 would have been generated during the previous calendar year by the fire  
48 protection district tax on the property in the area annexed which was formerly  
49 a part of the fire protection district; and

50 (5) On or before January first of the sixth calendar year occurring after  
51 the date on which the property was included within the city, the city shall pay to  
52 the fire protection district a fee equal to one-fifth of the amount of revenue which  
53 would have been generated during the previous calendar year by the fire  
54 protection district tax on the property in the area annexed which was formerly  
55 a part of the fire protection district.

56 Nothing contained in this section shall prohibit the ability of a city to negotiate  
57 contracts with a fire protection district for mutually agreeable services. This  
58 section shall also apply to those fire protection districts and cities which have not  
59 reached agreement on overlapping boundaries previous to August 28, 1990. Such  
60 fire protection districts and cities shall be treated as though inclusion of the  
61 annexed area took place on December thirty-first immediately following August  
62 28, 1990.

63 2. Any property excluded from a fire protection district by reason of  
64 subsection 1 of this section shall be subject to the provisions of section 321.330.

65 3. The provisions of this section shall not apply in any county of the first  
66 class having a charter form of government and having a population of over nine

67 hundred thousand inhabitants.

68 4. [The provisions of this section shall not apply where the annexing city  
69 or town operates a city fire department and was on January 1, 2005, a city of the  
70 fourth classification with more than eight thousand nine hundred but fewer than  
71 nine thousand inhabitants and entirely surrounded by a single fire district. In  
72 such cases, the provision of fire and emergency medical services following  
73 annexation shall be governed by subsections 2 and 3 of section 72.418.

74 5.] The provisions of this section shall not apply where the annexing city  
75 or town operates a city fire department, is any city of the third classification with  
76 more than six thousand but fewer than seven thousand inhabitants and located  
77 in any county with a charter form of government and with more than two  
78 hundred thousand but fewer than three hundred fifty thousand inhabitants, and  
79 is entirely surrounded by a single fire protection district. In such cases, the  
80 provision of fire and emergency medical services following annexation shall be  
81 governed by subsections 2 and 3 of section 72.418.

339.507. 1. There is hereby created within the division of professional  
2 registration the "Missouri Real Estate Appraisers Commission", which shall  
3 consist of seven members appointed by the governor with the advice and consent  
4 of the senate, six of whom shall be appraiser members, and one shall be a public  
5 member. Each member shall be a resident of this state and a registered voter for  
6 a period of one year prior to the person's appointment. The president of the  
7 Missouri Appraiser Advisory Council in office at the time shall, at least ninety  
8 days prior to the expiration of the term of the commission member, other than the  
9 public member, or as soon as feasible after the vacancy on the commission  
10 otherwise occurs, submit to the director of the division of professional registration  
11 a list of five appraisers qualified and willing to fill the vacancy in question, with  
12 the request and recommendation that the governor appoint one of the five persons  
13 so listed, and with the list so submitted, the president of the Missouri Appraiser  
14 Advisory Council shall include in his or her letter of transmittal a description of  
15 the method by which the names were chosen by that association. The public  
16 member shall have never been engaged in the businesses of real estate appraisal,  
17 real estate sales or making loans secured by real estate.

18 2. The real estate appraiser members appointed by the governor shall be  
19 Missouri residents who have real estate appraisal experience in the state of  
20 Missouri for not less than five years immediately preceding their  
21 appointment. Appraiser members of the commission shall be appointed from the

22 registry of state-certified real estate appraisers and state-licensed real estate  
23 appraisers. **Real estate appraiser commission members, appointed after**  
24 **August 28, 2014, shall not be from the same United States congressional**  
25 **district.**

26 3. All members shall be appointed for three-year terms. All members  
27 shall serve until their successors have been appointed and qualified. Vacancies  
28 occurring in the membership of the commission for any reason shall be filled by  
29 appointment by the governor for the unexpired term. Upon expiration of their  
30 terms, members of the commission shall continue to hold office until the  
31 appointment and qualification of their successors. No more than four members  
32 of the commission shall be members of the same political party. No person shall  
33 be appointed for more than two consecutive terms. The governor may remove a  
34 member for cause.

