

FIRST REGULAR SESSION

SENATE BILL NO. 72

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR NASHEED.

Pre-filed December 1, 2014, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0396S.011

AN ACT

To repeal section 80.020, RSMo, and to enact in lieu thereof two new sections relating to the disincorporation of villages in St. Louis County.

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

Section A. Section 80.020, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 80.020 and 80.675, to read as
3 follows:

80.020. **Except in any county with a charter form of government**
2 **and with more than nine hundred fifty thousand inhabitants**, whenever
3 two-thirds of the taxable inhabitants of any town or village within this state shall
4 present a petition to the county commission of the county, setting forth the metes
5 and bounds of their village and commons, and praying that they may be
6 incorporated under a police established for their local government, and for the
7 preservation and regulation of any commons appertaining to such town and
8 village, and the county commission shall be satisfied that two-thirds of the
9 taxable inhabitants of such town or village have signed such petition, and that
10 the prayer of such petition is reasonable, the county commission may declare such
11 town or village incorporated, designating in such order the metes and bounds
12 thereof, and thenceforth the inhabitants within such bounds shall be a body
13 politic and corporate, by the name and style of "The town of" naming it and
14 by that name they and their successors shall be known in law; have perpetual
15 succession, unless disincorporated; sue and be sued; plead and be impleaded;
16 defend and be defended in all courts and in all actions, pleas and matters
17 whatsoever; may grant, purchase, hold and receive property, real and personal,
18 within such town and no other, burial grounds and cemeteries excepted; and may
19 lease, sell and dispose of the same for the benefit of the town, and may have a

20 common seal, and alter the same at pleasure.

21 **80.675. 1. Beginning January 1, 2015, each village incorporated**
22 **in any county with a charter form of government and with more than**
23 **nine hundred fifty thousand inhabitants shall be disincorporated. The**
24 **disincorporation of the villages shall not be subject to the provisions**
25 **of sections 72.400 to 72.430. The governance of the area within the**
26 **metes and bounds of the village, including the policing of the area,**
27 **shall be under the authority of the county as if the village had never**
28 **been incorporated. Notwithstanding any provision of law to the**
29 **contrary, the disincorporated area may not be incorporated as a city or**
30 **annexed by a city.**

31 **2. No dissolution of any village under this section shall**
32 **invalidate or affect any right, forfeiture, or penalty accruing to such**
33 **village, or invalidate or affect any contract entered into or imposed**
34 **upon such village.**

35 **3. The county executive shall appoint a competent person to act**
36 **as trustee for each dissolved village. The trustee, before entering upon**
37 **the discharge of his or her duties, shall take and subscribe an oath**
38 **before a judge or associate circuit judge that the trustee will faithfully**
39 **discharge the duties of office. Each trustee shall give bond, with**
40 **sufficient security, to be approved of by the executive, to the use of the**
41 **disincorporated village, conditioned for the faithful discharge of the**
42 **duties of the office.**

43 **4. The trustee shall, as soon as possible, prosecute or defend to**
44 **final judgment all suits instituted by or against the village; collect all**
45 **money due to the village; liquidate all lawful demands against the**
46 **village, and for that purpose shall sell any property belonging to the**
47 **village as may be necessary, and generally do all acts requisite to bring**
48 **to a speedy close all the affairs of the village.**

49 **5. When the trustee shall have closed the affairs of the village,**
50 **the trustee shall:**

51 **(1) Pay over to the county all moneys collected by the trustee in**
52 **the dissolution process;**

53 **(2) Deliver to the county clerk all books, papers, records, and**
54 **deeds belonging to the dissolved village; and**

55 **(3) Provide the county executive with a report of the dissolution**
56 **proceedings.**

37 **6. The trustee shall receive compensation to be determined by**
38 **the county executive.**

39 **7. If any disincorporated village have an annual revenue**
40 **accruing thereto, it shall be paid to the county by the person owing the**
41 **moneys and all moneys thus paid, as well as all moneys paid them by**
42 **the trustee, shall be held and disposed of by the county executive for**
43 **the benefit of the village, and may be applied by the county executive**
44 **to any specific object, upon the petition of a majority of the taxable**
45 **inhabitants of the village.**

Unofficial ✓

Bill

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