

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

HOUSE BILL NO. 336

AN ACT

To repeal sections 84.480, 84.510, 84.830, 86.200, 86.257, 86.263, 99.845, 190.100, 321.015, 321.210, and 321.322, RSMo, and to enact in lieu thereof thirteen new sections relating to emergency services.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1           Section A. Sections 84.480, 84.510, 84.830, 86.200, 86.257,  
2 86.263, 99.845, 190.100, 321.015, 321.210, and 321.322, RSMo, are  
3 repealed and thirteen new sections enacted in lieu thereof, to be  
4 known as sections 67.145, 84.480, 84.510, 84.830, 86.200, 86.257,  
5 86.263, 99.845, 190.098, 190.100, 321.015, 321.210, and 321.322,  
6 to read as follows:

7           67.145. No political subdivision of this state shall  
8 prohibit any first responder, as the term "first responder" is  
9 defined in section 192.800, from engaging in any political  
10 activity while off duty and not in uniform, being a candidate for  
11 elected or appointed public office, or holding such office unless  
12 such political activity or candidacy is otherwise prohibited by  
13 state or federal law.

14           84.480. The board of police commissioners shall appoint a  
15 chief of police who shall be the chief police administrative and  
16 law enforcement officer of such cities. The chief of police

1 shall be chosen by the board solely on the basis of his or her  
2 executive and administrative qualifications and his or her  
3 demonstrated knowledge of police science and administration with  
4 special reference to his or her actual experience in law  
5 enforcement leadership and the provisions of section 84.420. At  
6 the time of the appointment, the chief shall not be more than  
7 sixty years of age, shall have had at least five years' executive  
8 experience in a governmental police agency and shall be certified  
9 by a surgeon or physician to be in a good physical condition, and  
10 shall be a citizen of the United States and shall either be or  
11 become a citizen of the state of Missouri and resident of the  
12 city in which he or she is appointed as chief of police. In  
13 order to secure and retain the highest type of police leadership  
14 within the departments of such cities, the chief shall receive a  
15 salary of not less than eighty thousand two hundred eleven  
16 dollars, nor more than one hundred [seventy-two] eighty-nine  
17 thousand [four] seven hundred [seventy-eight] twenty-six dollars  
18 per annum.

19 84.510. 1. For the purpose of operation of the police  
20 department herein created, the chief of police, with the approval  
21 of the board, shall appoint such number of police department  
22 employees, including police officers and civilian employees as  
23 the chief of police from time to time deems necessary.

24 2. The base annual compensation of police officers shall be  
25 as follows for the several ranks:

26 (1) Lieutenant colonels, not to exceed five in number, at  
27 not less than seventy-one thousand nine hundred sixty-nine  
28 dollars, nor more than one hundred [twenty-one] thirty-three

1 thousand [seven] eight hundred [sixteen] eighty-eight dollars per  
2 annum each;

3 (2) Majors at not less than sixty-four thousand six hundred  
4 seventy-one dollars, nor more than one hundred [eleven] twenty-  
5 two thousand [forty-eight] one hundred fifty-three dollars per  
6 annum each;

7 (3) Captains at not less than fifty-nine thousand five  
8 hundred thirty-nine dollars, nor more than one hundred [one]  
9 eleven thousand [three] four hundred [four] thirty-four dollars  
10 per annum each;

11 (4) Sergeants at not less than forty-eight thousand six  
12 hundred fifty-nine dollars, nor more than [eighty-eight] ninety-  
13 seven thousand [two hundred sixty] eighty-six dollars per annum  
14 each;

15 (5) Master patrol officers at not less than fifty-six  
16 thousand three hundred four dollars, nor more than [seventy-nine]  
17 eighty-seven thousand seven hundred [twenty-eight] one dollars  
18 per annum each;

19 (6) Master detectives at not less than fifty-six thousand  
20 three hundred four dollars, nor more than [seventy-nine] eighty-  
21 seven thousand seven hundred [twenty-eight] one dollars per annum  
22 each;

23 (7) Detectives, investigators, and police officers at not  
24 less than twenty-six thousand six hundred forty-three dollars,  
25 nor more than [seventy-five] eighty-two thousand [one] six  
26 hundred [eight] nineteen dollars per annum each.

27 3. The board of police commissioners has the authority by  
28 resolution to effect a comprehensive pay schedule program to

1 provide for step increases with separate pay rates within each  
2 rank, in the above-specified salary ranges from police officers  
3 through chief of police.

4 4. Officers assigned to wear civilian clothes in the  
5 performance of their regular duties may receive an additional one  
6 hundred fifty dollars per month clothing allowance. Uniformed  
7 officers may receive seventy-five dollars per month uniform  
8 maintenance allowance.

9 5. The chief of police, subject to the approval of the  
10 board, shall establish the total regular working hours for all  
11 police department employees, and the board has the power, upon  
12 recommendation of the chief, to pay additional compensation for  
13 all hours of service rendered in excess of the established  
14 regular working period, but the rate of overtime compensation  
15 shall not exceed one and one-half times the regular hourly rate  
16 of pay to which each member shall normally be entitled. No  
17 credit shall be given nor deductions made from payments for  
18 overtime for the purpose of retirement benefits.

19 6. The board of police commissioners, by majority  
20 affirmative vote, including the mayor, has the authority by  
21 resolution to authorize incentive pay in addition to the base  
22 compensation as provided for in subsection 2 of this section, to  
23 be paid police officers of any rank who they determine are  
24 assigned duties which require an extraordinary degree of skill,  
25 technical knowledge and ability, or which are highly demanding or  
26 unusual. No credit shall be given nor deductions made from these  
27 payments for the purpose of retirement benefits.

28 7. The board of police commissioners may effect programs to

1 provide additional compensation for successful completion of  
2 academic work at an accredited college or university. No credit  
3 shall be given nor deductions made from these payments for the  
4 purpose of retirement benefits.

5 8. The additional pay increments provided in subsections 6  
6 and 7 of this section shall not be considered a part of the base  
7 compensation of police officers of any rank and shall not exceed  
8 ten percent of what the officer would otherwise be entitled to  
9 pursuant to subsections 2 and 3 of this section.

10 9. Not more than twenty-five percent of the officers in any  
11 rank who are receiving the maximum rate of pay authorized by  
12 subsections 2 and 3 of this section may receive the additional  
13 pay increments authorized by subsections 6 and 7 of this section  
14 at any given time. However, any officer receiving a pay  
15 increment provided pursuant to the provisions of subsections 6  
16 and 7 of this section shall not be deprived of such pay increment  
17 as a result of the limitations of this subsection.

18 84.830. 1. [No person shall solicit orally, or by letter or  
19 otherwise, or shall be in any manner concerned in soliciting, any  
20 assessment, contribution, or payment for any political purpose  
21 whatsoever from any officer or employee in the service of the  
22 police department for such cities or from members of the said  
23 police board.] No officer, agent, or employee of the police  
24 department of such cities shall permit any [such] solicitation  
25 for political purpose in any building or room occupied for the  
26 discharge of the official duties of the said department. [No  
27 officer or employee in the service of said police department  
28 shall directly or indirectly give, pay, lend, or contribute any

1 part of his salary or compensation or any money or other valuable  
2 thing to any person on account of, or to be applied to, the  
3 promotion of any political party, political club, or any  
4 political purpose whatever.]

5 2. No officer or employee of said department shall promote,  
6 remove, or reduce any other official or employee, or promise or  
7 threaten to do so, for withholding or refusing to make any  
8 contribution for any political party or purpose or club, or for  
9 refusal to render any political service, and shall not directly  
10 or indirectly attempt to coerce, command, or advise any other  
11 officer or employee to make any such contribution or render any  
12 such service. No officer or employee in the service of said  
13 department or member of the police board shall use his official  
14 authority or influence for the purpose of interfering with any  
15 election or any nomination for office, or affecting the result  
16 thereof. No officer or employee of such department shall [be a  
17 member or official of any committee of any political party, or be  
18 a ward committeeman or committeewoman, nor shall any such officer  
19 or employee] solicit any person to vote for or against any  
20 candidate for public office, or "poll precincts" or be connected  
21 with other political work of similar character on behalf of any  
22 political organization, party, or candidate while on duty or  
23 while wearing the official uniform of the department. All such  
24 persons shall, however, retain the right to vote as they may  
25 choose and to express their opinions on all political subjects  
26 and candidates.