35 4. The commission shall meet at least once each calendar quarter to  
36 conduct its business. A quorum of the commission shall consist of four members.

37 5. Each member of the commission shall be entitled to a per diem  
38 allowance of fifty dollars for each meeting of the commission at which the member  
39 is present and shall be entitled to reimbursement of the member's expenses  
40 necessarily incurred in the discharge of the member's official duties. Each  
41 member of the commission shall be entitled to reimbursement of travel expenses  
42 necessarily incurred in attending meetings of the commission.

43 **6. The commission shall prepare an annual report outlining**  
44 **business conducted by the commission during the previous calendar**  
45 **year and shall submit a copy to the general assembly by April first of**  
46 **each year. The report shall include:**

- 47 (1) **The number of complaints that were filed against licensees;**  
48 (2) **The number and disposition of investigations conducted by**  
49 **the commission pursuant to the filing of a complaint; and**  
50 (3) **An accounting of all expenditures of the commission.**

339.531. 1. **Any person may file a complaint with the commission**  
2 **alleging that a licensee has committed any combination of the acts or**  
3 **omissions provided in subsection 2 of section 339.532. A complaint shall**  
4 **be in writing and shall be signed by the complainant, but a complainant**  
5 **is not required to specify the provisions of law or regulations alleged**  
6 **to have been violated in the complaint.**

7 2. **Upon the receipt of a complaint against a licensee, the**

8 commission shall refer the complaint to the probable cause  
9 committee. The commission shall appoint a probable cause committee  
10 of four members, one of whom shall be a current member of the  
11 commission and three members selected by the commission through  
12 recommendations provided by the Missouri Appraisers Advisory  
13 Council. The probable cause committee shall serve in an advisory  
14 capacity to the commission and review complaints and make a  
15 recommendation to the commission regarding the disposition of the  
16 complaint. The commission shall provide by rule for the selection  
17 process, length of committee member terms, and other procedures  
18 necessary for the functioning of the committee. No complaints shall be  
19 brought before the probable cause committee prior to its creation,  
20 appointment of members, and approval of all rules and regulations  
21 pursuant to chapter 536.

22       3. Each complaint shall be considered a grievance until reviewed  
23 by the probable cause committee. When a grievance is filed under  
24 subsection 1 of this section, a copy shall be provided to the licensee,  
25 who shall have ten working days to respond documenting why the  
26 grievance may have no merit. If the licensee responds within the  
27 allowable time, the probable cause committee shall review the  
28 grievance and response. If the probable cause committee determines  
29 that the grievance has no merit, the grievance shall be dismissed and  
30 no complaint shall be placed on the licensee's record. If the probable  
31 cause committee determines that the grievance has merit, it shall  
32 present the case to the commission, and the commission shall decide  
33 whether or not to proceed with an investigation of the grievance as a  
34 complaint. If the commission decides to proceed with an investigation  
35 of a complaint, at that time the complaint shall become a part of the  
36 licensee's record.

37       4. When the commission determines to proceed with a complaint  
38 against a licensee, the commission shall investigate the actions of the  
39 licensee against whom the complaint is made. In conducting an  
40 investigation, the commission may request the licensee under  
41 investigation to:

42           (1) Answer the charges made against him or her in writing;

43           (2) Produce relevant documentary evidence pertaining to the  
44 specific complaint causing the investigation; and

45           **(3) Appear before the commission.**

46           **5. A copy of any written answer of the licensee requested under**  
47 **subsection 4 of this section may be furnished to the complainant, as**  
48 **long as furnishing the written answer does not require disclosure of**  
49 **confidential information under the Uniform Standards of Professional**  
50 **Appraisal Practice.**

51           **6. The commission shall notify the complainant and the licensee**  
52 **that an investigation has been commenced within ten working days of**  
53 **the date of the commission's decision to proceed with a complaint**  
54 **under subsection 4 of this section. The commission shall also notify**  
55 **and inform the complainant and licensee of the status of the**  
56 **investigation every sixty days following the commencement of the**  
57 **investigation. No investigation shall last longer than twelve**  
58 **months. Once an investigation is closed or dismissed it shall not be**  
59 **reopened.**

