

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 672

AN ACT

To repeal sections 49.266, 56.067, 56.265, 56.363, 56.807, 56.816, 67.281, 67.320, 79.130, 94.270, 182.802, 192.310, 304.190, 321.322, 339.507, 348.407, 408.040, 488.305, 525.040, 525.070, 525.080, 525.230, and 525.310, RSMo, and to enact in lieu thereof thirty-three new sections relating to political subdivisions, with an existing penalty provision, and an effective date for certain sections.

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

1 Section A. Sections 49.266, 56.067, 56.265, 56.363, 56.807,
2 56.816, 67.281, 67.320, 79.130, 94.270, 182.802, 192.310,
3 304.190, 321.322, 339.507, 348.407, 408.040, 488.305, 525.040,
4 525.070, 525.080, 525.230, and 525.310, RSMo, are repealed and
5 thirty-three new sections enacted in lieu thereof, to be known as
6 sections 49.266, 56.067, 56.265, 56.363, 56.807, 56.816, 57.095,
7 67.281, 67.320, 79.130, 79.135, 94.270, 105.1415, 135.980,
8 182.802, 190.088, 192.310, 249.424, 262.960, 262.962, 304.190,
9 321.322, 339.531, 339.507, 348.407, 407.1610, 408.040, 488.305,
10 525.040, 525.070, 525.080, 525.230, and 525.310, to read as
11 follows:

1 49.266. 1. The county commission in all noncharter
2 counties [of the first, second or fourth classification] may by
3 order or ordinance promulgate reasonable regulations concerning
4 the use of county property, the hours, conditions, methods and
5 manner of such use and the regulation of pedestrian and vehicular
6 traffic and parking thereon.

7 2. Violation of any regulation so adopted under subsection
8 1 of this section is an infraction.

9 3. Upon a determination by the state fire marshal that a
10 burn ban order is appropriate for a county because:

11 (1) An actual or impending occurrence of a natural disaster
12 of major proportions within the county jeopardizes the safety and
13 welfare of the inhabitants of such county; and

14 (2) The U.S. Drought Monitor has designated the county as
15 an area of severe, extreme, or exceptional drought, the county
16 commission may adopt an order or ordinance issuing a burn ban,
17 which may carry a penalty of up to a class A misdemeanor. State
18 agencies responsible for fire management or suppression
19 activities and persons conducting agricultural burning using best
20 management practices shall not be subject to the provisions of
21 this subsection. The ability of an individual, organization, or
22 corporation to sell fireworks shall not be affected by the
23 issuance of a burn ban. The county burn ban may prohibit the
24 explosion or ignition of any missile or skyrocket as the terms
25 "missile" and "skyrocket" are defined by the 2012 edition of the
26 American Fireworks Standards Laboratory, but shall not ban the
27 explosion or ignition of any other consumer fireworks as the term
28 "consumer fireworks" is defined under section 320.106.

1 4. The regulations so adopted shall be codified, printed
2 and made available for public use and adequate signs concerning
3 smoking, traffic and parking regulations shall be posted.

4 56.067. In counties of the first classification not having
5 a charter form of government[,] and other counties in which [have
6 passed the proposition authorized by section 56.363] the
7 prosecuting attorney is a full-time position, the prosecuting
8 attorney, except in the performance of special prosecutions or
9 otherwise representing the state or its political subdivisions,
10 shall devote full time to his office, and shall not engage in the
11 practice of law.

12 56.265. 1. The county prosecuting attorney in any county,
13 other than in a chartered county, shall receive an annual salary
14 computed using the following schedule, when applicable. The
15 assessed valuation factor shall be the amount thereof as shown
16 for the year immediately preceding the year for which the
17 computation is done.

18 (1) For a full-time prosecutor the prosecutor shall receive
19 compensation equal to the compensation of an associate circuit
20 judge;

21 (2) For a part-time prosecutor:

Assessed Valuation	Amount
\$ 18,000,000 to 40,999,999	\$37,000
41,000,000 to 53,999,999	38,000
54,000,000 to 65,999,999	39,000
66,000,000 to 85,999,999	41,000
86,000,000 to 99,999,999	43,000
100,000,000 to 130,999,999	45,000

1	131,000,000 to 159,999,999	47,000
2	160,000,000 to 189,999,999	49,000
3	190,000,000 to 249,999,999	51,000
4	250,000,000 to 299,999,999	53,000
5	300,000,000 or more	55,000

6 2. Two thousand dollars of the salary authorized in this
7 section shall be payable to the prosecuting attorney only if the
8 prosecuting attorney has completed at least twenty hours of
9 classroom instruction each calendar year relating to the
10 operations of the prosecuting attorney's office when approved by
11 a professional association of the county prosecuting attorneys of
12 Missouri unless exempted from the training by the professional
13 association. The professional association approving the program
14 shall provide a certificate of completion to each prosecuting
15 attorney who completes the training program and shall send a list
16 of certified prosecuting attorneys to the treasurer of each
17 county. Expenses incurred for attending the training session may
18 be reimbursed to the county prosecuting attorney in the same
19 manner as other expenses as may be appropriated for that purpose.

20 3. As used in this section, the term "prosecuting attorney"
21 includes the circuit attorney of any city not within a county.

22 4. The prosecuting attorney of any county which becomes a
23 county of the first classification during a four-year term of
24 office or a county which passed the proposition authorized by
25 subsection 1 of section 56.363 shall not be required to devote
26 full time to such office pursuant to section 56.067 until the
27 beginning of the prosecuting attorney's next term of office or
28 until the proposition otherwise becomes effective.

1 5. The provisions of section 56.066 shall not apply to
2 full-time prosecutors who are compensated pursuant to subdivision
3 (1) of subsection 1 of this section.

4 56.363. 1. The county commission of any county may on its
5 own motion and shall upon the petition of ten percent of the
6 total number of people who voted in the previous general election
7 in the county submit to the voters at a general or special
8 election the proposition of making the county prosecutor a
9 full-time position. The commission shall cause notice of the
10 election to be published in a newspaper published within the
11 county, or if no newspaper is published within the county, in a
12 newspaper published in an adjoining county, for three weeks
13 consecutively, the last insertion of which shall be at least ten
14 days and not more than thirty days before the day of the
15 election, and by posting printed notices thereof at three of the
16 most public places in each township in the county. The
17 proposition shall be put before the voters substantially in the
18 following form:

19 Shall the office of prosecuting attorney be made a full-time
20 position in County?

21 YES NO

22 If a majority of the voters voting on the proposition vote in
23 favor of making the county prosecutor a full-time position, it
24 shall become effective upon the date that the prosecutor who is
25 elected at the next election subsequent to the passage of such
26 proposal is sworn into office.

27 2. The provisions of subsection 1 of this section
28 notwithstanding, in any county where the proposition of making

1 the county prosecutor a full-time position was submitted to the
2 voters at a general election in 1998 and where a majority of the
3 voters voting on the proposition voted in favor of making the
4 county prosecutor a full-time position, the proposition shall
5 become effective on May 1, 1999. Any prosecuting attorney whose
6 position becomes full time on May 1, 1999, under the provisions
7 of this subsection shall have the additional duty of providing
8 not less than three hours of continuing education to peace
9 officers in the county served by the prosecuting attorney in each
10 year of the term beginning January 1, 1999.

11 3. In counties that, prior to August 28, 2001, have elected
12 pursuant to this section to make the position of prosecuting
13 attorney a full-time position, the county commission may at any
14 time elect to have that position also qualify for the retirement
15 benefit available for a full-time prosecutor of a county of the
16 first classification. Such election shall be made by a majority
17 vote of the county commission and once made shall be irrevocable,
18 unless the voters of the county elect to change the position of
19 prosecuting attorney back to a part-time position under
20 subsection 4 of this section. When such an election is made, the
21 results shall be transmitted to the Missouri prosecuting
22 attorneys and circuit attorneys' retirement system fund, and the
23 election shall be effective on the first day of January following
24 such election. Such election shall also obligate the county to
25 pay into the Missouri prosecuting attorneys and circuit
26 attorneys' system retirement fund the same retirement
27 contributions for full-time prosecutors as are paid by counties
28 of the first classification.

1 4. In any county of the third classification without a
2 township form of government and with more than twelve thousand
3 but fewer than fourteen thousand inhabitants and with a city of
4 the fourth classification with more than one thousand seven
5 hundred but fewer than one thousand nine hundred inhabitants as
6 the county seat that has elected to make the county prosecutor a
7 full-time position under this section after the effective date of
8 this act, the county commission may on its own motion and shall
9 upon the petition of ten percent of the total number of people
10 who voted in the previous general election in the county submit
11 to the voters at a general or special election the proposition of
12 changing the full-time prosecutor position to a part-time
13 position. The commission shall cause notice of the election to
14 be published in a newspaper published within the county, or if no
15 newspaper is published within the county, in a newspaper
16 published in an adjoining county, for three weeks consecutively,
17 the last insertion of which shall be at least ten days and not
18 more than thirty days before the day of the election, and by
19 posting printed notices thereof at three of the most public
20 places in each township in the county. The proposition shall be
21 put before the voters substantially in the following form:

22 Shall the office of prosecuting attorney be made a part-time
23 position in County?

24 YES NO

25 If a majority of the voters vote in favor of making the county
26 prosecutor a part-time position, it shall become effective upon
27 the date that the prosecutor who is elected at the next election
28 subsequent to the passage of such proposal is sworn into office.

1 5. In any county that has elected to make the full-time
2 position of county prosecutor a part-time position under
3 subsection 4 of this section, the county's retirement
4 contribution to the retirement system and the retirement benefit
5 earned by the member shall prospectively be that of a part-time
6 prosecutor as established in this chapter. Any retirement
7 contribution made and retirement benefit earned prior to the
8 effective date of the voter approved proposition under subsection
9 4 of this section shall be maintained by the retirement system
10 and used to calculate the retirement benefit for such prior full-
11 time position service. Under no circumstances shall a member in
12 a part-time prosecutor position earn full-time position
13 retirement benefit service accruals for time periods after the
14 effective date of the proposition changing the county prosecutor
15 back to a part-time position.

