

## CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE NO. 2

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 271

AN ACT

To repeal sections 49.310, 50.166, 50.327, 50.530, 50.660, 50.783, 59.021, 59.100, 67.398, 67.990, 67.993, 67.1153, 67.1158, 82.390, 84.400, 91.025, 91.450, 115.127, 115.646, 137.280, 139.100, 192.300, 204.569, 221.105, 386.800, 393.106, 394.020, 394.315, 407.300, 451.040, 476.083, 485.060, 488.2235, and 570.030, RSMo, and section 49.266 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular session, and to enact in lieu thereof fifty-one new sections relating to local government, with penalty provisions and an emergency clause for certain sections.

---

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

Section A. Sections 49.310, 50.166, 50.327, 50.530, 50.660, 50.783, 59.021, 59.100, 67.398, 67.990, 67.993, 67.1153, 67.1158, 82.390, 84.400, 91.025, 91.450, 115.127, 115.646, 137.280, 139.100, 192.300, 204.569, 221.105, 386.800, 393.106, 394.020,

1 394.315, 407.300, 451.040, 476.083, 485.060, 488.2235, and  
2 570.030, RSMo, and section 49.266 as enacted by senate bill no.  
3 672, ninety-seventh general assembly, second regular session, and  
4 section 49.266 as enacted by house bill no. 28, ninety-seventh  
5 general assembly, first regular session, are repealed and fifty-  
6 one new sections enacted in lieu thereof, to be known as sections  
7 37.1090, 37.1091, 37.1092, 37.1093, 37.1094, 37.1095, 37.1096,  
8 37.1097, 37.1098, 49.266, 49.310, 50.166, 50.327, 50.530, 50.660,  
9 50.783, 59.021, 59.100, 64.207, 67.265, 67.398, 67.990, 67.993,  
10 67.1153, 67.1158, 67.1847, 67.2680, 71.1000, 82.390, 84.400,  
11 91.025, 91.450, 115.127, 115.646, 137.280, 139.100, 192.300,  
12 204.569, 221.105, 386.800, 393.106, 394.020, 394.315, 407.297,  
13 407.300, 451.040, 476.083, 485.060, 488.2235, 570.030, and 1, to  
14 read as follows:

15 37.1090. As used in sections 37.1090 to 37.1098, the  
16 following terms mean:

17 (1) "Expenditure", any monetary payment from a municipality  
18 or county to any vendor including, but not limited to, a payment,  
19 distribution, loan, advance, reimbursement, deposit, or gift;

20 (2) "Municipality", a city, town, or village that is  
21 incorporated in accordance with the laws of this state;

22 (3) "State entity", the general assembly; the supreme court  
23 of Missouri; the office of an elected state official; or an  
24 agency, board, commission, department, institution,  
25 instrumentality, office, or other governmental entity of this  
26 state, excluding municipalities, counties, institutions of higher  
27 education, and any public employee retirement system;

1       (4) "Vendor", any person, partnership, corporation,  
2       association, organization, state entity, or other party that:

3       (a) Sells, leases, or otherwise provides equipment,  
4       materials, goods, supplies, or services to a municipality or  
5       county; or

6       (b) Receives reimbursement from a municipality or county  
7       for any expense.

8       37.1091. The "Missouri Local Government Expenditure  
9       Database" is hereby created and shall be maintained on the  
10       Missouri accountability portal, established under section 37.850,  
11       by the office of administration. The database shall be available  
12       on the office of administration website and shall include  
13       information about expenditures made during each fiscal year that  
14       begins after December 31, 2022. The database shall be publicly  
15       accessible without charge.

16       37.1092. For each expenditure, the Missouri local  
17       government expenditure database shall include the following  
18       information:

19       (1) The amount of the expenditure;

20       (2) The date the expenditure was paid;

21       (3) The vendor to whom the expenditure was paid, unless the  
22       disclosure of the vendor's name would violate a confidentiality  
23       requirement, in which case the vendor may be listed as  
24       confidential;

25       (4) The purpose of the expenditure; and

26       (5) The municipality or county that made the expenditure or  
27       requested the expenditure be made.

1       37.1093. The Missouri local government expenditure database  
2 shall provide:

3       (1) A record of all expenditures; and

4       (2) The ability to download information.

5       37.1094. 1. A municipality or county may choose to  
6 voluntarily participate in the Missouri local government  
7 expenditure database, or, if a requisite number of residents of a  
8 municipality or county request the municipality or county to  
9 participate, such jurisdiction shall participate in the Missouri  
10 local government expenditure database. The requisite number of  
11 residents requesting participation shall be five percent of the  
12 registered voters of such jurisdiction voting in the last general  
13 municipal election, as described under section 115.121, but in no  
14 case shall the requisite number be fewer than fifty residents.  
15 Residents may request participation by submitting a written  
16 letter by certified mail to the governing body of the  
17 municipality or county and the office of administration.  
18 Multiple residents may sign one letter, but the number of  
19 requests from residents shall include all requests from all  
20 letters received. Upon receiving such a letter, the municipality  
21 or county shall acknowledge receipt thereof to the resident and  
22 the office of administration within thirty days. After receiving  
23 the requisite number of requests, the municipality or county  
24 shall begin participating in the database but shall not be  
25 required to report expenditures incurred before one complete six-  
26 month reporting period described under subsection 2 of this  
27 section has elapsed.

1        2. Each municipality or county participating in the  
2        database shall provide electronically transmitted information to  
3        the office of administration, in a format the office requires,  
4        for inclusion in the Missouri local government expenditure  
5        database regarding each of the municipality's or county's  
6        expenditures biannually. Information regarding the first half of  
7        the calendar year shall be submitted before July thirty-first of  
8        such year. Information regarding the second half of the calendar  
9        year shall be submitted before January thirty-first of the year  
10       immediately following such year.

11       3. Notwithstanding subsection 1 of this section, no  
12       submission shall be required for any expenditures incurred before  
13       January 1, 2023.

14       4. The office of administration shall provide each  
15       municipality and county participating in the database with a  
16       template, in the format described under section 37.1092, for the  
17       purpose of uploading the data. The office of administration  
18       shall have the authority to grant the municipality or county  
19       access for the purpose of uploading data.

20       5. Upon appropriation, the office of administration shall  
21       provide financial reimbursement to any participating municipality  
22       or county for actual expenditures incurred for participating in  
23       the database.

24       37.1095. No later than one year after the Missouri local  
25       government expenditure database is implemented, the office of  
26       administration shall provide, on the office of administration  
27       website, an opportunity for public comment on the utility of the

1 database.

2 37.1096. The Missouri local government expenditure database  
3 shall not include any confidential information or any information  
4 that is not a public record under the laws of this state.  
5 However, the state shall not be liable for the disclosure of a  
6 record in the Missouri local government expenditure database that  
7 is confidential information or is not a public record under the  
8 laws of this state.

9 37.1097. Each municipality or county that has a website  
10 shall display on its website a prominent internet link to the  
11 Missouri local government expenditure database.

12 37.1098. The office of administration may adopt rules to  
13 implement the provisions of sections 37.1090 to 37.1098. Any  
14 rule or portion of a rule, as that term is defined in section  
15 536.010, that is created under the authority delegated in this  
16 section shall become effective only if it complies with and is  
17 subject to all of the provisions of chapter 536 and, if  
18 applicable, section 536.028. This section and chapter 536 are  
19 nonseverable, and if any of the powers vested with the general  
20 assembly pursuant to chapter 536 to review, to delay the  
21 effective date, or to disapprove and annul a rule are  
22 subsequently held unconstitutional, then the grant of rulemaking  
23 authority and any rule proposed or adopted after August 28, 2021,  
24 shall be invalid and void.

25 49.266. 1. The county commission in all **[noncharter]**  
26 counties of the first, second, third, or fourth classification  
27 may by order or ordinance promulgate reasonable regulations

1 concerning the use of county property, the hours, conditions,  
2 methods and manner of such use and the regulation of pedestrian  
3 and vehicular traffic and parking thereon.

4 2. Violation of any regulation so adopted under subsection  
5 1 of this section is an infraction.

6 3. Upon a determination by the state fire marshal that a  
7 burn ban order is appropriate for a county because:

8 (1) An actual or impending occurrence of a natural disaster  
9 of major proportions within the county jeopardizes the safety and  
10 welfare of the inhabitants of such county; and

11 (2) The U.S. Drought Monitor has designated the county as  
12 an area of severe, extreme, or exceptional drought, the county  
13 commission may adopt an order or ordinance issuing a burn ban,  
14 which may carry a penalty of up to a class A misdemeanor. State  
15 agencies responsible for fire management or suppression  
16 activities and persons conducting agricultural burning using best  
17 management practices shall not be subject to the provisions of  
18 this subsection. The ability of an individual, organization, or  
19 corporation to sell fireworks shall not be affected by the  
20 issuance of a burn ban. The county burn ban may prohibit the  
21 explosion or ignition of any missile or skyrocket as the terms  
22 "missile" and "skyrocket" are defined by the 2012 edition of the  
23 American Fireworks Standards Laboratory, but shall not ban the  
24 explosion or ignition of any other consumer fireworks as the term  
25 "consumer fireworks" is defined under section 320.106.

26 4. The regulations so adopted shall be codified, printed  
27 and made available for public use and adequate signs concerning

1 smoking, traffic and parking regulations shall be posted.

2 ~~[49.266. 1. The county commission in all~~  
3 ~~counties of the first, second or fourth classification~~  
4 ~~may by order or ordinance promulgate reasonable~~  
5 ~~regulations concerning the use of county property, the~~  
6 ~~hours, conditions, methods and manner of such use and~~  
7 ~~the regulation of pedestrian and vehicular traffic and~~  
8 ~~parking thereon.~~

9 ~~2. Violation of any regulation so adopted under~~  
10 ~~subsection 1 of this section is an infraction.~~

11 ~~3. Upon a determination by the state fire marshal~~  
12 ~~that a burn ban order is appropriate for a county~~  
13 ~~because:~~

14 ~~(1) An actual or impending occurrence of a~~  
15 ~~natural disaster of major proportions within the county~~  
16 ~~jeopardizes the safety and welfare of the inhabitants~~  
17 ~~of such county; and~~

18 ~~(2) The U.S. Drought Monitor has designated the~~  
19 ~~county as an area of severe, extreme, or exceptional~~  
20 ~~drought, the county commission may adopt an order or~~  
21 ~~ordinance issuing a burn ban, which may carry a penalty~~  
22 ~~of up to a class A misdemeanor. State agencies~~  
23 ~~responsible for fire management or suppression~~  
24 ~~activities and persons conducting agricultural burning~~  
25 ~~using best management practices shall not be subject to~~  
26 ~~the provisions of this subsection. The ability of an~~  
27 ~~individual, organization, or corporation to sell~~  
28 ~~fireworks shall not be affected by the issuance of a~~  
29 ~~burn ban. The county burn ban may prohibit the~~  
30 ~~explosion or ignition of any missile or skyrocket as~~  
31 ~~the terms "missile" and "skyrocket" are defined by the~~  
32 ~~2012 edition of the American Fireworks Standards~~  
33 ~~Laboratory, but shall not ban the explosion or ignition~~  
34 ~~of any other consumer fireworks as the term "consumer~~  
35 ~~fireworks" is defined under section 320.106.~~

36 ~~4. The regulations so adopted shall be codified,~~  
37 ~~printed and made available for public use and adequate~~  
38 ~~signs concerning smoking, traffic and parking~~  
39 ~~regulations shall be posted.]~~

40  
41 49.310. 1. Except as provided in sections 221.400 to  
42 221.420 and subsection 2 of this section, the county commission  
43 in each county in this state shall erect and maintain at the  
44 established seat of justice a good and sufficient courthouse,



1 jail and necessary fireproof buildings for the preservation of  
2 the records of the county; except that in counties having a  
3 special charter, the jail or workhouse may be located at any  
4 place within the county. In pursuance of the authority herein  
5 delegated to the county commission, the county commission may  
6 acquire a site, construct, reconstruct, remodel, repair, maintain  
7 and equip the courthouse and jail, and in counties wherein more  
8 than one place is provided by law for holding of court, the  
9 county commission may buy and equip or acquire a site and  
10 construct a building or buildings to be used as a courthouse and  
11 jail, and may remodel, repair, maintain and equip buildings in  
12 both places. The county commission may issue bonds as provided  
13 by the general law covering the issuance of bonds by counties for  
14 the purposes set forth in this section. In bond elections for  
15 these purposes in counties wherein more than one place is  
16 provided by law for holding of court, a separate ballot question  
17 may be submitted covering proposed expenditures in each separate  
18 site described therein, or a single ballot question may be  
19 submitted covering proposed expenditures at more than one site,  
20 if the amount of the proposed expenditures at each of the sites  
21 is specifically set out therein.

22 2. The county commission in all counties of the fourth  
23 classification and any county of the third, second, or first  
24 classification may provide for the erection and maintenance of a  
25 good and sufficient jail or holding cell facility at a site in  
26 the county other than at the established seat of justice.

27 3. In the absence of a local agreement otherwise, for any

1 courthouse that contains both county offices and court  
2 facilities, the presiding judge of the circuit may establish  
3 rules and procedures for court facilities and areas necessary for  
4 court-related ingress, court-related egress and other reasonable  
5 court-related usage, but the county commission shall have  
6 authority over all other areas of the courthouse.

7       50.166. 1. In all cases of claims allowed against the  
8 county, and in all cases of grants, salaries, pay and expenses  
9 allowed by law, the county clerk may fill in on a form of warrant  
10 the amount due as approved by the county commission and other  
11 necessary information. The form of the warrant thus filled in by  
12 the county clerk may be transmitted to the county treasurer. The  
13 warrant may be in such form that a single instrument may serve as  
14 the warrant and the county treasurer's draft or check, and may be  
15 so designed that it is a nonnegotiable warrant when signed by the  
16 county clerk and becomes a negotiable check or draft after it has  
17 been signed by the county treasurer.

18       2. Upon request, the county treasurer shall have access to  
19 any financially relevant document in the possession of any county  
20 official for the purposes of processing a warrant, unless such  
21 warrant is received in the absence of a check then the county  
22 treasurer shall have access to the information necessary to  
23 process the warrant.

24       3. No official of any county shall refuse a request from  
25 the county treasurer for access to or a copy of any document in  
26 the possession of a county official that is financially relevant  
27 to his or her duties under section 50.330, except that any county

1 official may redact, remove, or delete any personal identifying  
2 information, including a Social Security number, financial  
3 account numbers, medical information, or any other personal  
4 identifying information, before submission to the county  
5 treasurer.