60           **7. In the event that the commission fails to meet the notification**  
61 **and investigation requirements of this section or does not finish the**  
62 **investigation within twelve months, then the commission shall provide**  
63 **the complainant at the commission's expense with an appraisal and an**  
64 **appraisal report of the real estate originally appraised by the licensee**  
65 **under investigation.**

66           **8. A real estate appraiser member of the commission shall recuse**  
67 **themselves from any matter in which their knowledge of the parties,**  
68 **circumstances, or subject matter will substantially affect their ability**  
69 **to be fair and impartial.**

70           **9. Any rule or portion of a rule, as that term is defined in section**  
71 **536.010, that is created under the authority delegated in this section**  
72 **shall become effective only if it complies with and is subject to all of**  
73 **the provisions of chapter 536 and, if applicable, section 536.028. This**  
74 **section and chapter 536 are nonseverable and if any of the powers**  
75 **vested with the general assembly pursuant to chapter 536 to review, to**  
76 **delay the effective date, or to disapprove and annul a rule are**  
77 **subsequently held unconstitutional, then the grant of rulemaking**  
78 **authority and any rule proposed or adopted after the effective date of**  
79 **this section shall be invalid and void.**

80           **10. Nothing in this section shall be construed as limiting or**  
81 **delaying any administrative remedies or actions available through the**

**82 administrative hearing process.**

**83 11. The provisions of this section shall become effective August**  
**84 28, 2015.**

348.407. 1. The authority shall develop and implement agricultural  
2 products utilization grants as provided in this section.

3 2. The authority may reject any application for grants pursuant to this  
4 section.

5 3. The authority shall make grants, and may make loans or guaranteed  
6 loans from the grant fund to persons for the creation, development and operation,  
7 for up to three years from the time of application approval, of rural agricultural  
8 businesses whose projects add value to agricultural products and aid the economy  
9 of a rural community.

10 4. The authority may make loan guarantees to qualified agribusinesses  
11 for agricultural business development loans for businesses that aid in the  
12 economy of a rural community and support production agriculture or add value  
13 to agricultural products by providing necessary products and services for  
14 production or processing.

15 **5. The authority may make grants, loans, or loan guarantees to**  
16 **Missouri businesses to access resources for accessing and processing**  
17 **locally grown agricultural products for use in schools within the state.**

18 **6.** The authority may, upon the provision of a fee by the requesting person  
19 in an amount to be determined by the authority, provide for a feasibility study of  
20 the person's rural agricultural business concept.

21 **[6.] 7.** Upon a determination by the authority that such concept is  
22 feasible and upon the provision of a fee by the requesting person, in an amount  
23 to be determined by the authority, the authority may then provide for a  
24 marketing study. Such marketing study shall be designed to determine whether  
25 such concept may be operated profitably.

26 **[7.] 8.** Upon a determination by the authority that the concept may be  
27 operated profitably, the authority may provide for legal assistance to set up the  
28 business. Such legal assistance shall include, but not be limited to, providing  
29 advice and assistance on the form of business entity, the availability of tax credits  
30 and other assistance for which the business may qualify as well as helping the  
31 person apply for such assistance.

32 **[8.] 9.** The authority may provide or facilitate loans or guaranteed loans  
33 for the business including, but not limited to, loans from the United States

34 Department of Agriculture Rural Development Program, subject to  
35 availability. Such financial assistance may only be provided to feasible projects,  
36 and for an amount that is the least amount necessary to cause the project to  
37 occur, as determined by the authority. The authority may structure the financial  
38 assistance in a way that facilitates the project, but also provides for a  
39 compensatory return on investment or loan payment to the authority, based on  
40 the risk of the project.

41 [9.] 10. The authority may provide for consulting services in the building  
42 of the physical facilities of the business.

43 [10.] 11. The authority may provide for consulting services in the  
44 operation of the business.

45 [11.] 12. The authority may provide for such services through employees  
46 of the state or by contracting with private entities.

