

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

SENATE BILL NO. 569

96TH GENERAL ASSEMBLY

2012

4738S.06T

AN ACT

To repeal sections 67.1860, 67.1862, 67.1864, 67.1866, 67.1868, 67.1870, 67.1872, 67.1874, 67.1878, 67.1880, 67.1886, 67.1888, 67.1894, 67.1890, 67.1892, 67.1896, 67.1898, 78.090, 79.070, 99.845, 115.091, 115.123, 115.241, and 115.637, RSMo, and to enact in lieu thereof nineteen new sections relating to elections, with existing penalty provisions.

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

Section A. Sections 67.1860, 67.1862, 67.1864, 67.1866, 67.1868, 67.1870, 67.1872, 67.1874, 67.1878, 67.1880, 67.1886, 67.1888, 67.1894, 67.1890, 67.1892, 67.1896, 67.1898, 78.090, 79.070, 99.845, 115.091, 115.123, 115.241, and 115.637, RSMo, are repealed and nineteen new sections enacted in lieu thereof, to be known as sections 67.1860, 67.1862, 67.1864, 67.1866, 67.1868, 67.1870, 67.1872, 67.1874, 67.1878, 67.1880, 67.1886, 67.1888, 67.1894, 78.090, 79.070, 99.845, 115.091, 115.123, and 115.637, to read as follows:

67.1860. Sections 67.1860 to [67.1898] **67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to [67.1898] **67.1894**, the following terms mean:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;

(2) "Board", the board of directors of a district;

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

6 (3) "District", a law enforcement district organized [pursuant to] **under**
7 sections 67.1860 to [67.1898] **67.1894**;

8 (4) **"Registered voter", any voter registered within the boundaries**
9 **of the district or proposed district.**

67.1864. 1. A district may be created to fund, promote, plan, design,
2 construct, improve, maintain and operate one or more projects relating to law
3 enforcement or to assist in such activity.

4 2. A district is a political subdivision of the state.

5 3. A district may be created in any county of the first classification
6 [without a charter form of government and a population of fifty thousand
7 inhabitants or less].

67.1866. 1. Whenever the creation of a district is desired, ten percent of
2 the registered voters within the proposed district may file a petition requesting
3 the creation of a district. The petition shall be filed in the circuit court of the
4 county in which the proposed district is located.

5 2. The proposed district area shall be contiguous and may contain any
6 portion of one or more municipalities. **Two areas may be considered**
7 **contiguous if both are adjacent to the shoreline of the same body of**
8 **water.**

9 3. The petition shall set forth:

10 (1) The name and address of each owner of real property located within
11 the proposed district [or who is a] **and each** registered voter [resident] within
12 the proposed district;

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

15 (3) A general description of the purpose or purposes for which the district
16 is being formed; and

17 (4) The name of the proposed district.

18 4. The circuit clerk of the county in which the petition is filed [pursuant
19 to] **under** this section shall present the petition to the judge, who shall
20 thereupon set the petition for hearing not less than thirty days nor more than
21 forty days after the filing. The judge shall cause notice of the time and place of
22 the hearing to be given, by publication on three separate days in one or more
23 newspapers having a general circulation within the county, with the third and
24 final publication to occur not less than twenty days prior to the date set for the
25 hearing. The notice shall recite the information required [pursuant to] **under**

26 subsection 3 of this section. The costs of printing and publication of the notice
27 shall be paid as required [pursuant to] **under** section 67.1870.

28 **5. In the event any owner of real property within the proposed**
29 **district who is named in the petition or any registered voter does not**
30 **join in the petition or file an entry of appearance and waiver of service**
31 **of process in the case, a copy of the petition shall be served upon such**
32 **owner or registered voter in the manner provided by supreme court**
33 **rule for the service of petitions generally. Any objections to the**
34 **petition shall be raised by answer within the time provided by supreme**
35 **court rule for the filing of an answer to a petition.**

67.1868. 1. Any owner of real property within the proposed district and
2 any [legal] **registered** voter [who is a resident] within the proposed district may
3 join in or file a petition supporting or answer opposing the creation of the district
4 and seeking a judgment respecting these same issues.

5 2. The court shall hear the case without a jury. If the court determines
6 the petition is defective or the proposed district or its plan of operation is
7 unconstitutional, it shall enter its judgment to that effect and shall refuse to
8 incorporate the district as requested in the pleadings. If the court determines the
9 petition is not legally defective and the proposed district and plan of operation
10 are not unconstitutional, the court shall [determine and declare] **order** the
11 district organized and incorporated and shall approve the plan of operation stated
12 in the petition.

13 3. Any party having filed a petition or answer to a petition may appeal
14 the circuit court's order or judgment in the same manner as provided for other
15 appeals. Any order either refusing to incorporate the district or incorporating the
16 district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication
2 and incidental costs incurred in obtaining circuit court certification of the petition
3 for voter approval shall be paid by the petitioners. If a district is organized
4 [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**, the petitioners may
5 be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created [pursuant to] **under** sections 67.1860 to
2 [67.1898] **67.1894** shall be governed by a board of directors consisting of five
3 members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district
2 organized has become final, the circuit clerk of the county in which the petition

3 was filed shall give notice by causing publication to be made once a week for two
4 consecutive weeks in a newspaper of general circulation in the county, the last
5 publication of which shall be at least ten days before the day of the meeting
6 required by this section, to call a meeting of the owners of real property and
7 registered voters [resident] within the district at a day and hour specified in a
8 public place in the county in which the petition was filed for the purpose of
9 electing a board of five directors, two to serve one year, two to serve two years,
10 and one to serve three years, to be composed of [residents] **registered voters**
11 of the district.

12 2. The attendees, when assembled, shall organize by [the election of]
13 **electing** a chairman and secretary of the meeting [who]. **The secretary** shall
14 conduct the election.

15 3. **Upon completion of the terms of the initial directors under**
16 **subsection 1 of this section**, each director shall serve for a term of three years
17 and until such director's successor is duly elected and qualified. Successor
18 directors shall be elected in the same manner as the initial directors at a meeting
19 of the [residents] **registered voters** called by the board. [Each successor
20 director shall serve a three-year term.] The remaining directors shall have the
21 authority to elect an interim director to complete any unexpired term of a director
22 caused by resignation or disqualification.