16 56.807. 1. Beginning August 28, 1989, and continuing
17 monthly thereafter until August 27, 2003, the funds for
18 prosecuting attorneys and circuit attorneys provided for in
19 subsection 2 of this section shall be paid from county or city
20 funds.

21 2. Beginning August 28, 1989, and continuing monthly
22 thereafter until August 27, 2003, each county treasurer shall pay
23 to the system the following amounts to be drawn from the general
24 revenues of the county:

25 (1) For counties of the third and fourth classification
26 except as provided in subdivision (3) of this subsection, three
27 hundred seventy-five dollars;

28 (2) For counties of the second classification, five hundred

1 forty-one dollars and sixty-seven cents;

2 (3) For counties of the first classification, and, except
3 as otherwise provided under section 56.363, counties which
4 pursuant to section 56.363 elect to make the position of
5 prosecuting attorney a full-time position after August 28, 2001,
6 or whose county commission has elected a full-time retirement
7 benefit pursuant to subsection 3 of section 56.363, and the city
8 of St. Louis, one thousand two hundred ninety-one dollars and
9 sixty-seven cents.

10 3. Beginning August 28, 1989, and continuing until August
11 27, 2003, the county treasurer shall at least monthly transmit
12 the sums specified in subsection 2 of this section to the
13 Missouri office of prosecution services for deposit to the credit
14 of the "Missouri Prosecuting Attorneys and Circuit Attorneys'
15 Retirement System Fund", which is hereby created. All moneys
16 held by the state treasurer on behalf of the system shall be paid
17 to the system within ninety days after August 28, 1993. Moneys
18 in the Missouri prosecuting attorneys and circuit attorneys'
19 retirement system fund shall be used only for the purposes
20 provided in sections 56.800 to 56.840 and for no other purpose.

21 4. Beginning August 28, 2003, the funds for prosecuting
22 attorneys and circuit attorneys provided for in this section
23 shall be paid from county or city funds and the surcharge
24 established in this section and collected as provided by this
25 section and sections 488.010 to 488.020.

26 5. Beginning August 28, 2003, each county treasurer shall
27 pay to the system the following amounts to be drawn from the
28 general revenues of the county:

1 (1) For counties of the third and fourth classification
2 except as provided in subdivision (3) of this subsection, one
3 hundred eighty-seven dollars;

4 (2) For counties of the second classification, two hundred
5 seventy-one dollars;

6 (3) For counties of the first classification, counties
7 which pursuant to section 56.363 elect to make the position of
8 prosecuting attorney a full-time position after August 28, 2001,
9 or whose county commission has elected a full-time retirement
10 benefit pursuant to subsection 3 of section 56.363, and the city
11 of St. Louis, six hundred forty-six dollars.

12 6. Beginning August 28, 2003, the county treasurer shall at
13 least monthly transmit the sums specified in subsection 5 of this
14 section to the Missouri office of prosecution services for
15 deposit to the credit of the Missouri prosecuting attorneys and
16 circuit attorneys' retirement system fund. Moneys in the
17 Missouri prosecuting attorneys and circuit attorneys' retirement
18 system fund shall be used only for the purposes provided in
19 sections 56.800 to 56.840, and for no other purpose.

20 7. Beginning August 28, 2003, the following surcharge for
21 prosecuting attorneys and circuit attorneys shall be collected
22 and paid as follows:

23 (1) There shall be assessed and collected a surcharge of
24 four dollars in all criminal cases filed in the courts of this
25 state including violation of any county ordinance or any
26 violation of criminal or traffic laws of this state, including
27 infractions, but no such surcharge shall be assessed when the
28 costs are waived or are to be paid by the state, county, or

1 municipality or when a criminal proceeding or the defendant has
2 been dismissed by the court or against any person who has pled
3 guilty and paid their fine pursuant to subsection 4 of section
4 476.385. For purposes of this section, the term "county
5 ordinance" shall include any ordinance of the city of St. Louis;

6 (2) The clerk responsible for collecting court costs in
7 criminal cases shall collect and disburse such amounts as
8 provided by sections 488.010 to 488.026. Such funds shall be
9 payable to the prosecuting attorneys and circuit attorneys'
10 retirement fund. Moneys credited to the prosecuting attorneys
11 and circuit attorneys' retirement fund shall be used only for
12 the purposes provided for in sections 56.800 to 56.840 and for no
13 other purpose.

14 8. The board may accept gifts, donations, grants and
15 bequests from private or public sources to the Missouri
16 prosecuting attorneys and circuit attorneys' retirement system
17 fund.

18 9. No state moneys shall be used to fund section 56.700 and
19 sections 56.800 to 56.840 unless provided for by law.

20 56.816. 1. The normal annuity of a retired member who
21 served as prosecuting attorney of a county of the third or fourth
22 class shall, except as provided in subsection 3 of this section,
23 be equal to:

24 (1) Any member who has served twelve or more years as a
25 prosecuting attorney and who meets the conditions of retirement
26 at or after the member's normal retirement age shall be entitled
27 to a normal annuity in a monthly amount equal to one hundred five
28 dollars multiplied by the number of two-year periods and partial

1 two-year periods served as a prosecuting attorney;

2 (2) Any member who has served twenty or more years as a
3 prosecuting attorney and who meets the conditions of retirement
4 at or after the member's normal retirement age shall be entitled
5 to a normal annuity in a monthly amount equal to one hundred
6 thirty dollars multiplied by the number of two-year periods and
7 partial two-year periods as a prosecuting attorney.

8 2. The normal annuity of a retired member who served as
9 prosecuting attorney of a first or second class county or as
10 circuit attorney of a city not within a county shall be equal to
11 fifty percent of the final average compensation.

12 3. Except as otherwise provided under section 56.363, the
13 normal annuity of a retired member who served as a prosecuting
14 attorney of a county which after August 28, 2001, elected to make
15 the position of prosecuting attorney full time pursuant to
16 section 56.363 shall be equal to fifty percent of the final
17 average compensation.

18 4. The actuarial present value of a retired member's
19 benefits shall be placed in a reserve account designated as a
20 "Retired Lives Reserve". The value of the retired lives reserve
21 shall be increased by the actuarial present value of retiring
22 members' benefits, and by the interest earning of the total fund
23 on a pro rata basis and it shall be decreased by payments to
24 retired members and their survivors. Each year the actuary shall
25 compare the actuarial present value of retired members' benefits
26 with the retired lives reserve. If the value of the retired
27 lives reserve plus one year's interest at the assumed rate of
28 interest exceeds the actuarial present value of retired lives,

1 then distribution of this excess may be made equally to all
2 retired members, or their eligible survivors. The distribution
3 may be in a single sum or in monthly payments at the discretion
4 of the board on the advice of the actuary.

5 57.095. Notwithstanding the provisions of section 537.600
6 to the contrary, sheriffs or any other law enforcement officers
7 shall have immunity from any liability, civil or criminal, while
8 conducting service of process at the direction of any court to
9 the extent that the officers' actions do not violate clearly
10 established statutory or constitutional rights of which a
11 reasonable person would have known.

12 67.281. 1. A builder of one- or two-family dwellings or
13 townhouses shall offer to any purchaser on or before the time of
14 entering into the purchase contract the option, at the
15 purchaser's cost, to install or equip fire sprinklers in the
16 dwelling or townhouse. Notwithstanding any other provision of
17 law to the contrary, no purchaser of such a one- or two-family
18 dwelling or townhouse shall be denied the right to choose or
19 decline to install a fire sprinkler system in such dwelling or
20 townhouse being purchased by any code, ordinance, rule,
21 regulation, order, or resolution by any county or other political
22 subdivision. Any county or other political subdivision shall
23 provide in any such code, ordinance, rule, regulation, order, or
24 resolution the mandatory option for purchasers to have the right
25 to choose and the requirement that builders offer to purchasers
26 the option to purchase fire sprinklers in connection with the
27 purchase of any one- or two-family dwelling or townhouse. The
28 provisions of this section shall expire on December 31, [2019]

1 2024.

2 2. Any governing body of any political subdivision that
3 adopts the 2009 International Residential Code for One- and
4 Two-Family Dwellings or a subsequent edition of such code without
5 mandated automatic fire sprinkler systems in Section R313 of such
6 code shall retain the language in section R317 of the 2006
7 International Residential Code for two-family dwellings (R317.1)
8 and townhouses (R317.2).

9 67.320. 1. Any county [of the first classification with
10 more than one hundred ninety-eight thousand but less than one
11 hundred ninety-nine thousand two hundred] with a charter form of
12 government and with more than two hundred thousand but fewer than
13 three hundred fifty thousand inhabitants or any county of the
14 first classification with more than one hundred one thousand but
15 fewer than one hundred fifteen thousand inhabitants may prosecute
16 and punish violations of its county orders in the circuit court
17 of such counties in the manner and to the extent herein provided
18 or in a county municipal court if creation of a county municipal
19 court is approved by order of the county commission. The county
20 may adopt orders with penal provisions consistent with state law,
21 but only in the areas of traffic violations, solid waste
22 management, county building codes, on-site sewer treatment,
23 zoning orders, and animal control. Any county municipal court
24 established pursuant to the provisions of this section shall have
25 jurisdiction over violations of that county's orders and the
26 ordinances of municipalities with which the county has a contract
27 to prosecute and punish violations of municipal ordinances of the
28 municipality.

1 2. Except as provided in subsection 5 of this section in
2 any county which has elected to establish a county municipal
3 court pursuant to this section, the judges for such court shall
4 be appointed by the county commission of such county, subject to
5 confirmation by the legislative body of such county in the same
6 manner as confirmation for other county appointed officers. The
7 number of judges appointed, and qualifications for their
8 appointment, shall be established by order of the commission.

9 3. The practice and procedure of each prosecution shall be
10 conducted in compliance with all of the terms and provisions of
11 sections 66.010 to 66.140, except as provided for in this
12 section.

13 4. Any use of the term ordinance in sections 66.010 to
14 66.140 shall be synonymous with the term order for purposes of
15 this section.

