

SECOND REGULAR SESSION

SENATE BILL NO. 1042

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ONDER.

Read 1st time February 27, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6421S.05I

AN ACT

To amend chapter 227, RSMo, by adding thereto one new section relating to concession agreements entered into by political subdivisions.

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

Section A. Chapter 227, RSMo, is amended by adding thereto one new
2 section, to be known as section 227.601, to read as follows:

**227.601. 1. Notwithstanding any provision of sections 227.600 to
2 227.669 to the contrary, the process and approval for concession
3 agreements to build, maintain, operate, or finance assets owned by a
4 political subdivision shall be approved by the governing body of such
5 political subdivision and shall not be subject to approval by the
6 commission, provided that the sale, conveyance, or encumbrance of any
7 asset owned by a political subdivision shall be subject to voter approval
8 if required by law.**

9 **2. As used in this section, the term "concession agreement" shall
10 mean a license or lease between a private partner and a political
11 subdivision for the development, finance, operation, or maintenance of
12 a project, as such term is defined in section 227.600.**

13 **3. All concession agreements shall provide that:**

14 **(1) The term of the concession agreement shall be for a term not
15 exceeding thirty years;**

16 **(2) The political subdivision shall retain oversight of operations
17 of any such project;**

18 **(3) The political subdivision shall retain oversight of rate setting
19 methodology;**

20 **(4) The political subdivision shall have the right to terminate the**

21 **agreement if the private partner does not comply with the concession**
22 **agreement.**

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