23 4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of
2 planning, designing, constructing, reconstructing, maintaining and operating one
3 or more projects relating to law enforcement. Such funds may be derived from
4 any funding method which is authorized by sections 67.1860 to [67.1898] **67.1894**
5 and from any other source, including but not limited to funds from federal
6 sources, the state of Missouri or an agency of the state, a political subdivision of
7 the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified]
2 **registered** voters voting on the question in the district, the district may impose
3 a property tax in an amount not to exceed the annual rate of thirty cents on the
4 hundred dollars assessed valuation. The district board may levy a property tax
5 rate lower than its approved tax rate ceiling and may increase that lowered tax
6 rate to a level not exceeding the tax rate ceiling **approved by the voters**
7 without **new** voter approval. The property tax shall be uniform throughout the
8 district.

9 2. The ballot of submission shall be substantially in the following form:
10 Shall the Law Enforcement District impose a property tax upon all
11 real and tangible personal property within the district at a rate of not more than
12 (insert amount) cents per hundred dollars assessed valuation for the
13 purpose of providing revenue for the development of a project (or projects) in the
14 district (insert general description of the project or projects, if necessary)?

15 YES NO

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

18 **If four-sevenths of the votes cast on the question by the registered**
19 **voters voting thereon are in favor of the question, then the tax shall**
20 **become effective on the first day of the second calendar quarter after**
21 **the director of revenue receives notification of adoption of the local**
22 **sales tax. If less than four-sevenths of the votes cast on the question by**
23 **the registered voters voting thereon are in favor of the question, then**
24 **the tax shall not become effective unless and until the question is**
25 **resubmitted under this section to the registered voters and such**
26 **question is approved by the requisite four-sevenths of the registered**
27 **voters voting on the question. In no event shall a proposal under this**
28 **section be submitted to the voters sooner than twelve months from the**
29 **date of the last proposal submitted under this section.**

30 3. The county collector of each county in which the district is partially or
31 entirely located shall collect the property taxes and special benefit assessments
32 made upon all real property and tangible personal property within that county
33 and the district, in the same manner as other property taxes are collected.

34 4. Every county collector having collected or received district property
35 taxes shall, on or before the fifteenth day of each month and after deducting his
36 or her commissions, remit to the treasurer of that district the amount collected
37 or received by him or her prior to the first day of the month. Upon receipt of such
38 money, the district treasurer shall execute a receipt therefor, which he or she
39 shall forward or deliver to the collector. The district treasurer shall deposit such
40 sums into the district treasury, credited to the appropriate project or
41 purpose. The collector and district treasurer shall make final settlement of the
42 district account and commissions owing, not less than once each year, if
43 necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to

2 [67.1898] **67.1894** the district shall have the following general powers:

3 (1) To contract with the [local] **county** sheriff's department for the
4 provision of services;

5 (2) To sue and be sued in its own name, and to receive service of process,
6 which shall be served upon the district secretary;

7 (3) To fix compensation of its employees and contractors;

8 (4) To purchase any personal property necessary or convenient for its
9 activities;

10 (5) To collect and disburse funds for its activities; and

11 (6) To exercise such other implied powers necessary or convenient for the
12 district to accomplish its purposes which are not inconsistent with its express
13 powers.

67.1888. 1. The district may obtain such insurance as it deems
2 appropriate, considering its legal limits of liability, to protect itself, its officers
3 and its employees from any potential liability and may also obtain such other
4 types of insurance as it deems necessary to protect against loss of its real or
5 personal property of any kind. The cost of this insurance shall be charged
6 against the project.

7 2. The district may also require contractors performing construction or
8 maintenance work on the project and companies providing operational and
9 management services to obtain liability insurance having the district, its directors
10 and employees as additional named insureds.

11 **3. The district may self-insure if it is unable to obtain liability**
12 **insurance coverage at a rate which is economically feasible to the**
13 **district, considering its resources. However,** the district shall not attempt
14 to self-insure for its potential liabilities unless it finds that it has sufficient funds
15 available to cover any anticipated judgments or settlements and still complete its
16 project without interruption. [The district may self-insure if it is unable to obtain
17 liability insurance coverage at a rate which is economically feasible to the
18 district, considering its resources.]

67.1894. [1. The authority of the district to levy any property tax levied
2 pursuant to section 67.1880 may be terminated by a petition of the voters in the
3 district in the manner prescribed in this section.

4 2. The petition for termination of authority to tax may be changed as
5 follows:

6 (1) Twenty-five percent of the number of voters who voted in the most

7 recent gubernatorial election in the district may file with the board a petition in
8 writing praying that the district's authority to impose a property tax be
9 terminated. The petition shall specifically state that the district's authority to
10 impose any property tax, whether or not such a tax is being imposed at the time
11 such petition is filed, shall be terminated. Such petition shall be in substantially
12 the form set forth for petitions in chapter 116; or

13 (2) All of the owners of real estate in the district may file a petition with
14 the board praying that the district's authority to impose a property tax be
15 terminated. The petition shall specifically state that the district's authority to
16 impose any property tax, whether or not such a tax is being imposed at the time
17 such petition is filed, shall be terminated. Such petition shall be in substantially
18 the form set forth for petitions in chapter 116. The petition shall describe the
19 property owned by the petitioners and shall be deemed to give assent of the
20 petitioners to the petition.

21 3. The secretary of the board shall cause notice of the filing of any petition
22 filed pursuant to this section to be given and published in the county in which the
23 property is located, which notice shall recite the filing of such petition, the
24 number of petitioners and the prayer of the petitioners; giving notice to all
25 persons interested to appear at the office of the board at the time named in the
26 notice and show cause in writing, if any they have, why the petition should not
27 be granted. The board shall at the time and place mentioned, or at such time or
28 times to which the hearing may be adjourned, proceed to hear the petition and
29 all objections thereto presented in writing by any person showing cause why the
30 petition should not be granted.

31 4. If the board deems it for the best interest of the district, it shall grant
32 the petition. If the petition is granted, the board shall make an order to that
33 effect and file the petition with the circuit clerk. If the petition contains the
34 signatures of all the owners of the property pursuant to the provisions of
35 subdivision (2) of subsection 2 of this section, the authority to tax shall be
36 terminated upon the order of the court. If the petition contains the signatures of
37 twenty-five percent of the number of voters who voted in the most recent
38 gubernatorial election in the district pursuant to subdivision (1) of subsection 2
39 of this section, the authority to tax shall be terminated subject to the election
40 provided in section 67.1896. The circuit court having jurisdiction over the district
41 shall proceed to make any such order terminating such taxation authority as is
42 provided in the order of the board, unless the court shall find that such order of

43 the board was not authorized by law or that such order of the board was not
44 supported by competent and substantial evidence.

