

FIRST REGULAR SESSION

SENATE BILL NO. 360

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RUPP.

Read 1st time February 20, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1601S.02I

AN ACT

To repeal section 249.645, RSMo, and to enact in lieu thereof one new section relating to sewer charges.

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

Section A. Section 249.645, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 249.645, to read as follows:

249.645. 1. Any public sewer district created under the provisions of
2 sections 249.430 to 249.660 or established pursuant to article VI, section 30(a) of
3 the Missouri Constitution may establish, make and collect charges for sewage
4 services, including tap-on fees. The charges may be set as a flat fee or based
5 upon the amount of water supplied to the premises and shall be in addition to
6 those charges which may be levied and collected for maintenance, repair and
7 administration expenses as provided for in section 249.640. Any private water
8 company, public water supply district, or municipality supplying water to the
9 premises located within a sewer district shall, upon reasonable request, make
10 available to such sewer district its records and books so that such sewer district
11 may obtain therefrom such data as may be necessary to calculate the charges for
12 sewer service. Prior to establishing any such sewer charges, public hearings shall
13 be held thereon and at least thirty days' notice shall be given thereof.

14 2. Any charges made under this section shall be due at such time or times
15 as specified by the county commission, and shall, if not paid by the due date,
16 become delinquent and shall bear interest from the date of delinquency until
17 paid. If such charges become delinquent, they shall be a lien upon the land
18 charged, upon the county commission filing with the recorder of deeds in the
19 county where the land is situated a notice of delinquency. The county commission

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

20 shall file with the recorder of deeds a similar notice when the delinquent
21 amounts, plus interest and any recording fees or attorney's fees, have been paid
22 in full. The lien hereby created may be enforced by suit or foreclosure.

23 3. Should a lien be placed upon a customer's property by a public sewer
24 district for unpaid sewer charges, the lien shall have priority as and be enforced
25 in the same manner as taxes levied for state and county purposes.

26 4. Should the sewer charges remain unpaid for [a period in excess of three
27 months] **sixty days or carry a balance due greater than one billing**
28 **amount**, the district, after notice to the customer [by certified mail], shall have
29 the authority at its discretion to disconnect the customer's sewer line from the
30 district's line or request any private water company, public water supply district,
31 or any municipality supplying water to the premises to discontinue service to the
32 customer until such time as the sewer charges and all related costs of this section
33 are paid.

✓

Bill

Copy