

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 725

AN ACT

To amend chapter 79, RSMo, by adding thereto one new section relating to city officials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Chapter 79, RSMo, is amended by adding thereto one new section, to be known as section 79.235, to read as follows:

79.235. 1. Notwithstanding any law to the contrary but subject to the provisions of subsection 2 of this section, if a statute or ordinance authorizes the mayor of a city of the fourth classification with no more than two thousand inhabitants to appoint a member of a board or commission, any requirement that the appointed person be a resident of the city shall be deemed satisfied if the person owns real property or a business in the city, regardless of whether the position to which the appointment is made is considered an officer of the city.

2. This subsection applies only to cities of the fourth classification with no more than two thousand inhabitants. If the board to which a person is appointed is established under state statute or city ordinance to manage a city's municipal utilities, then any requirement that the appointed person be a resident of the city shall be deemed satisfied only if all of the following conditions are met:

(1) The board has no authority to set utility rates or to issue bonds;

(2) The person resides within a five-mile radius of the city limits;

(3) The person owns real property or a business in the city;

(4) The person or the person's business is a customer of the public utility as described in section 91.450 that is owned and operated by the city; and

(5) The person has no pecuniary interest in, or is not a member of, any other utility of the type managed by the board.