

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 379
92ND GENERAL ASSEMBLY

Reported from the Committee on Economic Development, Tourism and Local Government, February 17, 2003, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

TERRY L. SPIELER, Secretary.

1335S.02C

AN ACT

To amend chapter 67, RSMo, by adding thereto one new section relating to community improvement districts.

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

Section A. Chapter 67, RSMo, is amended by adding thereto one new section, to be known as section 67.1442, to read as follows:

67.1442. Upon the written request of any real property owner within a home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants, the governing body of the municipality may hold a public hearing for the removal of real property from such district or a change in destination of the class of real property for the purpose of the types of services to be received or fees, taxes, or assessments to be levied and such real property may be removed from such district or have its class destination changed to another class of the same district, provided that:

- (1) The board consents to the removal of such property;**
- (2) The district can meet its obligations without the revenues generated by or on the real property proposed to be removed from the district or moved from one zone designation of the district to another zone designation of the same district; and**
- (3) A public hearing is conducted with notice of the hearing given and such notice shall include:**

- (a) Within a reasonable time, not to exceed forty-five days, after the receipt of the verified petition from the municipal clerk, the governing body shall hold or cause to be held a public hearing on the establishment of the proposed district and shall**

give notice of the public hearing in the manner provided by this section. All reasonable protests, objections, and endorsements shall be heard at the public hearing;

(b) The public hearing may be continued to another date without further notice other than a motion to be entered on the minutes fixing the date, time, and place of the continuance of the public hearing;

(c) Notice of the public hearing shall be given by publication and mailing. Notice by publication shall be given by publication in the newspaper of general circulation within the municipality once a week for two consecutive weeks prior to the week of the public hearing. Notice by mail shall be given not less than fifteen days prior to the public hearing by sending the notice via United States mail to the address of record of each owner of record of real property within the boundaries of the proposed district. The published and mailed notices shall include the following:

- a. The date, time, and place of the public hearing;
- b. A statement that a petition for the establishment of a district has been filed with the municipal clerk;
- c. The boundaries of the proposed district by street location, or other readily identifiable means if no street location exists; and a map illustrating the proposed boundaries;
- d. A statement that a copy of the petition is available for review at the office of the municipal clerk during regular business hours; and
- e. A statement that all interested persons shall be given an opportunity to be heard at the public hearing.

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