45 5. Any person aggrieved by any decision of the board made pursuant to
46 the provisions of this section may appeal that decision to the circuit court of the
47 county in which the property is located within thirty days of the decision by the
48 board] **Whenever the district board receives a petition, signed by a**
49 **number of registered voters of the district equal to at least ten percent**
50 **of the number of registered voters of the district, calling for an election**
51 **to repeal the tax imposed under section 67.1880, the board shall submit**
52 **to the voters of the district a proposal to repeal the tax. If a majority**
53 **of the votes cast on the question by the registered voters voting thereon**
54 **are in favor of the repeal, the repeal shall become effective on**
55 **December thirty-first of the calendar year in which such repeal was**
56 **approved. If a majority of the votes cast on the question by the**
57 **qualified voters voting thereon are opposed to the repeal, then the tax**
58 **authorized in section 67.1880 shall remain effective until the question**
59 **is resubmitted under this section to the registered voters and the**
60 **repeal is approved by a majority of the registered voters voting on the**
61 **question.**

78.090. 1. Candidates to be voted for at all general municipal elections
2 at which a mayor and councilmen are to be elected under the provisions of
3 sections 78.010 to [78.420] **78.400** shall be nominated by a primary election,
4 **except as provided in this section**, and no other names shall be placed upon
5 the general ballot except those selected in the manner herein prescribed. The
6 primary election for such nomination shall be held on the first Tuesday after the
7 first Monday in February preceding the municipal election.

8 **2. (1) In lieu of conducting a primary election under this section,**
9 **any city organized under sections 78.010 to 78.400 may, by order or**
10 **ordinance, provide for the elimination of the primary election and the**
11 **conduct of elections for mayor and councilman as provided in this**
12 **subsection.**

13 **(2) Any person desiring to become a candidate for mayor or**
14 **councilman shall file with the city clerk a signed statement of such**
15 **candidacy, stating whether such person is a resident of the city and a**
16 **qualified voter of the city, that the person desires to be a candidate for**
17 **nomination to the office of mayor or councilman to be voted upon at**

18 the next municipal election for such office, that the person is eligible
19 for such office, that the person requests to be placed on the ballot, and
20 that such person will serve if elected. Such statement shall be sworn
21 to or affirmed before the city clerk.

22 (3) Under the requirements of section 115.023, the city clerk shall
23 notify the requisite election authority who shall cause the official
24 ballots to be printed, and the names of the candidates shall appear on
25 the ballots in the order that their statements of candidacy were filed
26 with the city clerk. Above the names of the candidates shall appear the
27 words "Vote for (number to be elected)". The ballot shall also include
28 a warning that voting for more than the total number of candidates to
29 be elected to any office invalidates the ballot.

79.070. No person shall be an alderman unless he or she is at least
2 [twenty-one] **eighteen** years of age, a citizen of the United States, and an
3 inhabitant and resident of the city for one year next preceding his or her election,
4 and a resident, at the time he or she files and during the time he or she serves,
5 of the ward from which he or she is elected.

99.845. 1. A municipality, either at the time a redevelopment project is
2 approved or, in the event a municipality has undertaken acts establishing a
3 redevelopment plan and redevelopment project and has designated a
4 redevelopment area after the passage and approval of sections 99.800 to 99.865
5 but prior to August 13, 1982, which acts are in conformance with the procedures
6 of sections 99.800 to 99.865, may adopt tax increment allocation financing by
7 passing an ordinance providing that after the total equalized assessed valuation
8 of the taxable real property in a redevelopment project exceeds the certified total
9 initial equalized assessed valuation of the taxable real property in the
10 redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if
11 any, arising from the levies upon taxable real property in such redevelopment
12 project by taxing districts and tax rates determined in the manner provided in
13 subsection 2 of section 99.855 each year after the effective date of the ordinance
14 until redevelopment costs have been paid shall be divided as follows:

15 (1) That portion of taxes, penalties and interest levied upon each taxable
16 lot, block, tract, or parcel of real property which is attributable to the initial
17 equalized assessed value of each such taxable lot, block, tract, or parcel of real
18 property in the area selected for the redevelopment project shall be allocated to
19 and, when collected, shall be paid by the county collector to the respective

20 affected taxing districts in the manner required by law in the absence of the
21 adoption of tax increment allocation financing;

22 (2) (a) Payments in lieu of taxes attributable to the increase in the
23 current equalized assessed valuation of each taxable lot, block, tract, or parcel of
24 real property in the area selected for the redevelopment project and any
25 applicable penalty and interest over and above the initial equalized assessed
26 value of each such unit of property in the area selected for the redevelopment
27 project shall be allocated to and, when collected, shall be paid to the municipal
28 treasurer who shall deposit such payment in lieu of taxes into a special fund
29 called the "Special Allocation Fund" of the municipality for the purpose of paying
30 redevelopment costs and obligations incurred in the payment thereof. Payments
31 in lieu of taxes which are due and owing shall constitute a lien against the real
32 estate of the redevelopment project from which they are derived and shall be
33 collected in the same manner as the real property tax, including the assessment
34 of penalties and interest where applicable. The municipality may, in the
35 ordinance, pledge the funds in the special allocation fund for the payment of such
36 costs and obligations and provide for the collection of payments in lieu of taxes,
37 the lien of which may be foreclosed in the same manner as a special assessment
38 lien as provided in section 88.861. No part of the current equalized assessed
39 valuation of each lot, block, tract, or parcel of property in the area selected for the
40 redevelopment project attributable to any increase above the total initial
41 equalized assessed value of such properties shall be used in calculating the
42 general state school aid formula provided for in section 163.031 until such time
43 as all redevelopment costs have been paid as provided for in this section and
44 section 99.850;

45 (b) Notwithstanding any provisions of this section to the contrary, for
46 purposes of determining the limitation on indebtedness of local government
47 pursuant to article VI, section 26(b) of the Missouri Constitution, the current
48 equalized assessed value of the property in an area selected for redevelopment
49 attributable to the increase above the total initial equalized assessed valuation
50 shall be included in the value of taxable tangible property as shown on the last
51 completed assessment for state or county purposes;

52 (c) The county assessor shall include the current assessed value of all
53 property within the taxing district in the aggregate valuation of assessed property
54 entered upon the assessor's book and verified pursuant to section 137.245, and
55 such value shall be utilized for the purpose of the debt limitation on local

56 government pursuant to article VI, section 26(b) of the Missouri Constitution;

57 (3) For purposes of this section, "levies upon taxable real property in such
58 redevelopment project by taxing districts" shall not include the blind pension fund
59 tax levied under the authority of article III, section 38(b) of the Missouri
60 Constitution, or the merchants' and manufacturers' inventory replacement tax
61 levied under the authority of subsection 2 of section 6 of article X of the Missouri
62 Constitution, except in redevelopment project areas in which tax increment
63 financing has been adopted by ordinance pursuant to a plan approved by vote of
64 the governing body of the municipality taken after August 13, 1982, and before
65 January 1, 1998.