16 5. In any county of the first classification with more than
17 one hundred one thousand but fewer than one hundred fifteen
18 thousand inhabitants, the first judges shall be appointed by the
19 county commission for a term of four years, and thereafter the
20 judges shall be elected for a term of four years. The number of
21 judges appointed, and qualifications for their appointment, shall
22 be established by order of the commission.

23 79.130. 1. The style of the ordinances of the city shall
24 be: "Be it ordained by the board of aldermen of the city of
25, as follows:" No ordinance shall be passed except by
26 bill, and no bill shall become an ordinance unless on its final
27 passage a majority of the members elected to the board of
28 aldermen shall vote for it, and the ayes and nays be entered on

1 the journal. Every proposed ordinance shall be introduced to the
2 board of aldermen in writing and shall be read by title or in
3 full two times prior to passage, both readings may occur at a
4 single meeting of the board of aldermen. If the proposed
5 ordinance is read by title only, copies of the proposed ordinance
6 shall be made available for public inspection prior to the time
7 the bill is under consideration by the board of aldermen. No
8 bill shall become an ordinance until it shall have been signed by
9 the mayor or person exercising the duties of the mayor's office,
10 or shall have been passed over the mayor's veto, as herein
11 provided.

12 2. The provisions of this section shall not apply to
13 ordinances proposed or passed under section 79.135.

14 79.135. 1. In any city of the fourth classification with
15 more than five thousand but fewer than six thousand inhabitants
16 and located in any county of the third classification without a
17 township form of government and with more than sixteen thousand
18 but fewer than eighteen thousand inhabitants, a proposed
19 ordinance may be submitted to the board of aldermen by petition
20 signed by at least ten percent of the registered voters voting
21 for mayor at the last municipal election. The petition shall
22 contain, in addition to the requisite number of valid signatures,
23 the full text of the ordinance sought to be passed and a request
24 that the ordinance be submitted to a vote of the people if not
25 passed by the board of aldermen.

26 2. The signatures to the petition need not all be appended
27 to one paper, but each signer shall add to his or her signature
28 his or her place of residence, giving the street and number. One

1 of the signers of each such paper shall make oath before an
2 officer competent to administer oaths that the statements therein
3 made are true as he or she believes and that each signature to
4 the paper appended is the genuine signature of the person whose
5 name it purports to be.

6 3. Within ten days from the date of filing such petition,
7 the city clerk shall examine and ascertain whether the petition
8 is signed by the requisite number of voters, and, if necessary,
9 the board of aldermen shall allow the clerk extra help for such
10 purpose. The clerk shall attach a certificate of examination to
11 the petition. If by the clerk's certificate the petition is
12 shown to be insufficient, the petition may be amended within ten
13 days from the date of the issuance of the clerk's certificate.
14 The clerk shall, within ten days after such amendment, make like
15 examination of the amended petition. If the second certificate
16 shows the petition to be insufficient, the petition shall be
17 returned to the person filing it, without prejudice to the filing
18 of a new petition to the same effect. If the petition is deemed
19 to be sufficient, the clerk shall submit it to the board of
20 aldermen without delay.

21 4. Upon receipt of the petition and certificate from the
22 clerk, the board of aldermen shall either:

23 (1) Pass said ordinance without alteration within twenty
24 days after attachment of the clerk's certificate to the
25 accompanying petition; or

26 (2) Submit the question without alteration to the voters at
27 the next municipal election, or, if the petition has been signed
28 by twenty-five percent or more of the registered voters voting

1 for mayor at the last municipal election, the board of aldermen
2 shall immediately submit the question without alteration to the
3 voters of the city.

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

6 Shall the following ordinance be (adopted) (repealed)?

7 (Set out ordinance)

8 6. If a majority of the voters vote in favor thereof, such
9 ordinance shall thereupon become a valid and binding ordinance of
10 the city.

11 7. Any number of proposed ordinances may be voted upon at
12 the same election, in accordance with the provisions of this
13 section.

14 8. Any ordinance in effect that was proposed by petition
15 cannot be repealed except by a vote of the people. The board of
16 aldermen may submit a proposition for the repeal of any such
17 ordinance or for amendments thereto, to be voted upon at any
18 municipal election; and should such proposition receive a
19 majority of the votes cast thereon, such ordinance shall thereby
20 be repealed or amended accordingly. The board of aldermen may
21 amend an ordinance proposed by petition without a vote of the
22 people, but the original purpose of the ordinance may not be
23 changed by such amendment.

24 94.270. 1. The mayor and board of aldermen shall have
25 power and authority to regulate and to license and to levy and
26 collect a license tax on auctioneers, druggists, hawkers,
27 peddlers, banks, brokers, pawnbrokers, merchants of all kinds,
28 grocers, confectioners, restaurants, butchers, taverns, hotels,

1 public boardinghouses, billiard and pool tables and other tables,
2 bowling alleys, lumber dealers, real estate agents, loan
3 companies, loan agents, public buildings, public halls, opera
4 houses, concerts, photographers, bill posters, artists, agents,
5 porters, public lecturers, public meetings, circuses and shows,
6 for parades and exhibitions, moving picture shows, horse or
7 cattle dealers, patent right dealers, stockyards, inspectors,
8 gaugers, mercantile agents, gas companies, insurance companies,
9 insurance agents, express companies, and express agents,
10 telegraph companies, light, power and water companies, telephone
11 companies, manufacturing and other corporations or institutions,
12 automobile agencies, and dealers, public garages, automobile
13 repair shops or both combined, dealers in automobile accessories,
14 gasoline filling stations, soft drink stands, ice cream stands,
15 ice cream and soft drink stands combined, soda fountains, street
16 railroad cars, omnibuses, drays, transfer and all other vehicles,
17 traveling and auction stores, plumbers, and all other business,
18 trades and avocations whatsoever, and fix the rate of carriage of
19 persons, drayage and cartage of property; and to license, tax,
20 regulate and suppress ordinaries, money brokers, money changers,
21 intelligence and employment offices and agencies, public
22 masquerades, balls, street exhibitions, dance houses, fortune
23 tellers, pistol galleries, corn doctors, private venereal
24 hospitals, museums, menageries, equestrian performances,
25 horoscopic views, telescopic views, lung testers, muscle
26 developers, magnifying glasses, ten pin alleys, ball alleys,
27 billiard tables, pool tables and other tables, theatrical or
28 other exhibitions, boxing and sparring exhibitions, shows and

1 amusements, tippling houses, and sales of unclaimed goods by
2 express companies or common carriers, auto wrecking shops and
3 junk dealers; to license, tax and regulate hackmen, draymen,
4 omnibus drivers, porters and all others pursuing like
5 occupations, with or without vehicles, and to prescribe their
6 compensation; and to regulate, license and restrain runners for
7 steamboats, cars, and public houses; and to license ferries, and
8 to regulate the same and the landing thereof within the limits of
9 the city, and to license and tax auto liveries, auto drays and
10 jitneys.

11 2. Notwithstanding any other law to the contrary, no city
12 of the fourth classification with more than eight hundred but
13 less than nine hundred inhabitants and located in any county with
14 a charter form of government and with more than one million
15 inhabitants shall levy or collect a license fee on hotels or
16 motels in an amount in excess of ~~twenty-seven~~ thirteen dollars
17 fifty cents per room per year. No hotel or motel in such city
18 shall be required to pay a license fee in excess of such amount,
19 and any license fee in such city that exceeds the limitations of
20 this subsection shall be automatically reduced to comply with
21 this subsection.

22 3. Notwithstanding any other law to the contrary, no city
23 of the fourth classification with more than four thousand one
24 hundred but less than four thousand two hundred inhabitants and
25 located in any county with a charter form of government and with
26 more than one million inhabitants shall levy or collect a license
27 fee on hotels or motels in an amount in excess of thirteen
28 dollars and fifty cents per room per year. No hotel or motel in

1 such city shall be required to pay a license fee in excess of
2 such amount, and any license fee in such city that exceeds the
3 limitations of this subsection shall be automatically reduced to
4 comply with this subsection.

5 4. Notwithstanding any other law to the contrary, on or
6 after January 1, 2006, no city of the fourth classification with
7 more than fifty-one thousand three hundred and eighty but less
8 than fifty-one thousand four hundred inhabitants and located in
9 any county with a charter form of government and with more than
10 two hundred eighty thousand but less than two hundred eighty-five
11 thousand or no city of the fourth classification with more than
12 fifty-one thousand but fewer than fifty-two thousand inhabitants
13 and located in any county with a charter form of government and
14 with more than two hundred eighty thousand but less than two
15 hundred eighty-five thousand shall levy or collect a license fee
16 on hotels or motels in an amount in excess of one thousand
17 dollars per year. No hotel or motel in such city shall be
18 required to pay a license fee in excess of such amount, and any
19 license fee in such city that exceeds the limitation of this
20 subsection shall be automatically reduced to comply with this
21 subsection.

22 5. Any city under subsection 4 of this section may increase
23 a hotel and motel license tax by five percent per year but the
24 total tax levied under this section shall not exceed one-eighth
25 of one percent of such hotels' or motels' gross revenue.

26 6. Any city under subsection 1 of this section may increase
27 a hotel and motel license tax by five percent per year but the
28 total tax levied under this section shall not exceed the greater

1 of:

2 (1) One-eighth of one percent of such hotels' or motels'
3 gross revenue; or

4 (2) The business license tax rate for such hotel or motel
5 on May 1, 2005.

6 7. The provisions of subsection 6 of this section shall not
7 apply to any tax levied by a city when the revenue from such tax
8 is restricted for use to a project from which bonds are
9 outstanding as of May 1, 2005.

10 105.1415. Any person who performs volunteer work in the
11 office of a judge or prosecutor and receives no pay or
12 compensation shall not be considered an employee of the county or
13 municipality.