6 4. No county treasurer shall refuse to release funds for  
7 the payment of any properly approved expenditure.

8 50.327. 1. Notwithstanding any other provisions of law to  
9 the contrary, the salary schedules contained in sections 49.082,  
10 50.334, 50.343, 51.281, 51.282, 52.269, 53.082, 53.083, 54.261,  
11 54.320, 55.091, 56.265, 57.317, 58.095, and 473.742 shall be set  
12 as a base schedule for those county officials. Except when it is  
13 necessary to increase newly elected or reelected county  
14 officials' salaries, in accordance with Section 13, Article VII,  
15 Constitution of Missouri, to comply with the requirements of this  
16 section, the salary commission in all counties except charter  
17 counties in this state shall be responsible for the computation  
18 of salaries of all county officials; provided, however, that any  
19 percentage salary adjustments in a county shall be equal for all  
20 such officials in that county.

21 2. Upon majority approval of the salary commission, the  
22 annual compensation of part-time prosecutors contained in section  
23 56.265 and the county offices contained in sections 49.082,  
24 50.334, 50.343, 51.281, 51.282, 52.269, 53.082, 53.083, 54.261,  
25 54.320, 55.091, 58.095, and 473.742 may be increased by up to two  
26 thousand dollars greater than the compensation provided by the  
27 salary schedules; provided, however, that any vote to increase

1 compensation be effective for all county offices in that county.

2 3. Upon majority approval of the salary commission, the  
3 annual compensation of a county sheriff as provided in section  
4 57.317 may be increased by up to six thousand dollars greater  
5 than the compensation provided by the salary schedule of such  
6 section.

7 4. The salary commission of any county of the third  
8 classification may amend the base schedules for the computation  
9 of salaries for county officials referenced in subsection 1 of  
10 this section to include assessed valuation factors in excess of  
11 three hundred million dollars; provided that the percentage of  
12 any adjustments in assessed valuation factors shall be equal for  
13 all such officials in that county.

14 5. Upon the majority approval of the salary commission, the  
15 annual compensation of a county coroner of any county of the  
16 second classification as provided in section 58.095 may be  
17 increased up to fourteen thousand dollars greater than the  
18 compensation provided by the salary schedule of such section.

19 50.530. As used in sections 50.530 to 50.745:

20 (1) "Accounting officer" means county auditor in counties  
21 of the first and second classifications and the county clerks in  
22 counties of the third and fourth classifications;

23 (2) "Budget officer" means such person, as may, from time  
24 to time, be appointed by the county commission of counties of the  
25 first classification except in counties of the first  
26 classification with a population of less than one hundred  
27 thousand inhabitants according to the official United States

1 Census of 1970 the county auditor shall be the chief budget  
2 officer, the presiding commissioner of the county commission in  
3 counties of the second classification, unless the county  
4 commission designates the county clerk as budget officer, and the  
5 county clerk in counties of the third and fourth classification.

6 ~~[Notwithstanding the provisions of this subdivision to the~~  
7 ~~contrary, in any county of the first classification with more~~  
8 ~~than eighty-two thousand but fewer than eighty-two thousand one~~  
9 ~~hundred inhabitants, the presiding commissioner shall be the~~  
10 ~~budget officer unless the county commission designates the county~~  
11 ~~clerk as the budget officer.]~~

12 50.660. All contracts shall be executed in the name of the  
13 county, or in the name of a township in a county with a township  
14 form of government, by the head of the department or officer  
15 concerned, except contracts for the purchase of supplies,  
16 materials, equipment or services other than personal made by the  
17 officer in charge of purchasing in any county or township having  
18 the officer. No contract or order imposing any financial  
19 obligation on the county or township is binding on the county or  
20 township unless it is in writing and unless there is a balance  
21 otherwise unencumbered to the credit of the appropriation to  
22 which it is to be charged and a cash balance otherwise  
23 unencumbered in the treasury to the credit of the fund from which  
24 payment is to be made, each sufficient to meet the obligation  
25 incurred and unless the contract or order bears the certification  
26 of the accounting officer so stating; except that in case of any  
27 contract for public works or buildings to be paid for from bond

1 funds or from taxes levied for the purpose it is sufficient for  
2 the accounting officer to certify that the bonds or taxes have  
3 been authorized by vote of the people and that there is a  
4 sufficient unencumbered amount of the bonds yet to be sold or of  
5 the taxes levied and yet to be collected to meet the obligation  
6 in case there is not a sufficient unencumbered cash balance in  
7 the treasury. All contracts and purchases shall be let to the  
8 lowest and best bidder after due opportunity for competition,  
9 including advertising the proposed letting in a newspaper in the  
10 county or township with a circulation of at least five hundred  
11 copies per issue, if there is one, except that the advertising is  
12 not required in case of contracts or purchases involving an  
13 expenditure of less than [~~six~~] twelve thousand dollars. It is  
14 not necessary to obtain bids on any purchase in the amount of  
15 [~~six~~] twelve thousand dollars or less made from any one person,  
16 firm or corporation during any period of ninety days. All bids  
17 for any contract or purchase may be rejected and new bids  
18 advertised for. Contracts which provide that the person  
19 contracting with the county or township shall, during the term of  
20 the contract, furnish to the county or township at the price  
21 therein specified the supplies, materials, equipment or services  
22 other than personal therein described, in the quantities  
23 required, and from time to time as ordered by the officer in  
24 charge of purchasing during the term of the contract, need not  
25 bear the certification of the accounting officer, as herein  
26 provided; but all orders for supplies, materials, equipment or  
27 services other than personal shall bear the certification. In

1 case of such contract, no financial obligation accrues against  
2 the county or township until the supplies, materials, equipment  
3 or services other than personal are so ordered and the  
4 certificate furnished.

5 50.783. 1. The county commission may waive the requirement  
6 of competitive bids or proposals for supplies when the commission  
7 has determined in writing and entered into the commission minutes  
8 that there is only a single feasible source for the supplies.  
9 Immediately upon discovering that other feasible sources exist,  
10 the commission shall rescind the waiver and proceed to procure  
11 the supplies through the competitive processes as described in  
12 this chapter. A single feasible source exists when:

13 (1) Supplies are proprietary and only available from the  
14 manufacturer or a single distributor; or

15 (2) Based on past procurement experience, it is determined  
16 that only one distributor services the region in which the  
17 supplies are needed; or

18 (3) Supplies are available at a discount from a single  
19 distributor for a limited period of time.

20 2. On any single feasible source purchase where the  
21 estimated expenditure is over ~~[six]~~ twelve thousand dollars, the  
22 commission shall post notice of the proposed purchase and  
23 advertise the commission's intent to make such purchase in at  
24 least one daily and one weekly newspaper of general circulation  
25 in such places as are most likely to reach prospective bidders or  
26 offerors and may provide such information through an electronic  
27 medium available to the general public at least ten days before

1 the contract is to be let.

2 3. Notwithstanding subsection 2 of this section to the  
3 contrary, on any single feasible service purchase by any county  
4 of the first classification with more than one hundred fifty  
5 thousand but fewer than two hundred thousand inhabitants or any  
6 county of the first classification with more than two hundred  
7 sixty thousand but fewer than three hundred thousand inhabitants  
8 where the estimated expenditure is over ~~[six]~~ twelve thousand  
9 dollars, the commission shall post notice of the proposed  
10 purchase and advertise the commission's intent to make such  
11 purchase in at least one daily and one weekly newspaper of  
12 general circulation in such places as are most likely to reach  
13 prospective bidders or offerors and may provide such information  
14 through an electronic medium available to the general public at  
15 least ten days before the contract is to be let.

16 59.021. A candidate for county recorder where the offices  
17 of the clerk of the court and recorder of deeds are separate,  
18 except in any city not within a county or any county having a  
19 charter form of government, shall be at least twenty-one years of  
20 age, a registered voter, and a resident of the state of Missouri  
21 as well as the county in which he or she is a candidate for at  
22 least one year prior to the date of the general election. Upon  
23 election to office, the person shall continue to reside in that  
24 county during his or her tenure in office. Each candidate for  
25 county recorder shall provide to the election authority a copy of  
26 an affidavit from a surety company authorized to do business in  
27 this state that indicates the candidate is able to satisfy the



1 bond requirements under section 59.100.

2       59.100. 1. Every recorder elected as provided in section  
3 59.020, before entering upon the duties of the office as  
4 recorder, shall enter into bond to the state, in a sum set by the  
5 county commission ~~[of not less than one thousand dollars]~~, with  
6 sufficient sureties, not less than two, to be approved by the  
7 commission, conditioned for the faithful performance of the  
8 duties enjoined on such person by law as recorder, and for the  
9 delivering up of the records, books, papers, writings, seals,  
10 furniture and apparatus belonging to the office, whole, safe and  
11 undefaced, to such officer's successor.

12       2. For a recorder elected after December 31, 2021, the bond  
13 shall be no less than five thousand dollars. For a recorder  
14 elected before January 1, 2022, the bond shall be no less than  
15 one thousand dollars.

16       64.207. 1. The county commission of any county of the  
17 first classification with more than one hundred fifty thousand  
18 but fewer than two hundred thousand inhabitants may adopt rules,  
19 regulations, or ordinances to ensure the habitability of rented  
20 residences.

21       2. The rules, regulations, or ordinances shall require each  
22 rented residence provide:

23       (1) Structural protection from the elements;

24       (2) Access to water service, including hot water;

25       (3) Sewer service;

26       (4) Access to electrical service;

27       (5) Heat to the residence; and

1       (6) Basic security, which, at a minimum, shall include  
2 locking doors and windows.

3  
4 If a utility service is unavailable because a tenant fails to pay  
5 for service, the unavailability shall not be a violation of the  
6 rules, regulations, or ordinances.

7       3. If a county elects to enact rules, regulations, or  
8 ordinances under this section, at a minimum, they shall contain  
9 the following provisions:

10       (1) (a) The county commission shall create a process for  
11 selecting a designated officer to respond to written complaints  
12 of the condition of a rented residence that threatens the health  
13 or safety of tenants;

14       (b) Any written complaint under this section shall be  
15 submitted by a tenant who is a lawful tenant who has signed a  
16 lease agreement with the property owner or his or her agent, and  
17 which tenant is current on all rent due;

18       (2) The owner of record of any rented residence against  
19 which a written complaint has been submitted shall be served with  
20 adequate notice. The notice shall specify the condition alleged  
21 in the complaint and state a reasonable date that abatement of  
22 the condition shall commence. Notice shall be served by personal  
23 service or certified mail, return receipt requested, or, if those  
24 methods are unsuccessful, by publication;

25       (3) The owner of record and any other person who has an  
26 interest in the rented residence shall be parties in a hearing  
27 under subdivision (4) of this subsection;

1       (4) If work to abate the condition does not commence by the  
2 date stated in the notice or if the work does not proceed  
3 continuously and without unnecessary delay, as determined by the  
4 designated officer, the complaint shall be given a hearing before  
5 the county commission. Parties shall be given at least ten days'  
6 notice of the hearing. Any party may be represented by counsel,  
7 and all parties shall have an opportunity to be heard. If the  
8 county commission finds that the rented residence has a dangerous  
9 condition that is detrimental to the health, safety, or welfare  
10 of the tenant, the county commission shall issue an order that  
11 the condition be abated. The order shall state specific facts,  
12 based on competent and substantiated evidence, that support its  
13 finding. If the county commission finds that the rented  
14 residence does not have a dangerous condition that is detrimental  
15 to the health, safety, or welfare of the tenant, the county  
16 commission shall not issue an order; and

17       (5) Any violation of the order issued by the county  
18 commission may be punished by a penalty, which shall not exceed a  
19 class C misdemeanor. Each day a violation continues shall be  
20 deemed a separate violation. Any penalty enacted in the rules,  
21 regulations, or ordinances shall not be the exclusive punishment  
22 for the condition. The designated officer may, in his or her own  
23 name or in the name of the county, seek and obtain any judicial  
24 relief provided under equity or law including, but not limited  
25 to, civil fines authorized under section 49.272, declaratory  
26 relief, and injunctive relief. The designated officer may  
27 declare the continued occupancy of the rented residence unlawful

1 while the condition or conditions remain unabated.

2 4. The county commission shall only have the authority to  
3 respond to written complaints submitted to the county commission  
4 and shall not have the authority to:

5 (1) Charge any fee for any action authorized under this  
6 section;

7 (2) Perform any inspection of rented residences unless in  
8 response to a written complaint; or

9 (3) Require licensing, registration, or certification of a  
10 rented residence on a regular schedule or before offering a  
11 residence for rent.

12 67.265. 1. For purposes of this section, the term "order"  
13 shall mean a public health order, ordinance, rule, or regulation  
14 issued by a political subdivision, including by a health officer,  
15 local public health agency, public health authority, or the  
16 political subdivision's executive, as such term is defined in  
17 section 67.750, in response to an actual or perceived threat to  
18 public health for the purpose of preventing the spread of a  
19 contagious disease. Notwithstanding any other provision of law  
20 to the contrary:

21 (1) Any order issued during and related to an emergency  
22 declared pursuant to chapter 44 that directly or indirectly  
23 closes, partially closes, or places restrictions on the opening  
24 of or access to any one or more business organizations, churches,  
25 schools, or other places of public or private gathering or  
26 assembly, including any order, ordinance, rule, or regulation of  
27 general applicability or that prohibits or otherwise limits

1 attendance at any public or private gatherings, shall not remain  
2 in effect for longer than thirty calendar days in a one hundred  
3 eighty-day period, including the cumulative duration of similar  
4 orders issued concurrently, consecutively, or successively, and  
5 shall automatically expire at the end of the thirty days or as  
6 specified in the order, whichever is shorter, unless so  
7 authorized by a simple majority vote of the political  
8 subdivision's governing body to extend such order or approve a  
9 similar order; provided that such extension or approval of  
10 similar orders shall not exceed thirty calendar days in duration  
11 and any order may be extended more than once; and

12 (2) Any order of general applicability issued at a time  
13 other than an emergency declared pursuant to chapter 44 that  
14 directly or indirectly closes an entire classification of  
15 business organizations, churches, schools, or other places of  
16 public or private gathering or assembly shall not remain in  
17 effect for longer than twenty-one calendar days in a one hundred  
18 eighty-day period, including the cumulative duration of similar  
19 orders issued concurrently, consecutively, or successively, and  
20 shall automatically expire at the end of the twenty-one days or  
21 as specified in the order, whichever is shorter, unless so  
22 authorized by a two-thirds majority vote of the political  
23 subdivision's governing body to extend such order or approve a  
24 similar order; provided that such extension or approval of  
25 similar orders may be extended more than once.