66 2. In addition to the payments in lieu of taxes described in subdivision (2)
67 of subsection 1 of this section, for redevelopment plans and projects adopted or
68 redevelopment projects approved by ordinance after July 12, 1990, and prior to
69 August 31, 1991, fifty percent of the total additional revenue from taxes, penalties
70 and interest imposed by the municipality, or other taxing districts, which are
71 generated by economic activities within the area of the redevelopment project over
72 the amount of such taxes generated by economic activities within the area of the
73 redevelopment project in the calendar year prior to the adoption of the
74 redevelopment project by ordinance, while tax increment financing remains in
75 effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by
76 transient guests of hotels and motels, taxes levied pursuant to section 70.500,
77 licenses, fees or special assessments other than payments in lieu of taxes and any
78 penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant
79 to section 94.660, for the purpose of public transportation, shall be allocated to,
80 and paid by the local political subdivision collecting officer to the treasurer or
81 other designated financial officer of the municipality, who shall deposit such
82 funds in a separate segregated account within the special allocation fund. Any
83 provision of an agreement, contract or covenant entered into prior to July 12,
84 1990, between a municipality and any other political subdivision which provides
85 for an appropriation of other municipal revenues to the special allocation fund
86 shall be and remain enforceable.

87 3. In addition to the payments in lieu of taxes described in subdivision (2)
88 of subsection 1 of this section, for redevelopment plans and projects adopted or
89 redevelopment projects approved by ordinance after August 31, 1991, fifty percent
90 of the total additional revenue from taxes, penalties and interest which are
91 imposed by the municipality or other taxing districts, and which are generated

92 by economic activities within the area of the redevelopment project over the
93 amount of such taxes generated by economic activities within the area of the
94 redevelopment project in the calendar year prior to the adoption of the
95 redevelopment project by ordinance, while tax increment financing remains in
96 effect, but excluding personal property taxes, taxes imposed on sales or charges
97 for sleeping rooms paid by transient guests of hotels and motels, taxes levied
98 pursuant to section 70.500, taxes levied for the purpose of public transportation
99 pursuant to section 94.660, licenses, fees or special assessments other than
100 payments in lieu of taxes and penalties and interest thereon, or any sales tax
101 imposed by a county with a charter form of government and with more than six
102 hundred thousand but fewer than seven hundred thousand inhabitants, for the
103 purpose of sports stadium improvement **or levied by such county under**
104 **section 238.410 for the purpose of the county transit authority**
105 **operating transportation facilities**, shall be allocated to, and paid by the
106 local political subdivision collecting officer to the treasurer or other designated
107 financial officer of the municipality, who shall deposit such funds in a separate
108 segregated account within the special allocation fund.

109 4. Beginning January 1, 1998, for redevelopment plans and projects
110 adopted or redevelopment projects approved by ordinance and which have
111 complied with subsections 4 to 12 of this section, in addition to the payments in
112 lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of
113 this section, up to fifty percent of the new state revenues, as defined in subsection
114 8 of this section, estimated for the businesses within the project area and
115 identified by the municipality in the application required by subsection 10 of this
116 section, over and above the amount of such taxes reported by businesses within
117 the project area as identified by the municipality in their application prior to the
118 approval of the redevelopment project by ordinance, while tax increment
119 financing remains in effect, may be available for appropriation by the general
120 assembly as provided in subsection 10 of this section to the department of
121 economic development supplemental tax increment financing fund, from the
122 general revenue fund, for distribution to the treasurer or other designated
123 financial officer of the municipality with approved plans or projects.

124 5. The treasurer or other designated financial officer of the municipality
125 with approved plans or projects shall deposit such funds in a separate segregated
126 account within the special allocation fund established pursuant to section 99.805.

127 6. No transfer from the general revenue fund to the Missouri

128 supplemental tax increment financing fund shall be made unless an appropriation
129 is made from the general revenue fund for that purpose. No municipality shall
130 commit any state revenues prior to an appropriation being made for that
131 project. For all redevelopment plans or projects adopted or approved after
132 December 23, 1997, appropriations from the new state revenues shall not be
133 distributed from the Missouri supplemental tax increment financing fund into the
134 special allocation fund unless the municipality's redevelopment plan ensures that
135 one hundred percent of payments in lieu of taxes and fifty percent of economic
136 activity taxes generated by the project shall be used for eligible redevelopment
137 project costs while tax increment financing remains in effect. This account shall
138 be separate from the account into which payments in lieu of taxes are deposited,
139 and separate from the account into which economic activity taxes are deposited.

140 7. In order for the redevelopment plan or project to be eligible to receive
141 the revenue described in subsection 4 of this section, the municipality shall
142 comply with the requirements of subsection 10 of this section prior to the time the
143 project or plan is adopted or approved by ordinance. The director of the
144 department of economic development and the commissioner of the office of
145 administration may waive the requirement that the municipality's application be
146 submitted prior to the redevelopment plan's or project's adoption or the
147 redevelopment plan's or project's approval by ordinance.

148 8. For purposes of this section, "new state revenues" means:

149 (1) The incremental increase in the general revenue portion of state sales
150 tax revenues received pursuant to section 144.020, excluding sales taxes that are
151 constitutionally dedicated, taxes deposited to the school district trust fund in
152 accordance with section 144.701, sales and use taxes on motor vehicles, trailers,
153 boats and outboard motors and future sales taxes earmarked by law. In no event
154 shall the incremental increase include any amounts attributable to retail sales
155 unless the municipality or authority has proven to the Missouri development
156 finance board and the department of economic development and such entities
157 have made a finding that the sales tax increment attributable to retail sales is
158 from new sources which did not exist in the state during the baseline year. The
159 incremental increase in the general revenue portion of state sales tax revenues
160 for an existing or relocated facility shall be the amount that current state sales
161 tax revenue exceeds the state sales tax revenue in the base year as stated in the
162 redevelopment plan as provided in subsection 10 of this section; or

163 (2) The state income tax withheld on behalf of new employees by the

164 employer pursuant to section 143.221 at the business located within the project
165 as identified by the municipality. The state income tax withholding allowed by
166 this section shall be the municipality's estimate of the amount of state income tax
167 withheld by the employer within the redevelopment area for new employees who
168 fill new jobs directly created by the tax increment financing project.