27 3. No person or officer or employee of said department  
28 shall affix any sign, bumper sticker or other device to any

1 property or vehicle under the control of said department which  
2 either supports or opposes any ballot measure or political  
3 candidate.

4 4. No question in any examination shall relate to political  
5 or religious opinions or affiliations, and no appointment,  
6 transfer, layoff, promotion, reduction, suspension, or removal  
7 shall be affected by such opinions or affiliations.

8 5. No person shall make false statement, certification,  
9 mark, rating, or report with regard to any tests, certificate, or  
10 appointment made under any provision of sections 84.350 to 84.860  
11 or in any manner commit or attempt to commit any fraud preventing  
12 the impartial execution of this section or any provision thereof.

13 6. No person shall, directly or indirectly, give, render,  
14 pay, offer, solicit, or accept any money, service, or other  
15 valuable consideration for or on account of any appointment,  
16 proposed appointment, promotion to, or any advancement in, a  
17 position in the service of the police departments of such cities.

18 7. No person shall defeat, deceive, or obstruct any person  
19 in his right to examination, eligibility, certification,  
20 appointment or promotion under sections 84.350 to 84.860, or  
21 furnish to any person any such secret information for the purpose  
22 of affecting the right or prospects of any person with respect to  
23 employment in the police departments of such cities.

24 8. Any officer or any employee of the police department of  
25 such cities who shall be found by the board to have violated any  
26 of the provisions of this section shall be discharged forthwith  
27 from said service. It shall be the duty of the chief of police  
28 to prefer charges against any such offending person at once. Any

1 member of the board or of the common council of such cities may  
2 bring suit to restrain payment of compensation to any such  
3 offending officer or employee and, as an additional remedy, any  
4 such member of the board or of the common council of such cities  
5 may also apply to the circuit court for a writ of mandamus to  
6 compel the dismissal of such offending officer or employee.  
7 Officers or employees discharged by such mandamus shall have no  
8 right of review before the police board. Any person dismissed or  
9 convicted under this section shall, for a period of five years,  
10 be ineligible for appointment to any position in the service of  
11 the police department of such cities or the municipal government  
12 of such cities. Any persons who shall willfully or through  
13 culpable negligence violate any of the provisions of this section  
14 may, upon conviction thereof, be punished by a fine of not less  
15 than fifty dollars and not exceeding five hundred dollars, or by  
16 imprisonment for a time not exceeding six months, or by both such  
17 fine and imprisonment.

18 86.200. The following words and phrases as used in sections  
19 86.200 to 86.366, unless a different meaning is plainly required  
20 by the context, shall have the following meanings:

21 (1) "Accumulated contributions", the sum of all mandatory  
22 contributions deducted from the compensation of a member and  
23 credited to the member's individual account, together with  
24 members' interest thereon;

25 (2) "Actuarial equivalent", a benefit of equal value when  
26 computed upon the basis of mortality tables and interest  
27 assumptions adopted by the board of trustees;

28 (3) "Average final compensation":



1           (a) With respect to a member who earns no creditable  
2 service on or after October 1, 2001, the average earnable  
3 compensation of the member during the member's last three years  
4 of creditable service as a police officer, or if the member has  
5 had less than three years of creditable service, the average  
6 earnable compensation of the member's entire period of creditable  
7 service;

8           (b) With respect to a member who is not participating in  
9 the DROP pursuant to section 86.251 on October 1, 2001, who did  
10 not participate in the DROP at any time before such date, and who  
11 earns any creditable service on or after October 1, 2001, the  
12 average earnable compensation of the member during the member's  
13 last two years of creditable service as a policeman, or if the  
14 member has had less than two years of creditable service, then  
15 the average earnable compensation of the member's entire period  
16 of creditable service;

17           (c) With respect to a member who is participating in the  
18 DROP pursuant to section 86.251 on October 1, 2001, or whose  
19 participation in DROP ended before such date, who returns to  
20 active participation in the system pursuant to section 86.251,  
21 and who terminates employment as a police officer for reasons  
22 other than death or disability before earning at least two years  
23 of creditable service after such return, the portion of the  
24 member's benefit attributable to creditable service earned before  
25 DROP entry shall be determined using average final compensation  
26 as defined in paragraph (a) of this subdivision; and the portion  
27 of the member's benefit attributable to creditable service earned  
28 after return to active participation in the system shall be

1 determined using average final compensation as defined in  
2 paragraph (b) of this subdivision;

3 (d) With respect to a member who is participating in the  
4 DROP pursuant to section 86.251 on October 1, 2001, or whose  
5 participation in the DROP ended before such date, who returns to  
6 active participation in the system pursuant to section 86.251,  
7 and who terminates employment as a police officer after earning  
8 at least two years of creditable service after such return, the  
9 member's benefit attributable to all of such member's creditable  
10 service shall be determined using the member's average final  
11 compensation as defined in paragraph (b) of this subdivision;

12 (e) With respect to a member who is participating in the  
13 DROP pursuant to section 86.251 on October 1, 2001, or whose  
14 participation in DROP ended before such date, who returns to  
15 active participation in the system pursuant to section 86.251,  
16 and whose employment as a police officer terminates due to death  
17 or disability after such return, the member's benefit  
18 attributable to all of such member's creditable service shall be  
19 determined using the member's average final compensation as  
20 defined in paragraph (b) of this subdivision; and

21 (f) With respect to the surviving spouse or surviving  
22 dependent child of a member who earns any creditable service on  
23 or after October 1, 2001, the average earnable compensation of  
24 the member during the member's last two years of creditable  
25 service as a police officer or, if the member has had less than  
26 two years of creditable service, the average earnable  
27 compensation of the member's entire period of creditable service;

28 (4) "Beneficiary", any person in receipt of a retirement

1 allowance or other benefit;

2 (5) "Board of police commissioners", any board of police  
3 commissioners, police commissioners and any other officials or  
4 boards now or hereafter authorized by law to employ and manage a  
5 permanent police force in such cities;

6 (6) "Board of trustees", the board provided in sections  
7 86.200 to 86.366 to administer the retirement system;

8 (7) "Creditable service", prior service plus membership  
9 service as provided in sections 86.200 to 86.366;

10 (8) "DROP", the deferred retirement option plan provided  
11 for in section 86.251;

12 (9) "Earnable compensation", the annual salary established  
13 under section 84.160 which a member would earn during one year on  
14 the basis of the member's rank or position [as specified in the  
15 applicable salary matrix] plus any additional compensation for  
16 academic work and shift differential that may be provided by any  
17 official or board now or hereafter authorized by law to employ  
18 and manage a permanent police force in such cities. Such amount  
19 shall include the member's deferrals to a deferred compensation  
20 plan pursuant to Section 457 of the Internal Revenue Code or to a  
21 cafeteria plan pursuant to Section 125 of the Internal Revenue  
22 Code or, effective October 1, 2001, to a transportation fringe  
23 benefit program pursuant to Section 132(f)(4) of the Internal  
24 Revenue Code. Earnable compensation shall not include a member's  
25 additional compensation for overtime, standby time, court time,  
26 nonuniform time or unused vacation time. Notwithstanding the  
27 foregoing, the earnable compensation taken into account under the  
28 plan established pursuant to sections 86.200 to 86.366 with

