

SECOND REGULAR SESSION

SENATE BILL NO. 740

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR NODLER.

Pre-filed December 1, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

3538S.011

AN ACT

To repeal section 64.907, RSMo, and to enact in lieu thereof one new section relating to local storm water control.

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

Section A. Section 64.907, RSMo, is repealed and one new section enacted
2 in lieu thereof, to be known as section 64.907, to read as follows:

64.907. 1. Any [county] **political subdivision** subject to Environmental
2 Protection Agency rules 40 C.F.R. Parts 9, 122, 123, and 124 concerning storm
3 water discharges is authorized to adopt rules, regulations, or ordinances
4 reasonably necessary to comply with such federal regulations including but not
5 limited to rules, regulations, or ordinances which promote the best storm water
6 management practices in regulating storm water discharges established by the
7 Environmental Protection Agency.

8 2. Any [county] **political subdivision** adopting rules, regulations, or
9 ordinances under subsection 1 of this section is authorized to establish by rule,
10 regulation, or ordinance a storm water control utility or other entity to administer
11 any such rules, regulations, or ordinances adopted under subsection 1 of this
12 section which shall include authority to impose user fees to fund the
13 administration of such rules, regulations, or ordinances.

14 3. Any [county] **political subdivision** adopting rules, regulations, or
15 ordinances under subsection 1 of this section is authorized to establish by rule,
16 regulation, or ordinance a storm water control utility tax in such amount as is
17 deemed reasonable and necessary to fund public storm water control projects if
18 such tax is approved by majority of the votes cast.

19 4. The tax authorized in this section shall be in addition to the charge for

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

20 the storm water control and all other taxes imposed by law, and the proceeds of
21 such tax shall be used by the [county] **political subdivision** solely for storm
22 water control. Such tax shall be stated separately from all other charges and
23 taxes.

24 5. The ballot of submission for the tax authorized in this section shall be
25 in substantially the following form:

26 Shall (insert the name of the [county] **political**
27 **subdivision**) impose a tax on the charges for storm water control in (name
28 of [county] **political subdivision**) at a rate of (insert rate of percent)
29 percent for the sole purpose of storm water control?

30 YES NO

31 If a majority of the votes cast on the question by the qualified voters voting
32 thereon are in favor of the question, then the tax shall become effective on the
33 first day of the second calendar quarter following the calendar quarter in which
34 the election was held. If a majority of the votes cast on the question by the
35 qualified voters voting thereon are opposed to the question, then the tax
36 authorized by this section shall not become effective unless and until the question
37 is resubmitted pursuant to this section to the qualified voters of the [county]
38 **political subdivision** and such question is approved by a majority of the
39 qualified voters of the [county] **political subdivision** voting on the question.

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