

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 89
97TH GENERAL ASSEMBLY

Reported from the Committee on Seniors, Families and Pensions, February 12, 2013, with recommendation that the Senate Committee Substitute do pass.

0113S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 198.310 and 198.345, RSMo, and to enact in lieu thereof two new sections relating to the establishment and administration of senior housing in nursing home districts.

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

Section A. Sections 198.310 and 198.345, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 198.310 and 198.345, to read as follows:

198.310. 1. For the purpose of purchasing nursing home district sites, erecting nursing homes and related facilities and furnishing the same, building additions to and repairing old buildings, the board of directors may borrow money and issue bonds for the payment thereof in the manner provided herein. The question of the loan shall be submitted by an order of the board of directors of the district. Notice of the submission of the question, the amount and the purpose of the loan shall be given as provided in section 198.250.

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

Shall the Nursing Home District borrow money in the amount of dollars for the purpose of and issue bonds in payment thereof?

3. If **[two-thirds]** the **constitutionally required percentage** of the votes cast are for the loan, the board shall, subject to the restrictions of subsection 4, be vested with the power to borrow money in the name of the district, to the amount and for the purposes specified on the ballot, and issue the bonds of the district for the payment thereof.

4. The loans authorized by this section shall not be contracted for a period

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

17 longer than twenty years, and the entire amount of the loan shall at no time
18 exceed, including the existing indebtedness of the district, in the aggregate, ten
19 percent of the value of taxable tangible property therein, as shown by the last
20 completed assessment for state and county purposes, the rate of interest to be
21 agreed upon by the parties, but in no case to exceed the highest legal rate allowed
22 by contract; when effected, it shall be the duty of the directors to provide for the
23 collection of an annual tax sufficient to pay the interest on the indebtedness as
24 it falls due, and also to constitute a sinking fund for the payment of the principal
25 thereof within the time the principal becomes due.

198.345. Nothing in sections 198.200 to 198.350 shall prohibit a nursing
2 home district from establishing and maintaining apartments for seniors that
3 provide at a minimum housing[,] **and** food services[, and emergency call buttons
4 to the apartment residents] in any county of the third **or fourth** classification
5 [without a township form of government and with more than twenty-eight
6 thousand two hundred but fewer than twenty-eight thousand three hundred
7 inhabitants or any county of the third classification without a township form of
8 government and with more than nine thousand five hundred fifty but fewer than
9 nine thousand six hundred fifty inhabitants] **within its corporate limits**. Such
10 nursing home districts shall not lease such apartments for less than fair market
11 rent as reported by the United States Department of Housing and Urban
12 Development.

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