

FIRST REGULAR SESSION

# SENATE BILL NO. 457

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

Read 1st time February 22, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1754S.06I

## AN ACT

To repeal sections 227.290, 230.110, and 230.250, RSMo, and to enact in lieu thereof five new sections relating to the state highway system.

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

Section A. Sections 227.290, 230.110, and 230.250, RSMo, are repealed  
2 and five new sections enacted in lieu thereof, to be known as sections 144.820,  
3 227.290, 230.110, 230.250, and 1, to read as follows:

144.820. 1. **Of the revenues received by the director of revenue**  
2 **from the state portion of any general law imposing a sales and use tax,**  
3 **two percent shall be deposited in the state road fund created in section**  
4 **30(b) of article IV of the Missouri Constitution, and eight percent shall**  
5 **be deposited in the Interstate 70 improvement fund, established in**  
6 **subsection 2 of this section.**

7 2. (1) **There is hereby created in the state treasury the**  
8 **"Interstate 70 Improvement Fund", which shall consist of money**  
9 **collected under this section. The state treasurer shall be custodian of**  
10 **the fund. In accordance with sections 30.170 and 30.180, the state**  
11 **treasurer may approve disbursements. The fund shall be a dedicated**  
12 **fund and money in the fund shall be used solely by the highways and**  
13 **transportation commission to complete and widen or otherwise improve**  
14 **and maintain Interstate 70.**

15 (2) **Notwithstanding the provisions of section 33.080 to the**  
16 **contrary, any moneys remaining in the fund at the end of the biennium**  
17 **shall not revert to the credit of the general revenue fund. Any moneys**  
18 **remaining in the fund at the expiration of this section shall be**  
19 **deposited in the road fund created in section 30(b) of article IV of the**  
20 **Missouri Constitution.**

21           **(3) The state treasurer shall invest moneys in the fund in the**  
22 **same manner as other funds are invested. Any interest and moneys**  
23 **earned on such investments shall be credited to the fund.**

24           **3. The provisions of this section shall expire on August 28, 2027.**

227.290. 1. Whenever in the opinion of the state highways and  
2 transportation commission the advantageous use of any interest in land or any  
3 leasehold which has heretofore or may hereafter be acquired by the commission  
4 has ceased, or for any other lawful reason the commission wishes to dispose of the  
5 property, the commission shall have authority to convey or exchange such interest  
6 in land or leasehold for its approximate fair market value pursuant to any  
7 administrative procedure or process as determined by the commission, by deed  
8 signed by its chair or vice chair and attested by its secretary. Before any sale  
9 shall be consummated under this section, the original owner of the property  
10 which is now offered for sale by the commission and if such owner shall at the  
11 time of sale be in possession of the adjoining land, shall be notified by written  
12 notice by the department of transportation of such contemplated sale. All moneys  
13 received from the disposal of any such interest in land or leasehold shall be  
14 deposited by the commission in the state treasury to the credit of the state road  
15 fund. Any land or leasehold herein described that has been donated without  
16 charge by the owner to the purpose of state highway construction or maintenance  
17 and such owner is still in possession of contiguous property, the same shall revert  
18 to such original owner without cost to the owner if and when relinquished by the  
19 commission.

20           2. The commission may also, in its discretion, convey at no cost, or  
21 exchange its interest in any land or leasehold that is no longer necessary to be  
22 used for the construction, maintenance, or operation of the state highway system,  
23 or for any other lawful reason, to any federal, state, or local governmental entity.

24           **3. No later than August 28, 2022, the state highways and**  
25 **transportation commission shall convey at no cost its interest in lands**  
26 **or leaseholds on which hard surface roads are located that are not**  
27 **eligible for federal aid, and shall also vacate control and maintenance**  
28 **of such roads, to the county highway commission in which the land or**  
29 **leasehold is located.**

230.110. 1. If, and when, the state highways and transportation  
2 commission is authorized by law so to do, and may so desire it may take over all  
3 or any part of the highways of the county highway system and make refund

4 therefor in such manner as may now or hereafter be provided by law for making  
5 refund to the several counties of this state, and road districts thereof, for  
6 highways heretofore designated and taken over by said state transportation  
7 department, whereupon it shall be the duty of the county highway commission,  
8 by proper deed of conveyance, to transfer to state transportation department that  
9 part of county highway system so taken over.

10 **2. The state highways and transportation commission shall not**  
11 **take over any road or portion of a road not eligible for federal aid.**

230.250. 1. Any county adopting sections 230.200 to 230.260 may,  
2 through their county highway commission, designate not less than twenty-five  
3 miles nor more than fifty miles of roads within the county which are connecting  
4 roads between present supplementary farm to market state highways. Upon  
5 designation and approval by the state highways and transportation commission,  
6 these roads shall become a part of the permanent supplementary state highway  
7 system.

8 **2. The state highways and transportation commission shall not**  
9 **designate or approve under subsection 1 of this section any road or**  
10 **portion of a road not eligible for federal aid.**

**Section 1. The provisions of subsection 3 of section 227.290,**  
2 **subsection 2 of section 230.110, subsection 2 of section 230.250, and**  
3 **section 144.820 shall not be in effect in any fiscal year in which less**  
4 **than three hundred million dollars, in addition to the funds allocated**  
5 **by section 144.820, was spent or invested in the previous fiscal year for**  
6 **purposes of completing, widening, or otherwise improving and**  
7 **maintaining Interstate 70.**

Copy ✓