1 respect to a member who is a noneligible participant, as defined  
2 in this subdivision, for any plan year beginning on or after  
3 October 1, 1996, shall not exceed the amount of compensation that  
4 may be taken into account under Section 401(a)(17) of the  
5 Internal Revenue Code, as adjusted for increases in the cost of  
6 living, for such plan year. For purposes of this subdivision, a  
7 "noneligible participant" is an individual who first becomes a  
8 member on or after the first day of the first plan year beginning  
9 after the earlier of:

10 (a) The last day of the plan year that includes August 28,  
11 1995; or

12 (b) December 31, 1995;

13 (10) "Internal Revenue Code", the federal Internal Revenue  
14 Code of 1986, as amended;

15 (11) "Mandatory contributions", the contributions required  
16 to be deducted from the salary of each member who is not  
17 participating in DROP in accordance with section 86.320;

18 (12) "Medical board", the board of three physicians of  
19 different disciplines appointed by the trustees of the police  
20 retirement board and responsible for arranging and passing upon  
21 all medical examinations required under the provisions of  
22 sections 86.200 to 86.366, which board shall investigate all  
23 essential statements and certificates made by or on behalf of a  
24 member in connection with an application for disability  
25 retirement and shall report in writing to the board of trustees  
26 its conclusions and recommendations, which can be based upon the  
27 opinion of a single member or that of an outside specialist if  
28 one is appointed, upon all the matters referred to such medical

1 board;

2 (13) "Member", a member of the retirement system as defined  
3 by sections 86.200 to 86.366;

4 [(13)] (14) "Members' interest", interest on accumulated  
5 contributions at such rate as may be set from time to time by the  
6 board of trustees;

7 [(14)] (15) "Membership service", service as a policeman  
8 rendered since last becoming a member, except in the case of a  
9 member who has served in the armed forces of the United States  
10 and has subsequently been reinstated as a policeman, in which  
11 case "membership service" means service as a policeman rendered  
12 since last becoming a member prior to entering such armed  
13 service;

14 [(15)] (16) "Plan year" or "limitation year", the twelve  
15 consecutive-month period beginning each October first and ending  
16 each September thirtieth;

17 [(16)] (17) "Policeman" or "police officer", any member of  
18 the police force of such cities who holds a rank in such police  
19 force;

20 [(17)] (18) "Prior service", all service as a policeman  
21 rendered prior to the date the system becomes operative or prior  
22 to membership service which is creditable in accordance with the  
23 provisions of sections 86.200 to 86.366;

24 [(18)] (19) "Reserve officer", any member of the police  
25 reserve force of such cities, armed or unarmed, who works less  
26 than full time, without compensation, and who, by his or her  
27 assigned function or as implied by his or her uniform, performs  
28 duties associated with those of a police officer and who

1 currently receives a service retirement as provided by sections  
2 86.200 to 86.366;

3 [(19)] (20) "Retirement allowance", annual payments for  
4 life as provided by sections 86.200 to 86.366 which shall be  
5 payable in equal monthly installments or any benefits in lieu  
6 thereof granted to a member upon termination of employment as a  
7 police officer and actual retirement;

8 [(20)] (21) "Retirement system", the police retirement  
9 system of the cities as defined in sections 86.200 to 86.366;

10 [(21)] (22) "Surviving spouse", the surviving spouse of a  
11 member who was the member's spouse at the time of the member's  
12 death.

13 86.257. 1. Upon the application of [a member in service or  
14 of] the board of police commissioners or any successor body, any  
15 member who has completed ten or more years of creditable service  
16 or upon the police retirement system created by sections 86.200  
17 to 86.366 first attaining, after the effective date of this act,  
18 a funded ratio, as defined in section 105.660 and as determined  
19 by the system's annual actuarial valuation, of at least eighty  
20 percent, a member who has completed five or more years of  
21 creditable service and who has become permanently unable to  
22 perform the duties of a police officer as the result of an injury  
23 or illness not exclusively caused or induced by the actual  
24 performance of his or her official duties or by his or her own  
25 negligence shall be retired by the board of [trustees of the  
26 police retirement system] police commissioners or any successor  
27 body upon certification by the medical [director] board of the  
28 police retirement system and approval by the board of trustees of

1 the police retirement system that the member is mentally or  
2 physically unable to perform the duties of a police officer, that  
3 the inability is permanent or likely to become permanent, and  
4 that the member should be retired.

5 2. Once each year during the first five years following  
6 such member's retirement, and at least once in every three-year  
7 period thereafter, the board of trustees may, and upon the  
8 member's application shall, require any nonduty disability  
9 beneficiary who has not yet attained sixty years of age to  
10 undergo a medical examination at a place designated by the  
11 medical [director] board or such physicians as the medical  
12 [director] board appoints. If any nonduty disability beneficiary  
13 who has not attained sixty years of age refuses to submit to a  
14 medical examination, his or her nonduty disability pension may be  
15 discontinued until his or her withdrawal of such refusal, and if  
16 his or her refusal continues for one year, all rights in and to  
17 such pension may be revoked by the board of trustees.

18 3. If the medical [director] board certifies to the board  
19 of trustees that a nonduty disability beneficiary is able to  
20 perform the duties of a police officer, and if the board of  
21 trustees concurs on the report, then such beneficiary's nonduty  
22 disability pension shall cease.

23 4. If upon cessation of a disability pension under  
24 subsection 3 of this section, the former disability beneficiary  
25 is restored to active service, he or she shall again become a  
26 member, and he or she shall contribute thereafter at the same  
27 rate as other members. Upon his or her subsequent retirement, he  
28 or she shall be credited with all of his or her active

1 retirement, but not including any time during which the former  
2 disability beneficiary received a disability pension under this  
3 section.

4 86.263. 1. Any member in active service who is permanently  
5 unable to perform the full and unrestricted duties of a police  
6 officer as the natural, proximate, and exclusive result of an  
7 accident occurring within the actual performance of duty at some  
8 definite time and place, through no negligence on the member's  
9 part, shall[, upon application,] be retired by the board of  
10 police commissioners or any successor body upon certification by  
11 [the medical director of the police retirement system and  
12 approval by the board of trustees of the police retirement  
13 system] one or more physicians of the medical board that the  
14 member is mentally or physically unable to perform the full and  
15 unrestricted duties of a police officer [and] , that the  
16 inability is permanent or [reasonably] likely to become  
17 permanent, and that the member should be retired. The inability  
18 to perform the "full and unrestricted duties of a police officer"  
19 means the member is unable to perform all the essential job  
20 functions for the position of police officer as established by  
21 the board of police commissioners or any successor body.

22 2. No member shall be approved for retirement under the  
23 provisions of subsection 1 of this section unless the application  
24 was made and submitted to the board of [trustees of the police  
25 retirement system] police commissioners or any successor body no  
26 later than five years following the date of accident, provided,  
27 that if the accident was reported within five years of the date  
28 of the accident and an examination made of the member within



1 thirty days of the date of accident by a health care provider  
2 whose services were provided through the board of police  
3 commissioners with subsequent examinations made as requested,  
4 then an application made more than five years following the date  
5 of the accident shall be considered timely.

6 3. Once each year during the first five years following a  
7 member's retirement, and at least once in every three-year period  
8 thereafter, the board of trustees may require any disability  
9 beneficiary who has not yet attained sixty years of age to  
10 undergo a medical examination or medical examinations at a place  
11 designated by the medical [director] board or such physicians as  
12 the medical [director] board appoints. If any disability  
13 beneficiary who has not attained sixty years of age refuses to  
14 submit to a medical examination, his or her disability pension  
15 may be discontinued by the board of trustees of the police  
16 retirement system until his or her withdrawal of such refusal,  
17 and if his or her refusal continues for one year, all rights in  
18 and to such pension may be revoked by the board of trustees.

19 4. If the medical [director] board certifies to the board  
20 of trustees that a disability beneficiary is able to perform the  
21 duties of a police officer, [and if the board of trustees concurs  
22 with the medical director's determination,] then such  
23 beneficiary's disability pension shall cease.