26 2. The governing bodies of the political subdivisions  
27 issuing orders under this section shall at all times have the

1 authority to terminate an order issued or extended under this  
2 section upon a simple majority vote of the body.

3 3. In the case of local public health agencies created  
4 through an agreement by multiple counties under chapter 70, all  
5 of the participating counties' governing bodies shall be required  
6 to approve or terminate orders in accordance with the provisions  
7 of this section.

8 4. Prior to or concurrent with the issuance or extension of  
9 any order under subdivisions (1) and (2) of subsection 1 of this  
10 section, the health officer, local public health agency, public  
11 health authority, or executive shall provide a report to the  
12 governing body containing information supporting the need for  
13 such order.

14 5. No political subdivision of this state shall make or  
15 modify any orders that have the effect, directly or indirectly,  
16 of a prohibited order under this section.

17 6. No rule or regulation issued by the department of health  
18 and senior services shall authorize a local health official,  
19 health officer, local public health agency, or public health  
20 authority to create or enforce any order, ordinance, rule, or  
21 regulation described in section 192.300 or this section that is  
22 inconsistent with the provisions of this section.

23 67.398. 1. The governing body of any city or village, or  
24 any county having a charter form of government, or any county of  
25 the first classification that contains part of a city with a  
26 population of at least three hundred thousand inhabitants, or any  
27 county of the first classification with more than one hundred one

1 thousand but fewer than one hundred fifteen thousand inhabitants,  
2 may enact ordinances to provide for the abatement of a condition  
3 of any lot or land that has the presence of a nuisance including,  
4 but not limited to, debris of any kind, weed cuttings, cut,  
5 fallen, or hazardous trees and shrubs, overgrown vegetation and  
6 noxious weeds which are seven inches or more in height, rubbish  
7 and trash, lumber not piled or stacked twelve inches off the  
8 ground, rocks or bricks, tin, steel, parts of derelict cars or  
9 trucks, broken furniture, any flammable material which may  
10 endanger public safety or any material or condition which is  
11 unhealthy or unsafe and declared to be a public nuisance.

12         2. The governing body of any home rule city with more than  
13 four hundred thousand inhabitants and located in more than one  
14 county may enact ordinances for the abatement of a condition of  
15 any lot or land that has vacant buildings or structures open to  
16 entry.

17         3. Any ordinance authorized by this section shall provide  
18 for service to the owner of the property and, if the property is  
19 not owner-occupied, to any occupant of the property of a written  
20 notice specifically describing each condition of the lot or land  
21 declared to be a public nuisance, and which notice shall identify  
22 what action will remedy the public nuisance. Unless a condition  
23 presents an immediate, specifically identified risk to the public  
24 health or safety, the notice shall provide a reasonable time, not  
25 less than ten days, in which to abate or commence removal of each  
26 condition identified in the notice. Written notice may be given  
27 by personal service or by first-class mail to both the occupant

1 of the property at the property address and the owner at the last  
2 known address of the owner, if not the same. Upon a failure of  
3 the owner to pursue the removal or abatement of such nuisance  
4 without unnecessary delay, the building commissioner or  
5 designated officer may cause the condition which constitutes the  
6 nuisance to be removed or abated. If the building commissioner  
7 or designated officer causes such condition to be removed or  
8 abated, the cost of such removal or abatement and the proof of  
9 notice to the owner of the property shall be certified to the  
10 city clerk or officer in charge of finance who shall cause the  
11 certified cost to be included in a special tax bill or added to  
12 the annual real estate tax bill, at the collecting official's  
13 option, for the property and the certified cost shall be  
14 collected by the city collector or other official collecting  
15 taxes in the same manner and procedure for collecting real estate  
16 taxes. If the certified cost is not paid, the tax bill shall be  
17 considered delinquent, and the collection of the delinquent bill  
18 shall be governed by the laws governing delinquent and back  
19 taxes. The tax bill from the date of its issuance shall be  
20 deemed a personal debt against the owner and shall also be a lien  
21 on the property from the date the tax bill is delinquent until  
22 paid.

23 67.990. 1. The governing body of any county or city not  
24 within a county may, upon approval of a majority of the qualified  
25 voters of such county or city voting thereon, levy and collect a  
26 tax not to exceed five cents per one hundred dollars of assessed  
27 valuation, or in any county of the first classification with more



1 than eighty-five thousand nine hundred but less than eighty-six  
2 thousand inhabitants, the governing body may, upon approval of a  
3 majority of the qualified voters of the county voting thereon,  
4 levy and collect a tax not to exceed ten cents per one hundred  
5 dollars of assessed valuation upon all taxable property within  
6 the county or city or for the purpose of providing services to  
7 persons sixty years of age or older. The tax so levied shall be  
8 collected along with other county or city taxes, in the manner  
9 provided by law. All funds collected for this purpose shall be  
10 deposited in a special fund for the provision of services for  
11 persons sixty years of age or older, and shall be used for no  
12 other purpose except those purposes authorized in sections 67.990  
13 to 67.995. Deposits in the fund shall be expended only upon  
14 approval of the board of directors established in section 67.993,  
15 if in a county, and only in accordance with the fund budget  
16 approved by the county ~~[or city]~~ governing body.

17 2. The question of whether the tax authorized by this  
18 section shall be imposed shall be submitted in substantially the  
19 following form:

20 OFFICIAL BALLOT

21 Shall \_\_\_\_\_ (name of county/city) levy a tax of \_\_\_\_\_  
22 cents per each one hundred dollars assessed valuation  
23 for the purpose of providing services to persons sixty  
24 years of age or older?

25 ☐ YES ☐ NO

26 67.993. 1. Upon the approval of the tax authorized by  
27 section 67.990 by the voters of the county or city not within a

1 county, the tax so approved shall be imposed upon all taxable  
2 property within the county or city and the proceeds therefrom  
3 shall be deposited in a special fund, to be known as the "Senior  
4 Citizens' Services Fund", which is hereby established within the  
5 county or city treasury. No moneys in the senior citizens'  
6 services fund shall be spent until the board of directors  
7 provided for in subsection 2 of this section has been appointed  
8 and has taken office.

9 2. Upon approval of the tax authorized by section 67.990 by  
10 the voters of the county or city, the governing body of the  
11 county or the mayor of the city shall appoint a board of  
12 directors consisting of seven directors, who shall be selected  
13 from the county or city at large and shall, as nearly as  
14 practicable, represent the various groups to be served by the  
15 board. Each director shall be a resident of the county or city.  
16 Each director shall be appointed to serve for a term of four  
17 years and until his successor is duly appointed and qualified;  
18 except that, of the directors first appointed, one director shall  
19 be appointed for a term of one year, two directors shall be  
20 appointed for a term of two years, two directors shall be  
21 appointed for a term of three years, and two directors shall be  
22 appointed for a term of four years. Directors may be  
23 reappointed. All vacancies on the board of directors shall be  
24 filled for the remainder of the unexpired term by the governing  
25 body of the county or mayor of the city. The directors shall not  
26 receive any compensation for their services, but may be  
27 reimbursed for all actual and necessary expenses incurred in the

1 performance of their official duties from the moneys in the  
2 senior citizens' services fund.

3 3. The administrative control and management of the funds  
4 in the senior citizens' services fund and all programs to be  
5 funded therefrom shall rest solely with the board of directors  
6 appointed under subsection 2 of this section~~[7]~~ except ~~[that]~~ in counties, the budget for the senior citizens' services fund  
7 shall be approved by the governing body of the county ~~[or city]~~  
8 prior to making of any payments from the fund in any fiscal year.  
9 The board of directors shall use the funds in the senior  
10 citizens' services fund to provide programs which will improve  
11 the health, nutrition, and quality of life of persons who are  
12 sixty years of age or older. The budget may allocate funds for  
13 operational and capital needs to senior-related programs in the  
14 county or city in which such property taxes are collected. No  
15 funds in the senior citizens' services fund may be used, directly  
16 or indirectly, for any political purpose. In providing such  
17 services, the board of directors may contract with any person to  
18 provide services relating, in whole or in part, to the services  
19 which the board itself may provide under this section, and for  
20 such purpose may expend the tax proceeds derived from the tax  
21 authorized by section 67.990.

23 4. The board of directors shall elect a chairman, vice  
24 chairman, and such other officers as it deems necessary; shall  
25 establish eligibility requirements for the programs it furnishes;  
26 and shall do all other things necessary to carry out the purposes  
27 of sections 67.990 to 67.995. A majority of the board of

1 directors shall constitute a quorum.

2 5. The board of directors, with the approval of the  
3 governing body of the county or city, may accept any gift of  
4 property or money for the use and benefit of the persons to be  
5 served through the programs established and funded under sections  
6 67.990 to 67.995~~[7]~~ and may sell or exchange any such property so  
7 long as such sale or exchange is in the best interests of the  
8 programs provided under sections 67.990 to 67.995 and the  
9 proceeds from such sale or exchange are used exclusively to fund  
10 such programs. For a city not within a county, the board of  
11 directors may solicit, accept, and expend grants from private or  
12 public entities and enter into agreements to effectuate such  
13 grants so long as the transaction is in the best interest of the  
14 programs provided by the board and the proceeds are used  
15 exclusively to fund such programs.

16 67.1153. 1. The authority shall consist of five  
17 commissioners, who shall be qualified voters of the state of  
18 Missouri and residents of the county in which the authority is  
19 created. The commissioners shall be appointed by the ~~[governor~~  
20 ~~with the advice and consent of the senate]~~ county executive of  
21 the county in which the authority is created with the advice and  
22 consent of the county legislative body or, if there is no county  
23 executive, by the governing body of the county. No more than  
24 three of the commissioners appointed shall be of any one  
25 political party, and no elective ~~[or appointed]~~ official of any  
26 political subdivision of this state shall be a member of the  
27 authority.

1           2. The authority shall elect from its number a chairman,  
2 and may appoint such officers and employees as it may require for  
3 the performance of its duties and fix and determine their  
4 qualifications, duties and compensation. No action of the  
5 authority shall be binding unless taken at a meeting at which at  
6 least three members are present and unless a majority of the  
7 members present at such meeting shall vote in favor thereof.

8           3. Of the commissioners initially appointed to the  
9 authority, one shall serve for two years, one shall serve for  
10 three years, one shall serve for four years, one shall serve for  
11 five years, and one shall serve for six years. Thereafter,  
12 successors shall hold office for terms of five years, or for the  
13 unexpired terms of their predecessors. Each commissioner shall  
14 hold office until his successor has been appointed and qualified.

15           4. The commissioners shall receive no salary for the  
16 performance of their duties, but shall be reimbursed for the  
17 actual and necessary expenses incurred in the performance of  
18 their duties, to be paid by the authority.

19           67.1158. 1. The governing body of a county which has  
20 established an authority under the provisions of sections 67.1150  
21 to 67.1158 may impose a tax on the charges for all sleeping rooms  
22 paid by the transient guests of hotels or motels situated in the  
23 county, which shall be more than two percent but not more than  
24 five percent per occupied room per night, except that such tax  
25 shall not become effective unless the governing body of the  
26 county submits to the voters of the county at a state general,  
27 primary, or special election, a proposal to authorize the

governing body of the county to impose a tax under the provisions of this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used by the authority solely for funding the construction and operation of convention, visitor and sports facilities, other incidental facilities, and operation of the authority consistent with the provisions of sections 67.1150 to 67.1158. Such tax shall be stated separately from all other charges and taxes.

2. The question shall be submitted in substantially the following form:

Shall the \_\_\_\_\_ (County) levy a tax of \_\_\_\_\_ percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the county, the proceeds of which shall be expended for the funding of convention, visitor and sports facilities, other incidental facilities, and the county convention and sports facilities authority?

☐ YES      ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the

1 governing body for the county shall have no power to impose the  
2 tax authorized by this section unless and until the governing  
3 body of the county resubmits the question and such question is  
4 approved by a majority of the qualified voters voting thereon.

5 3. After the effective date of any tax authorized under the  
6 provisions of this section, the county ~~[which]~~ that levied the  
7 tax may adopt one of the ~~[two]~~ following provisions for the  
8 collection and administration of the tax:

9 (1) The county ~~[which levied the tax]~~ may adopt rules and  
10 regulations for the internal collection of such tax by the county  
11 officers usually responsible for collection and administration of  
12 county taxes; ~~[or]~~

13 (2) The county may enter into an agreement with the  
14 authority for the authority to collect such tax and perform all  
15 functions incident to the administration, collection,  
16 enforcement, and operation of such tax. The tax authorized by  
17 this section shall be collected and reported upon such forms and  
18 under such administrative rules and regulations as may be  
19 prescribed by the authority; or

20 (3) The county may enter into an agreement with the  
21 director of revenue of the state of Missouri for the purpose of  
22 collecting the tax authorized in this section. In the event any  
23 county enters into an agreement with the director of revenue of  
24 the state of Missouri for the collection of the tax authorized in  
25 this section, the director of revenue shall perform all functions  
26 incident to the administration, collection, enforcement and  
27 operation of such tax, and shall collect the additional tax

1 authorized under the provisions of this section. The tax  
2 authorized by this section shall be collected and reported upon  
3 such forms and under such administrative rules and regulations as  
4 may be prescribed by the director of revenue, and the director of  
5 revenue shall retain not less than one percent nor more than  
6 three percent for cost of collection.

7 4. If a tax is imposed by a county under this section, the  
8 ~~[county may collect a penalty of one percent and interest not to~~  
9 ~~exceed two percent per month on unpaid taxes which shall be~~  
10 ~~considered delinquent thirty days after the last day of each~~  
11 ~~quarter]~~ tax for each calendar quarter shall be due on the first  
12 day of the next calendar quarter. If any taxes are not paid  
13 within thirty days after the due date, the authority collecting  
14 the tax may collect, in addition to the amount of the tax due,  
15 one percent interest per month on the unpaid taxes and a penalty  
16 of two percent per month on the unpaid tax. Any penalty or  
17 interest shall be calculated beginning on the original due date.  
18 The authority, in its discretion, may abate a portion of the  
19 penalty to facilitate the voluntary payment of the tax.

20 5. If a tax is imposed by a county under this section,  
21 either the county or the authority shall have the power to audit  
22 the taxed facilities to ensure compliance with the tax by the  
23 facility. During such audit, the taxed facilities shall give  
24 access to examine necessary records to ensure compliance.

