

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend \_\_\_\_\_ Bill No. \_\_\_\_\_, Page \_\_\_\_\_, Section \_\_\_\_\_, Line \_\_\_\_\_,

2 by inserting immediately after said line the following:

3 "96.229. 1. Notwithstanding subsection 5 of section 96.150  
4 regarding the lease of substantially all of a hospital where the  
5 board of trustees is lessor, a city in which a hospital is  
6 located that:

7 (1) Is organized and operated under this chapter;

8 (2) Has not accepted appropriated funds from the city  
9 during the prior twenty years; and

10 (3) Is licensed by the department of health and senior  
11 services for two hundred beds or more pursuant to sections  
12 197.010 to 197.120,

13  
14 shall not have authority to sell, lease, or otherwise transfer  
15 all or substantially all of the property from a hospital  
16 organized under this chapter, both real and personal, except in  
17 accordance with this section.

18 2. Upon filing with the city clerk of a resolution adopted  
19 by no less than two-thirds of the incumbent members of the board  
20 of trustees to sell, lease, or otherwise transfer all or  
21 substantially all of the hospital property, both real and  
22 personal, for reasons specified in the resolution, the clerk

1 shall present the resolution to the city council. If a majority  
2 of the incumbent members of the city council determine that sale,  
3 lease, or other transfer of the hospital property is desirable,  
4 the city council shall submit to the voters of the city the  
5 question in substantially the following form:

6 "Shall the city council of \_\_\_\_\_, Missouri and the  
7 board of trustees of \_\_\_\_\_ hospital be authorized to  
8 sell (or lease or otherwise transfer) the property, real and  
9 personal, of \_\_\_\_\_ hospital as approved by, and in  
10 accordance with, the resolution of the board of trustees  
11 authorizing such sale (or lease or transfer)?"

12  
13 A majority of the votes cast on such question shall be required  
14 in order to approve and authorize such sale, lease or other  
15 transfer. If the question receives less than the required  
16 majority, then the city council and the board of trustees shall  
17 have no power to sell, lease or otherwise transfer the property,  
18 real and personal, of the hospital unless and until the city  
19 council has submitted another question to authorize such sale,  
20 lease or transfer authorized under this section and such question  
21 is approved by the required majority of the qualified voters  
22 voting thereon. However, in no event shall a question under this  
23 section be submitted to the voters sooner than twelve months  
24 from the date of the last question under this section and after  
25 the adoption of another resolution by no less than two-thirds of  
26 the board of trustees and a subsequent vote by a majority of the  
27 city council to again submit the question to the voters.

28 3. Upon passage of such question by the voters, the board  
29 of trustees shall sell and dispose of such property, or lease or

1 transfer such property, in the manner proposed by the board of  
2 trustees. The deed of the board of trustees, duly authorized by  
3 the board of trustees and duly acknowledged and recorded, shall  
4 be sufficient to convey to the purchaser all the rights, title,  
5 interest, and estate in the hospital property.

6 4. No sale, lease, or other transfer of such hospital  
7 property shall be authorized or effective unless such transaction  
8 provides sufficient proceeds to be available to be applied to the  
9 payment of all interest and principal of any outstanding valid  
10 indebtedness incurred for purchase of the site or construction of  
11 the hospital, or for any repairs, alterations, improvements, or  
12 additions thereto, or for operation of the hospital.

13 5. Assets donated to the hospital pursuant to section  
14 96.210 shall be used to provide health care services in the city  
15 and in the geographic region previously served by the hospital,  
16 except as otherwise prescribed by the terms of the deed, gift,  
17 devise, or bequest.

18 Section B. Because of the need to ensure local hospitals  
19 can continue the purpose of providing the best care and treatment  
20 of the sick, disabled, and infirm persons as decided on by the  
21 people in the affected community, section A of this act is deemed  
22 necessary for the immediate preservation of the public health,  
23 welfare, peace and safety, and is hereby declared to be an  
24 emergency act within the meaning of the constitution, and section  
25 A of this act shall be in full force and effect upon its passage  
26 its passage and approval."; and

27 Further amend the title and enacting clause accordingly.  
28