

FIRST REGULAR SESSION

SENATE BILL NO. 283

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

Read 1st time January 11, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1203S.011

AN ACT

To repeal sections 137.565 and 233.180, RSMo, and to enact in lieu thereof two new sections relating to special road district commissioner elections.

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

Section A. Sections 137.565 and 233.180, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 137.565 and 233.180, to
3 read as follows:

137.565. Whenever ten or more voters residing in **or owners of land in**
2 any general or special road district in any county in this state shall petition the
3 county commission of the county in which such district is located, asking that
4 such commission submit the question in such district for the purpose of voting for
5 or against the levy of the tax provided for in [the second sentence of the first
6 paragraph of] Section 12(a) of Article X of the Constitution of Missouri, it shall
7 be the duty of the county commission, upon the filing of such petition, to submit
8 the question. The petition so filed shall set out the duration of the tax to be
9 levied in a period of one, two, three, or four years and the ballot to be used for
10 voting shall specify the number of years duration of the tax levy, but in no event
11 shall the duration of the tax levy be for a period of more than four years. Such
12 submission shall be made by an order entered of record setting forth the date and
13 the rate of tax the commission will levy, which rate shall not exceed thirty-five
14 cents on the hundred dollars assessed valuation on all taxable real and tangible
15 personal property in the district.

233.180. 1. At the term of the county commission in which such order is
2 made, or at any subsequent term thereafter, the county commission shall appoint
3 three commissioners of the special road district, who shall be voters of the district

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

4 and owners of land within the district, who shall hold their office until the second
5 Tuesday in April thereafter. The voters of the district shall elect three
6 commissioners of the special road district, one of whom shall serve one year, one
7 for two years and one for three years, and on municipal election days each year
8 thereafter they shall elect a commissioner of the special road district to take the
9 place of the one whose term is about to expire, who shall serve three years.

10 2. No person shall be elected or appointed commissioner of the special
11 road district who is not a voter of **the district or a registered voter from the**
12 **county in which the district is located and an owner of land in the**
13 district. Any vacancy caused by resignation, death, removal from the district of
14 a commissioner of the special road district or sale of all land owned by [him] **the**
15 **commissioner** in the district shall be filled for the unexpired term by
16 appointment by the remaining commissioners of the special road district. All
17 commissioners of the special road district shall qualify by taking, subscribing and
18 filing with the county clerk the oath prescribed by the constitution of this state,
19 and that they will faithfully, honestly and impartially discharge their duties as
20 commissioners of the special road district according to law.

21 3. If for any reason the board of commissioners of the special road district
22 herein mentioned shall fail to fill a vacancy or vacancies caused by the expiration
23 of the term of any one or more of the commissioners of the special road district,
24 then the county commission is hereby authorized and required to appoint a
25 person to fill the vacancy. **In the event that two consecutive elections pass**
26 **without any candidates for a special road district commissioner in**
27 **municipal elections, then the county commission is hereby authorized**
28 **and required to appoint commissioners of the special road district for**
29 **three-year terms thereafter with no further elections being held.**

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