25 6. Suits to enforce the collection and payment of the tax  
26 against the taxed facilities ~~[may]~~ shall be filed and prosecuted  
27 only by the authority. ~~[If suit is filed,]~~ The authority ~~[may]~~



1 shall be entitled to recover ~~[as damages a reasonable]~~ costs and  
2 attorney's ~~[fee and costs of suit against the taxed facility]~~  
3 fees incurred by the authority in collecting the tax.

4 67.1847. A political subdivision, including a grandfathered  
5 political subdivision as defined in subdivision (2) of subsection  
6 1 of section 67.1846, shall not charge a linear foot fee for the  
7 use of its right-of-way to a telecommunications company,  
8 including one engaged in providing fiber networks, as defined in  
9 section 386.020; provided, however, that:

10 (1) A political subdivision that was charging linear foot  
11 fees as of May 1, 2021, may collect a fee of no more than five  
12 percent of gross telecommunications service revenue in lieu of  
13 linear foot fees; and

14 (2) Such gross revenue fee is in addition to any permit  
15 fees imposed to recover actual rights-of-way management costs, as  
16 defined in sections 67.1830 and 67.1840.

17 67.2680. The state or any other political subdivision shall  
18 not impose any new tax, license, or fee in addition to any tax,  
19 license, or fee already authorized on or before August 28, 2021,  
20 upon the provision of satellite or streaming video service.

21 71.1000. 1. Two or more municipalities may elect to form a  
22 broadband infrastructure improvement district for the delivery of  
23 broadband internet service to the residents of such municipality,  
24 which district shall be a body politic and corporate.

25 2. A municipality electing to form a district under this  
26 section shall submit to the eligible voters of each such  
27 municipality a proposition at a general or special election of

1 such municipality, in substantially the following form:

2 "Shall the municipality of \_\_\_\_\_ enter into a  
3 broadband infrastructure improvement district to be  
4 known as \_\_\_\_\_?"

5 ☐ YES      ☐ NO

6 3. Additional municipalities may be admitted to the  
7 district in the manner provided in subsection 8 of this section.

8 4. A district created under this section shall have the  
9 power to partner with a telecommunications company or broadband  
10 service provider in order to construct or improve  
11 telecommunications facilities which shall be wholly owned and  
12 operated by the telecommunications company or broadband service  
13 provider, as the terms "telecommunications company" and  
14 "telecommunications facilities" are defined in section 386.020  
15 and subject to the provisions of section 392.410, that are in an  
16 unserved or underserved area, as defined in section 620.2450, to  
17 the residents of the district. Before any facilities are  
18 improved or constructed as a result of this section, the area  
19 shall be certified as unserved or underserved by the director of  
20 broadband development within the department of economic  
21 development.

22 5. A district may finance the provision or expansion of  
23 broadband internet service through grants, loans, bonds, user  
24 fees, or a tax as set forth in subsection 6 of this section.

25 6. (1) Any district may impose by resolution a sales tax  
26 on all retail sales made in such district which are subject to  
27 taxation pursuant to sections 144.010 to 144.525. The sales tax

1 imposed pursuant to this subsection shall not exceed one percent,  
2 except that such tax shall not become effective unless the  
3 governing body of each municipality member of the district  
4 submits to the voters of such municipality at an election held on  
5 the first Tuesday after the first Monday in November of even-  
6 numbered years, a proposal to authorize the district to impose a  
7 tax under the provisions of this subsection. The tax authorized  
8 by this subsection shall be in addition to any and all taxes  
9 imposed by law, and the proceeds of such tax shall be used solely  
10 to provide broadband service to residents of the district. Such  
11 tax shall be stated separately from all other charges and taxes.

12 (2) The ballot shall be substantially in the following  
13 form:

14 "Shall the \_\_\_\_\_ (insert name of district) impose a  
15 district-wide sales tax at the rate of \_\_\_\_\_  
16 (insert amount) for the purpose of providing broadband  
17 service to residents of the district?"

18 ☐ YES      ☐ NO

19 If you are in favor of the question, place an "X" in  
20 the box opposite "YES". If you are opposed to the  
21 question, place an "X" in the box opposite "NO".

22  
23 If a majority of the votes cast on the question by the qualified  
24 voters voting thereon in each municipality are in favor of the  
25 question, then the tax shall become effective on the first day of  
26 the calendar quarter following the calendar quarter in which the  
27 election was held. If a majority of the votes cast on the

1 question by the qualified voters voting thereon in any one  
2 municipality are opposed to the question, then the governing body  
3 for the district shall have no power to impose the tax authorized  
4 by this subsection.

5 (3) The director of the department of revenue shall collect  
6 any tax adopted pursuant to this section pursuant to section  
7 32.087.

8 7. (1) The district governing board shall be composed of  
9 at least one representative from each member, but in no case  
10 shall there be less than four representatives.

11 (2) Annually, on or before the last Monday in April  
12 commencing in the year following the effective date of the  
13 district's creation, the local governing body of each member  
14 shall appoint a representative to the district governing board  
15 for three-year terms. The local governing body of a member, by  
16 majority vote, may replace its appointed representative at any  
17 time.

18 (3) For the purpose of transacting business, the presence  
19 of representatives representing more than fifty percent of  
20 district members shall constitute a quorum. Any action adopted  
21 by a majority of the votes cast at a meeting of the governing  
22 board at which a quorum is present shall be the action of the  
23 board.

24 (4) Each district member's representative shall be entitled  
25 to cast one vote.

26 (5) Unless replaced as provided in subdivision (2) of this  
27 subsection, a representative on the governing board shall hold

1 office until his or her successor is duly appointed. Any  
2 representative may be reappointed to successive terms without  
3 limit.

4 (6) Any vacancy on the board shall be filled within thirty  
5 days after such vacancy occurs by appointment of the local  
6 governing body which appointed the representative whose position  
7 has become vacant. An appointee to a vacancy shall serve until  
8 the expiration of the term of the representative whose position  
9 to the appointment was made and may thereafter be reappointed.

10 (7) Each district member may reimburse its representative  
11 to the governing board for expenses as it determines reasonable.

12 (8) (a) The officers of the district shall be the chair  
13 and the vice chair of the board, the clerk of the district, and  
14 the treasurer of the district.

15 (b) The chair shall preside at all meetings of the board  
16 and shall make and sign all contracts on behalf of the district  
17 upon approval by the board. The chair shall perform all duties  
18 incident to the position and office.

19 (c) During the absence of or inability of the chair to  
20 render or perform his or her duties or exercise his or her  
21 powers, the same shall be performed and exercised by the vice  
22 chair and when so acting, the vice chair shall have all the  
23 powers and be subject to all the responsibilities hereby given to  
24 or imposed upon the chair.

25 (d) During the absence or inability of the vice chair to  
26 render or perform his or her duties or exercise his or her  
27 powers, the board shall elect from among its membership an acting

1 vice chair who shall have the powers and be subject to all the  
2 responsibilities hereby given or imposed upon the vice chair.

3 (e) Upon the death, disability, resignation, or removal of  
4 the chair or vice chair, the board shall elect a successor to  
5 such vacant office until the next annual meeting.

6 (9) The board shall adopt bylaws for the regulation of its  
7 affairs and the conduct of its business.

8 8. (1) The board may authorize the inclusion of additional  
9 district members in the broadband infrastructure improvement  
10 district upon such terms and conditions as in the board's sole  
11 discretion shall be deemed to be fair, reasonable, and in the  
12 best interests of the district.

13 (2) Prior to applying for admission to a broadband  
14 infrastructure improvement district, a municipality electing to  
15 join a district shall submit to the eligible voters of the  
16 municipality a proposition at a general or special election of  
17 such municipality, in substantially the following form:

18 "Shall the municipality of \_\_\_\_\_ join the  
19 broadband infrastructure improvement district known as  
20 \_\_\_\_\_?"

21 ☐ YES      ☐ NO

22  
23 The local governing body of any nonmember municipality which  
24 desires to be admitted to the district shall make application for  
25 admission to the board after an affirmative result from such  
26 election.

27 (3) The board shall determine the financial, economic,

1 governance, and operational effects that are likely to occur if  
2 such municipality is admitted and thereafter either grant or deny  
3 authority for admission of the petitioning municipality. If the  
4 board grants such authority, it shall also specify any terms and  
5 conditions, including financial obligations, upon which such  
6 admission is predicated. Upon resolution of the board, such  
7 applicant municipality shall become a district member.

8 9. A district member may withdraw from the district in the  
9 same manner as the vote for admission to the district set forth  
10 in subsection 8 of this section.

11 10. Dissolution of a broadband infrastructure improvement  
12 district created pursuant to this section shall follow the  
13 procedures established in sections 67.950 and 67.955.

14 82.390. 1. Beginning January 1, 1998, the license  
15 collector of the City of St. Louis shall receive a salary of  
16 fifty-eight thousand three hundred dollars per year and beginning  
17 January 1, 1999, the license collector of the City of St. Louis  
18 shall receive a salary of sixty-four thousand one hundred thirty  
19 dollars, payable as provided in section 82.395. Beginning  
20 ~~[January 1, 2000, the compensation of the license collector of~~  
21 ~~the City of St. Louis]~~ January 1, 2022, the license collector of  
22 the City of St. Louis shall receive a salary of one hundred  
23 twenty-five thousand dollars per year and such salary may be  
24 annually increased by an amount equal to the annual salary  
25 adjustment for employees of the City of St. Louis as approved by  
26 the board of aldermen of such city.

27 2. The license collector may appoint one chief deputy, and

1 one assistant deputy license collector, either of whom, in the  
2 absence for any cause of the license collector, may perform all  
3 the duties of the license collector. The license collector may  
4 appoint a cashier, an assistant cashier, a secretary and such  
5 other clerks, account clerks and inspectors as are required by  
6 the license collector to properly and efficiently perform the  
7 duties of the license collector's office when such positions are  
8 approved by the board of aldermen of such city.

9 3. The salaries and compensation of the employees  
10 enumerated in subsection 2 of this section shall be payable as  
11 provided in section 82.395.

12 4. The license collector, deputy license collector and  
13 clerks may administer oaths in the transaction of the business of  
14 the office. The license collector and the license collector's  
15 sureties are responsible for the official acts of all employees  
16 appointed by the license collector.

17 84.400. 1. Any one of said commissioners so appointed or  
18 any member of any such police force who, during the term of his  
19 office, shall accept any other place of public trust, or  
20 emolument, or who shall knowingly receive any nomination for an  
21 office elective by the people, and shall fail to decline such  
22 nomination publicly within the five days succeeding such  
23 nomination or shall become a candidate for the nomination for any  
24 office at the hands of any political party, shall be deemed to  
25 have thereby forfeited and vacated office as such commissioner or  
26 member of such police force.

27 2. Notwithstanding any provisions of law to the contrary, a



1 member of the board or any member of such police force may be  
2 appointed to serve on any state or federal board, commission, or  
3 task force where no compensation for such service is paid, except  
4 that such board member or member of such police force may accept  
5 payment of a per diem for attending meetings, or if no per diem  
6 is provided, reimbursement from such board, commission, or task  
7 force for reasonable and necessary expenses for attending such  
8 meetings.

9 91.025. 1. As used in this section, the following terms  
10 mean:

11 (1) "Municipally owned or operated electric power system",  
12 a system for the distribution of electrical power and energy to  
13 the inhabitants of a municipality which is owned and operated by  
14 the municipality itself, whether operated under authority  
15 pursuant to this chapter or under a charter form of government;

16 (2) "Permanent service", electrical service provided  
17 through facilities which have been permanently installed on a  
18 structure and which are designed to provide electric service for  
19 the structure's anticipated needs for the indefinite future, as  
20 contrasted with facilities installed temporarily to provide  
21 electrical service during construction. Service provided  
22 temporarily shall be at the risk of the electrical supplier and  
23 shall not be determinative of the rights of the provider or  
24 recipient of permanent service;

25 (3) "Structure" or "structures", an agricultural,  
26 residential, commercial, industrial or other building or a  
27 mechanical installation, machinery or apparatus at which retail

1 electric energy is being delivered through a metering device  
2 which is located on or adjacent to the structure and connected to  
3 the lines of an electrical corporation, rural electric  
4 cooperative, municipally owned or operated electric power system,  
5 or joint municipal utility commission. Such terms shall include  
6 any contiguous or adjacent additions to or expansions of a  
7 particular structure. Nothing in this section shall be construed  
8 to confer any right on an electric supplier to serve new  
9 structures on a particular tract of land because it was serving  
10 an existing structure on that tract.

11 2. Once a municipally owned or operated electrical system,  
12 or its predecessor in interest, lawfully commences supplying  
13 retail electric energy to a structure through permanent service  
14 facilities, it shall have the right to continue serving such  
15 structure, and other suppliers of electrical energy shall not  
16 have the right to provide service to the structure except as  
17 might be otherwise permitted in the context of municipal  
18 annexation, pursuant to section 386.800 or pursuant to a  
19 territorial agreement approved under section 394.312. The public  
20 service commission, upon application made by a customer, may  
21 order a change of suppliers on the basis that it is in the public  
22 interest for a reason other than a rate differential, and the  
23 commission is hereby given jurisdiction over municipally owned or  
24 operated electric systems to accomplish the purpose of this  
25 section. The commission's jurisdiction under this section is  
26 limited to public interest determinations and excludes questions  
27 as to the lawfulness of the provision of service, such questions

1 being reserved to courts of competent jurisdiction. Except as  
2 provided in this section, nothing in this section shall be  
3 construed as otherwise conferring upon the commission  
4 jurisdiction over the service, rates, financing, accounting or  
5 management of any such municipally owned or operated electrical  
6 system, and nothing in this section, section 393.106, and section  
7 394.315 shall affect the rights, privileges or duties of any  
8 municipality to form or operate municipally owned or operated  
9 electrical systems. Nothing in this section shall be construed  
10 to make lawful any provision of service which was unlawful prior  
11 to July 11, 1991. Nothing in this section shall be construed to  
12 make unlawful the continued lawful provision of service to any  
13 structure which may have had a different supplier in the past, if  
14 such a change in supplier was lawful at the time it occurred.

15 3. Notwithstanding the provisions of this section, section  
16 393.106, section 394.080, and section 394.315 to the contrary, in  
17 the event that a retail electric supplier is providing service to  
18 a structure located within a city, town, or village that has  
19 ceased to be a rural area, and such structure is demolished and  
20 replaced by a new structure, such retail electric service  
21 supplier may provide permanent service to the new structure upon  
22 the request of the owner of the new structure.