169 9. Subsection 4 of this section shall apply only to blighted areas located
170 in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas
171 located in federal empowerment zones, or to blighted areas located in central
172 business districts or urban core areas of cities which districts or urban core areas
173 at the time of approval of the project by ordinance, provided that the enterprise
174 zones, federal empowerment zones or blighted areas contained one or more
175 buildings at least fifty years old; and

176 (1) Suffered from generally declining population or property taxes over the
177 twenty-year period immediately preceding the area's designation as a project area
178 by ordinance; or

179 (2) Was a historic hotel located in a county of the first classification
180 without a charter form of government with a population according to the most
181 recent federal decennial census in excess of one hundred fifty thousand and
182 containing a portion of a city with a population according to the most recent
183 federal decennial census in excess of three hundred fifty thousand.

184 10. The initial appropriation of up to fifty percent of the new state
185 revenues authorized pursuant to subsections 4 and 5 of this section shall not be
186 made to or distributed by the department of economic development to a
187 municipality until all of the following conditions have been satisfied:

188 (1) The director of the department of economic development or his or her
189 designee and the commissioner of the office of administration or his or her
190 designee have approved a tax increment financing application made by the
191 municipality for the appropriation of the new state revenues. The municipality
192 shall include in the application the following items in addition to the items in
193 section 99.810:

194 (a) The tax increment financing district or redevelopment area, including
195 the businesses identified within the redevelopment area;

196 (b) The base year of state sales tax revenues or the base year of state
197 income tax withheld on behalf of existing employees, reported by existing
198 businesses within the project area prior to approval of the redevelopment project;

199 (c) The estimate of the incremental increase in the general revenue

200 portion of state sales tax revenue or the estimate for the state income tax
201 withheld by the employer on behalf of new employees expected to fill new jobs
202 created within the redevelopment area after redevelopment;

203 (d) The official statement of any bond issue pursuant to this subsection
204 after December 23, 1997;

205 (e) An affidavit that is signed by the developer or developers attesting
206 that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been
207 met and specifying that the redevelopment area would not be reasonably
208 anticipated to be developed without the appropriation of the new state revenues;

209 (f) The cost-benefit analysis required by section 99.810 includes a study
210 of the fiscal impact on the state of Missouri; and

211 (g) The statement of election between the use of the incremental increase
212 of the general revenue portion of the state sales tax revenues or the state income
213 tax withheld by employers on behalf of new employees who fill new jobs created
214 in the redevelopment area;

215 (h) The name, street and mailing address, and phone number of the mayor
216 or chief executive officer of the municipality;

217 (i) The street address of the development site;

218 (j) The three-digit North American Industry Classification System number
219 or numbers characterizing the development project;

220 (k) The estimated development project costs;

221 (l) The anticipated sources of funds to pay such development project costs;

222 (m) Evidence of the commitments to finance such development project
223 costs;

224 (n) The anticipated type and term of the sources of funds to pay such
225 development project costs;

226 (o) The anticipated type and terms of the obligations to be issued;

227 (p) The most recent equalized assessed valuation of the property within
228 the development project area;

229 (q) An estimate as to the equalized assessed valuation after the
230 development project area is developed in accordance with a development plan;

231 (r) The general land uses to apply in the development area;

232 (s) The total number of individuals employed in the development area,
233 broken down by full-time, part-time, and temporary positions;

234 (t) The total number of full-time equivalent positions in the development
235 area;

- 236 (u) The current gross wages, state income tax withholdings, and federal
237 income tax withholdings for individuals employed in the development area;
- 238 (v) The total number of individuals employed in this state by the
239 corporate parent of any business benefitting from public expenditures in the
240 development area, and all subsidiaries thereof, as of December thirty-first of the
241 prior fiscal year, broken down by full-time, part-time, and temporary positions;
- 242 (w) The number of new jobs to be created by any business benefitting from
243 public expenditures in the development area, broken down by full-time, part-time,
244 and temporary positions;
- 245 (x) The average hourly wage to be paid to all current and new employees
246 at the project site, broken down by full-time, part-time, and temporary positions;
- 247 (y) For project sites located in a metropolitan statistical area, as defined
248 by the federal Office of Management and Budget, the average hourly wage paid
249 to nonmanagerial employees in this state for the industries involved at the
250 project, as established by the United States Bureau of Labor Statistics;
- 251 (z) For project sites located outside of metropolitan statistical areas, the
252 average weekly wage paid to nonmanagerial employees in the county for
253 industries involved at the project, as established by the United States
254 Department of Commerce;
- 255 (aa) A list of other community and economic benefits to result from the
256 project;
- 257 (bb) A list of all development subsidies that any business benefitting from
258 public expenditures in the development area has previously received for the
259 project, and the name of any other granting body from which such subsidies are
260 sought;
- 261 (cc) A list of all other public investments made or to be made by this state
262 or units of local government to support infrastructure or other needs generated
263 by the project for which the funding pursuant to this section is being sought;
- 264 (dd) A statement as to whether the development project may reduce
265 employment at any other site, within or without the state, resulting from
266 automation, merger, acquisition, corporate restructuring, relocation, or other
267 business activity;
- 268 (ee) A statement as to whether or not the project involves the relocation
269 of work from another address and if so, the number of jobs to be relocated and the
270 address from which they are to be relocated;
- 271 (ff) A list of competing businesses in the county containing the

272 development area and in each contiguous county;

273 (gg) A market study for the development area;

274 (hh) A certification by the chief officer of the applicant as to the accuracy
275 of the development plan;

276 (2) The methodologies used in the application for determining the base
277 year and determining the estimate of the incremental increase in the general
278 revenue portion of the state sales tax revenues or the state income tax withheld
279 by employers on behalf of new employees who fill new jobs created in the
280 redevelopment area shall be approved by the director of the department of
281 economic development or his or her designee and the commissioner of the office
282 of administration or his or her designee. Upon approval of the application, the
283 director of the department of economic development or his or her designee and
284 the commissioner of the office of administration or his or her designee shall issue
285 a certificate of approval. The department of economic development may request
286 the appropriation following application approval;

287 (3) The appropriation shall be either a portion of the estimate of the
288 incremental increase in the general revenue portion of state sales tax revenues
289 in the redevelopment area or a portion of the estimate of the state income tax
290 withheld by the employer on behalf of new employees who fill new jobs created
291 in the redevelopment area as indicated in the municipality's application,
292 approved by the director of the department of economic development or his or her
293 designee and the commissioner of the office of administration or his or her
294 designee. At no time shall the annual amount of the new state revenues
295 approved for disbursements from the Missouri supplemental tax increment
296 financing fund exceed thirty-two million dollars;

297 (4) Redevelopment plans and projects receiving new state revenues shall
298 have a duration of up to fifteen years, unless prior approval for a longer term is
299 given by the director of the department of economic development or his or her
300 designee and the commissioner of the office of administration or his or her
301 designee; except that, in no case shall the duration exceed twenty-three years.