24 5. If upon cessation of a disability pension under  
25 subsection 4 of this section, the former disability beneficiary  
26 is restored to active service, he or she shall again become a  
27 member, and he or she shall contribute thereafter at the same  
28 rate as other members. Upon his or her subsequent retirement, he

1 or she shall be credited with all of his or her active service  
2 time as a member including the service time prior to receiving  
3 disability retirement, but not including any time during which  
4 the former disability beneficiary received a disability pension  
5 under this section.

6 6. If upon cessation of a disability pension under  
7 subsection 4 of this section, the former disability beneficiary  
8 is not restored to active service, such former disability  
9 beneficiary shall be entitled to the retirement benefit to which  
10 such former disability beneficiary would have been entitled if  
11 such former disability beneficiary had terminated service for any  
12 reason other than dishonesty or being convicted of a felony at  
13 the time of such cessation of such former disability  
14 beneficiary's disability pension. For purposes of such  
15 retirement benefits, such former disability beneficiary shall be  
16 credited with all of the former disability beneficiary's active  
17 service time as a member, but not including any time during which  
18 the former disability beneficiary received a disability  
19 beneficiary pension under this section.

20 99.845. 1. A municipality, either at the time a  
21 redevelopment project is approved or, in the event a municipality  
22 has undertaken acts establishing a redevelopment plan and  
23 redevelopment project and has designated a redevelopment area  
24 after the passage and approval of sections 99.800 to 99.865 but  
25 prior to August 13, 1982, which acts are in conformance with the  
26 procedures of sections 99.800 to 99.865, may adopt tax increment  
27 allocation financing by passing an ordinance providing that after  
28 the total equalized assessed valuation of the taxable real

1 property in a redevelopment project exceeds the certified total  
2 initial equalized assessed valuation of the taxable real property  
3 in the redevelopment project, the ad valorem taxes, and payments  
4 in lieu of taxes, if any, arising from the levies upon taxable  
5 real property in such redevelopment project by taxing districts  
6 and tax rates determined in the manner provided in subsection 2  
7 of section 99.855 each year after the effective date of the  
8 ordinance until redevelopment costs have been paid shall be  
9 divided as follows:

10 (1) That portion of taxes, penalties and interest levied  
11 upon each taxable lot, block, tract, or parcel of real property  
12 which is attributable to the initial equalized assessed value of  
13 each such taxable lot, block, tract, or parcel of real property  
14 in the area selected for the redevelopment project shall be  
15 allocated to and, when collected, shall be paid by the county  
16 collector to the respective affected taxing districts in the  
17 manner required by law in the absence of the adoption of tax  
18 increment allocation financing;

19 (2) (a) Payments in lieu of taxes attributable to the  
20 increase in the current equalized assessed valuation of each  
21 taxable lot, block, tract, or parcel of real property in the area  
22 selected for the redevelopment project and any applicable penalty  
23 and interest over and above the initial equalized assessed value  
24 of each such unit of property in the area selected for the  
25 redevelopment project shall be allocated to and, when collected,  
26 shall be paid to the municipal treasurer who shall deposit such  
27 payment in lieu of taxes into a special fund called the "Special  
28 Allocation Fund" of the municipality for the purpose of paying

1 redevelopment costs and obligations incurred in the payment  
2 thereof. Payments in lieu of taxes which are due and owing shall  
3 constitute a lien against the real estate of the redevelopment  
4 project from which they are derived and shall be collected in the  
5 same manner as the real property tax, including the assessment of  
6 penalties and interest where applicable. The municipality may,  
7 in the ordinance, pledge the funds in the special allocation fund  
8 for the payment of such costs and obligations and provide for the  
9 collection of payments in lieu of taxes, the lien of which may be  
10 foreclosed in the same manner as a special assessment lien as  
11 provided in section 88.861. No part of the current equalized  
12 assessed valuation of each lot, block, tract, or parcel of  
13 property in the area selected for the redevelopment project  
14 attributable to any increase above the total initial equalized  
15 assessed value of such properties shall be used in calculating  
16 the general state school aid formula provided for in section  
17 163.031 until such time as all redevelopment costs have been paid  
18 as provided for in this section and section 99.850;

19 (b) Notwithstanding any provisions of this section to the  
20 contrary, for purposes of determining the limitation on  
21 indebtedness of local government pursuant to article VI, section  
22 26(b) of the Missouri Constitution, the current equalized  
23 assessed value of the property in an area selected for  
24 redevelopment attributable to the increase above the total  
25 initial equalized assessed valuation shall be included in the  
26 value of taxable tangible property as shown on the last completed  
27 assessment for state or county purposes;

28 (c) The county assessor shall include the current assessed

1 value of all property within the taxing district in the aggregate  
2 valuation of assessed property entered upon the assessor's book  
3 and verified pursuant to section 137.245, and such value shall be  
4 utilized for the purpose of the debt limitation on local  
5 government pursuant to article VI, section 26(b) of the Missouri  
6 Constitution;

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

18 2. In addition to the payments in lieu of taxes described  
19 in subdivision (2) of subsection 1 of this section, for  
20 redevelopment plans and projects adopted or redevelopment  
21 projects approved by ordinance after July 12, 1990, and prior to  
22 August 31, 1991, fifty percent of the total additional revenue  
23 from taxes, penalties and interest imposed by the municipality,  
24 or other taxing districts, which are generated by economic  
25 activities within the area of the redevelopment project over the  
26 amount of such taxes generated by economic activities within the  
27 area of the redevelopment project in the calendar year prior to  
28 the adoption of the redevelopment project by ordinance, while tax

1 increment financing remains in effect, but excluding taxes  
2 imposed on sales or charges for sleeping rooms paid by transient  
3 guests of hotels and motels, taxes levied pursuant to section  
4 70.500, licenses, fees or special assessments other than payments  
5 in lieu of taxes and any penalty and interest thereon, or,  
6 effective January 1, 1998, taxes levied pursuant to section  
7 94.660, for the purpose of public transportation, shall be  
8 allocated to, and paid by the local political subdivision  
9 collecting officer to the treasurer or other designated financial  
10 officer of the municipality, who shall deposit such funds in a  
11 separate segregated account within the special allocation fund.  
12 Any provision of an agreement, contract or covenant entered into  
13 prior to July 12, 1990, between a municipality and any other  
14 political subdivision which provides for an appropriation of  
15 other municipal revenues to the special allocation fund shall be  
16 and remain enforceable.

17 3. In addition to the payments in lieu of taxes described  
18 in subdivision (2) of subsection 1 of this section, for  
19 redevelopment plans and projects adopted or redevelopment  
20 projects approved by ordinance after August 31, 1991, fifty  
21 percent of the total additional revenue from taxes, penalties and  
22 interest which are imposed by the municipality or other taxing  
23 districts, and which are generated by economic activities within  
24 the area of the redevelopment project over the amount of such  
25 taxes generated by economic activities within the area of the  
26 redevelopment project in the calendar year prior to the adoption  
27 of the redevelopment project by ordinance, while tax increment  
28 financing remains in effect, but excluding personal property

1 taxes, taxes imposed on sales or charges for sleeping rooms paid  
2 by transient guests of hotels and motels, taxes levied pursuant  
3 to section 70.500, taxes levied for the purpose of public  
4 transportation pursuant to section 94.660, licenses, fees or  
5 special assessments other than payments in lieu of taxes and  
6 penalties and interest thereon, [or] any sales tax imposed by a  
7 county with a charter form of government and with more than six  
8 hundred thousand but fewer than seven hundred thousand  
9 inhabitants, for the purpose of sports stadium improvement or  
10 levied by such county under section 238.410 for the purpose of  
11 the county transit authority operating transportation facilities,  
12 or for redevelopment plans and projects adopted or redevelopment  
13 projects approved by ordinance after August 28, 2013, taxes  
14 imposed on sales under section 650.399 for the purpose of  
15 emergency communication systems, shall be allocated to, and paid  
16 by the local political subdivision collecting officer to the  
17 treasurer or other designated financial officer of the  
18 municipality, who shall deposit such funds in a separate  
19 segregated account within the special allocation fund.