23 91.450. Any city of the third or fourth class, and any town  
24 or village, and any city now organized or which may hereafter be  
25 organized and having a special charter, and which now has or may  
26 hereafter have less than thirty thousand inhabitants, shall have  
27 power to erect or to acquire, by purchase or otherwise, maintain

1 and operate, waterworks, gas works, electric light and power  
2 plant, steam heating plant, or any other device or plant for  
3 furnishing light, power or heat, telephone plant or exchange,  
4 street railway or any other public transportation, conduit  
5 system, public auditorium or convention hall, which are hereby  
6 declared public utilities, and such cities, towns or villages are  
7 hereby authorized and empowered to provide for the erection or  
8 extension of the same by the issue of bonds therefor, and any  
9 city, town or village which may own, maintain or operate, and  
10 which may hereafter acquire, by purchase or otherwise, and  
11 operate, or which may engage in the construction of any of the  
12 plants, systems or works mentioned in this section, is hereby  
13 authorized and empowered to establish, by ordinance, within such  
14 city, town or village, an executive department to be known as  
15 "The Board of Public Works", to consist of four persons, electors  
16 of said city, town or village, who have resided therein for a  
17 period of two years next before their appointment, or any  
18 resident of the county that receives services from such board,  
19 who shall be appointed by the mayor of such city, town or  
20 village, and confirmed by the common council in such manner as  
21 other appointive officers of such city, town or village are  
22 appointed and confirmed. The members of such board shall hold  
23 office for a term of four years each, or until their successors  
24 are appointed and qualified; provided, that the members of said  
25 board shall hold office for a term of four years each, except the  
26 first incumbents, as members of said board of public works, who  
27 shall be appointed and hold office for the term of one, two,

1 three and four years respectively.

2 115.127. 1. Except as provided in subsection 4 of this  
3 section, upon receipt of notice of a special election to fill a  
4 vacancy submitted pursuant to subsection 2 of section 115.125,  
5 the election authority shall cause legal notice of the special  
6 election to be published in a newspaper of general circulation in  
7 its jurisdiction. The notice shall include the name of the  
8 officer or agency calling the election, the date and time of the  
9 election, the name of the office to be filled and the date by  
10 which candidates must be selected or filed for the office.  
11 Within one week prior to each special election to fill a vacancy  
12 held in its jurisdiction, the election authority shall cause  
13 legal notice of the election to be published in two newspapers of  
14 different political faith and general circulation in the  
15 jurisdiction. The legal notice shall include the date and time  
16 of the election, the name of the officer or agency calling the  
17 election and a sample ballot. If there is only one newspaper of  
18 general circulation in the jurisdiction, the notice shall be  
19 published in the newspaper within one week prior to the election.  
20 If there are two or more newspapers of general circulation in the  
21 jurisdiction, but no two of opposite political faith, the notice  
22 shall be published in any two of the newspapers within one week  
23 prior to the election.

24 2. Except as provided in subsections 1 and 4 of this  
25 section and in sections 115.521, 115.549 and 115.593, the  
26 election authority shall cause legal notice of each election held  
27 in its jurisdiction to be published. The notice shall be

1 published in two newspapers of different political faith and  
2 qualified pursuant to chapter 493 which are published within the  
3 bounds of the area holding the election. If there is only one  
4 so-qualified newspaper, then notice shall be published in only  
5 one newspaper. If there is no newspaper published within the  
6 bounds of the election area, then the notice shall be published  
7 in two qualified newspapers of different political faith serving  
8 the area. Notice shall be published twice, the first publication  
9 occurring in the second week prior to the election, and the  
10 second publication occurring within one week prior to the  
11 election. Each such legal notice shall include the date and time  
12 of the election, the name of the officer or agency calling the  
13 election and a sample ballot; and, unless notice has been given  
14 as provided by section 115.129, the second publication of notice  
15 of the election shall include the location of polling places.  
16 The election authority may provide any additional notice of the  
17 election it deems desirable.

18 3. The election authority shall print the official ballot  
19 as the same appears on the sample ballot, and no candidate's name  
20 or ballot issue which appears on the sample ballot or official  
21 printed ballot shall be stricken or removed from the ballot  
22 except on death of a candidate or by court order, but in no event  
23 shall a candidate or issue be stricken or removed from the ballot  
24 less than eight weeks before the date of the election.

25 4. In lieu of causing legal notice to be published in  
26 accordance with any of the provisions of this chapter, the  
27 election authority in jurisdictions which have less than seven

1 hundred fifty registered voters and in which no newspaper  
2 qualified pursuant to chapter 493 is published, may cause legal  
3 notice to be mailed during the second week prior to the election,  
4 by first class mail, to each registered voter at the voter's  
5 voting address. All such legal notices shall include the date  
6 and time of the election, the location of the polling place, the  
7 name of the officer or agency calling the election and a sample  
8 ballot.

9 5. If the opening date for filing a declaration of  
10 candidacy for any office in a political subdivision or special  
11 district is not required by law or charter, the opening filing  
12 date shall be 8:00 a.m., the ~~[sixteenth]~~ seventeenth Tuesday  
13 prior to the election ~~[, except that for any home rule city with~~  
14 ~~more than four hundred thousand inhabitants and located in more~~  
15 ~~than one county and any political subdivision or special district~~  
16 ~~located in such city, the opening filing date shall be 8:00 a.m.,~~  
17 ~~the fifteenth Tuesday prior to the election]~~. If the closing  
18 date for filing a declaration of candidacy for any office in a  
19 political subdivision or special district is not required by law  
20 or charter, the closing filing date shall be 5:00 p.m., the  
21 ~~[eleventh]~~ fourteenth Tuesday prior to the election. The  
22 political subdivision or special district calling an election  
23 shall, before the ~~[sixteenth]~~ seventeenth Tuesday, ~~[or the~~  
24 ~~fifteenth Tuesday for any home rule city with more than four~~  
25 ~~hundred thousand inhabitants and located in more than one county~~  
26 ~~or any political subdivision or special district located in such~~  
27 ~~city,]~~ prior to any election at which offices are to be filled,

1 notify the general public of the opening filing date, the office  
2 or offices to be filled, the proper place for filing and the  
3 closing filing date of the election. Such notification may be  
4 accomplished by legal notice published in at least one newspaper  
5 of general circulation in the political subdivision or special  
6 district.

7 6. Except as provided for in sections 115.247 and 115.359,  
8 if there is no additional cost for the printing or reprinting of  
9 ballots or if the candidate agrees to pay any printing or  
10 reprinting costs, a candidate who has filed for an office or who  
11 has been duly nominated for an office may, at any time after the  
12 certification of the notice of election required in subsection 1  
13 of section 115.125 but no later than 5:00 p.m. on the eighth  
14 Tuesday before the election, withdraw as a candidate pursuant to  
15 a court order, which, except for good cause shown by the election  
16 authority in opposition thereto, shall be freely given upon  
17 application by the candidate to the circuit court of the area of  
18 such candidate's residence.

19 115.646. No contribution or expenditure of public funds  
20 shall be made directly by any officer, employee or agent of any  
21 political subdivision, including school districts and charter  
22 schools, to advocate, support, or oppose the passage or defeat of  
23 any ballot measure or the nomination or election of any candidate  
24 for public office, or to direct any public funds to, or pay any  
25 debts or obligations of, any committee supporting or opposing  
26 such ballot measures or candidates. This section shall not be  
27 construed to prohibit any public official of a political



subdivision, including school districts and charter schools, from making public appearances or from issuing press releases concerning any such ballot measure. Any purposeful violation of this section shall be punished as a class four election offense.

137.280. 1. Taxpayers' personal property lists, except those of merchants and manufacturers, and except those of railroads, public utilities, pipeline companies or any other person or corporation subject to special statutory requirements, such as chapter 151, who shall return and file their assessments on locally assessed property no later than April first, shall be delivered to the office of the assessor of the county between the first day of January and the first day of March each year and shall be signed and certified by the taxpayer as being a true and complete list or statement of all the taxable tangible personal property. If any person shall fail to deliver the required list to the assessor by the first day of March, the owner of the property which ought to have been listed shall be assessed a penalty added to the tax bill, based on the assessed value of the property that was not reported, as follows:

Assessed Valuation	Penalty
0 - \$1,000	\$15.00
\$1,001 - \$2,000	\$25.00
\$2,001 - \$3,000	\$35.00
\$3,001 - \$4,000	\$45.00
\$4,001 - \$5,000	\$55.00
\$5,001 - \$6,000	\$65.00
\$6,001 - \$7,000	\$75.00
\$7,001 - \$8,000	\$85.00
\$8,001 - \$9,000	\$95.00
\$9,001 and above	\$105.00

1 The assessor in any county of the first classification without a  
2 charter form of government with a population of one hundred  
3 thousand or more inhabitants which contains all or part of a city  
4 with a population of three hundred fifty thousand or more  
5 inhabitants shall omit assessing the penalty in any case where he  
6 or she is satisfied the neglect is unavoidable and not willful or  
7 falls into one of the following categories. The assessor in all  
8 other political subdivisions shall omit assessing the penalty in  
9 any case where he or she is satisfied the neglect falls into at  
10 least one of the following categories:

11 (1) The taxpayer is in military service and is outside the  
12 state;

13 (2) The taxpayer filed timely, but in the wrong county;

14 (3) There was a loss of records due to fire or flood;

15 (4) The taxpayer can show the list was mailed timely as  
16 evidenced by the date of postmark;

17 (5) The assessor determines that no form for listing  
18 personal property was mailed to the taxpayer for that tax year;  
19 or

20 (6) The neglect occurred as a direct result of the actions  
21 or inactions of the county or its employees or contractors.

22 2. Between March first and April first, the assessor shall  
23 send to each taxpayer who was sent an assessment list for the  
24 current tax year, and said list was not returned to the assessor,  
25 a second notice that statutes require the assessment list be  
26 returned immediately. In the event the taxpayer returns the  
27 assessment list to the assessor before May first, the penalty

1 described in subsection 1 of this section shall not apply. If  
2 said assessment list is not returned before May first by the  
3 taxpayer, the penalty shall apply.

4 3. It shall be the duty of the county commission and  
5 assessor to place on the assessment rolls for the year all  
6 personal property discovered in the calendar year which was  
7 taxable on January first of that year.

8 4. If annual waivers exceed forty percent, then by February  
9 first of each year, the assessor shall transmit to the county  
10 employees' retirement fund an electronic or paper copy of the log  
11 maintained under subsection 3 of section 50.1020 for the prior  
12 calendar year.

13 5. An assessor may, upon request of a taxpayer, send any  
14 assessment list or notice required by this section to such  
15 taxpayer in electronic form.

16 139.100. 1. (1) If any taxpayer shall fail or neglect to  
17 pay to the collector his taxes at the time required by law, then  
18 it shall be the duty of the collector, after the first day of  
19 January then next ensuing and in the absence of an agreement  
20 entered into pursuant to subdivision (2) of this subsection, to  
21 collect and account for, as other taxes, an additional tax, as  
22 penalty, the amount provided for in section 140.100.

23 (2) For property tax liabilities incurred on or after  
24 January 1, 2020, and on or before December 31, 2020, the  
25 collector of any county with a charter form of government and  
26 with more than nine hundred fifty thousand inhabitants may enter  
27 into an agreement with any taxpayer for the payment of any amount

1 of tax not paid at the time required by law, including a waiver  
2 or reduction of penalties and interest on such taxes, provided  
3 that any such agreement shall require such taxes to be paid to  
4 the collector or postmarked by no later than January 8, 2021.

5 (3) For any taxpayer that has paid penalties and interest  
6 on property tax liabilities not paid at the time required by law,  
7 and such penalties and interest are subsequently reduced or  
8 waived through an agreement entered into pursuant to subdivision  
9 (2) of this subsection, that portion of penalties and interest  
10 paid and subsequently reduced or waived may be credited to the  
11 taxpayer on such taxpayer's tax liability for the subsequent  
12 year. The county may reduce on a pro rata basis any  
13 distributions to taxing jurisdictions by the amount of any  
14 penalties and interest from late payments from the 2020 tax year  
15 that were collected and distributed, but were then subsequently  
16 reduced or waived pursuant to subdivision (2) of this subsection.

17 2. Collectors shall, on the day of their annual settlement  
18 with the county governing body, file with governing body a  
19 statement, under oath, of the amount so received, and from whom  
20 received, and settle with the governing body therefor; but,  
21 interest shall not be chargeable against persons who are absent  
22 from their homes, and engaged in the military service of this  
23 state or of the United States. The provisions of this section  
24 shall apply to the City of St. Louis, so far as the same relates  
25 to the addition of such interest, which, in such city, shall be  
26 collected and accounted for by the collector as other taxes, for  
27 which he shall receive no compensation.

1           3. Whenever any collector of the revenue in the state fails  
2 or refuses to collect the penalty provided for in this section on  
3 state and county taxes, it shall be the duty of the director of  
4 revenue and county clerk to charge such collectors with the  
5 amount of interest due thereon, as shown by the returns of the  
6 county clerk, and such collector shall be liable to the penalties  
7 as provided for in section 139.270.

8           4. For purposes of this section and other provisions of law  
9 relating to the timely payment of taxes due on any real or  
10 personal property, payments for taxes due on any real or personal  
11 property which are delivered by United States mail to the  
12 collector, the collector's office, or other officer or office  
13 designated by the county or city to receive such payments, of the  
14 appropriate county or city, shall be deemed paid as of the  
15 postmark date stamped on the envelope or other cover in which  
16 such payment is mailed. In the event any payment of taxes due is  
17 sent by registered or certified mail, the date of registration or  
18 certification shall be deemed the postmark date. No additional  
19 tax or penalty shall be imposed under this section on any  
20 taxpayer whose payment is delivered by United States mail, if the  
21 postmark date stamped on the envelope or other cover containing  
22 such payment falls within the prescribed period or on or before  
23 the prescribed date, including any extension granted, for making  
24 the payment or if the postmaster for the jurisdiction where the  
25 payment was mailed verifies in writing that the payment was  
26 deposited in the United States mail within the prescribed period  
27 or on or before the prescribed date, including any extension

1 granted, for making the payment, and was delayed in delivery  
2 because of an error by the United States postal service and not  
3 because of an error by the taxpayer. In the absence of a  
4 postmark, or if the postmark is illegible or otherwise  
5 inconclusive, the collector may use the collector's judgment  
6 regarding the timeliness of the payment contained therein and  
7 shall document such decision.

