

SECOND REGULAR SESSION

[PERFECTED]

SENATE BILL NO. 891

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR KENNEY.

Read 1st time January 9, 2002, and 1,000 copies ordered printed.

Read 2nd time January 21, 2002, and referred to the Committee on Transportation.

Reported from the Committee February 4, 2002, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up February 18, 2002. Read 3rd time and placed upon its final passage; bill passed.

3740S.01P

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 238.207, RSMo, relating to transportation development districts, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 238.207, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 238.207, to read as follows:

238.207. 1. Whenever the creation of a district is desired, not less than fifty registered voters from each county partially or totally within the proposed district[, except public streets,] may file a petition requesting the creation of a district. However, if no persons eligible to be registered voters reside within the district, the owners of record of all of the real property, **except public streets**, located within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of any county partially or totally within the proposed district.

2. Alternatively, the governing body of any local transportation authority within any county in which a proposed project may be located may file a petition in the circuit court of that county, requesting the creation of a district.

3. The proposed district area shall be contiguous and may contain all or any portion of one or more municipalities and counties. Property separated only by public streets shall be considered contiguous.

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

4. The petition shall set forth:

(1) The name, voting residence and county of residence of each individual petitioner, or, if no persons eligible to be registered voters reside within the proposed district, the name and address of each owner of record of real property located within the proposed district, or shall recite that the petitioner is the governing body of a local transportation authority acting in its official capacity;

(2) The name and address of each respondent. Respondents must include the commission and each affected local transportation authority within the proposed district, except a petitioning local transportation authority;

(3) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(4) A general description of each project proposed to be undertaken by that district, including a description of the approximate location of each project;

(5) The name of the proposed district;

(6) The number of members of the board of directors of the proposed district, which shall be not less than five or more than fifteen;

(7) A statement that the terms of office of initial board members shall be staggered in approximately equal numbers to expire in one, two or three years;

(8) If the petition was filed by registered voters or by a governing body, a request that the question be submitted to the qualified voters within the limits of the proposed district whether they will establish a transportation development district to develop a specified project or projects;

(9) A proposal for funding the district initially, pursuant to the authority granted in sections 238.200 to 238.275, together with a request that the funding proposal be submitted to the qualified voters residing within the limits of the proposed district; provided, however, the funding method of special assessments may also be approved as provided in subsection 1 of section 238.230; and

(10) A statement that the proposed district shall not be an undue burden on any owner of property within the district and is not unjust or unreasonable.