47 [12.] 13. The authority may consider the following in making the  
48 decision:

- 49 (1) The applicant's commitment to the project through the applicant's risk;
- 50 (2) Community involvement and support;
- 51 (3) The phase the project is in on an annual basis;
- 52 (4) The leaders and consultants chosen to direct the project;
- 53 (5) The amount needed for the project to achieve the bankable stage; and
- 54 (6) The [projects] **project's** planning for long-term success through  
55 feasibility studies, marketing plans and business plans.

56 [13.] 14. The department of agriculture, the department of natural  
57 resources, the department of economic development and the University of  
58 Missouri may provide such assistance as is necessary for the implementation and  
59 operation of this section. The authority may consult with other state and federal  
60 agencies as is necessary.

61 [14.] 15. The authority may charge fees for the provision of any service  
62 pursuant to this section.

63 [15.] 16. The authority may adopt rules to implement the provisions of  
64 this section.

65 [16.] 17. Any rule or portion of a rule, as that term is defined in section  
66 536.010, that is created under the authority delegated in sections 348.005 to  
67 348.180 shall become effective only if it complies with and is subject to all of the  
68 provisions of chapter 536 and, if applicable, section 536.028. All rulemaking  
69 authority delegated prior to August 28, 1999, is of no force and effect and

70 repealed. Nothing in this section shall be interpreted to repeal or affect the  
71 validity of any rule filed or adopted prior to August 28, 1999, if it fully complied  
72 with all applicable provisions of law. This section and chapter 536 are  
73 nonseverable and if any of the powers vested with the general assembly pursuant  
74 to chapter 536 to review, to delay the effective date or to disapprove and annul  
75 a rule are subsequently held unconstitutional, then the grant of rulemaking  
76 authority and any rule proposed or adopted after August 28, 1999, shall be  
77 invalid and void.

**407.1610. It shall be unlawful for any person or entity to engage  
2 in the speculative accumulation of asphalt roofing shingles in any city  
3 not within a county. For the purposes of this section, the term  
4 "speculative accumulation" means the collection or storage of asphalt  
5 shingles without a showing that, during a calendar year, at least  
6 seventy-five percent of the material accumulated during the year,  
7 either by weight or by volume, will be recycled for other use.**

**408.040. 1. Judgments shall accrue interest on the judgment  
2 balance as set forth in this section. The "judgment balance" is defined  
3 as the total amount of the judgment awarded on the day judgment is  
4 entered including, but not limited to, principal, prejudgment interest,  
5 and all costs and fees. Post-judgment payments or credits shall be  
6 applied first to post-judgment costs, then to post-judgment interest, and  
7 then to the judgment balance.**

8 **2.** In all nontort actions, interest shall be allowed on all money due upon  
9 any judgment or order of any court from the date judgment is entered by the trial  
10 court until satisfaction be made by payment, accord or sale of property; all such  
11 judgments and orders for money upon contracts bearing more than nine percent  
12 interest shall bear the same interest borne by such contracts, and all other  
13 judgments and orders for money shall bear nine percent per annum until  
14 satisfaction made as aforesaid.

15 **[2.] 3.** Notwithstanding the provisions of subsection **[1] 2** of this section,  
16 in tort actions, interest shall be allowed on all money due upon any judgment or  
17 order of any court from the date **[of]** judgment is entered by the trial court until  
18 full satisfaction. All such judgments and orders for money shall bear a per  
19 annum interest rate equal to the intended Federal Funds Rate, as established by  
20 the Federal Reserve Board, plus five percent, until full satisfaction is made. The  
21 judgment shall state the applicable interest rate, which shall not vary once

22 entered. In tort actions, if a claimant has made a demand for payment of a claim  
23 or an offer of settlement of a claim, to the party, parties or their representatives,  
24 and to such party's liability insurer if known to the claimant, and the amount of  
25 the judgment or order exceeds the demand for payment or offer of settlement,  
26 then prejudgment interest shall be awarded, calculated from a date ninety days  
27 after the demand or offer was received, as shown by the certified mail return  
28 receipt, or from the date the demand or offer was rejected without counter offer,  
29 whichever is earlier. In order to qualify as a demand or offer pursuant to this  
30 section, such demand must:

31 (1) Be in writing and sent by certified mail return receipt requested; and

32 (2) Be accompanied by an affidavit of the claimant describing the nature  
33 of the claim, the nature of any injuries claimed and a general computation of any  
34 category of damages sought by the claimant with supporting documentation, if  
35 any is reasonably available; and

36 (3) For wrongful death, personal injury, and bodily injury claims, be  
37 accompanied by a list of the names and addresses of medical providers who have  
38 provided treatment to the claimant or decedent for such injuries, copies of all  
39 reasonably available medical bills, a list of employers if the claimant is seeking  
40 damages for loss of wages or earning, and written authorizations sufficient to  
41 allow the party, its representatives, and liability insurer if known to the claimant  
42 to obtain records from all employers and medical care providers; and

43 (4) Reference this section and be left open for ninety days.

44 Unless the parties agree in writing to a longer period of time, if the claimant fails  
45 to file a cause of action in circuit court prior to a date one hundred twenty days  
46 after the demand or offer was received, then the court shall not award  
47 prejudgment interest to the claimant. If the claimant is a minor or incompetent  
48 or deceased, the affidavit may be signed by any person who reasonably appears  
49 to be qualified to act as next friend or conservator or personal representative. If  
50 the claim is one for wrongful death, the affidavit may be signed by any person  
51 qualified pursuant to section 537.080 to make claim for the death. Nothing  
52 contained herein shall limit the right of a claimant, in actions other than tort  
53 actions, to recover prejudgment interest as otherwise provided by law or contract.

54 [3.] 4. In tort actions, a judgment for prejudgment interest awarded  
55 pursuant to this [subsection] **section** should bear interest at a per annum  
56 interest rate equal to the intended Federal Funds Rate, as established by the  
57 Federal Reserve Board, plus three percent. The judgment shall state the

58 applicable interest rate, which shall not vary once entered.

488.305. 1. The clerk of the circuit court shall charge and collect fees for  
2 the clerk's duties as prescribed by sections 429.090 and 429.120 in such amounts  
3 as are determined pursuant to sections 488.010 to 488.020.

4 **2. The clerk of the circuit court may charge and collect in cases**  
5 **where a garnishment is granted, a surcharge not to exceed ten dollars**  
6 **for the clerk's duties. Any moneys collected under this subsection shall**  
7 **be placed in a fund to be used at the discretion of the circuit clerk to**  
8 **maintain and improve case processing and record preservation.**

525.040. 1. Notice of garnishment, served as provided in sections 525.010  
2 to 525.480 shall have the effect of attaching all personal property, money, rights,  
3 credits, bonds, bills, notes, drafts, checks or other choses in action of the  
4 defendant in the garnishee's possession or charge, or under his **or her** control at  
5 the time of the service of the garnishment, or which may come into his **or her**  
6 possession or charge, or under his **or her** control, or be owing by him **or her**,  
7 between that time and the time of filing his **or her** answer, **or in the case of**  
8 **a continuous wage garnishment, until the judgment is paid in full or**  
9 **until the employment relationship is terminated, whichever occurs**  
10 **first; but he or she shall not be liable to a judgment in money on account of such**  
11 bonds, bills, notes, drafts, checks or other choses in action, unless the same shall  
12 have been converted into money since the garnishment, or he **or she [fail] fails**,  
13 in such time as the court may prescribe, to deliver them into court, or to the  
14 sheriff or other person designated by the court.

15 **2. Writs of garnishment which would otherwise have equal**  
16 **priority shall have priority according to the date of service on the**  
17 **garnishee. If the employee's wages have been attached by more than**  
18 **one writ of garnishment, the employer shall inform the inferior**  
19 **garnisher of the existence and case number of all senior garnishments.**

525.070. Whenever any property, effects, money or debts, belonging or  
2 owing to the defendant, shall be confessed, or found by the court or jury, to be in  
3 the hands of the garnishee, the garnishee may, at any time before final judgment,  
4 discharge himself **or herself**, by paying or delivering the same, or so much  
5 thereof as the court shall order, to the sheriff [or], to the court, **or if applicable,**  
6 **to the attorney for the party on whose behalf the order of garnishment**  
7 **was issued**, from all further liability on account of the property, money or debts  
8 so paid or delivered.