8 192.300. 1. The county commissions and the county health  
9 center boards of the several counties may make and promulgate  
10 orders, ordinances, rules or regulations, respectively as will  
11 tend to enhance the public health and prevent the entrance of  
12 infectious, contagious, communicable or dangerous diseases into  
13 such county, but any orders, ordinances, rules or regulations  
14 shall not:

15 (1) Be in conflict with any rules or regulations authorized  
16 and made by the department of health and senior services in  
17 accordance with this chapter or by the department of social  
18 services under chapter 198; or

19 (2) Impose standards or requirements on an agricultural  
20 operation and its appurtenances, as such term is defined in  
21 section 537.295, that are inconsistent with, in addition to,  
22 different from, or more stringent than any provision of this  
23 chapter or chapters 260, 640, 643, and 644, or any rule or  
24 regulation promulgated under such chapters.

25 2. The county commissions and the county health center  
26 boards of the several counties may establish reasonable fees to  
27 pay for any costs incurred in carrying out such orders,

1 ordinances, rules or regulations, however, the establishment of  
2 such fees shall not deny personal health services to those  
3 individuals who are unable to pay such fees or impede the  
4 prevention or control of communicable disease. Fees generated  
5 shall be deposited in the county treasury. All fees generated  
6 under the provisions of this section shall be used to support the  
7 public health activities for which they were generated.

8 3. After the promulgation and adoption of such orders,  
9 ordinances, rules or regulations by such county commission or  
10 county health board, such commission or county health board shall  
11 make and enter an order or record declaring such orders,  
12 ordinances, rules or regulations to be printed and available for  
13 distribution to the public in the office of the county clerk, and  
14 shall require a copy of such order to be published in some  
15 newspaper in the county in three successive weeks, not later than  
16 thirty days after the entry of such order, ordinance, rule or  
17 regulation.

18 4. Any person, firm, corporation or association which  
19 violates any of the orders or ordinances adopted, promulgated and  
20 published by such county commission is guilty of a misdemeanor  
21 and shall be prosecuted, tried and fined as otherwise provided by  
22 law. The county commission or county health board of any such  
23 county has full power and authority to initiate the prosecution  
24 of any action under this section.

25 5. Any orders, ordinances, rules, or regulations made and  
26 promulgated under the authority in this section shall comply with  
27 the provisions of section 67.265.

1           204.569. When an unincorporated sewer subdistrict of a  
2 common sewer district has been formed pursuant to sections  
3 204.565 to 204.573, the board of trustees of the common sewer  
4 district shall have the same powers with regard to the  
5 subdistrict as for the common sewer district as a whole, plus the  
6 following additional powers:

7           (1) To enter into agreements to accept, take title to, or  
8 otherwise acquire, and to operate such sewers, sewer systems,  
9 treatment and disposal facilities, and other property, both real  
10 and personal, of the political subdivisions included in the  
11 subdistrict as the board determines to be in the interest of the  
12 common sewer district to acquire or operate, according to such  
13 terms and conditions as the board finds reasonable, provided that  
14 such authority shall be in addition to the powers of the board of  
15 trustees pursuant to section 204.340;

16           (2) To provide for the construction, extension,  
17 improvement, and operation of such sewers, sewer systems, and  
18 treatment and disposal facilities, as the board determines  
19 necessary for the preservation of public health and maintenance  
20 of sanitary conditions in the subdistrict;

21           (3) For the purpose of meeting the costs of activities  
22 undertaken pursuant to the authority granted in this section, to  
23 issue bonds in anticipation of revenues of the subdistrict in the  
24 same manner as set out in sections 204.360 to 204.450, for other  
25 bonds of the common sewer district. Issuance of such bonds for  
26 the subdistrict shall require the assent only of four-sevenths of  
27 the voters of the subdistrict voting on the question ~~[, and]~~



1 except that, as an alternative to such a vote, if the subdistrict  
2 is a part of a common sewer district located in whole or in part  
3 in any county of the first classification without a charter form  
4 of government adjacent to a county of the first classification  
5 with a charter form of government and a population of at least  
6 six hundred thousand and not more than seven hundred fifty  
7 thousand, bonds may be issued for such subdistrict if the  
8 question receives the written assent of three-quarters of the  
9 customers of the subdistrict in a manner consistent with section  
10 204.370, where "customer", as used in this subdivision, means any  
11 political subdivision within the subdistrict that has a service  
12 or user agreement with the common sewer district. The principal  
13 and interest of such bonds shall be payable only from the  
14 revenues of the subdistrict and not from any revenues of the  
15 common sewer district as a whole;

16 (4) To charge the costs of the common sewer district for  
17 operation and maintenance attributable to the subdistrict, plus a  
18 proportionate share of the common sewer district's costs of  
19 administration to revenues of the subdistrict and to consider  
20 such costs in determining reasonable charges to impose within the  
21 subdistrict under section 204.440;

22 (5) With prior concurrence of the subdistrict's advisory  
23 board, to provide for the treatment and disposal of sewage from  
24 the subdistrict in or by means of facilities of the common sewer  
25 district not located within the subdistrict, in which case the  
26 board of trustees shall also have authority to charge a  
27 proportionate share of the costs of the common sewer district for

1 operation and maintenance to revenues of the subdistrict and to  
2 consider such costs in determining reasonable charges to impose  
3 within the subdistrict under section 204.440.

4 221.105. 1. The governing body of any county and of any  
5 city not within a county shall fix the amount to be expended for  
6 the cost of incarceration of prisoners confined in jails or  
7 medium security institutions. The per diem cost of incarceration  
8 of these prisoners chargeable by the law to the state shall be  
9 determined, subject to the review and approval of the department  
10 of corrections.

11 2. When the final determination of any criminal prosecution  
12 shall be such as to render the state liable for costs under  
13 existing laws, it shall be the duty of the sheriff to certify to  
14 the clerk of the circuit court or court of common pleas in which  
15 the case was determined the total number of days any prisoner who  
16 was a party in such case remained in the county jail. It shall  
17 be the duty of the county commission to supply the cost per diem  
18 for county prisons to the clerk of the circuit court on the first  
19 day of each year, and thereafter whenever the amount may be  
20 changed. It shall then be the duty of the clerk of the court in  
21 which the case was determined to include in the bill of cost  
22 against the state all fees which are properly chargeable to the  
23 state. In any city not within a county it shall be the duty of  
24 the superintendent of any facility boarding prisoners to certify  
25 to the chief executive officer of such city not within a county  
26 the total number of days any prisoner who was a party in such  
27 case remained in such facility. It shall be the duty of the

1 superintendents of such facilities to supply the cost per diem to  
2 the chief executive officer on the first day of each year, and  
3 thereafter whenever the amount may be changed. It shall be the  
4 duty of the chief executive officer to bill the state all fees  
5 for boarding such prisoners which are properly chargeable to the  
6 state. The chief executive may by notification to the department  
7 of corrections delegate such responsibility to another duly sworn  
8 official of such city not within a county. The clerk of the  
9 court of any city not within a county shall not include such fees  
10 in the bill of costs chargeable to the state. The department of  
11 corrections shall revise its criminal cost manual in accordance  
12 with this provision.

13 3. Except as provided under subsection 6 of section  
14 217.718, the actual costs chargeable to the state, including  
15 those incurred for a prisoner who is incarcerated in the county  
16 jail because the prisoner's parole or probation has been revoked  
17 or because the prisoner has, or allegedly has, violated any  
18 condition of the prisoner's parole or probation, and such parole  
19 or probation is a consequence of a violation of a state statute,  
20 or the prisoner is a fugitive from the Missouri department of  
21 corrections or otherwise held at the request of the Missouri  
22 department of corrections regardless of whether or not a warrant  
23 has been issued shall be the actual cost of incarceration not to  
24 exceed:

25 (1) Until July 1, 1996, seventeen dollars per day per  
26 prisoner;

27 (2) On and after July 1, 1996, twenty dollars per day per

1 prisoner;

2 (3) On and after July 1, 1997, up to thirty-seven dollars  
3 and fifty cents per day per prisoner, subject to appropriations [7  
4 ~~but not less than the amount appropriated in the previous fiscal~~  
5 ~~year~~].

6 4. The presiding judge of a judicial circuit may propose  
7 expenses to be reimbursable by the state on behalf of one or more  
8 of the counties in that circuit. Proposed reimbursable expenses  
9 may include pretrial assessment and supervision strategies for  
10 defendants who are ultimately eligible for state incarceration.  
11 A county may not receive more than its share of the amount  
12 appropriated in the previous fiscal year, inclusive of expenses  
13 proposed by the presiding judge. Any county shall convey such  
14 proposal to the department, and any such proposal presented by a  
15 presiding judge shall include the documented agreement with the  
16 proposal by the county governing body, prosecuting attorney, at  
17 least one associate circuit judge, and the officer of the county  
18 responsible for custody or incarceration of prisoners of the  
19 county represented in the proposal. Any county that declines to  
20 convey a proposal to the department, pursuant to the provisions  
21 of this subsection, shall receive its per diem cost of  
22 incarceration for all prisoners chargeable to the state in  
23 accordance with the provisions of subsections 1, 2, and 3 of this  
24 section.

25 386.800. 1. No municipally owned electric utility may  
26 provide electric energy at retail to any structure located  
27 outside the municipality's corporate boundaries after July 11,

1 1991, unless:

2 (1) The structure was lawfully receiving permanent service  
3 from the municipally owned electric utility prior to July 11,  
4 1991; or

5 (2) The service is provided pursuant to an approved  
6 territorial agreement under section 394.312; or

7 (3) The service is provided pursuant to lawful municipal  
8 annexation and subject to the provisions of this section; or

9 (4) The structure is located in an area which was  
10 previously served by an electrical corporation regulated under  
11 chapter 386, and chapter 393, and the electrical corporation's  
12 authorized service territory was contiguous to or inclusive of  
13 the municipality's previous corporate boundaries, and the  
14 electrical corporation's ownership or operating rights within the  
15 area were acquired in total by the municipally owned electrical  
16 system prior to July 11, 1991. In the event that a municipally  
17 owned electric utility in a city with a population of more than  
18 one hundred twenty-five thousand located in a county of the first  
19 class not having a charter form of government and not adjacent to  
20 any other county of the first class desires to serve customers  
21 beyond the authorized service territory in an area which was  
22 previously served by an electrical corporation regulated under  
23 the provisions of chapter 386, and chapter 393, as provided in  
24 this subdivision, in the absence of an approved territorial  
25 agreement under section 394.312, the municipally owned utility  
26 shall apply to the public service commission for an order  
27 assigning nonexclusive service territories and concurrently shall

1 provide written notice of the application to other electric  
2 service suppliers with electric facilities located in or within  
3 one mile outside of the boundaries of the proposed expanded  
4 service territory. The proposed service area shall be contiguous  
5 to the authorized service territory which was previously served  
6 by an electrical corporation regulated under the provisions of  
7 chapter 386, and chapter 393, as a condition precedent to the  
8 granting of the application. The commission shall have one  
9 hundred twenty days from the date of application to grant or deny  
10 the requested order. The commission after a hearing may grant  
11 the order upon a finding that granting of the applicant's request  
12 is not detrimental to the public interest. In granting the  
13 applicant's request the commission shall give due regard to  
14 territories previously granted to or served by other electric  
15 service suppliers and the wasteful duplication of electric  
16 service facilities.

17 2. Any municipally owned electric utility may extend,  
18 pursuant to lawful annexation, its electric service territory to  
19 include ~~[any structure located within a newly annexed area which~~  
20 ~~has not received permanent service from another supplier within~~  
21 ~~ninety days prior to the effective date of the annexation.~~

22 ~~——3.]~~ areas where another electric supplier currently is not  
23 providing permanent service to a structure. If a rural electric  
24 cooperative has existing electric service facilities with  
25 adequate and necessary service capability located in or within  
26 one mile outside the boundaries of the area proposed to be  
27 annexed, a majority of the existing developers, landowners, or

1 prospective electric customers in the area proposed to be annexed  
2 may, anytime within forty-five days prior to the effective date  
3 of the annexation, submit a written request to the governing body  
4 of the annexing municipality to invoke mandatory good faith  
5 negotiations under section 394.312 to determine which electric  
6 service supplier is best suited to serve all or portions of the  
7 newly annexed area. In such negotiations the following factors  
8 shall be considered, at a minimum:

9 (1) The preference of landowners and prospective electric  
10 customers;

11 (2) The rates, terms, and conditions of service of the  
12 electric service suppliers;

13 (3) The economic impact on the electric service suppliers;

14 (4) Each electric service supplier's operational ability to  
15 serve all or portions of the annexed area within three years of  
16 the date the annexation becomes effective;

17 (5) Avoiding the wasteful duplication of electric  
18 facilities;

19 (6) Minimizing unnecessary encumbrances on the property and  
20 landscape within the area to be annexed; and

21 (7) Preventing the waste of materials and natural  
22 resources.

23  
24 If the municipally owned electric utility and rural electric  
25 cooperative are unable to negotiate a territorial agreement  
26 pursuant to section 394.312 within forty-five days, then they may  
27 submit proposals to those submitting the original written

1 request, whose preference shall control, section 394.080 to the  
2 contrary notwithstanding, and the governing body of the annexing  
3 municipality shall not reject the petition requesting annexation  
4 based on such preference. This subsection shall not apply to  
5 municipally owned property in any newly annexed area.

6 3. In the event an electrical corporation rather than a  
7 municipally owned electric utility lawfully is providing electric  
8 service in the municipality, all the provisions of subsection 2  
9 shall apply equally as if the electrical corporation were a  
10 municipally owned electric utility, except that if the electrical  
11 corporation and the rural electric cooperative are unable to  
12 negotiate a territorial agreement pursuant to section 394.312  
13 within forty-five days, then either electric service supplier may  
14 file an application with the commission for an order determining  
15 which electric service supplier should serve, in whole or in  
16 part, the area to be annexed. The application shall be made  
17 pursuant to the rules and regulations of the commission governing  
18 applications for certificates of public convenience and  
19 necessity. The commission after the opportunity for hearing  
20 shall make its determination after consideration of the factors  
21 set forth in subdivisions (1) through (7) of subsection 2 of this  
22 section, and section 394.080 to the contrary notwithstanding, may  
23 grant its order upon a finding that granting of the applicant's  
24 request is not detrimental to the public interest. The  
25 commission shall issue its decision by report and order no later  
26 than one hundred twenty days from the date of the application  
27 unless otherwise ordered by the commission for good cause shown.