20 4. Beginning January 1, 1998, for redevelopment plans and  
21 projects adopted or redevelopment projects approved by ordinance  
22 and which have complied with subsections 4 to 12 of this section,  
23 in addition to the payments in lieu of taxes and economic  
24 activity taxes described in subsections 1, 2 and 3 of this  
25 section, up to fifty percent of the new state revenues, as  
26 defined in subsection 8 of this section, estimated for the  
27 businesses within the project area and identified by the  
28 municipality in the application required by subsection 10 of this

1 section, over and above the amount of such taxes reported by  
2 businesses within the project area as identified by the  
3 municipality in their application prior to the approval of the  
4 redevelopment project by ordinance, while tax increment financing  
5 remains in effect, may be available for appropriation by the  
6 general assembly as provided in subsection 10 of this section to  
7 the department of economic development supplemental tax increment  
8 financing fund, from the general revenue fund, for distribution  
9 to the treasurer or other designated financial officer of the  
10 municipality with approved plans or projects.

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

15 6. No transfer from the general revenue fund to the  
16 Missouri supplemental tax increment financing fund shall be made  
17 unless an appropriation is made from the general revenue fund for  
18 that purpose. No municipality shall commit any state revenues  
19 prior to an appropriation being made for that project. For all  
20 redevelopment plans or projects adopted or approved after  
21 December 23, 1997, appropriations from the new state revenues  
22 shall not be distributed from the Missouri supplemental tax  
23 increment financing fund into the special allocation fund unless  
24 the municipality's redevelopment plan ensures that one hundred  
25 percent of payments in lieu of taxes and fifty percent of  
26 economic activity taxes generated by the project shall be used  
27 for eligible redevelopment project costs while tax increment  
28 financing remains in effect. This account shall be separate from



1 the account into which payments in lieu of taxes are deposited,  
2 and separate from the account into which economic activity taxes  
3 are deposited.

4 7. In order for the redevelopment plan or project to be  
5 eligible to receive the revenue described in subsection 4 of this  
6 section, the municipality shall comply with the requirements of  
7 subsection 10 of this section prior to the time the project or  
8 plan is adopted or approved by ordinance. The director of the  
9 department of economic development and the commissioner of the  
10 office of administration may waive the requirement that the  
11 municipality's application be submitted prior to the  
12 redevelopment plan's or project's adoption or the redevelopment  
13 plan's or project's approval by ordinance.

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

16 (1) The incremental increase in the general revenue portion  
17 of state sales tax revenues received pursuant to section 144.020,  
18 excluding sales taxes that are constitutionally dedicated, taxes  
19 deposited to the school district trust fund in accordance with  
20 section 144.701, sales and use taxes on motor vehicles, trailers,  
21 boats and outboard motors and future sales taxes earmarked by  
22 law. In no event shall the incremental increase include any  
23 amounts attributable to retail sales unless the municipality or  
24 authority has proven to the Missouri development finance board  
25 and the department of economic development and such entities have  
26 made a finding that the sales tax increment attributable to  
27 retail sales is from new sources which did not exist in the state  
28 during the baseline year. The incremental increase in the

1 general revenue portion of state sales tax revenues for an  
2 existing or relocated facility shall be the amount that current  
3 state sales tax revenue exceeds the state sales tax revenue in  
4 the base year as stated in the redevelopment plan as provided in  
5 subsection 10 of this section; or

6 (2) The state income tax withheld on behalf of new  
7 employees by the employer pursuant to section 143.221 at the  
8 business located within the project as identified by the  
9 municipality. The state income tax withholding allowed by this  
10 section shall be the municipality's estimate of the amount of  
11 state income tax withheld by the employer within the  
12 redevelopment area for new employees who fill new jobs directly  
13 created by the tax increment financing project.

14 9. Subsection 4 of this section shall apply only to  
15 blighted areas located in enterprise zones, pursuant to sections  
16 135.200 to 135.256, blighted areas located in federal empowerment  
17 zones, or to blighted areas located in central business districts  
18 or urban core areas of cities which districts or urban core areas  
19 at the time of approval of the project by ordinance, provided  
20 that the enterprise zones, federal empowerment zones or blighted  
21 areas contained one or more buildings at least fifty years old;  
22 and

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

26 (2) Was a historic hotel located in a county of the first  
27 classification without a charter form of government with a  
28 population according to the most recent federal decennial census

1 in excess of one hundred fifty thousand and containing a portion  
2 of a city with a population according to the most recent federal  
3 decennial census in excess of three hundred fifty thousand.

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

9 (1) The director of the department of economic development  
10 or his or her designee and the commissioner of the office of  
11 administration or his or her designee have approved a tax  
12 increment financing application made by the municipality for the  
13 appropriation of the new state revenues. The municipality shall  
14 include in the application the following items in addition to the  
15 items in section 99.810:

16 (a) The tax increment financing district or redevelopment  
17 area, including the businesses identified within the  
18 redevelopment area;

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

23 (c) The estimate of the incremental increase in the general  
24 revenue portion of state sales tax revenue or the estimate for  
25 the state income tax withheld by the employer on behalf of new  
26 employees expected to fill new jobs created within the  
27 redevelopment area after redevelopment;

28 (d) The official statement of any bond issue pursuant to

1 this subsection after December 23, 1997;

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

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

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

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

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

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

20 (k) The estimated development project costs;

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

23 (m) Evidence of the commitments to finance such development  
24 project costs;

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

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

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

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

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

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

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

12 (u) The current gross wages, state income tax withholdings,  
13 and federal income tax withholdings for individuals employed in  
14 the development area;

15 (v) The total number of individuals employed in this state  
16 by the corporate parent of any business benefitting from public  
17 expenditures in the development area, and all subsidiaries  
18 thereof, as of December thirty-first of the prior fiscal year,  
19 broken down by full-time, part-time, and temporary positions;

20 (w) The number of new jobs to be created by any business  
21 benefitting from public expenditures in the development area,  
22 broken down by full-time, part-time, and temporary positions;

23 (x) The average hourly wage to be paid to all current and  
24 new employees at the project site, broken down by full-time,  
25 part-time, and temporary positions;

26 (y) For project sites located in a metropolitan statistical  
27 area, as defined by the federal Office of Management and Budget,  
28 the average hourly wage paid to nonmanagerial employees in this

1 state for the industries involved at the project, as established  
2 by the United States Bureau of Labor Statistics;

3 (z) For project sites located outside of metropolitan  
4 statistical areas, the average weekly wage paid to nonmanagerial  
5 employees in the county for industries involved at the project,  
6 as established by the United States Department of Commerce;

7 (aa) A list of other community and economic benefits to  
8 result from the project;

9 (bb) A list of all development subsidies that any business  
10 benefitting from public expenditures in the development area has  
11 previously received for the project, and the name of any other  
12 granting body from which such subsidies are sought;

13 (cc) A list of all other public investments made or to be  
14 made by this state or units of local government to support  
15 infrastructure or other needs generated by the project for which  
16 the funding pursuant to this section is being sought;

17 (dd) A statement as to whether the development project may  
18 reduce employment at any other site, within or without the state,  
19 resulting from automation, merger, acquisition, corporate  
20 restructuring, relocation, or other business activity;

21 (ee) A statement as to whether or not the project involves  
22 the relocation of work from another address and if so, the number  
23 of jobs to be relocated and the address from which they are to be  
24 relocated;

25 (ff) A list of competing businesses in the county  
26 containing the development area and in each contiguous county;

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

28 (hh) A certification by the chief officer of the applicant

1 as to the accuracy of the development plan;