302 11. In addition to the areas authorized in subsection 9 of this section, the
303 funding authorized pursuant to subsection 4 of this section shall also be available
304 in a federally approved levee district, where construction of a levee begins after
305 December 23, 1997, and which is contained within a county of the first
306 classification without a charter form of government with a population between
307 fifty thousand and one hundred thousand inhabitants which contains all or part

308 of a city with a population in excess of four hundred thousand or more
309 inhabitants.

310 12. There is hereby established within the state treasury a special fund
311 to be known as the "Missouri Supplemental Tax Increment Financing Fund", to
312 be administered by the department of economic development. The department
313 shall annually distribute from the Missouri supplemental tax increment financing
314 fund the amount of the new state revenues as appropriated as provided in the
315 provisions of subsections 4 and 5 of this section if and only if the conditions of
316 subsection 10 of this section are met. The fund shall also consist of any gifts,
317 contributions, grants or bequests received from federal, private or other
318 sources. Moneys in the Missouri supplemental tax increment financing fund shall
319 be disbursed per project pursuant to state appropriations.

320 13. Redevelopment project costs may include, at the prerogative of the
321 state, the portion of salaries and expenses of the department of economic
322 development and the department of revenue reasonably allocable to each
323 redevelopment project approved for disbursements from the Missouri
324 supplemental tax increment financing fund for the ongoing administrative
325 functions associated with such redevelopment project. Such amounts shall be
326 recovered from new state revenues deposited into the Missouri supplemental tax
327 increment financing fund created under this section.

328 14. For redevelopment plans or projects approved by ordinance that result
329 in net new jobs from the relocation of a national headquarters from another state
330 to the area of the redevelopment project, the economic activity taxes and new
331 state tax revenues shall not be based on a calculation of the incremental increase
332 in taxes as compared to the base year or prior calendar year for such
333 redevelopment project, rather the incremental increase shall be the amount of
334 total taxes generated from the net new jobs brought in by the national
335 headquarters from another state. In no event shall this subsection be construed
336 to allow a redevelopment project to receive an appropriation in excess of up to
337 fifty percent of the new state revenues.

 115.091. On commissioning or before entering upon his duties, each
2 election judge shall take and subscribe the following oath:

3 I solemnly swear that I will **support and defend the Constitution of**
4 **the United States and of this state, that I will** impartially discharge the
5 duties of judge according to law[,] to the best of my ability, and that I will not
6 disclose how any voter has voted unless I am required to do so as a witness in a

7 proper judicial proceeding. I also affirm that I will not allow any person to vote
8 who is not entitled to vote and that I will make no statement nor give any
9 information of any kind tending in any way to show the state of the count prior
10 to the close of the polls on election day.

11 Sworn and subscribed to before
12 me thisday of, 20.....

13

14 Judge of Election

15

16 Election Authority (Judge of Election)

17 witnessing oath

115.123. 1. All public elections shall be held on Tuesday. Except as
2 provided in subsections 2[,] **and** 3[, and 4] of this section, and section 247.180,
3 all public elections shall be held on the general election day, the primary election
4 day, the general municipal election day, the first Tuesday after the first Monday
5 in [February or] November, or on another day expressly provided by city or
6 county charter, [the first Tuesday after the first Monday in June] and in
7 nonprimary years on the first Tuesday after the first Monday in August. **Bond**
8 **elections may be held on the first Tuesday after the first Monday in**
9 **February but no other issue shall be included on the ballot for such**
10 **election.**

2. Notwithstanding the provisions of subsection 1 of this section, an
12 election for a presidential primary held pursuant to sections 115.755 to 115.785
13 shall be held on the first Tuesday after the first Monday in [March] **February**
14 of each presidential election year.

3. The following elections shall be exempt from the provisions of
16 subsection 1 of this section:

17 (1) Bond elections necessitated by fire, vandalism or natural disaster;

18 (2) Elections for which ownership of real property is required by law for
19 voting; [and]

20 (3) Special elections to fill vacancies and to decide tie votes or election
21 contests; **and**

22 (4) **Tax elections necessitated by a financial hardship due to a**
23 **five percent or greater decline in per-pupil state revenue to a school**
24 **district from the previous year.**

25 4. [No city or county shall adopt a charter or charter amendment which

26 calls for elections to be held on dates other than those established in subsection
27 1 of this section.

28 5.] Nothing in this section prohibits a charter city or county from having
29 its primary election in March if the charter provided for a March primary before
30 August 28, 1999.

31 [6.] 5. Nothing in this section shall prohibit elections held pursuant to
32 section 65.600, but no other issues shall be on the March ballot except pursuant
33 to this chapter.

115.637. The following offenses, and any others specifically so described
2 by law, shall be class four election offenses and are deemed misdemeanors not
3 connected with the exercise of the right of suffrage. Conviction for any of these
4 offenses shall be punished by imprisonment of not more than one year or by a
5 fine of not more than two thousand five hundred dollars or by both such
6 imprisonment and fine:

7 (1) Stealing or willfully concealing, defacing, mutilating, or destroying any
8 sample ballots that may be furnished by an organization or individual at or near
9 any voting place on election day, except that this subdivision shall not be
10 construed so as to interfere with the right of an individual voter to erase or cause
11 to be erased on a sample ballot the name of any candidate and substituting the
12 name of the person for whom he intends to vote; or to dispose of the received
13 sample ballot;

14 (2) Printing, circulating, or causing to be printed or circulated, any false
15 and fraudulent sample ballots which appear on their face to be designed as a
16 fraud upon voters;

17 (3) Purposefully giving a printed or written sample ballot to any qualified
18 voter which is intended to mislead the voter;

19 (4) On the part of any candidate for election to any office of honor, trust,
20 or profit, offering or promising to discharge the duties of such office for a less
21 sum than the salary, fees, or emoluments as fixed by law or promising to pay
22 back or donate to any public or private interest any portion of such salary, fees,
23 or emolument as an inducement to voters;

24 (5) On the part of any canvasser appointed to canvass any registration
25 list, willfully failing to appear, refusing to continue, or abandoning such canvass
26 or willfully neglecting to perform his duties in making such canvass or willfully
27 neglecting any duties lawfully assigned to him;

28 (6) On the part of any employer, making, enforcing, or attempting to

29 enforce any order, rule, or regulation or adopting any other device or method to
30 prevent an employee from engaging in political activities, accepting candidacy for
31 nomination to, election to, or the holding of, political office, holding a position as
32 a member of a political committee, soliciting or receiving funds for political
33 purpose, acting as chairman or participating in a political convention, assuming
34 the conduct of any political campaign, signing, or subscribing his name to any
35 initiative, referendum, or recall petition, or any other petition circulated pursuant
36 to law;