14 135.980. 1. As used in this section, the following terms
15 shall mean:

16 (1) "NAICS", the classification provided by the most recent
17 edition of the North American Industry Classification System as
18 prepared by the Executive Office of the President, Office of
19 Management and Budget;

20 (2) "Public financial incentive", any economic or financial
21 incentive offered including:

22 (a) Any tax reduction, credit, forgiveness, abatement,
23 subsidy, or other tax-relieving measure;

24 (b) Any tax increment financing or similar financial
25 arrangement;

26 (c) Any monetary or non-monetary benefit related to any
27 bond, loan, or similar financial arrangement;

28 (d) Any reduction, credit, forgiveness, abatement, subsidy,

1 or other relief related to any bond, loan, or similar financial
2 arrangement; and

3 (e) The ability to form, own, direct, or receive any
4 economic or financial benefit from any special taxation district.

5 2. No city not within a county shall by ballot measure
6 impose any restriction on any public financial incentive
7 authorized by statute for a business with a NAICS code of 221112.

8 3. The provisions of this section shall expire on December
9 31, 2017.

10 182.802. 1. (1) Any public library district located in
11 any of the following counties may impose a tax as provided in
12 this section:

13 (a) At least partially within any county of the third
14 classification without a township form of government and with
15 more than forty thousand eight hundred but fewer than forty
16 thousand nine hundred inhabitants;

17 (b) Any county of the third classification without a
18 township form of government and with more than thirteen thousand
19 five hundred but fewer than thirteen thousand six hundred
20 inhabitants;

21 (c) Any county of the third classification without a
22 township form of government and with more than thirteen thousand
23 two hundred but fewer than thirteen thousand three hundred
24 inhabitants;

25 (d) Any county of the third classification with a township
26 form of government and with more than twenty-nine thousand seven
27 hundred but fewer than twenty-nine thousand eight hundred
28 inhabitants;

1 (e) Any county of the second classification with more than
2 nineteen thousand seven hundred but fewer than nineteen thousand
3 eight hundred inhabitants;

4 (f) Any county of the third classification with a township
5 form of government and with more than thirty-three thousand one
6 hundred but fewer than thirty-three thousand two hundred
7 inhabitants;

8 (g) Any county of the third classification without a
9 township form of government and with more than eighteen thousand
10 but fewer than twenty thousand inhabitants and with a city of the
11 third classification with more than six thousand but fewer than
12 seven thousand inhabitants as the county seat;

13 (h) Any county of the fourth classification with more than
14 twenty thousand but fewer than thirty thousand inhabitants.

15 (2) Any public library district listed in subdivision (1)
16 of this subsection may, by a majority vote of its board of
17 directors, impose a tax not to exceed one-half of one cent on all
18 retail sales subject to taxation under sections 144.010 to
19 144.525 for the purpose of funding the operation and maintenance
20 of public libraries within the boundaries of such library
21 district. The tax authorized by this subsection shall be in
22 addition to all other taxes allowed by law. No tax under this
23 subsection shall become effective unless the board of directors
24 submits to the voters of the district, at a county or state
25 general, primary or special election, a proposal to authorize the
26 tax, and such tax shall become effective only after the majority
27 of the voters voting on such tax approve such tax.

28 2. In the event the district seeks to impose a sales tax

1 under this subsection, the question shall be submitted in
2 substantially the following form:

3 Shall a cent sales tax be levied on all retail
4 sales within the district for the purpose of providing funding
5 for library district?

6 YES NO

7

8 If a majority of the votes cast on the proposal by the qualified
9 voters voting thereon are in favor of the proposal, then the tax
10 shall become effective. If a majority of the votes cast by the
11 qualified voters voting are opposed to the proposal, then the
12 board of directors shall have no power to impose the tax unless
13 and until another proposal to authorize the tax is submitted to
14 the voters of the district and such proposal is approved by a
15 majority of the qualified voters voting thereon. The provisions
16 of sections 32.085 and 32.087 shall apply to any tax approved
17 under this subsection.

18 3. As used in this section, "qualified voters" or "voters"
19 means any individuals residing within the district who are
20 eligible to be registered voters and who have registered to vote
21 under chapter 115, or, if no individuals are eligible and
22 registered to vote reside within the proposed district, all of
23 the owners of real property located within the proposed district
24 who have unanimously petitioned for or consented to the adoption
25 of an ordinance by the governing body imposing a tax authorized
26 in this section. If the owner of the property within the
27 proposed district is a political subdivision or corporation of
28 the state, the governing body of such political subdivision or

1 corporation shall be considered the owner for purposes of this
2 section.

3 4. For purposes of this section the term "public library
4 district" shall mean any city library district, county library
5 district, city-county library district, municipal library
6 district, consolidated library district, or urban library
7 district.

8 190.088. 1. A city of the fourth classification with more
9 than two thousand seven hundred but fewer than three thousand
10 inhabitants and located in any county of the first classification
11 with more than eighty-three thousand but fewer than ninety-two
12 thousand inhabitants that is located partially within an
13 ambulance district may file with the ambulance district's board
14 of directors a notice of intention of detachment stating the
15 city's intent that the area located within the city and the
16 ambulance district, or a portion of such area, is to be excluded
17 and taken from the district. The filing of a notice of intention
18 of detachment must be authorized by ordinance. Such notice of
19 intention of detachment shall describe the subject area to be
20 excluded from the ambulance district in the form of a legal
21 description and map.

22 2. After filing the notice of intention of detachment with
23 the ambulance district, the city shall conduct a public hearing
24 on the notice of intention of detachment and give notice by
25 publication in a newspaper of general circulation qualified to
26 publish legal matters in the county where the subject area is
27 located, at least once a week for three consecutive weeks prior
28 to the hearing, with the last notice being not more than twenty

1 days and not less than ten days before the hearing. The hearing
2 may be continued to another date without further notice other
3 than a motion to be entered upon the minutes fixing the time and
4 place of the subsequent hearing. At the public hearing, the city
5 shall present its reasons why it desires to detach the subject
6 area from the ambulance district and its plan to provide or cause
7 to be provided ambulance services to the subject area.

8 3. Following the public hearing, the governing body of the
9 city may approve the detachment of the subject area from the
10 ambulance district by enacting an ordinance with two-thirds of
11 all members of the legislative body of the city voting in favor
12 of the ordinance.

13 4. Upon duly enacting such detachment ordinance, the city
14 shall cause three certified copies of the same to be filed with
15 the county assessor and the clerk of the county wherein the city
16 is located and one certified copy to be filed with the election
17 authority if different from the clerk of the county that has
18 jurisdiction over the area being detached.

19 5. Upon the effective date of the ordinance, which may be
20 up to one year from the date of its passage and approval, the
21 ambulance district shall no longer provide or cause to be
22 provided ambulance services to the subject area and shall no
23 longer levy and collect any tax upon the property included within
24 the detached area, provided that all real property excluded from
25 an ambulance district shall thereafter be subject to the levy of
26 taxes for the payment of any indebtedness of the ambulance
27 district outstanding at the time of exclusion; provided that
28 after any real property shall have been excluded from an

1 ambulance district as provided under this section, any buildings
2 and improvements thereafter erected or constructed on the
3 excluded real property, all machinery and equipment thereafter
4 installed or placed on the excluded real property, and all
5 tangible personal property not in the ambulance district at the
6 time of the exclusion of the subject area, shall not be subject
7 to any taxes levied by the ambulance district.

8 6. The city shall also:

9 (1) On or before January first of the second calendar year
10 after the date on which the property was detached from the
11 ambulance district, pay to the ambulance district a fee equal to
12 the amount of revenue that would have been generated during the
13 previous calendar year by the ambulance district tax on the
14 property in the area detached which was formerly part of the
15 ambulance district;

16 (2) On or before January first of the third calendar year
17 after the date on which the property was detached from the
18 ambulance district, pay to the ambulance district a fee equal to
19 four-fifths of the amount of revenue that would have been
20 generated during the previous calendar year by the ambulance
21 district tax on the property in the area detached which was
22 formerly a part of the ambulance district;

23 (3) On or before January first of the fourth calendar year
24 occurring after the date on which the property was detached from
25 the ambulance district, pay to the ambulance district a fee equal
26 to three-fifths of the amount of revenue that would have been
27 generated during the previous calendar year by the ambulance
28 district tax on the property in the area detached which was

1 formerly a part of the ambulance district;

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

9 (5) On or before January first of the sixth calendar year
10 occurring after the date on which the property was detached from
11 the ambulance district, pay to the ambulance district a fee equal
12 to one-fifth of the amount of revenue that would have been
13 generated during the previous calendar year by the ambulance
14 district tax on the property in the area detached which was
15 formerly a part of the ambulance district.

16 7. The provisions of this section shall not apply to any
17 county in which a boundary commission has been established under
18 sections 72.400 to 72.423.

19 192.310. Nothing in sections 192.260 to 192.320 shall apply
20 to any home rule city with more than sixty-four thousand but
21 fewer than seventy-one thousand inhabitants, or cities which now
22 have, or may hereafter have, a population of seventy-five
23 thousand or over which are maintaining organized health
24 departments; provided, that such cities shall furnish the
25 department of health and senior services reports of contagious,
26 infectious, communicable or dangerous diseases, which have been
27 designated by them as such and such other statistical information
28 as the board may require.

1 249.424. 1. If approved by a majority of the voters voting
2 on the proposal, and upon the adoption of a resolution by a
3 majority of the sewer district's board of trustees, any sewer
4 district established and organized under this chapter, may levy
5 and impose annually a fee not to exceed thirty-six dollars per
6 year within its boundaries for the repair of lateral sewer
7 service lines on or connecting residential property having six or
8 fewer dwelling units, except that the fee shall not be imposed on
9 property in the sewer district that is located within any city,
10 town, village, or unincorporated area of a county that already
11 imposes a fee under section 249.422. Any sewer district that
12 establishes or increases the fee used to repair any portion of
13 the lateral sewer service line shall include all defective
14 portions of the lateral sewer service line from the residential
15 structure to its connection with the public sewer system line.
16 Notwithstanding any provision of chapter 448, the fee imposed
17 pursuant to this chapter shall be imposed upon condominiums that
18 have six or fewer condominium units per building and each
19 condominium unit shall be responsible for its proportionate share
20 of any fee charged pursuant to this chapter, and in addition, any
21 condominium unit shall, if determined to be responsible for and
22 served by its own individual lateral sewer line, be treated as an
23 individual residence regardless of the number of units in the
24 development. It shall be the responsibility of the condominium
25 owner or condominium association to notify the sewer district
26 that they are not properly classified as provided in this
27 section.