1 Review of such commission decisions shall be governed by sections  
2 386.500 to 386.550. If the applicant is a rural electric  
3 cooperative, the commission shall charge to the rural electric  
4 cooperative the appropriate fees as set forth in subsection 9 of  
5 this section.

6 4. When a municipally owned electric utility desires to  
7 extend its service territory to include any structure located  
8 within a newly annexed area which has received permanent service  
9 from another electric service supplier within ninety days prior  
10 to the effective date of the annexation, it shall:

11 (1) Notify by publication in a newspaper of general  
12 circulation the record owner of said structure, and notify in  
13 writing any affected electric service supplier and the public  
14 service commission, within sixty days after the effective date of  
15 the annexation its desire to extend its service territory to  
16 include said structure; and

17 (2) Within six months after the effective date of the  
18 annexation receive the approval of the municipality's governing  
19 body to begin negotiations pursuant to section 394.312 with **[any]**  
20 the affected electric service supplier.

21 **[4:]** 5. Upon receiving approval from the municipality's  
22 governing body pursuant to subsection **[3]** 4 of this section, the  
23 municipally owned electric utility and the affected electric  
24 service supplier shall meet and negotiate in good faith the terms  
25 of the territorial agreement and any transfers or acquisitions,  
26 including, as an alternative, granting the affected electric  
27 service supplier a franchise or authority to continue providing

1 service in the annexed area. In the event that the affected  
2 electric service supplier does not provide wholesale electric  
3 power to the municipality, if the affected electric service  
4 supplier so desires, the parties ~~[shall]~~ may also negotiate,  
5 consistent with applicable law, regulations and existing power  
6 supply agreements, for power contracts which would provide for  
7 the purchase of power by the municipality from the affected  
8 electric service supplier for an amount of power equivalent to  
9 the loss of any sales to customers receiving permanent service at  
10 structures within the annexed areas which are being sought by the  
11 municipally owned electric utility. The parties shall have no  
12 more than one hundred eighty days from the date of receiving  
13 approval from the municipality's governing body within which to  
14 conclude their negotiations and file their territorial agreement  
15 with the commission for approval under the provisions of section  
16 394.312. The time period for negotiations allowed under this  
17 subsection may be extended for a period not to exceed one hundred  
18 eighty days by a mutual agreement of the parties and a written  
19 request with the public service commission.

20 ~~[5.]~~ 6. For purposes of this section, the term "fair and  
21 reasonable compensation" shall mean the following:

22 (1) The present-day reproduction cost, new, of the  
23 properties and facilities serving the annexed areas, less  
24 depreciation computed on a straight-line basis; and

25 (2) An amount equal to the reasonable and prudent cost of  
26 detaching the facilities in the annexed areas and the reasonable  
27 and prudent cost of constructing any necessary facilities to

1 reintegrate the system of the affected electric service supplier  
2 outside the annexed area after detaching the portion to be  
3 transferred to the municipally owned electric utility; and

4 (3) ~~Four~~ Two hundred percent of gross revenues less gross  
5 receipts taxes received by the affected electric service supplier  
6 from the twelve-month period preceding the approval of the  
7 municipality's governing body under the provisions of subdivision  
8 (2) of subsection ~~[3]~~ 4 of this section, normalized to produce a  
9 representative usage from customers at the subject structures in  
10 the annexed area; and

11 (4) Any federal, state and local taxes which may be  
12 incurred as a result of the transaction, including the recapture  
13 of any deduction or credit; and

14 (5) Any other costs reasonably incurred by the affected  
15 electric supplier in connection with the transaction.

16 ~~[6-]~~ 7. In the event the parties are unable to reach an  
17 agreement under subsection ~~[4]~~ 5 of this section, within sixty  
18 days after the expiration of the time specified for negotiations,  
19 the municipally owned electric utility or the affected electric  
20 service supplier may apply to the commission for an order  
21 assigning exclusive service territories within the annexed area  
22 and a determination of the fair and reasonable compensation  
23 amount to be paid to the affected electric service supplier under  
24 subsection ~~[5]~~ 6 of this section. Applications shall be made and  
25 notice of such filing shall be given to all affected parties  
26 pursuant to the rules and regulations of the commission governing  
27 applications for certificates of public convenience and

1 necessity. Unless otherwise ordered by the commission for good  
2 cause shown, the commission shall rule on such applications not  
3 later than one hundred twenty days after the application is  
4 properly filed with the secretary of the commission. The  
5 commission shall hold evidentiary hearings to assign service  
6 territory between the affected electric service suppliers inside  
7 the annexed area and to determine the amount of compensation due  
8 any affected electric service supplier for the transfer of plant,  
9 facilities or associated lost revenues between electric service  
10 suppliers in the annexed area. The commission shall make such  
11 determinations based on findings of what best serves the public  
12 interest and shall issue its decision by report and order.  
13 Review of such commission decisions shall be governed by sections  
14 386.500 to 386.550. The payment of compensation and transfer of  
15 title and operation of the facilities shall occur within ninety  
16 days after the order and any appeal therefrom becomes final  
17 unless the order provides otherwise.

18 ~~[7-]~~ 8. In reaching its decision under subsection ~~[6]~~ 7 of  
19 this section, the commission shall consider the following  
20 factors:

21 (1) Whether the acquisition or transfers sought by the  
22 municipally owned electric utility within the annexed area from  
23 the affected electric service supplier are, in total, in the  
24 public interest, including the preference of the owner of any  
25 affected structure, consideration of rate disparities between the  
26 competing electric service suppliers, and issues of unjust rate  
27 discrimination among customers of a single electric service

1 supplier if the rates to be charged in the annexed areas are  
2 lower than those charged to other system customers; and

3 (2) The fair and reasonable compensation to be paid by the  
4 municipally owned electric utility, to the affected electric  
5 service supplier with existing system operations within the  
6 annexed area, for any proposed acquisitions or transfers; and

7 (3) Any effect on system operation, including, but not  
8 limited to, loss of load and loss of revenue; and

9 (4) Any other issues upon which the municipally owned  
10 electric utility and the affected electric service supplier might  
11 otherwise agree, including, but not limited to, the valuation  
12 formulas and factors contained in subsections ~~[4, 5 and 6,]~~ 5, 6,  
13 and 7 of this section, even if the parties could not voluntarily  
14 reach an agreement thereon under those subsections.

15 ~~[8.]~~ 9. The commission is hereby given all necessary  
16 jurisdiction over municipally owned electric utilities and rural  
17 electric cooperatives to carry out the purposes of this section  
18 consistent with other applicable law; provided, however, the  
19 commission shall not have jurisdiction to compel the transfer of  
20 customers or structures with a connected load greater than one  
21 thousand kilowatts. The commission shall by rule set appropriate  
22 fees to be charged on a case-by-case basis to municipally owned  
23 electric utilities and rural electric cooperatives to cover all  
24 necessary costs incurred by the commission in carrying out its  
25 duties under this section. Nothing in this section shall be  
26 construed as otherwise conferring upon the public service  
27 commission jurisdiction over the service, rates, financing,

1 accounting, or management of any rural electric cooperative or  
2 municipally owned electric utility, except as provided in this  
3 section.

4 10. Notwithstanding sections 394.020 and 394.080 to the  
5 contrary, a rural electric cooperative may provide electric  
6 service within the corporate boundaries of a municipality if such  
7 service is provided:

8 (1) Pursuant to subsections 2 through 9 of this section;  
9 and

10 (2) Such service is conditioned upon the execution of the  
11 appropriate territorial and municipal franchise agreements, which  
12 may include a nondiscriminatory requirement, consistent with  
13 other applicable law, that the rural electric cooperative collect  
14 and remit a sales tax based on the amount of electricity sold by  
15 the rural electric cooperative within the municipality.

16 393.106. 1. As used in this section, the following terms  
17 mean:

18 (1) "Permanent service", electrical service provided  
19 through facilities which have been permanently installed on a  
20 structure and which are designed to provide electric service for  
21 the structure's anticipated needs for the indefinite future, as  
22 contrasted with facilities installed temporarily to provide  
23 electrical service during construction. Service provided  
24 temporarily shall be at the risk of the electrical supplier and  
25 shall not be determinative of the rights of the provider or  
26 recipient of permanent service;

27 (2) "Structure" or "structures", an agricultural,

1 residential, commercial, industrial or other building or a  
2 mechanical installation, machinery or apparatus at which retail  
3 electric energy is being delivered through a metering device  
4 which is located on or adjacent to the structure and connected to  
5 the lines of an electrical supplier. Such terms shall include  
6 any contiguous or adjacent additions to or expansions of a  
7 particular structure. Nothing in this section shall be construed  
8 to confer any right on an electric supplier to serve new  
9 structures on a particular tract of land because it was serving  
10 an existing structure on that tract.

11 2. Once an electrical corporation or joint municipal  
12 utility commission, or its predecessor in interest, lawfully  
13 commences supplying retail electric energy to a structure through  
14 permanent service facilities, it shall have the right to continue  
15 serving such structure, and other suppliers of electrical energy  
16 shall not have the right to provide service to the structure  
17 except as might be otherwise permitted in the context of  
18 municipal annexation, pursuant to section 386.800 and section  
19 394.080, or pursuant to a territorial agreement approved under  
20 section 394.312. The public service commission, upon application  
21 made by an affected party, may order a change of suppliers on the  
22 basis that it is in the public interest for a reason other than a  
23 rate differential. The commission's jurisdiction under this  
24 section is limited to public interest determinations and excludes  
25 questions as to the lawfulness of the provision of service, such  
26 questions being reserved to courts of competent jurisdiction.  
27 Except as provided in this section, nothing contained herein

1 shall affect the rights, privileges or duties of existing  
2 corporations pursuant to this chapter. Nothing in this section  
3 shall be construed to make lawful any provision of service which  
4 was unlawful prior to July 11, 1991. Nothing in this section  
5 shall be construed to make unlawful the continued lawful  
6 provision of service to any structure which may have had a  
7 different supplier in the past, if such a change in supplier was  
8 lawful at the time it occurred. However, those customers who had  
9 cancelled service with their previous supplier or had requested  
10 cancellation by May 1, 1991, shall be eligible to change  
11 suppliers as per previous procedures. No customer shall be  
12 allowed to change electric suppliers by disconnecting service  
13 between May 1, 1991, and July 11, 1991.

14 3. Notwithstanding the provisions of this section, section  
15 91.025, section 394.080, and section 394.315 to the contrary, in  
16 the event that a retail electric supplier is providing service to  
17 a structure located within a city, town, or village that ceased  
18 to be a rural area, and such structure is demolished and replaced  
19 by a new structure, such retail electric service supplier may  
20 provide permanent service to the new structure upon the request  
21 of the owner of the new structure.

22 394.020. In this chapter, unless the context otherwise  
23 requires,

24 (1) "Member" means each incorporator of a cooperative and  
25 each person admitted to and retaining membership therein, and  
26 shall include a husband and wife admitted to joint membership;

27 (2) "Person" includes any natural person, firm,



1 association, corporation, business trust, partnership, federal  
2 agency, state or political subdivision or agency thereof, or any  
3 body politic; and

4 (3) "Rural area" shall be deemed to mean any area of the  
5 United States not included within the boundaries of any city,  
6 town or village having a population in excess of ~~【fifteen】~~  
7 sixteen hundred inhabitants, and such term shall be deemed to  
8 include both the farm and nonfarm population thereof. The number  
9 of inhabitants specified in this subsection shall be increased by  
10 six percent every ten years after each decennial census beginning  
11 in 2030.

12 394.315. 1. As used in this section, the following terms  
13 mean:

14 (1) "Permanent service", electrical service provided  
15 through facilities which have been permanently installed on a  
16 structure and which are designed to provide electric service for  
17 the structure's anticipated needs for the indefinite future, as  
18 contrasted with facilities installed temporarily to provide  
19 electrical service during construction. Service provided  
20 temporarily shall be at the risk of the electrical supplier and  
21 shall not be determinative of the rights of the provider or  
22 recipient of permanent service;

23 (2) "Structure" or "structures", an agricultural,  
24 residential, commercial, industrial or other building or a  
25 mechanical installation, machinery or apparatus at which retail  
26 electric energy is being delivered through a metering device  
27 which is located on or adjacent to the structure and connected to

1 the lines of an electrical supplier. Such terms shall include  
2 any contiguous or adjacent additions to or expansions of a  
3 particular structure. Nothing in this section shall be construed  
4 to confer any right on ~~[a rural electric cooperative]~~ an electric  
5 supplier to serve new structures on a particular tract of land  
6 because it was serving an existing structure on that tract.

7 2. Once a rural electric cooperative, or its predecessor in  
8 interest, lawfully commences supplying retail electric energy to  
9 a structure through permanent service facilities, it shall have  
10 the right to continue serving such structure, and other suppliers  
11 of electrical energy shall not have the right to provide service  
12 to the structure except as might be otherwise permitted in the  
13 context of municipal annexation, pursuant to section 386.800 and  
14 section 394.080, or pursuant to a territorial agreement approved  
15 under section 394.312. The public service commission, upon  
16 application made by an affected party, may order a change of  
17 suppliers on the basis that it is in the public interest for a  
18 reason other than a rate differential, and the commission is  
19 hereby given jurisdiction over rural electric cooperatives to  
20 accomplish the purpose of this section. The commission's  
21 jurisdiction under this section is limited to public interest  
22 determinations and excludes questions as to the lawfulness of the  
23 provision of service, such questions being reserved to courts of  
24 competent jurisdiction. Except as provided herein, nothing in  
25 this section shall be construed as otherwise conferring upon the  
26 commission jurisdiction over the service, rates, financing,  
27 accounting or management of any such cooperative, and except as

1 provided in this section, nothing contained herein shall affect  
2 the rights, privileges or duties of existing cooperatives  
3 pursuant to this chapter. Nothing in this section shall be  
4 construed to make lawful any provision of service which was  
5 unlawful prior to July 11, 1991. Nothing in this section shall  
6 be construed to make unlawful the continued lawful provision of  
7 service to any structure which may have had a different supplier  
8 in the past, if such a change in supplier was lawful at the time  
9 it occurred. However, those customers who had cancelled service  
10 with their previous supplier or had requested cancellation by May  
11 1, 1991, shall be eligible to change suppliers as per previous  
12 procedures. No customer shall be allowed to change electric  
13 suppliers by disconnecting service between May 1, 1991, and July  
14 11, 1991.

15 3. Notwithstanding the provisions of this section, section  
16 91.025, section 393.106, and section 394.080 to the contrary, in  
17 the event that a retail electric supplier is providing service to  
18 a structure located within a city, town, or village that has  
19 ceased to be a rural area, and such structure is demolished and  
20 replaced by a new structure, such retail electric service  
21 supplier may provide permanent service to the new structure upon  
22 the request of the owner of the new structure.