37 (7) On the part of any person authorized or employed to print official
38 ballots, or any person employed in printing ballots, giving, delivering, or
39 knowingly permitting to be taken any ballot to or by any person other than the
40 official under whose direction the ballots are being printed, any ballot in any
41 form other than that prescribed by law, or with unauthorized names, with names
42 misspelled, or with the names of candidates arranged in any way other than that
43 authorized by law;

44 (8) On the part of any election authority or official charged by law with
45 the duty of distributing the printed ballots, or any person acting on his behalf,
46 knowingly distributing or causing to be distributed any ballot in any manner
47 other than that prescribed by law;

48 (9) Any person having in his possession any official ballot, except in the
49 performance of his duty as an election authority or official, or in the act of
50 exercising his individual voting privilege;

51 (10) Willfully mutilating, defacing, or altering any ballot before it is
52 delivered to a voter;

53 (11) On the part of any election judge, willfully absenting himself from
54 the polls on election day without good cause or willfully detaining any election
55 material or equipment and not causing it to be produced at the voting place at
56 the opening of the polls or within fifteen minutes thereafter;

57 (12) On the part of any election authority or official, willfully neglecting,
58 refusing, or omitting to perform any duty required of him by law with respect to
59 holding and conducting an election, receiving and counting out the ballots, or
60 making proper returns;

61 (13) On the part of any election judge, or party watcher or challenger,
62 furnishing any information tending in any way to show the state of the count to
63 any other person prior to the closing of the polls;

64 (14) On the part of any voter, except as otherwise provided by law,

65 allowing his ballot to be seen by any person with the intent of letting it be known
66 how he is about to vote or has voted, or knowingly making a false statement as
67 to his inability to mark his ballot;

68 (15) On the part of any election judge, disclosing to any person the name
69 of any candidate for whom a voter has voted;

70 (16) Interfering, or attempting to interfere, with any voter inside a polling
71 place;

72 (17) On the part of any person at any registration site, polling place,
73 counting location or verification location, causing any breach of the peace or
74 engaging in disorderly conduct, violence, or threats of violence whereby such
75 registration, election, count or verification is impeded or interfered with;

76 (18) Exit polling, surveying, sampling, electioneering, distributing election
77 literature, posting signs or placing vehicles bearing signs with respect to any
78 candidate or question to be voted on at an election on election day inside the
79 building in which a polling place is located or within twenty-five feet of the
80 building's outer door closest to the polling place, or, on the part of any person,
81 refusing to remove or permit removal from property owned or controlled by him,
82 any such election sign or literature located within such distance on such day after
83 request for removal by any person;

84 (19) Stealing or willfully defacing, mutilating, or destroying any campaign
85 yard sign on private property, except that this subdivision shall not be construed
86 to interfere with the right of any private property owner to take any action with
87 regard to campaign yard signs on the owner's property and this subdivision shall
88 not be construed to interfere with the right of any candidate, or the candidate's
89 designee, to remove the candidate's campaign yard sign from the owner's private
90 property after the election day;

91 **(20) On the part of any election authority or political**
92 **subdivision, or an employee thereof who is responsible for the**
93 **oversight of the filing of candidates, discouraging, hampering,**
94 **pressuring, or attempting to prevent another person from filing for**
95 **public office for the purpose of eliminating the requirement to hold an**
96 **election because the number of candidates filing is the same as the**
97 **number of positions to be filled under section 115.124.**

2 [67.1890. 1. The boundaries of any district organized
3 pursuant to sections 67.1860 to 67.1898 may be changed in the
manner prescribed in this section; but any change of boundaries of

4 the district shall not impair or affect its organization or its rights
5 in or to property, or any of its rights or privileges whatsoever; nor
6 shall it affect or impair or discharge any contract, obligation, lien
7 or charge for or upon which it might be liable or chargeable had
8 any change of boundaries not been made.

9 2. The boundaries may be changed as follows:

10 (1) Twenty-five percent of the number of voters who voted
11 in the most recent gubernatorial election in the area to be annexed
12 or deannexed may file with the board a petition in writing praying
13 that such real property be included within, or removed from, the
14 district. The petition shall describe the property to be included in,
15 or removed from, the district and shall describe the property owned
16 by the petitioners and shall be deemed to give assent of the
17 petitioners to the inclusion in, or removal from, the district of the
18 property described in the petition. Such petition shall be in
19 substantially the form set forth for petitions in chapter 116;
20 provided that, in the event that there are more than twenty-five
21 property owners or taxpaying electors signing the petition, it shall
22 be deemed sufficient description of their property in the petition as
23 required in this section to list the addresses of such property; or

24 (2) All of the owners of any territory or tract of land near
25 or adjacent to a district in the case of annexation, or all of the
26 owners of any territory or tract of land within a district in the case
27 of deannexation, who own all of the real estate in such territory or
28 tract of land may file a petition with the board praying that such
29 real property be included in, or removed from, the district. The
30 petition shall describe the property owned by the petitioners and
31 shall be deemed to give assent of the petitioners to the inclusion in,
32 or removal from, the district of the property described in the
33 petition.

34 3. The secretary of the board shall cause notice of the filing
35 of any petition filed pursuant to this section to be given and
36 published in the county in which the property is located, which
37 notice shall recite the filing of such petition, the number of
38 petitioners, a general description of the boundaries of the area
39 proposed to be included or removed and the prayer of the

40 petitioners; giving notice to all persons interested to appear at the
41 office of the board at the time named in the notice and show cause
42 in writing, if any they have, why the petition should not be
43 granted. The board shall at the time and place mentioned, or at
44 such time or times to which the hearing may be adjourned, proceed
45 to hear the petition and all objections thereto presented in writing
46 by any person showing cause why the petition should not be
47 granted. The failure of any person interested to show cause in
48 writing why such petition shall not be granted shall be deemed as
49 an assent on his or her part to the inclusion of such lands in, or
50 removal of such lands from, the district as prayed for in the
51 petition.