28 2. The question shall be submitted to the registered voters

1 who reside within the boundaries of the sewer district, excluding
2 any voters who live within the boundaries of any city, town,
3 village, or unincorporated area of a county that already imposes
4 a fee under section 249.422. The question shall be submitted in
5 substantially the following form:

6 Shall a maximum charge not to exceed thirty-six dollars be
7 assessed annually on residential property for each lateral sewer
8 service line serving six or fewer dwelling units on that property
9 and condominiums that have six or fewer condominium units per
10 building and any condominium responsible for its own individual
11 lateral sewer line to provide funds to pay the cost of certain
12 repairs of those lateral sewer service lines which may be billed
13 quarterly or annually?

14 YES

14 NO

15 3. If a majority of the voters voting thereon approve the
16 proposal provided for in subsection 2 of this section, any sewer
17 district established and organized under this chapter may, upon
18 the adoption of a resolution by a majority of the sewer
19 district's board of trustees, collect and administer such fee in
20 order to protect the public health, welfare, peace, and safety.
21 The funds collected shall be deposited in a special account to be
22 used solely for the purpose of paying for all or a portion of the
23 costs reasonably associated with and necessary to administer and
24 carry out the defective lateral sewer service line repairs. All
25 interest generated on deposited funds shall be accrued to the
26 special account established for the repair of lateral sewer
27 service lines.

28 4. The collector in any county containing a sewer district

1 that adopts a resolution under this section to collect a fee for
2 the repair of lateral sewer service lines may add such fee to the
3 general tax levy bills of property owners within the boundaries
4 of the sewer district, excluding property located in any city,
5 town, village, or unincorporated area of the county that already
6 imposes a fee under section 249.422. All revenues received on
7 such combined bill for the purpose of providing for the repair of
8 lateral sewer service lines shall be separated from all other
9 revenues so collected and credited to the special account
10 established by the sewer district under subsection 3 of this
11 section.

12 5. If a city, town, village, or county, which is within the
13 sewer district and imposed a fee under section 249.422, later
14 rescinds such fee after voters authorized the fee provided under
15 this section, the sewer district may submit the question provided
16 under subsection 2 of this section to the registered voters of
17 such city, town, village, or county that have property within the
18 boundaries of the sewer district. If a majority of voters voting
19 on the proposal approve, the sewer district may levy and impose
20 the fee as provided under this section on property within such
21 city, town, village, or county.

22 262.960. 1. This section shall be known and may be cited
23 as the "Farm-to-School Act".

24 2. There is hereby created within the department of
25 agriculture the "Farm-to-School Program" to connect Missouri
26 farmers and schools in order to provide schools with locally
27 grown agricultural products for inclusion in school meals and
28 snacks and to strengthen local farming economies. The department

1 shall designate an employee to administer and monitor the farm-
2 to-school program and to serve as liaison between Missouri
3 farmers and schools.

4 3. The following agencies shall make staff available to the
5 Missouri farm-to-school program for the purpose of providing
6 professional consultation and staff support to assist the
7 implementation of this section:

8 (1) The department of health and senior services;

9 (2) The department of elementary and secondary education;

10 and

11 (3) The office of administration.

12 4. The duties of the department employee coordinating the
13 farm-to-school program shall include, but not be limited to:

14 (1) Establishing and maintaining a website database to
15 allow farmers and schools to connect whereby farmers can enter
16 the locally grown agricultural products they produce along with
17 pricing information, the times such products are available, and
18 where they are willing to distribute such products;

19 (2) Providing leadership at the state level to encourage
20 schools to procure and use locally grown agricultural products;

21 (3) Conducting workshops and training sessions and
22 providing technical assistance to school food service directors,
23 personnel, farmers, and produce distributors and processors
24 regarding the farm-to-school program; and

25 (4) Seeking grants, private donations, or other funding
26 sources to support the farm-to-school program.

27 262.962. 1. As used in this section, section 262.960, and
28 subsection 5 of section 348.707, the following terms shall mean:

1 (1) "Locally grown agricultural products", food or fiber
2 produced or processed by a small agribusiness or small farm;

3 (2) "Schools", includes any school in this state that
4 maintains a food service program under the United States
5 Department of Agriculture and administered by the school;

6 (3) "Small agribusiness", as defined in section 348.400,
7 and located in Missouri with gross annual sales of less than five
8 million dollars;

9 (4) "Small farm", a family-owned farm or family farm
10 corporation as defined in section 350.010, and located in
11 Missouri with less than two hundred fifty thousand dollars in
12 gross sales per year.

13 2. There is hereby created a taskforce under the
14 AgriMissouri program established in section 261.230, which shall
15 be known as the "Farm-to-School Taskforce". The taskforce shall
16 be made up of at least one representative from each of the
17 following agencies: the University of Missouri extension
18 service, the department of agriculture, the department of
19 elementary and secondary education, and the office of
20 administration. In addition, the director of the department of
21 agriculture shall appoint two persons actively engaged in the
22 practice of small agribusiness. In addition, the director of the
23 department of elementary and secondary education shall appoint
24 two persons from schools within the state who direct a food
25 service program. One representative for the department of
26 agriculture shall serve as the chairperson for the taskforce and
27 shall coordinate the taskforce meetings. The taskforce shall
28 hold at least two meetings, but may hold more as it deems

1 necessary to fulfill its requirements under this section. Staff
2 of the department of agriculture may provide administrative
3 assistance to the taskforce if such assistance is required.

4 3. The mission of the taskforce is to provide
5 recommendations for strategies that:

6 (1) Allow schools to more easily incorporate locally grown
7 agricultural products into their cafeteria offerings, salad bars,
8 and vending machines; and

9 (2) Allow schools to work with food service providers to
10 ensure greater use of locally grown agricultural products by
11 developing standardized language for food service contracts.

12 4. In fulfilling its mission under this section, the
13 taskforce shall review various food service contracts of schools
14 within the state to identify standardized language that could be
15 included in such contracts to allow schools to more easily
16 procure and use locally grown agricultural products.

17 5. The taskforce shall prepare a report containing its
18 findings and recommendations and shall deliver such report to the
19 governor, the general assembly, and to the director of each
20 agency represented on the taskforce by no later than December 31,
21 2015.

22 6. In conducting its work, the taskforce may hold public
23 meetings at which it may invite testimony from experts, or it may
24 solicit information from any party it deems may have information
25 relevant to its duties under this section.

26 7. This section shall expire on December 31, 2015.

27 304.190. 1. No motor vehicle, unladen or with load,
28 operating exclusively within the corporate limits of cities

1 containing seventy-five thousand inhabitants or more or within
2 two miles of the corporate limits of the city or within the
3 commercial zone of the city shall exceed fifteen feet in height.

4 2. No motor vehicle operating exclusively within any said
5 area shall have a greater weight than twenty-two thousand four
6 hundred pounds on one axle.

7 3. The "commercial zone" of the city is defined to mean
8 that area within the city together with the territory extending
9 one mile beyond the corporate limits of the city and one mile
10 additional for each fifty thousand population or portion thereof
11 provided, however:

12 (1) The commercial zone surrounding a city not within a
13 county shall extend twenty-five miles beyond the corporate limits
14 of any such city not located within a county and shall also
15 extend throughout any county with a charter form of government
16 which adjoins that city and throughout any county with a charter
17 form of government and with more than two hundred fifty thousand
18 but fewer than three hundred fifty thousand inhabitants that is
19 adjacent to such county adjoining such city;

20 (2) The commercial zone of a city with a population of at
21 least four hundred thousand inhabitants but not more than four
22 hundred fifty thousand inhabitants shall extend twelve miles
23 beyond the corporate limits of any such city; except that this
24 zone shall extend from the southern border of such city's limits,
25 beginning with the western-most freeway, following said freeway
26 south to the first intersection with a multilane undivided
27 highway, where the zone shall extend south along said freeway to
28 include a city of the fourth classification with more than eight

1 thousand nine hundred but less than nine thousand inhabitants,
2 and shall extend north from the intersection of said freeway and
3 multilane undivided highway along the multilane undivided highway
4 to the city limits of a city with a population of at least four
5 hundred thousand inhabitants but not more than four hundred fifty
6 thousand inhabitants, and shall extend east from the city limits
7 of a special charter city with more than two hundred seventy-five
8 but fewer than three hundred seventy-five inhabitants along State
9 Route 210 and northwest from the intersection of State Route 210
10 and State Route 10 to include the boundaries of any city of the
11 third classification with more than ten thousand eight hundred
12 but fewer than ten thousand nine hundred inhabitants and located
13 in more than one county. The commercial zone shall continue east
14 along State Route 10 from the intersection of State Route 10 and
15 State Route 210 to the eastern city limit of a city of the fourth
16 classification with more than five hundred fifty but fewer than
17 six hundred twenty-five inhabitants and located in any county of
18 the third classification without a township form of government
19 and with more than twenty-three thousand but fewer than twenty-
20 six thousand inhabitants and with a city of the third
21 classification with more than five thousand but fewer than six
22 thousand inhabitants as the county seat. The commercial zone
23 described in this subdivision shall be extended to also include
24 the stretch of State Route 45 from its intersection with
25 Interstate 29 extending northwest to the city limits of any
26 village with more than forty but fewer than fifty inhabitants and
27 located in any county of the first classification with more than
28 eighty-three thousand but fewer than ninety-two thousand

1 inhabitants and with a city of the fourth classification with
2 more than four thousand five hundred but fewer than five thousand
3 inhabitants as the county seat;

4 (3) The commercial zone of a city of the third
5 classification with more than nine thousand six hundred fifty but
6 fewer than nine thousand eight hundred inhabitants shall extend
7 south from the city limits along U.S. Highway 61 to the
8 intersection of State Route 00 in a county of the third
9 classification without a township form of government and with
10 more than seventeen thousand eight hundred but fewer than
11 seventeen thousand nine hundred inhabitants;

12 (4) The commercial zone of a home rule city with more than
13 one hundred eight thousand but fewer than one hundred sixteen
14 thousand inhabitants shall extend north from the city limits
15 along U.S. Highway 63 for eight miles, and shall extend east from
16 the city limits along State Route WW to the intersection of State
17 Route J and continue south on State Route J for four miles.

