

FIRST REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 68

98TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR ROMINE.

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

Read 2nd time January 22, 2015, and referred to the Committee on Jobs, Economic Development and Local Government.

Reported from the Committee February 12, 2015, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up February 26, 2015. Read 3rd time and placed upon its final passage; bill passed.

ADRIANE D. CROUSE, Secretary.

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## AN ACT

To repeal section 349.045, RSMo, and to enact in lieu thereof one new section relating to boards of directors for industrial development corporations.

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

Section A. Section 349.045, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 349.045, to read as follows:

349.045. 1. Except as provided in subsection 2 of this section, the  
2 corporation shall have a board of directors in which all the powers of the  
3 corporation shall be vested and which shall consist of any number of directors,  
4 not less than five, all of whom shall be duly qualified electors of and taxpayers  
5 in the county or municipality; except that, for any industrial development  
6 corporation formed by any municipality located wholly within any county of the  
7 second, third, or fourth classification **or any county of the first classification**  
8 **with more than sixty-five thousand but fewer than seventy-five**  
9 **thousand inhabitants**, directors may be qualified taxpayers in and registered  
10 voters of such county. The directors shall serve as such without compensation  
11 except that they shall be reimbursed for their actual expenses incurred in and  
12 about the performance of their duties hereunder. The directors shall be resident  
13 taxpayers for at least one year immediately prior to their appointment. No  
14 director shall be an officer or employee of the county or municipality. All  
15 directors shall be appointed by the chief executive officer of the county or  
16 municipality with the advice and consent of a majority of the governing body of  
17 the county or municipality, and in all counties, other than a city not within a  
18 county and counties with a charter form of government, the appointments shall

19 be made by the county commission and they shall be so appointed that they shall  
20 hold office for staggered terms. At the time of the appointment of the first board  
21 of directors the governing body of the municipality or county shall divide the  
22 directors into three groups containing as nearly equal whole numbers as may be  
23 possible. The first term of the directors included in the first group shall be two  
24 years, the first term of the directors included in the second group shall be four  
25 years, the first term of the directors in the third group shall be six years;  
26 provided, that if at the expiration of any term of office of any director a successor  
27 thereto shall not have been appointed, then the director whose term of office shall  
28 have expired shall continue to hold office until a successor shall be appointed by  
29 the chief executive officer of the county or municipality with the advice and  
30 consent of a majority of the governing body of the county or municipality. The  
31 successors shall be resident taxpayers for at least one year immediately prior to  
32 their appointment.

33         2. A corporation in a county of the third classification without a township  
34 form of government and with more than ten thousand four hundred but fewer  
35 than ten thousand five hundred inhabitants shall have a board of directors in  
36 which all the powers of the corporation shall be vested and which shall consist  
37 of a number of directors not less than the number of townships in such county.  
38 All directors shall be duly qualified electors of and taxpayers in the county. Each  
39 township within the county shall elect one director to the board. Additional  
40 directors may be elected to the board to succeed directors appointed to the board  
41 as of the effective date of this section if the number of directors on the effective  
42 date of this section exceeds the number of townships in the county. The directors  
43 shall serve as such without compensation except that they shall be reimbursed  
44 for their actual expenses incurred in the performance of their duties. The  
45 directors shall be resident taxpayers for at least one year immediately prior to  
46 their election. No director shall be an officer or employee of the county. Upon  
47 the expiration of the term of office of any director appointed to the board prior to  
48 the effective date of this section, a director shall be elected to succeed him or her;  
49 provided that if at the expiration of any term of office of any director a successor  
50 thereto shall not have been elected, then the director whose term of office shall  
51 have expired shall continue to hold office until a successor shall be elected. The  
52 successors shall be resident taxpayers for at least one year immediately prior to  
53 their election.