2 (2) The methodologies used in the application for  
3 determining the base year and determining the estimate of the  
4 incremental increase in the general revenue portion of the state  
5 sales tax revenues or the state income tax withheld by employers  
6 on behalf of new employees who fill new jobs created in the  
7 redevelopment area shall be approved by the director of the  
8 department of economic development or his or her designee and the  
9 commissioner of the office of administration or his or her  
10 designee. Upon approval of the application, the director of the  
11 department of economic development or his or her designee and the  
12 commissioner of the office of administration or his or her  
13 designee shall issue a certificate of approval. The department  
14 of economic development may request the appropriation following  
15 application approval;

16 (3) The appropriation shall be either a portion of the  
17 estimate of the incremental increase in the general revenue  
18 portion of state sales tax revenues in the redevelopment area or  
19 a portion of the estimate of the state income tax withheld by the  
20 employer on behalf of new employees who fill new jobs created in  
21 the redevelopment area as indicated in the municipality's  
22 application, approved by the director of the department of  
23 economic development or his or her designee and the commissioner  
24 of the office of administration or his or her designee. At no  
25 time shall the annual amount of the new state revenues approved  
26 for disbursements from the Missouri supplemental tax increment  
27 financing fund exceed thirty-two million dollars;

28 (4) Redevelopment plans and projects receiving new state

1 revenues shall have a duration of up to fifteen years, unless  
2 prior approval for a longer term is given by the director of the  
3 department of economic development or his or her designee and the  
4 commissioner of the office of administration or his or her  
5 designee; except that, in no case shall the duration exceed  
6 twenty-three years.

7 11. In addition to the areas authorized in subsection 9 of  
8 this section, the funding authorized pursuant to subsection 4 of  
9 this section shall also be available in a federally approved  
10 levee district, where construction of a levee begins after  
11 December 23, 1997, and which is contained within a county of the  
12 first classification without a charter form of government with a  
13 population between fifty thousand and one hundred thousand  
14 inhabitants which contains all or part of a city with a  
15 population in excess of four hundred thousand or more  
16 inhabitants.

17 12. There is hereby established within the state treasury a  
18 special fund to be known as the "Missouri Supplemental Tax  
19 Increment Financing Fund", to be administered by the department  
20 of economic development. The department shall annually  
21 distribute from the Missouri supplemental tax increment financing  
22 fund the amount of the new state revenues as appropriated as  
23 provided in the provisions of subsections 4 and 5 of this section  
24 if and only if the conditions of subsection 10 of this section  
25 are met. The fund shall also consist of any gifts,  
26 contributions, grants or bequests received from federal, private  
27 or other sources. Moneys in the Missouri supplemental tax  
28 increment financing fund shall be disbursed per project pursuant



1 to state appropriations.

2 13. Redevelopment project costs may include, at the  
3 prerogative of the state, the portion of salaries and expenses of  
4 the department of economic development and the department of  
5 revenue reasonably allocable to each redevelopment project  
6 approved for disbursements from the Missouri supplemental tax  
7 increment financing fund for the ongoing administrative functions  
8 associated with such redevelopment project. Such amounts shall  
9 be recovered from new state revenues deposited into the Missouri  
10 supplemental tax increment financing fund created under this  
11 section.

12 14. For redevelopment plans or projects approved by  
13 ordinance that result in net new jobs from the relocation of a  
14 national headquarters from another state to the area of the  
15 redevelopment project, the economic activity taxes and new state  
16 tax revenues shall not be based on a calculation of the  
17 incremental increase in taxes as compared to the base year or  
18 prior calendar year for such redevelopment project, rather the  
19 incremental increase shall be the amount of total taxes generated  
20 from the net new jobs brought in by the national headquarters  
21 from another state. In no event shall this subsection be  
22 construed to allow a redevelopment project to receive an  
23 appropriation in excess of up to fifty percent of the new state  
24 revenues.

25 190.098. 1. In order for a person to be eligible for  
26 certification by the department as a community paramedic, an  
27 individual shall:

28 (1) Be currently certified as a paramedic;

1 (2) Successfully complete or have successfully completed a  
2 community paramedic certification program from a college,  
3 university, or educational institution that has been approved by  
4 the department or accredited by a national accreditation  
5 organization approved by the department; and

6 (3) Complete an application form approved by the  
7 department.

8 2. A community paramedic shall practice in accordance with  
9 protocols and supervisory standards established by the medical  
10 director. A community paramedic shall provide services of a  
11 health care plan if the plan has been developed by the patient's  
12 physician or by an advanced practice registered nurse through a  
13 collaborative practice arrangement with a physician or a  
14 physician assistant through a collaborative practice arrangement  
15 with a physician and there is no duplication of services to the  
16 patient from another provider.

17 3. Any ambulance service shall enter into a written  
18 contract to provide community paramedic services in another  
19 ambulance service area, as that term is defined in section  
20 190.100. The contract that is agreed upon may be for an  
21 indefinite period of time, as long as it includes at least a  
22 sixty-day cancellation notice by either ambulance service.

23 4. A community paramedic is subject to the provisions of  
24 sections 190.001 to 190.245 and rules promulgated under sections  
25 190.001 to 190.245.

26 5. No person shall hold himself or herself out as a  
27 community paramedic or provide the services of a community  
28 paramedic unless such person is certified by the department.

1 6. The medical director shall approve the implementation of  
2 the community paramedic program.

3 7. Any rule or portion of a rule, as that term is defined  
4 in section 536.010, that is created under the authority delegated  
5 in this section shall become effective only if it complies with  
6 and is subject to all of the provisions of chapter 536 and, if  
7 applicable, section 536.028. This section and chapter 536 are  
8 nonseverable and if any of the powers vested with the general  
9 assembly pursuant to chapter 536 to review, to delay the  
10 effective date, or to disapprove and annul a rule are  
11 subsequently held unconstitutional, then the grant of rulemaking  
12 authority and any rule proposed or adopted after August 28, 2013,  
13 shall be invalid and void.

14 190.100. As used in sections 190.001 to 190.245, the  
15 following words and terms mean:

16 (1) "Advanced life support (ALS)", an advanced level of  
17 care as provided to the adult and pediatric patient such as  
18 defined by national curricula, and any modifications to that  
19 curricula specified in rules adopted by the department pursuant  
20 to sections 190.001 to 190.245;

21 (2) "Ambulance", any privately or publicly owned vehicle or  
22 craft that is specially designed, constructed or modified,  
23 staffed or equipped for, and is intended or used, maintained or  
24 operated for the transportation of persons who are sick, injured,  
25 wounded or otherwise incapacitated or helpless, or who require  
26 the presence of medical equipment being used on such individuals,  
27 but the term does not include any motor vehicle specially  
28 designed, constructed or converted for the regular transportation

1 of persons who are disabled, handicapped, normally using a  
2 wheelchair, or otherwise not acutely ill, or emergency vehicles  
3 used within airports;

4 (3) "Ambulance service", a person or entity that provides  
5 emergency or nonemergency ambulance transportation and services,  
6 or both, in compliance with sections 190.001 to 190.245, and the  
7 rules promulgated by the department pursuant to sections 190.001  
8 to 190.245;

9 (4) "Ambulance service area", a specific geographic area in  
10 which an ambulance service has been authorized to operate;

11 (5) "Basic life support (BLS)", a basic level of care, as  
12 provided to the adult and pediatric patient as defined by  
13 national curricula, and any modifications to that curricula  
14 specified in rules adopted by the department pursuant to sections  
15 190.001 to 190.245;

16 (6) "Council", the state advisory council on emergency  
17 medical services;

18 (7) "Department", the department of health and senior  
19 services, state of Missouri;

20 (8) "Director", the director of the department of health  
21 and senior services or the director's duly authorized  
22 representative;

23 (9) "Dispatch agency", any person or organization that  
24 receives requests for emergency medical services from the public,  
25 by telephone or other means, and is responsible for dispatching  
26 emergency medical services;

27 (10) "Emergency", the sudden and, at the time, unexpected  
28 onset of a health condition that manifests itself by symptoms of

1 sufficient severity that would lead a prudent layperson,  
2 possessing an average knowledge of health and medicine, to  
3 believe that the absence of immediate medical care could result  
4 in:

5 (a) Placing the person's health, or with respect to a  
6 pregnant woman, the health of the woman or her unborn child, in  
7 significant jeopardy;

8 (b) Serious impairment to a bodily function;

9 (c) Serious dysfunction of any bodily organ or part;

10 (d) Inadequately controlled pain;

11 (11) "Emergency medical dispatcher", a person who receives  
12 emergency calls from the public and has successfully completed an  
13 emergency medical dispatcher course, meeting or exceeding the  
14 national curriculum of the United States Department of  
15 Transportation and any modifications to such curricula specified  
16 by the department through rules adopted pursuant to sections  
17 190.001 to 190.245;

18 (12) "Emergency medical response agency", any person that  
19 regularly provides a level of care that includes first response,  
20 basic life support or advanced life support, exclusive of patient  
21 transportation;

22 (13) "Emergency medical services for children (EMS-C)  
23 system", the arrangement of personnel, facilities and equipment  
24 for effective and coordinated delivery of pediatric emergency  
25 medical services required in prevention and management of  
26 incidents which occur as a result of a medical emergency or of an  
27 injury event, natural disaster or similar situation;

28 (14) "Emergency medical services (EMS) system", the

1 arrangement of personnel, facilities and equipment for the  
2 effective and coordinated delivery of emergency medical services  
3 required in prevention and management of incidents occurring as a  
4 result of an illness, injury, natural disaster or similar  
5 situation;

6 (15) "Emergency medical technician", a person licensed in  
7 emergency medical care in accordance with standards prescribed by  
8 sections 190.001 to 190.245, and by rules adopted by the  
9 department pursuant to sections 190.001 to 190.245;

10 (16) "Emergency medical technician-basic" or "EMT-B", a  
11 person who has successfully completed a course of instruction in  
12 basic life support as prescribed by the department and is  
13 licensed by the department in accordance with standards  
14 prescribed by sections 190.001 to 190.245 and rules adopted by  
15 the department pursuant to sections 190.001 to 190.245;

16 (17) "Emergency medical technician-community paramedic",  
17 "community paramedic", or "EMT-CP", a person who is certified as  
18 an emergency medical technician-paramedic and is certified by the  
19 department in accordance with standards prescribed in section  
20 190.098;

21 (18) "Emergency medical technician-intermediate" or "EMT-  
22 I", a person who has successfully completed a course of  
23 instruction in certain aspects of advanced life support care as  
24 prescribed by the department and is licensed by the department in  
25 accordance with sections 190.001 to 190.245 and rules and  
26 regulations adopted by the department pursuant to sections  
27 190.001 to 190.245;

28 [(18)] (19) "Emergency medical technician-paramedic" or

1 "EMT-P", a person who has successfully completed a course of  
2 instruction in advanced life support care as prescribed by the  
3 department and is licensed by the department in accordance with  
4 sections 190.001 to 190.245 and rules adopted by the department  
5 pursuant to sections 190.001 to 190.245;

6 [(19)] (20) "Emergency services", health care items and  
7 services furnished or required to screen and stabilize an  
8 emergency which may include, but shall not be limited to, health  
9 care services that are provided in a licensed hospital's  
10 emergency facility by an appropriate provider or by an ambulance  
11 service or emergency medical response agency;

12 [(20)] (21) "First responder", a person who has  
13 successfully completed an emergency first response course meeting  
14 or exceeding the national curriculum of the United States  
15 Department of Transportation and any modifications to such  
16 curricula specified by the department through rules adopted  
17 pursuant to sections 190.001 to 190.245 and who provides  
18 emergency medical care through employment by or in association  
19 with an emergency medical response agency;

20 [(21)] (22) "Health care facility", a hospital, nursing  
21 home, physician's office or other fixed location at which medical  
22 and health care services are performed;

23 [(22)] (23) "Hospital", an establishment as defined in the  
24 hospital licensing law, subsection 2 of section 197.020, or a  
25 hospital operated by the state;

26 [(23)] (24) "Medical control", supervision provided by or  
27 under the direction of physicians to providers by written or  
28 verbal communications;

1            [(24)] (25) "Medical direction", medical guidance and  
2 supervision provided by a physician to an emergency services  
3 provider or emergency medical services system;

4            [(25)] (26) "Medical director", a physician licensed  
5 pursuant to chapter 334 designated by the ambulance service or  
6 emergency medical response agency and who meets criteria  
7 specified by the department by rules pursuant to sections 190.001  
8 to 190.245;

9            [(26)] (27) "Memorandum of understanding", an agreement  
10 between an emergency medical response agency or dispatch agency  
11 and an ambulance service or services within whose territory the  
12 agency operates, in order to coordinate emergency medical  
13 services;

14           [(27)] (28) "Patient", an individual who is sick, injured,  
15 wounded, diseased, or otherwise incapacitated or helpless, or  
16 dead, excluding deceased individuals being transported from or  
17 between private or public institutions, homes or cemeteries, and  
18 individuals declared dead prior to the time an ambulance is  
19 called for assistance;

20           [(28)] (29) "Person", as used in these definitions and  
21 elsewhere in sections 190.001 to 190.245, any individual, firm,  
22 partnership, copartnership, joint venture, association,  
23 cooperative organization, corporation, municipal or private, and  
24 whether organized for profit or not, state, county, political  
25 subdivision, state department, commission, board, bureau or  
26 fraternal organization, estate, public trust, business or common  
27 law trust, receiver, assignee for the benefit of creditors,  
28 trustee or trustee in bankruptcy, or any other service user or



1 provider;

2 [(29)] (30) "Physician", a person licensed as a physician  
3 pursuant to chapter 334;

4 [(30)] (31) "Political subdivision", any municipality,  
5 city, county, city not within a county, ambulance district or  
6 fire protection district located in this state which provides or  
7 has authority to provide ambulance service;

8 [(31)] (32) "Professional organization", any organized  
9 group or association with an ongoing interest regarding emergency  
10 medical services. Such groups and associations could include  
11 those representing volunteers, labor, management, firefighters,  
12 EMT-B's, nurses, EMT-P's, physicians, communications specialists  
13 and instructors. Organizations could also represent the  
14 interests of ground ambulance services, air ambulance services,  
15 fire service organizations, law enforcement, hospitals, trauma  
16 centers, communication centers, pediatric services, labor unions  
17 and poison control services;

18 [(32)] (33) "Proof of financial responsibility", proof of  
19 ability to respond to damages for liability, on account of  
20 accidents occurring subsequent to the effective date of such  
21 proof, arising out of the ownership, maintenance or use of a  
22 motor vehicle in the financial amount set in rules promulgated by  
23 the department, but in no event less than the statutory minimum  
24 required for motor vehicles. Proof of financial responsibility  
25 shall be used as proof of self-insurance;

26 [(33)] (34) "Protocol", a predetermined, written medical  
27 care guideline, which may include standing orders;

28 [(34)] (35) "Regional EMS advisory committee", a committee

1 formed within an emergency medical services (EMS) region to  
2 advise ambulance services, the state advisory council on EMS and  
3 the department;

4 [(35)] (36) "Specialty care transportation", the  
5 transportation of a patient requiring the services of an  
6 emergency medical technician-paramedic who has received  
7 additional training beyond the training prescribed by the  
8 department. Specialty care transportation services shall be  
9 defined in writing in the appropriate local protocols for ground  
10 and air ambulance services and approved by the local physician  
11 medical director. The protocols shall be maintained by the local  
12 ambulance service and shall define the additional training  
13 required of the emergency medical technician-paramedic;

14 [(36)] (37) "Stabilize", with respect to an emergency, the  
15 provision of such medical treatment as may be necessary to  
16 attempt to assure within reasonable medical probability that no  
17 material deterioration of an individual's medical condition is  
18 likely to result from or occur during ambulance transportation  
19 unless the likely benefits of such transportation outweigh the  
20 risks;