18 4. In no case shall the commercial zone of a city be
19 reduced due to a loss of population. The provisions of this
20 section shall not apply to motor vehicles operating on the
21 interstate highways in the area beyond two miles of a corporate
22 limit of the city unless the United States Department of
23 Transportation increases the allowable weight limits on the
24 interstate highway system within commercial zones. In such case,
25 the mileage limits established in this section shall be
26 automatically increased only in the commercial zones to conform
27 with those authorized by the United States Department of
28 Transportation.

1 5. Nothing in this section shall prevent a city, county, or
2 municipality, by ordinance, from designating the routes over
3 which such vehicles may be operated.

4 6. No motor vehicle engaged in interstate commerce, whether
5 unladen or with load, whose operations in the state of Missouri
6 are limited exclusively to the commercial zone of a first class
7 home rule municipality located in a county with a population
8 between eighty thousand and ninety-five thousand inhabitants
9 which has a portion of its corporate limits contiguous with a
10 portion of the boundary between the states of Missouri and
11 Kansas, shall have a greater weight than twenty-two thousand four
12 hundred pounds on one axle, nor shall exceed fifteen feet in
13 height.

14 321.322. 1. If any property located within the boundaries
15 of a fire protection district shall be included within a city
16 having a population of at least two thousand five hundred but not
17 more than sixty-five thousand which is not wholly within the fire
18 protection district and which maintains a city fire department,
19 then upon the date of actual inclusion of the property within the
20 city, as determined by the annexation process, the city shall
21 within sixty days assume by contract with the fire protection
22 district all responsibility for payment in a lump sum or in
23 installments an amount mutually agreed upon by the fire
24 protection district and the city for the city to cover all
25 obligations of the fire protection district to the area included
26 within the city, and thereupon the fire protection district shall
27 convey to the city the title, free and clear of all liens or
28 encumbrances of any kind or nature, any such tangible real and

1 personal property of the fire protection district as may be
2 agreed upon, which is located within the part of the fire
3 protection district located within the corporate limits of the
4 city with full power in the city to use and dispose of such
5 tangible real and personal property as the city deems best in the
6 public interest, and the fire protection district shall no longer
7 levy and collect any tax upon the property included within the
8 corporate limits of the city; except that, if the city and the
9 fire protection district cannot mutually agree to such an
10 arrangement, then the city shall assume responsibility for fire
11 protection in the annexed area on or before January first of the
12 third calendar year following the actual inclusion of the
13 property within the city, as determined by the annexation
14 process, and furthermore the fire protection district shall not
15 levy and collect any tax upon that property included within the
16 corporate limits of the city after the date of inclusion of that
17 property:

18 (1) On or before January first of the second calendar year
19 occurring after the date on which the property was included
20 within the city, the city shall pay to the fire protection
21 district a fee equal to the amount of revenue which would have
22 been generated during the previous calendar year by the fire
23 protection district tax on the property in the area annexed which
24 was formerly a part of the fire protection district;

25 (2) On or before January first of the third calendar year
26 occurring after the date on which the property was included
27 within the city, the city shall pay to the fire protection
28 district a fee equal to four-fifths of the amount of revenue

1 which would have been generated during the previous calendar year
2 by the fire protection district tax on the property in the area
3 annexed which was formerly a part of the fire protection
4 district;

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

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

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

1 Nothing contained in this section shall prohibit the ability of a
2 city to negotiate contracts with a fire protection district for
3 mutually agreeable services. This section shall also apply to
4 those fire protection districts and cities which have not reached
5 agreement on overlapping boundaries previous to August 28, 1990.
6 Such fire protection districts and cities shall be treated as
7 though inclusion of the annexed area took place on December
8 thirty-first immediately following August 28, 1990.

9 2. Any property excluded from a fire protection district by
10 reason of subsection 1 of this section shall be subject to the
11 provisions of section 321.330.

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

15 4. [The provisions of this section shall not apply where the
16 annexing city or town operates a city fire department and was on
17 January 1, 2005, a city of the fourth classification with more
18 than eight thousand nine hundred but fewer than nine thousand
19 inhabitants and entirely surrounded by a single fire 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 5.] The provisions of this section shall not apply where
24 the annexing city or town operates a city fire department, is any
25 city of the third classification with more than six thousand but
26 fewer than seven thousand inhabitants and located in any county
27 with a charter form of government and with more than two hundred
28 thousand but fewer than three hundred fifty thousand inhabitants,

1 and is entirely surrounded by a single fire protection district.
2 In such cases, the provision of fire and emergency medical
3 services following annexation shall be governed by subsections 2
4 and 3 of section 72.418.

5 339.507. 1. There is hereby created within the division of
6 professional registration the "Missouri Real Estate Appraisers
7 Commission", which shall consist of seven members appointed by
8 the governor with the advice and consent of the senate, six of
9 whom shall be appraiser members, and one shall be a public
10 member. Each member shall be a resident of this state and a
11 registered voter for a period of one year prior to the person's
12 appointment. The president of the Missouri Appraiser Advisory
13 Council in office at the time shall, at least ninety days prior
14 to the expiration of the term of the commission member, other
15 than the public member, or as soon as feasible after the vacancy
16 on the commission otherwise occurs, submit to the director of the
17 division of professional registration a list of five appraisers
18 qualified and willing to fill the vacancy in question, with the
19 request and recommendation that the governor appoint one of the
20 five persons so listed, and with the list so submitted, the
21 president of the Missouri Appraiser Advisory Council shall
22 include in his or her letter of transmittal a description of the
23 method by which the names were chosen by that association. The
24 public member shall have never been engaged in the businesses of
25 real estate appraisal, real estate sales or making loans secured
26 by real estate.

27 2. The real estate appraiser members appointed by the
28 governor shall be Missouri residents who have real estate

1 appraisal experience in the state of Missouri for not less than
2 five years immediately preceding their appointment. Appraiser
3 members of the commission shall be appointed from the registry of
4 state-certified real estate appraisers and state-licensed real
5 estate appraisers. Real estate appraiser commission members,
6 appointed after August 28, 2014, shall not be from the same
7 United States congressional district.

8 3. All members shall be appointed for three-year terms.
9 All members shall serve until their successors have been
10 appointed and qualified. Vacancies occurring in the membership
11 of the commission for any reason shall be filled by appointment
12 by the governor for the unexpired term. Upon expiration of their
13 terms, members of the commission shall continue to hold office
14 until the appointment and qualification of their successors. No
15 more than four members of the commission shall be members of the
16 same political party. No person shall be appointed for more than
17 two consecutive terms. The governor may remove a member for
18 cause.

19 4. The commission shall meet at least once each calendar
20 quarter to conduct its business. A quorum of the commission
21 shall consist of four members.

22 5. Each member of the commission shall be entitled to a per
23 diem allowance of fifty dollars for each meeting of the
24 commission at which the member is present and shall be entitled
25 to reimbursement of the member's expenses necessarily incurred in
26 the discharge of the member's official duties. Each member of
27 the commission shall be entitled to reimbursement of travel
28 expenses necessarily incurred in attending meetings of the

1 commission.

2 6. The commission shall prepare an annual report outlining
3 business conducted by the commission during the previous calendar
4 year and shall submit a copy to the general assembly by April
5 first of each year. The report shall include:

6 (1) The number of complaints that were filed against
7 licensees;

8 (2) The number and disposition of investigations conducted
9 by the commission pursuant to the filing of a complaint; and

10 (3) An accounting of all expenditures of the commission.

11 339.531. 1. Any person may file a complaint with the
12 commission alleging that a licensee has committed any combination
13 of the acts or omissions provided in subsection 2 of section
14 339.532. A complaint shall be in writing and shall be signed by
15 the complainant, but a complainant is not required to specify the
16 provisions of law or regulations alleged to have been violated in
17 the complaint.

18 2. Upon the receipt of a complaint against a licensee, the
19 commission shall refer the complaint to the probable cause
20 committee. The commission shall appoint a probable cause
21 committee of four members, one of whom shall be a current member
22 of the commission and three members selected by the commission
23 through recommendations provided by the Missouri Appraisers
24 Advisory Council. The probable cause committee shall serve in an
25 advisory capacity to the commission and review complaints and
26 make a recommendation to the commission regarding the disposition
27 of the complaint. The commission shall provide by rule for the
28 selection process, length of committee member terms, and other

1 procedures necessary for the functioning of the committee. No
2 complaints shall be brought before the probable cause committee
3 prior to its creation, appointment of members, and approval of
4 all rules and regulations pursuant to chapter 536.

5 3. Each complaint shall be considered a grievance until
6 reviewed by the probable cause committee. When a grievance is
7 filed under subsection 1 of this section, a copy shall be
8 provided to the licensee, who shall have ten working days to
9 respond documenting why the grievance may have no merit. If the
10 licensee responds within the allowable time, the probable cause
11 committee shall review the grievance and response. If the
12 probable cause committee determines that the grievance has no
13 merit, the grievance shall be dismissed and no complaint shall be
14 placed on the licensee's record. If the probable cause committee
15 determines that the grievance has merit, it shall present the
16 case to the commission, and the commission shall decide whether
17 or not to proceed with an investigation of the grievance as a
18 complaint. If the commission decides to proceed with an
19 investigation of a complaint, at that time the complaint shall
20 become a part of the licensee's record.

21 4. When the commission determines to proceed with a
22 complaint against a licensee, the commission shall investigate
23 the actions of the licensee against whom the complaint is made.
24 In conducting an investigation, the commission may request the
25 licensee under investigation to:

- 26 (1) Answer the charges made against him or her in writing;
27 (2) Produce relevant documentary evidence pertaining to the
28 specific complaint causing the investigation; and

1 (3) Appear before the commission.