525.080. 1. If it appear that a garnishee, at or after his or her  
2 garnishment, was possessed of any property of the defendant, or was indebted to  
3 him **or her**, the court, or judge in vacation, may order the delivery of such  
4 property, or the payment of the amount owing by the garnishee, to the sheriff  
5 [or], into court, **or to the attorney for the party on whose behalf the order**  
6 **of garnishment was issued**, at such time as the court may direct; or may  
7 permit the garnishee to retain the same, upon his or her executing a bond to the  
8 plaintiff, with security, approved by the court, to the effect that the property shall  
9 be forthcoming, or the amount paid, as the court may direct. Upon a breach of  
10 the obligation of such bond, the plaintiff may proceed against the obligors therein,  
11 in the manner prescribed in the case of a delivery bond given to the sheriff.

12 2. Notwithstanding subsection 1 of this section, when property is  
13 protected from garnishment by state or federal law including but not limited to  
14 federal restrictions on the garnishment of earnings in Title 15, U.S.C. Sections  
15 1671 to 1677 and Old Age, Survivors and Disability Insurance benefits as  
16 provided in Title 42, U.S.C. Section 407, such property need not be delivered to  
17 the court, **or to any other person**, by the garnishee to the extent such  
18 protection or preemption is applicable.

525.230. [1. The court shall make the garnishee a reasonable allowance]  
2 **The garnishee may deduct a one-time sum not to exceed twenty dollars,**  
3 **or the fee previously agreed upon between the garnishee and judgment**  
4 **debtor if the garnishee is a financial institution**, for his or her trouble and  
5 expenses in answering the interrogatories **and withholding the funds**, to be  
6 [paid out of the funds or proceeds of the property or effects confessed in his or her  
7 hands. The reasonable allowances shall include any court costs, attorney's fees  
8 and any other bona fide expenses of the garnishee.

9 2. The court also shall allow the garnishee, in addition to the reasonable  
10 allowance for his or her trouble and expenses in answering the interrogatories,  
11 to collect an administrative fee consisting of the greater of eight dollars or two  
12 percent of the amount required to be deducted by any court-ordered garnishment  
13 or series of garnishments arising out of the same judgment debt. Such fee shall  
14 be for the trouble and expenses in administering the notice of garnishment and  
15 paying over any garnished funds available to the court. The fee shall be withheld  
16 by the employer from the employee, or by any other garnishee from any fund  
17 garnished, in addition to the moneys withheld to satisfy the court-ordered  
18 judgment. Such fee shall not be a credit against the court-ordered judgment and

19 shall be collected first] **withheld from any funds garnished, in addition to**  
20 **the moneys withheld to satisfy the court-ordered judgment. Such fee**  
21 **shall not be a credit against the court-ordered judgment and shall be**  
22 **collected first. The garnishee may file a motion with the court for**  
23 **additional costs, including attorney's fees, reasonably incurred in**  
24 **answering the interrogatories in which case the court may make such**  
25 **award as it deems reasonable. The motion shall be filed on or before**  
26 **the date the garnishee makes payment or delivers property subject to**  
27 **garnishment to the court.**

525.310. 1. [When a judgment has been rendered against an officer,  
2 appointee or employee of the state of Missouri, or any municipal corporation or  
3 other political subdivision of the state, the judgment creditor, or his attorney or  
4 agent, may file in the office of the clerk of the court before whom the judgment  
5 was rendered, an application setting forth such facts, and that the judgment  
6 debtor is employed by the state, or a municipal corporation or other political  
7 subdivision of the state, with the name of the department of state or the  
8 municipal corporation or other political subdivision of the state which employs  
9 the judgment debtor, and the name of the treasurer, or the name and title of the  
10 paying, disbursing or auditing officer of the state, municipal corporation or other  
11 political subdivision of the state, charged with the duty of payment or audit of  
12 such salary, wages, fees or earnings of such employee, and upon the filing of such  
13 application the clerk shall issue a writ of sequestration directed to the sheriff or  
14 other officer authorized to execute writs in the county in which such paying,  
15 disbursing or auditing officer may be found and the sheriff or other officer to  
16 whom the writ is directed shall serve a true copy thereof upon such paying,  
17 disbursing or auditing officer named therein, which shall have the effect of  
18 attaching any and all salary, wages, fees or earnings of the judgment debtor,  
19 which are not made exempt by virtue of the exemption statutes of this state and  
20 are not in excess of the amount due on the judgment and costs, then due and  
21 payable, from the date of the writ to the return day thereof.