52 4. If the board deems it for the best interest of the district,
53 it shall grant the petition, but if the board determines in the case
54 of annexation that some portion of the property mentioned in the
55 petition cannot as a practical matter be served by the district, or
56 if it deems in the case of annexation that it is in the best interest
57 of the district that some portion of the property in the petition not
58 be included in the district, or if in the case of deannexation it
59 deems that it is impracticable for any portion of the property to be
60 deannexed from the district, then the board shall grant the petition
61 in part only. If the petition is granted, the board shall make an
62 order to that effect and file the petition with the circuit
63 clerk. Upon the order of the court having jurisdiction over the
64 district, the property shall be included in, or removed from, the
65 district. If the petition contains the signatures of all the owners of
66 the property pursuant to the provisions of subdivision (2) of
67 subsection 2 of this section, the property shall be included in, or
68 removed from, the district upon the order of the court. If the
69 petition contains the signatures of twenty-five percent of the
70 number of voters who voted in the most recent gubernatorial
71 election in the area to be annexed or deannexed pursuant to
72 subdivision (1) of subsection 2 of this section, the property shall be
73 included in, or removed from, the district subject to the election
74 provided in section 67.1892. The circuit court having jurisdiction
75 over the district shall proceed to make any such order including

76 such additional property within the district, or removing such
 77 property from the district, as is provided in the order of the board,
 78 unless the court shall find that such order of the board was not
 79 authorized by law or that such order of the board was not
 80 supported by competent and substantial evidence.

81 5. Any person aggrieved by any decision of the board made
 82 pursuant to the provisions of this section may appeal that decision
 83 to the circuit court of the county in which the property is located
 84 within thirty days of the decision by the board.]

2 [67.1892. 1. If the petition to add or remove any territory
 3 or tract of land to the district contained fewer than all of the
 4 signatures required pursuant to subdivision (2) of subsection 2 of
 5 section 67.1890, the decree of extension or retraction of boundaries
 6 shall not become final and conclusive until it has been submitted
 7 to an election of the voters residing within the boundaries
 8 described in such decree and until it has been assented to by a
 9 majority vote of the voters in the newly included area, or the area
 10 to be removed, voting on the question. The decree shall also
 11 provide for the holding of the election to vote on the proposition of
 12 extending or retracting the boundaries of the district, and shall fix
 13 the date for holding the election.

14 2. The question shall be submitted in substantially the
 15 following form:

16 Shall the boundaries of the Law Enforcement
 17 District be (extended to include/retracted to remove) the following
 18 described property? (Describe property)

19 YES NO

20 3. If a majority of the voters voting on the proposition vote
 21 in favor of the extension or retraction of the boundaries of the
 22 district, then the court shall enter its further order declaring the
 23 decree of extension or retraction of the boundaries to be final and
 24 conclusive. In the event, however, that the court finds that a
 25 majority of the voters voting thereon voted against the proposition
 26 to extend or retract the boundaries of the district, then the court
 27 shall enter its further order declaring the decree of extension or
 retraction of boundaries to be void and of no effect.]

2 [67.1896. 1. If the petition filed pursuant to section
 3 67.1894 contained fewer than all of the signatures required
 4 pursuant to subdivision (2) of subsection 2 of section 67.1894, the
 5 termination of taxation authority shall not become final and
 6 conclusive until it has been submitted to an election of the voters
 7 residing within the district and until it has been assented to by at
 8 least four-sevenths of the voters in the district voting on the
 9 question. The decree shall also provide for the holding of the
 10 election to vote on the proposition, and shall fix the date for
 holding the election.

11 2. The question shall be submitted in substantially the
 12 following form:

13 Shall the authority of the Law Enforcement
 14 District to adopt property taxes be terminated?

15 YES NO

16
 17 3. If four-sevenths of the voters voting on the proposition
 18 vote in favor of such termination, then the court shall enter its
 19 further order declaring the termination of such authority, and all
 20 such taxes that are being assessed in the current calendar year
 21 pursuant to such authority, to be final and conclusive. In the
 22 event, however, that the court finds that less than four-sevenths of
 23 the voters voting thereon voted against the proposition to
 24 terminate such authority, then the court shall enter its further
 25 order declaring the decree of termination of such district's taxing
 26 authority to be void and of no effect.]

[67.1898. 1. Whenever a petition signed by not less than
 2 ten percent of the registered voters in any district organized
 3 pursuant to sections 67.1860 to 67.1898 is filed with the circuit
 4 court having jurisdiction over the district, setting forth all the
 5 relevant facts pertaining to the district, and alleging that the
 6 further operation of the district is not in the best interests of the
 7 inhabitants of the district, and that the district should, in the
 8 interest of the public welfare and safety, be dissolved, the circuit
 9 court shall have authority, after hearing evidence submitted on
 10 such question, to order a submission of the question, after having

11 caused publication of notice of a hearing on such petition in the
12 same manner as the notice required in section 67.1874, in
13 substantially the following form:

14 Shall (Insert the name of the law
15 enforcement district) Law Enforcement District be dissolved?

16 YES

NO

17 2. If the court shall find that it is to the best interest of the
18 inhabitants of the district that such district be dissolved, it shall
19 make an order reciting such finding and providing for the
20 submission of the proposition to dissolve such district to a vote of
21 the voters of the district, setting forth such further details in its
22 order as may be necessary to an orderly conduct of such
23 election. Such election shall be held at the municipal
24 election. Returns of the election shall be certified to the court. If
25 the court finds that a majority of the voters voting thereon shall
26 have voted in favor of the proposition to dissolve the district, the
27 court shall make a final order dissolving the district, and the
28 decree shall contain a proviso that the district shall continue in
29 full force for the purpose of paying all outstanding and lawful
30 obligations and disposing of property of the district; but no
31 additional costs or obligations shall be created except such as are
32 necessary to pay such costs, obligations and liabilities previously
33 incurred, or necessary to the winding up of the district. If the
34 court shall find that a majority of the voters of the district voting
35 thereon shall not have voted favorably on the proposition to
36 dissolve such district, then the court shall make a final order
37 declaring such result dismissing the petition praying for the
38 dissolution of said district; and the district shall continue to
39 operate in the same manner as though the petition asking for such
40 dissolution has not been filed.

41 3. The dissolution of a district shall not invalidate or affect
42 any right accruing to such district, or to any person, or invalidate
43 or affect any contract or indebtedness entered into or imposed upon
44 such district or person; and whenever the circuit court shall,
45 pursuant to this section, dissolve a district, the court shall appoint
46 some competent person to act as trustee for the district so

47 dissolved and such trustee before entering upon the discharge of
48 his or her duties shall take and subscribe an oath that he or she
49 will faithfully discharge the duties of the office, and shall give bond
50 with sufficient security, to be approved by the court to the use of
51 such dissolved district, for the faithful discharge of his or her
52 duties, and shall proceed to liquidate the district under orders of
53 the court, including the levying of any taxes provided for in
54 sections 67.1860 to 67.1898.]

2 [115.241. Each party emblem shall be printed on the ballot
above the party caption.]

Unofficial ✓

Bill

Copy