2 5. A copy of any written answer of the licensee requested
3 under subsection 4 of this section may be furnished to the
4 complainant, as long as furnishing the written answer does not
5 require disclosure of confidential information under the Uniform
6 Standards of Professional Appraisal Practice.

7 6. The commission shall notify the complainant and the
8 licensee that an investigation has been commenced within ten
9 working days of the date of the commission's decision to proceed
10 with a complaint under subsection 4 of this section. The
11 commission shall also notify and inform the complainant and
12 licensee of the status of the investigation every sixty days
13 following the commencement of the investigation. No
14 investigation shall last longer than twelve months. Once an
15 investigation is closed or dismissed it shall not be reopened.

16 7. In the event that the commission fails to meet the
17 notification and investigation requirements of this section or
18 does not finish the investigation within twelve months, then the
19 commission shall provide the complainant at the commission's
20 expense with an appraisal and an appraisal report of the real
21 estate originally appraised by the licensee under investigation.

22 8. A real estate appraiser member of the commission shall
23 recuse themselves from any matter in which their knowledge of the
24 parties, circumstances, or subject matter will substantially
25 affect their ability to be fair and impartial.

26 9. Any rule or portion of a rule, as that term is defined
27 in section 536.010, that is created under the authority delegated
28 in this section shall become effective only if it complies with

1 and is subject to all of the provisions of chapter 536 and, if
2 applicable, section 536.028. This section and chapter 536 are
3 nonseverable and if any of the powers vested with the general
4 assembly pursuant to chapter 536 to review, to delay the
5 effective date, or to disapprove and annul a rule are
6 subsequently held unconstitutional, then the grant of rulemaking
7 authority and any rule proposed or adopted after the effective
8 date of this section shall be invalid and void.

9 10. Nothing in this section shall be construed as limiting
10 or delaying any administrative remedies or actions available
11 through the administrative hearing process.

12 11. The provisions of this section shall become effective
13 August 28, 2015.

14 348.407. 1. The authority shall develop and implement
15 agricultural products utilization grants as provided in this
16 section.

17 2. The authority may reject any application for grants
18 pursuant to this section.

19 3. The authority shall make grants, and may make loans or
20 guaranteed loans from the grant fund to persons for the creation,
21 development and operation, for up to three years from the time of
22 application approval, of rural agricultural businesses whose
23 projects add value to agricultural products and aid the economy
24 of a rural community.

25 4. The authority may make loan guarantees to qualified
26 agribusinesses for agricultural business development loans for
27 businesses that aid in the economy of a rural community and
28 support production agriculture or add value to agricultural

1 products by providing necessary products and services for
2 production or processing.

3 5. The authority may make grants, loans, or loan guarantees
4 to Missouri businesses to access resources for accessing and
5 processing locally grown agricultural products for use in schools
6 within the state.

7 6. The authority may, upon the provision of a fee by the
8 requesting person in an amount to be determined by the authority,
9 provide for a feasibility study of the person's rural
10 agricultural business concept.

11 [6.] 7. Upon a determination by the authority that such
12 concept is feasible and upon the provision of a fee by the
13 requesting person, in an amount to be determined by the
14 authority, the authority may then provide for a marketing study.
15 Such marketing study shall be designed to determine whether such
16 concept may be operated profitably.

17 [7.] 8. Upon a determination by the authority that the
18 concept may be operated profitably, the authority may provide for
19 legal assistance to set up the business. Such legal assistance
20 shall include, but not be limited to, providing advice and
21 assistance on the form of business entity, the availability of
22 tax credits and other assistance for which the business may
23 qualify as well as helping the person apply for such assistance.

24 [8.] 9. The authority may provide or facilitate loans or
25 guaranteed loans for the business including, but not limited to,
26 loans from the United States Department of Agriculture Rural
27 Development Program, subject to availability. Such financial
28 assistance may only be provided to feasible projects, and for an

1 amount that is the least amount necessary to cause the project to
2 occur, as determined by the authority. The authority may
3 structure the financial assistance in a way that facilitates the
4 project, but also provides for a compensatory return on
5 investment or loan payment to the authority, based on the risk of
6 the project.

7 [9.] 10. The authority may provide for consulting services
8 in the building of the physical facilities of the business.

9 [10.] 11. The authority may provide for consulting services
10 in the operation of the business.

11 [11.] 12. The authority may provide for such services
12 through employees of the state or by contracting with private
13 entities.

14 [12.] 13. The authority may consider the following in
15 making the decision:

16 (1) The applicant's commitment to the project through the
17 applicant's risk;

18 (2) Community involvement and support;

19 (3) The phase the project is in on an annual basis;

20 (4) The leaders and consultants chosen to direct the
21 project;

22 (5) The amount needed for the project to achieve the
23 bankable stage; and

24 (6) The [projects] project's planning for long-term success
25 through feasibility studies, marketing plans and business plans.

26 [13.] 14. The department of agriculture, the department of
27 natural resources, the department of economic development and the
28 University of Missouri may provide such assistance as is

1 necessary for the implementation and operation of this section.
2 The authority may consult with other state and federal agencies
3 as is necessary.

4 [14.] 15. The authority may charge fees for the provision
5 of any service pursuant to this section.

6 [15.] 16. The authority may adopt rules to implement the
7 provisions of this section.

8 [16.] 17. Any rule or portion of a rule, as that term is
9 defined in section 536.010, that is created under the authority
10 delegated in sections 348.005 to 348.180 shall become effective
11 only if it complies with and is subject to all of the provisions
12 of chapter 536 and, if applicable, section 536.028. All
13 rulemaking authority delegated prior to August 28, 1999, is of no
14 force and effect and repealed. Nothing in this section shall be
15 interpreted to repeal or affect the validity of any rule filed or
16 adopted prior to August 28, 1999, if it fully complied with all
17 applicable provisions of law. This section and chapter 536 are
18 nonseverable and if any of the powers vested with the general
19 assembly pursuant to chapter 536 to review, to delay the
20 effective date or to disapprove and annul a rule are subsequently
21 held unconstitutional, then the grant of rulemaking authority and
22 any rule proposed or adopted after August 28, 1999, shall be
23 invalid and void.

24 407.1610. It shall be unlawful for any person or entity to
25 engage in the speculative accumulation of asphalt roofing
26 shingles in any city not within a county. For the purposes of
27 this section, the term "speculative accumulation" means the
28 collection or storage of asphalt shingles without a showing that,

1 during a calendar year, at least seventy-five percent of the
2 material accumulated during the year, either by weight or by
3 volume, will be recycled for other use.

4 408.040. 1. Judgments shall accrue interest on the
5 judgment balance as set forth in this section. The "judgment
6 balance" is defined as the total amount of the judgment awarded
7 on the day judgment is entered including, but not limited to,
8 principal, prejudgment interest, and all costs and fees. Post-
9 judgment payments or credits shall be applied first to post-
10 judgment costs, then to post-judgment interest, and then to the
11 judgment balance.

12 2. In all nontort actions, interest shall be allowed on all
13 money due upon any judgment or order of any court from the date
14 judgment is entered by the trial court until satisfaction be made
15 by payment, accord or sale of property; all such judgments and
16 orders for money upon contracts bearing more than nine percent
17 interest shall bear the same interest borne by such contracts,
18 and all other judgments and orders for money shall bear nine
19 percent per annum until satisfaction made as aforesaid.

20 [2.] 3. Notwithstanding the provisions of subsection [1] 2
21 of this section, in tort actions, interest shall be allowed on
22 all money due upon any judgment or order of any court from the
23 date [of] judgment is entered by the trial court until full
24 satisfaction. All such judgments and orders for money shall bear
25 a per annum interest rate equal to the intended Federal Funds
26 Rate, as established by the Federal Reserve Board, plus five
27 percent, until full satisfaction is made. The judgment shall
28 state the applicable interest rate, which shall not vary once

1 entered. In tort actions, if a claimant has made a demand for
2 payment of a claim or an offer of settlement of a claim, to the
3 party, parties or their representatives, and to such party's
4 liability insurer if known to the claimant, and the amount of the
5 judgment or order exceeds the demand for payment or offer of
6 settlement, then prejudgment interest shall be awarded,
7 calculated from a date ninety days after the demand or offer was
8 received, as shown by the certified mail return receipt, or from
9 the date the demand or offer was rejected without counter offer,
10 whichever is earlier. In order to qualify as a demand or offer
11 pursuant to this section, such demand must:

12 (1) Be in writing and sent by certified mail return receipt
13 requested; and

14 (2) Be accompanied by an affidavit of the claimant
15 describing the nature of the claim, the nature of any injuries
16 claimed and a general computation of any category of damages
17 sought by the claimant with supporting documentation, if any is
18 reasonably available; and

19 (3) For wrongful death, personal injury, and bodily injury
20 claims, be accompanied by a list of the names and addresses of
21 medical providers who have provided treatment to the claimant or
22 decedent for such injuries, copies of all reasonably available
23 medical bills, a list of employers if the claimant is seeking
24 damages for loss of wages or earning, and written authorizations
25 sufficient to allow the party, its representatives, and liability
26 insurer if known to the claimant to obtain records from all
27 employers and medical care providers; and

28 (4) Reference this section and be left open for ninety

1 days.

2

3 Unless the parties agree in writing to a longer period of time,
4 if the claimant fails to file a cause of action in circuit court
5 prior to a date one hundred twenty days after the demand or offer
6 was received, then the court shall not award prejudgment interest
7 to the claimant. If the claimant is a minor or incompetent or
8 deceased, the affidavit may be signed by any person who
9 reasonably appears to be qualified to act as next friend or
10 conservator or personal representative. If the claim is one for
11 wrongful death, the affidavit may be signed by any person
12 qualified pursuant to section 537.080 to make claim for the
13 death. Nothing contained herein shall limit the right of a
14 claimant, in actions other than tort actions, to recover
15 prejudgment interest as otherwise provided by law or contract.

16 [3.] 4. In tort actions, a judgment for prejudgment
17 interest awarded pursuant to this [subsection] section should
18 bear interest at a per annum interest rate equal to the intended
19 Federal Funds Rate, as established by the Federal Reserve Board,
20 plus three percent. The judgment shall state the applicable
21 interest rate, which shall not vary once entered.