22 2. The paying, disbursing or auditing officer charged with the duty of  
23 payment or audit of the salary, wages, fees or earnings of the judgment debtor  
24 shall deliver to the sheriff or officer serving the writ the amount, not to exceed  
25 the amount due upon the judgment and costs, of the salary, wages, fees or  
26 earnings of the judgment debtor not made exempt by virtue of the exemption  
27 statutes of this state, as the same shall become due to the judgment debtor. The

28 paying, disbursing or auditing officer shall pay to the judgment debtor the  
29 remaining portion of his salary, wages, fees or earnings, as the same shall become  
30 due to the judgment debtor. The sheriff, or officer serving the writ, shall provide  
31 to the paying, disbursing or auditing officer along with the writ sufficient  
32 information to compute the amount which shall be delivered to the sheriff or  
33 officer serving the writ. Neither the state, municipal corporation or other  
34 political subdivision of the state, nor the paying, disbursing or auditing officer  
35 shall be liable for the payment of any amount above the amount delivered to the  
36 sheriff or officer serving the writ if the computation of the amount delivered is in  
37 accordance with the information provided with the writ.

38         3. The sheriff or officer serving such writ shall endorse thereon the day  
39 and date he received the same, and upon receiving any amount in connection with  
40 the writ, shall issue his receipt to such paying, disbursing or auditing officer  
41 therefor. All amounts delivered to the sheriff, or officer serving said writ, in  
42 connection with the writ, or so much thereof as shall be necessary therefor, shall  
43 be applied to the payment of the judgment debt, interest and costs in the same  
44 manner as in the case of garnishment under execution. The sheriff or other  
45 officer serving the writ shall make his return to the writ showing the manner of  
46 serving the same, and he shall be allowed the same fees therefor as provided for  
47 levy of execution, and the writ shall be returnable in the same manner as the  
48 execution issued out of the court in which the judgment was rendered. Nothing  
49 in this section shall deprive the judgment debtor of any exemptions to which he  
50 may be entitled under the exemption laws of this state, and the same may be  
51 claimed by him to the sheriff or other officer serving the writ at any time on or  
52 before the return day of the writ in the manner provided under the exemption  
53 laws of this state. It shall be the duty of such sheriff or other officer serving the  
54 writ, at the time of the service thereof, to apprise the judgment debtor of his  
55 exemption rights, either in person or by registered letter directed to the judgment  
56 debtor to his last known address.] **The state, municipal, or other political**  
57 **subdivision employer served with a garnishment shall have the same**  
58 **duties and obligations as those imposed upon a private employer when**  
59 **served with a garnishment.**

60         2. **Pay of any officer, appointee, or employee of the state of**  
61 **Missouri, or any municipal corporation or other political subdivision**  
62 **of the state, shall be subject to garnishment to the same extent as in**  
63 **any other garnishment. All garnishments against such employee shall**

64 **proceed in the same manner as any other garnishment.**

65 **3. Service of legal process to which a department, municipal**  
66 **corporation, or other political subdivision of the state is subject under**  
67 **this section may be accomplished by personal service upon the paying,**  
68 **disbursing, or auditing officer of the state, municipal corporation or**  
69 **other political subdivision of the state, charged with the duty of**  
70 **payment or audit of such salary, wages, fees, or earnings of such**  
71 **employees.**

Section B. The repeal and reenactment of sections 408.040, 488.305,  
2 525.040, 525.070, 525.080, 525.230, and 525.310 of this act shall become effective  
3 on January 15, 2015.

✓

Bill

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