21 [(37)] (38) "State advisory council on emergency medical  
22 services", a committee formed to advise the department on policy  
23 affecting emergency medical service throughout the state;

24 [(38)] (39) "State EMS medical directors advisory  
25 committee", a subcommittee of the state advisory council on  
26 emergency medical services formed to advise the state advisory  
27 council on emergency medical services and the department on  
28 medical issues;

1            [(39)] (40) "STEMI" or "ST-elevation myocardial  
2 infarction", a type of heart attack in which impaired blood flow  
3 to the patient's heart muscle is evidenced by ST-segment  
4 elevation in electrocardiogram analysis, and as further defined  
5 in rules promulgated by the department under sections 190.001 to  
6 190.250;

7            [(40)] (41) "STEMI care", includes education and  
8 prevention, emergency transport, triage, and acute care and  
9 rehabilitative services for STEMI that requires immediate medical  
10 or surgical intervention or treatment;

11           [(41)] (42) "STEMI center", a hospital that is currently  
12 designated as such by the department to care for patients with  
13 ST-segment elevation myocardial infarctions;

14           [(42)] (43) "Stroke", a condition of impaired blood flow to  
15 a patient's brain as defined by the department;

16           [(43)] (44) "Stroke care", includes emergency transport,  
17 triage, and acute intervention and other acute care services for  
18 stroke that potentially require immediate medical or surgical  
19 intervention or treatment, and may include education, primary  
20 prevention, acute intervention, acute and subacute management,  
21 prevention of complications, secondary stroke prevention, and  
22 rehabilitative services;

23           [(44)] (45) "Stroke center", a hospital that is currently  
24 designated as such by the department;

25           [(45)] (46) "Trauma", an injury to human tissues and organs  
26 resulting from the transfer of energy from the environment;

27           [(46)] (47) "Trauma care" includes injury prevention,  
28 triage, acute care and rehabilitative services for major single

1 system or multisystem injuries that potentially require immediate  
2 medical or surgical intervention or treatment;

3 [(47)] (48) "Trauma center", a hospital that is currently  
4 designated as such by the department.

5 321.015. 1. No person holding any lucrative office or  
6 employment under this state, or any political subdivision thereof  
7 as defined in section 70.120, shall hold the office of fire  
8 protection district director under this chapter. When any fire  
9 protection district director accepts any office or employment  
10 under this state or any political subdivision thereof, his office  
11 shall thereby be vacated and he shall thereafter perform no duty  
12 and receive no salary or expenses as fire protection district  
13 director.

14 2. This section shall not apply to:

15 (1) Members of the organized militia, of the reserve corps,  
16 public school employees and notaries public[, or to];

17 (2) Fire protection districts located wholly within  
18 counties of the second, third or fourth [class or]  
19 classification;

20 (3) Fire protection districts in counties of the first  
21 classification with less than eighty-five thousand inhabitants;

22 (4) Fire protection districts located within [first class]  
23 counties of the first classification not adjoining any other  
24 [first class] county[, nor shall this section apply to] of the  
25 first classification;

26 (5) Fire protection districts located within any county of  
27 the first or second [class] classification not having more than  
28 nine hundred thousand inhabitants which borders any three [first

1 class] counties of the first classification; [nor shall this  
2 section apply to];

3 (6) Fire protection districts located within any [first  
4 class] county [without a charter form of government] of the first  
5 classification which adjoins both a [first class] county with a  
6 charter form of government with [at least] more than nine hundred  
7 fifty thousand inhabitants, and adjoins at least four other  
8 counties;

9 (7) Fire protection districts located within any county of  
10 the first classification with more than one hundred fifty  
11 thousand but fewer than two hundred thousand inhabitants.

12 3. For the purposes of this section, the term "lucrative  
13 office or employment" does not include receiving retirement  
14 benefits, compensation for expenses, or a stipend or per diem, in  
15 an amount not to exceed seventy-five dollars for each day of  
16 service, for service rendered to a fire protection district, the  
17 state or any political subdivision thereof.

18 321.210. On the first Tuesday in April after the expiration  
19 of at least two full calendar years from the date of the election  
20 of the first board of directors, and on the first Tuesday in  
21 April every two years thereafter, an election for members of the  
22 board of directors shall be held in the district. Nominations  
23 shall be filed at the headquarters of the fire protection  
24 district in which a majority of the district is located by paying  
25 a [ten-dollar] filing fee up to the amount of a candidate for  
26 state representative as set forth under section 115.357 and  
27 filing a statement under oath that he possesses the required  
28 qualifications. The candidate receiving the most votes shall be

1 elected. Any new member of the board shall qualify in the same  
2 manner as the members of the first board qualify.

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

1 third calendar year following the actual inclusion of the  
2 property within the city, as determined by the annexation  
3 process, and furthermore the fire protection district shall not  
4 levy and collect any tax upon that property included within the  
5 corporate limits of the city after the date of inclusion of that  
6 property:

7 (1) On or before January first of the second calendar year  
8 occurring after the date on which the property was included  
9 within the city, the city shall pay to the fire protection  
10 district a fee equal to the amount of revenue which would have  
11 been generated during the previous calendar year by the fire  
12 protection district tax on the property in the area annexed which  
13 was formerly a part of the fire protection district;

14 (2) On or before January first of the third calendar year  
15 occurring after the date on which the property was included  
16 within the city, the city shall pay to the fire protection  
17 district a fee equal to four-fifths of the amount of revenue  
18 which would have been generated during the previous calendar year  
19 by the fire protection district tax on the property in the area  
20 annexed which was formerly a part of the fire protection  
21 district;

22 (3) On or before January first of the fourth calendar year  
23 occurring after the date on which the property was included  
24 within the city, the city shall pay to the fire protection  
25 district a fee equal to three-fifths of the amount of revenue  
26 which would have been generated during the previous calendar year  
27 by the fire protection district tax on the property in the area  
28 annexed which was formerly a part of the fire protection

1 district;

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

10 (5) On or before January first of the sixth calendar year  
11 occurring after the date on which the property was included  
12 within the city, the city shall pay to the fire protection  
13 district a fee equal to one-fifth of the amount of revenue which  
14 would have been generated during the previous calendar year by  
15 the fire protection district tax on the property in the area  
16 annexed which was formerly a part of the fire protection  
17 district.

18  
19 Nothing contained in this section shall prohibit the ability of a  
20 city to negotiate contracts with a fire protection district for  
21 mutually agreeable services. This section shall also apply to  
22 those fire protection districts and cities which have not reached  
23 agreement on overlapping boundaries previous to August 28, 1990.  
24 Such fire protection districts and cities shall be treated as  
25 though inclusion of the annexed area took place on December  
26 thirty-first immediately following August 28, 1990.

27 2. Any property excluded from a fire protection district by  
28 reason of subsection 1 of this section shall be subject to the



1 provisions of section 321.330.

2 3. The provisions of this section shall not apply in any  
3 county of the first class having a charter form of government and  
4 having a population of over nine hundred thousand inhabitants.

5 4. The provisions of this section shall not apply where the  
6 annexing city or town operates a city fire department and was on  
7 January 1, 2005, a city of the fourth classification with more  
8 than eight thousand nine hundred but fewer than nine thousand  
9 inhabitants and entirely surrounded by a single fire district.  
10 In such cases, the provision of fire and emergency medical  
11 services following annexation shall be governed by subsections 2  
12 and 3 of section 72.418.

13 5. The provisions of this section shall not apply where the  
14 annexing city or town operates a city fire department, is any  
15 city of the third classification with more than six thousand but  
16 fewer than seven thousand inhabitants and located in any county  
17 with a charter form of government and with more than two hundred  
18 thousand but fewer than three hundred fifty thousand inhabitants,  
19 and is entirely surrounded by a single fire protection district.  
20 In such cases, the provision of fire and emergency medical  
21 services following annexation shall be governed by subsections 2  
22 and 3 of section 72.418.

23 √