22 488.305. 1. The clerk of the circuit court shall charge
23 and collect fees for the clerk's duties as prescribed by sections
24 429.090 and 429.120 in such amounts as are determined pursuant to
25 sections 488.010 to 488.020.

26 2. The clerk of the circuit court may charge and collect in
27 cases where a garnishment is granted, a surcharge not to exceed
28 ten dollars for the clerk's duties. Any moneys collected under

1 this subsection shall be placed in a fund to be used at the
2 discretion of the circuit clerk to maintain and improve case
3 processing and record preservation.

4 525.040. 1. Notice of garnishment, served as provided in
5 sections 525.010 to 525.480 shall have the effect of attaching
6 all personal property, money, rights, credits, bonds, bills,
7 notes, drafts, checks or other choses in action of the defendant
8 in the garnishee's possession or charge, or under his or her
9 control at the time of the service of the garnishment, or which
10 may come into his or her possession or charge, or under his or
11 her control, or be owing by him or her, between that time and the
12 time of filing his or her answer, or in the case of a continuous
13 wage garnishment, until the judgment is paid in full or until the
14 employment relationship is terminated, whichever occurs first;
15 but he or she shall not be liable to a judgment in money on
16 account of such bonds, bills, notes, drafts, checks or other
17 choses in action, unless the same shall have been converted into
18 money since the garnishment, or he or she ~~[fail]~~ fails, in such
19 time as the court may prescribe, to deliver them into court, or
20 to the sheriff or other person designated by the court.

21 2. Writs of garnishment which would otherwise have equal
22 priority shall have priority according to the date of service on
23 the garnishee. If the employee's wages have been attached by
24 more than one writ of garnishment, the employer shall inform the
25 inferior garnisher of the existence and case number of all senior
26 garnishments.

27 525.070. Whenever any property, effects, money or debts,
28 belonging or owing to the defendant, shall be confessed, or found

1 by the court or jury, to be in the hands of the garnishee, the
2 garnishee may, at any time before final judgment, discharge
3 himself or herself, by paying or delivering the same, or so much
4 thereof as the court shall order, to the sheriff [or], to the
5 court, or if applicable, to the attorney for the party on whose
6 behalf the order of garnishment was issued, from all further
7 liability on account of the property, money or debts so paid or
8 delivered.

9 525.080. 1. If it appear that a garnishee, at or after his
10 or her garnishment, was possessed of any property of the
11 defendant, or was indebted to him or her, the court, or judge in
12 vacation, may order the delivery of such property, or the payment
13 of the amount owing by the garnishee, to the sheriff [or], into
14 court, or to the attorney for the party on whose behalf the order
15 of garnishment was issued, at such time as the court may direct;
16 or may permit the garnishee to retain the same, upon his or her
17 executing a bond to the plaintiff, with security, approved by the
18 court, to the effect that the property shall be forthcoming, or
19 the amount paid, as the court may direct. Upon a breach of the
20 obligation of such bond, the plaintiff may proceed against the
21 obligors therein, in the manner prescribed in the case of a
22 delivery bond given to the sheriff.

23 2. Notwithstanding subsection 1 of this section, when
24 property is protected from garnishment by state or federal law
25 including but not limited to federal restrictions on the
26 garnishment of earnings in Title 15, U.S.C. Sections 1671 to 1677
27 and Old Age, Survivors and Disability Insurance benefits as
28 provided in Title 42, U.S.C. Section 407, such property need not

1 be delivered to the court, or to any other person, by the
2 garnishee to the extent such protection or preemption is
3 applicable.

4 525.230. [1. The court shall make the garnishee a
5 reasonable allowance] The garnishee may deduct a one-time sum not
6 to exceed twenty dollars, or the fee previously agreed upon
7 between the garnishee and judgment debtor if the garnishee is a
8 financial institution, for his or her trouble and expenses in
9 answering the interrogatories and withholding the funds, to be
10 [paid out of the funds or proceeds of the property or effects
11 confessed in his or her hands. The reasonable allowances shall
12 include any court costs, attorney's fees and any other bona fide
13 expenses of the garnishee.

14 2. The court also shall allow the garnishee, in addition to
15 the reasonable allowance for his or her trouble and expenses in
16 answering the interrogatories, to collect an administrative fee
17 consisting of the greater of eight dollars or two percent of the
18 amount required to be deducted by any court-ordered garnishment
19 or series of garnishments arising out of the same judgment debt.
20 Such fee shall be for the trouble and expenses in administering
21 the notice of garnishment and paying over any garnished funds
22 available to the court. The fee shall be withheld by the
23 employer from the employee, or by any other garnishee from any
24 fund garnished, in addition to the moneys withheld to satisfy the
25 court-ordered judgment. Such fee shall not be a credit against
26 the court-ordered judgment and shall be collected first] withheld
27 from any funds garnished, in addition to the moneys withheld to
28 satisfy the court-ordered judgment. Such fee shall not be a

1 credit against the court-ordered judgment and shall be collected
2 first. The garnishee may file a motion with the court for
3 additional costs, including attorney's fees, reasonably incurred
4 in answering the interrogatories in which case the court may make
5 such award as it deems reasonable. The motion shall be filed on
6 or before the date the garnishee makes payment or delivers
7 property subject to garnishment to the court.

8 525.310. 1. [When a judgment has been rendered against an
9 officer, appointee or employee of the state of Missouri, or any
10 municipal corporation or other political subdivision of the
11 state, the judgment creditor, or his attorney or agent, may file
12 in the office of the clerk of the court before whom the judgment
13 was rendered, an application setting forth such facts, and that
14 the judgment debtor is employed by the state, or a municipal
15 corporation or other political subdivision of the state, with the
16 name of the department of state or the municipal corporation or
17 other political subdivision of the state which employs the
18 judgment debtor, and the name of the treasurer, or the name and
19 title of the paying, disbursing or auditing officer of the state,
20 municipal corporation or other political subdivision of the
21 state, charged with the duty of payment or audit of such salary,
22 wages, fees or earnings of such employee, and upon the filing of
23 such application the clerk shall issue a writ of sequestration
24 directed to the sheriff or other officer authorized to execute
25 writs in the county in which such paying, disbursing or auditing
26 officer may be found and the sheriff or other officer to whom the
27 writ is directed shall serve a true copy thereof upon such
28 paying, disbursing or auditing officer named therein, which shall

1 have the effect of attaching any and all salary, wages, fees or
2 earnings of the judgment debtor, which are not made exempt by
3 virtue of the exemption statutes of this state and are not in
4 excess of the amount due on the judgment and costs, then due and
5 payable, from the date of the writ to the return day thereof.

6 2. The paying, disbursing or auditing officer charged with
7 the duty of payment or audit of the salary, wages, fees or
8 earnings of the judgment debtor shall deliver to the sheriff or
9 officer serving the writ the amount, not to exceed the amount due
10 upon the judgment and costs, of the salary, wages, fees or
11 earnings of the judgment debtor not made exempt by virtue of the
12 exemption statutes of this state, as the same shall become due to
13 the judgment debtor. The paying, disbursing or auditing officer
14 shall pay to the judgment debtor the remaining portion of his
15 salary, wages, fees or earnings, as the same shall become due to
16 the judgment debtor. The sheriff, or officer serving the writ,
17 shall provide to the paying, disbursing or auditing officer along
18 with the writ sufficient information to compute the amount which
19 shall be delivered to the sheriff or officer serving the writ.
20 Neither the state, municipal corporation or other political
21 subdivision of the state, nor the paying, disbursing or auditing
22 officer shall be liable for the payment of any amount above the
23 amount delivered to the sheriff or officer serving the writ if
24 the computation of the amount delivered is in accordance with the
25 information provided with the writ.

26 3. The sheriff or officer serving such writ shall endorse
27 thereon the day and date he received the same, and upon receiving
28 any amount in connection with the writ, shall issue his receipt

1 to such paying, disbursing or auditing officer therefor. All
2 amounts delivered to the sheriff, or officer serving said writ,
3 in connection with the writ, or so much thereof as shall be
4 necessary therefor, shall be applied to the payment of the
5 judgment debt, interest and costs in the same manner as in the
6 case of garnishment under execution. The sheriff or other
7 officer serving the writ shall make his return to the writ
8 showing the manner of serving the same, and he shall be allowed
9 the same fees therefor as provided for levy of execution, and the
10 writ shall be returnable in the same manner as the execution
11 issued out of the court in which the judgment was rendered.
12 Nothing in this section shall deprive the judgment debtor of any
13 exemptions to which he may be entitled under the exemption laws
14 of this state, and the same may be claimed by him to the sheriff
15 or other officer serving the writ at any time on or before the
16 return day of the writ in the manner provided under the exemption
17 laws of this state. It shall be the duty of such sheriff or
18 other officer serving the writ, at the time of the service
19 thereof, to apprise the judgment debtor of his exemption rights,
20 either in person or by registered letter directed to the judgment
21 debtor to his last known address.] The state, municipal, or other
22 political subdivision employer served with a garnishment shall
23 have the same duties and obligations as those imposed upon a
24 private employer when served with a garnishment.

25 2. Pay of any officer, appointee, or employee of the state
26 of Missouri, or any municipal corporation or other political
27 subdivision of the state, shall be subject to garnishment to the
28 same extent as in any other garnishment. All garnishments

1 against such employee shall proceed in the same manner as any
2 other garnishment.

3 3. Service of legal process to which a department,
4 municipal corporation, or other political subdivision of the
5 state is subject under this section may be accomplished by
6 personal service upon the paying, disbursing, or auditing officer
7 of the state, municipal corporation or other political
8 subdivision of the state, charged with the duty of payment or
9 audit of such salary, wages, fees, or earnings of such employees.

10 Section B. The repeal and reenactment of sections 408.040,
11 488.305, 525.040, 525.070, 525.080, 525.230, and 525.310 of this
12 act shall become effective on January 15, 2015.

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20 _____
Mike Parson

Caleb Jones - 50