23 407.297. 1. Notwithstanding any other provision of law to  
24 the contrary, no person shall engage in the business of a copper  
25 property peddler in a city not within a county without first  
26 obtaining a license from the city and complying with the  
27 provisions of this section.

1        2. For the purposes of this section, the following terms  
2 shall mean:

3        (1) "Copper property", any insulated copper wire, copper  
4 tubing, copper guttering and downspouts, or any item composed  
5 completely of copper;

6        (2) "Copper property peddler", any person who sells or  
7 attempts to sell copper property and who is not either a licensed  
8 or certified tradesperson or does not hold a business license  
9 issued by the city.

10       3. The city shall determine the license fee. The license  
11 shall expire June thirtieth of each year. Each license shall  
12 bear a separate number, the name and address of the licensee, a  
13 color photo of the licensee, and telephone number of the  
14 licensee. The license shall be available only to the person in  
15 whose name it is issued and shall not be used by any person other  
16 than the original licensee. Any licensee who shall permit his or  
17 her license to be used by any other person, and any other person  
18 who shall use a license granted to another person, shall each be  
19 deemed guilty of a violation of this section.

20       4. Application for a license under this section shall be  
21 made in writing to the city and shall state the name, age,  
22 description, and address of the applicant. The application shall  
23 include a sworn statement setting forth each and every conviction  
24 of the applicant for violations of federal, state, or municipal  
25 laws, statutes, or ordinances. In addition, the applicant shall,  
26 at his or her expense, obtain a complete copy of the applicant's  
27 criminal record as indicated by the records of a law enforcement

1 agency and submit such record as part of the application. No  
2 license shall be granted to any person who has been convicted of  
3 burglary, robbery, stealing, theft, or possession or receiving  
4 stolen goods in the last twenty-four months prior to the date of  
5 the application.

6 5. The city shall have the power and authority to revoke  
7 any license under this section for any willful violation of this  
8 section by a copper property peddler, provided the licensee has  
9 been notified in writing at his or her place of business of the  
10 violations complained of and shall have been afforded a  
11 reasonable opportunity to have a hearing.

12 6. The provisions of this section shall only be effective  
13 when the city is actively issuing licenses to copper property  
14 peddlers.

15 407.300. 1. Every purchaser or collector of, or dealer in,  
16 junk, scrap metal, or any secondhand property who obtains items  
17 for resale or profit shall keep a register containing a written  
18 or electronic record for each purchase or trade in which each  
19 type of material subject to the provisions of this section is  
20 obtained for value. There shall be a separate record for each  
21 transaction involving any:

22 (1) Copper, brass, or bronze;

23 (2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod,  
24 fitting, or fastener;

25 (3) Material containing copper or aluminum that is  
26 knowingly used for farming purposes as farming is defined in  
27 section 350.010; whatever may be the condition or length of such

1 metal;

2 (4) Detached catalytic converter; or

3 (5) Motor vehicle, heavy equipment, or tractor battery.

4 2. The record required by this section shall contain the  
5 following data:

6 (1) A copy of the driver's license or photo identification  
7 issued by the state or by the United States government or agency  
8 thereof ~~[to]~~ of the person from whom the material is obtained;

9 (2) The current address, gender, birth date, and a color  
10 photograph of the person from whom the material is obtained if  
11 not included or are different from the identification required in  
12 subdivision (1) of this subsection;

13 (3) The date, time, and place of the transaction;

14 (4) The license plate number of the vehicle used by the  
15 seller during the transaction; and

16 (5) A full description of the material, including the  
17 weight and purchase price.

18 3. The records required under this section shall be  
19 maintained for a minimum of ~~[twenty-four]~~ thirty-six months from  
20 when such material is obtained and shall be available for  
21 inspection by any law enforcement officer.

22 4. ~~[Anyone convicted of violating this section shall be~~  
23 ~~guilty of a class B misdemeanor.]~~ No transaction that includes a  
24 detached catalytic converter shall occur at any location other  
25 than the fixed place of business of the purchaser or collector  
26 of, or dealer in, junk, scrap metal, or any secondhand property.  
27 No detached catalytic converter shall be altered, modified,

1 disassembled, or destroyed until it has been in the purchaser's,  
2 collector's, or dealer's possession for five business days.

3 5. Anyone licensed under section 301.218 who knowingly  
4 purchases a stolen detached catalytic converter shall be subject  
5 to the following penalties:

6 (1) For a first violation, a fine in the amount of five-  
7 thousand dollars;

8 (2) For a second violation, a fine in the amount of ten-  
9 thousand dollars; and

10 (3) For a third violation, revocation of the license for a  
11 business described under section 301.218.

12 6. This section shall not apply to ~~[any]~~ either of the  
13 following transactions:

14 (1) ~~[Any transaction for which the total amount paid for~~  
15 ~~all regulated material purchased or sold does not exceed fifty~~  
16 ~~dollars, unless the material is a catalytic converter,~~

17 ~~—(2)] Any transaction for which the seller~~~~[, including a~~  
18 ~~farm or farmer,]~~ has an existing business relationship with the  
19 scrap metal dealer and is known to the scrap metal dealer making  
20 the purchase to be an established business or political  
21 subdivision that operates a business with a fixed location that  
22 can be reasonably expected to generate regulated scrap metal and  
23 can be reasonably identified as such a business, and for which  
24 the seller is paid by check or by electronic funds transfer, or  
25 the seller produces an acceptable identification, which shall be  
26 a copy of the driver's license or photo identification issued by  
27 the state or by the United States government or agency thereof,

1 and a copy is retained by the purchaser; or

2 ~~[(3)]~~ (2) Any transaction for which the type of metal  
3 subject to subsection 1 of this section is a minor part of a  
4 larger item, except for heating and cooling equipment or  
5 equipment used in the generation and transmission of electrical  
6 power or telecommunications.

7 451.040. 1. Previous to any marriage in this state, a  
8 license for that purpose shall be obtained from the officer  
9 authorized to issue the same, and no marriage contracted shall be  
10 recognized as valid unless the license has been previously  
11 obtained, and unless the marriage is solemnized by a person  
12 authorized by law to solemnize marriages.

13 2. Before applicants for a marriage license shall receive a  
14 license, and before the recorder of deeds shall be authorized to  
15 issue a license, the parties to the marriage shall present an  
16 application for the license, duly executed and signed in the  
17 presence of the recorder of deeds or their deputy or  
18 electronically through an online process. If an applicant is  
19 unable to sign the application in the presence of the recorder of  
20 deeds as a result of the applicant's incarceration or because the  
21 applicant has been called or ordered to active military duty out  
22 of the state or country, the recorder of deeds may issue a  
23 license if:

24 (1) An affidavit or sworn statement is submitted by the  
25 incarcerated or military applicant on a form furnished by the  
26 recorder of deeds which includes the necessary information for  
27 the recorder of deeds to issue a marriage license under this



1 section. The form shall include, but not be limited to, the  
2 following:

3 (a) The names of both applicants for the marriage license;

4 (b) The date of birth of the incarcerated or military  
5 applicant;

6 (c) An attestation by the incarcerated or military  
7 applicant that both applicants are not related;

8 (d) The date the marriage ended if the incarcerated or  
9 military applicant was previously married;

10 (e) An attestation signed by the incarcerated or military  
11 applicant stating in substantial part that the applicant is  
12 unable to appear in the presence of the recorder of deeds as a  
13 result of the applicant's incarceration or because the applicant  
14 has been called or ordered to active military duty out of the  
15 state or country, which will be verified by the professional or  
16 official who directs the operation of the jail or prison or the  
17 military applicant's military officer, or such professional's or  
18 official's designee, and acknowledged by a notary public  
19 commissioned by the state of Missouri at the time of  
20 verification. However, in the case of an applicant who is called  
21 or ordered to active military duty outside Missouri,  
22 ~~[acknowledgement]~~ acknowledgment may be obtained by a notary  
23 public who is duly commissioned by a state other than Missouri or  
24 by notarial services of a military officer in accordance with the  
25 Uniform Code of Military Justice at the time of verification;

26 (2) The completed marriage license application of the  
27 incarcerated or military applicant is submitted which includes

1 the applicant's Social Security number; except that, in the event  
2 the applicant does not have a Social Security number, a sworn  
3 statement by the applicant to that effect; and

4 (3) A copy of a government-issued identification for the  
5 incarcerated or military applicant which contains the applicant's  
6 photograph. However, in such case the incarcerated applicant  
7 does not have such an identification because the jail or prison  
8 to which he or she is confined does not issue an identification  
9 with a photo his or her notarized application shall satisfy this  
10 requirement.

11 3. Each application for a license shall contain the Social  
12 Security number of the applicant, provided that the applicant in  
13 fact has a Social Security number, or the applicant shall sign a  
14 statement provided by the recorder that the applicant does not  
15 have a Social Security number. The Social Security number  
16 contained in an application for a marriage license shall be  
17 exempt from examination and copying pursuant to section 610.024.  
18 After the receipt of the application the recorder of deeds shall  
19 issue the license, unless one of the parties withdraws the  
20 application. The license shall be void after thirty days from  
21 the date of issuance.

22 4. Any person violating the provisions of this section  
23 shall be deemed guilty of a misdemeanor.

24 5. Common-law marriages shall be null and void.

25 6. Provided, however, that no marriage shall be deemed or  
26 adjudged invalid, nor shall the validity be in any way affected  
27 for want of authority in any person so solemnizing the marriage

1 pursuant to section 451.100, if consummated with the full belief  
2 on the part of the persons, so married, or either of them, that  
3 they were lawfully joined in marriage.

4 7. In the event a recorder of deeds utilizes an online  
5 process to accept applications for a marriage license or to issue  
6 a marriage license and the applicants' identity has not been  
7 verified in person, the recorder of deeds shall have a two-step  
8 identity verification process or a process that independently  
9 verifies the identity of such applicants. Such process shall be  
10 adopted as part of any electronic system for marriage licenses if  
11 the applicants do not present themselves to the recorder of deeds  
12 or his or her designee in person. It shall be the responsibility  
13 of the recorder of deeds to ensure any process adopted to allow  
14 electronic application or issuance of a marriage license verifies  
15 the identities of both applicants. The recorder of deeds shall  
16 not accept applications for or issue marriage licenses through  
17 the process provided in this subsection unless both applicants  
18 are at least eighteen years of age and at least one of the  
19 applicants is a resident of the county or city not within a  
20 county in which the application was submitted.

21 476.083. 1. In addition to any appointments made pursuant  
22 to section 485.010, the presiding judge of each circuit  
23 containing one or more facilities operated by the department of  
24 corrections with an average total inmate population in all such  
25 facilities in the circuit over the previous two years of more  
26 than two thousand five hundred inmates or containing, as of  
27 January 1, 2016, a diagnostic and reception center operated by

1 the department of corrections and a mental health facility  
2 operated by the department of mental health which houses persons  
3 found not guilty of a crime by reason of mental disease or defect  
4 under chapter 552 and provides sex offender rehabilitation and  
5 treatment services (SORTS) may appoint a circuit court marshal to  
6 aid the presiding judge in the administration of the judicial  
7 business of the circuit by overseeing the physical security of  
8 ~~[the courthouse,]~~ court facilities, including courtrooms, jury  
9 rooms, and chambers or offices of the court; serving court-  
10 generated papers and orders~~[,]~~ ; and assisting the judges of the  
11 circuit as the presiding judge determines appropriate. Such  
12 circuit court marshal appointed pursuant to the provisions of  
13 this section shall serve at the pleasure of the presiding judge.  
14 The circuit court marshal authorized by this section is in  
15 addition to staff support from the circuit clerks, deputy circuit  
16 clerks, division clerks, municipal clerks, and any other staff  
17 personnel which may otherwise be provided by law.

18 2. The salary of a circuit court marshal shall be  
19 established by the presiding judge of the circuit within funds  
20 made available for that purpose, but such salary shall not exceed  
21 ninety percent of the salary of the highest paid sheriff serving  
22 a county wholly or partially within that circuit. Personnel  
23 authorized by this section shall be paid from state funds or  
24 federal grant moneys which are available for that purpose and not  
25 from county funds.

26 3. Any person appointed as a circuit court marshal pursuant  
27 to this section shall have at least five years' prior experience

1 as a law enforcement officer. In addition, any such person shall  
2 within one year after appointment, or as soon as practicable,  
3 attend a court security school or training program operated by  
4 the United States Marshal Service. In addition to all other  
5 powers and duties prescribed in this section, a circuit court  
6 marshal may:

7 (1) Serve process;

8 (2) Wear a concealable firearm; and

9 (3) Make an arrest based upon local court rules and state  
10 law, and as directed by the presiding judge of the circuit.

11 485.060. 1. Each court reporter for a circuit judge shall  
12 receive an annual salary of twenty-six thousand nine hundred  
13 dollars beginning January 1, 1985, until December 31, 1985, and  
14 beginning January 1, 1986, an annual salary of thirty thousand  
15 dollars.

16 2. Such annual salary shall be modified by any salary  
17 adjustment provided by section 476.405[7] .

18 3. Beginning January 1, 2022, the annual salary, as  
19 modified under section 476.405, shall be adjusted upon meeting  
20 the minimum number of cumulative years of service as a court  
21 reporter with a circuit court of this state by the following  
22 schedule:

23 (1) For each court reporter with zero to five years of  
24 service: the annual salary shall be increased only by any salary  
25 adjustment provided by section 476.405;

26 (2) For each court reporter with six to ten years of  
27 service: the annual salary shall be increased by five and one-

1 quarter percent;

2 (3) For each court reporter with eleven to fifteen years of  
3 service: the annual salary shall be increased by eight and one-  
4 quarter percent;

5 (4) For each court reporter with sixteen to twenty years of  
6 service: the annual salary shall be increased by eight and one-  
7 half percent; or

8 (5) For each court reporter with twenty-one or more years  
9 of service: the annual salary shall be increased by eight and  
10 three-quarters percent.

11  
12 A court reporter may receive multiple adjustments under this  
13 subsection as his or her cumulative years of service increase,  
14 but only one percentage listed in subdivisions (1) to (5) of this  
15 subsection shall apply to the annual salary at a time.

16 4. Salaries shall be payable in equal monthly installments  
17 on the certification of the judge of the court or division in  
18 whose court the reporter is employed. ~~When~~ If paid by the  
19 state, the salaries of such court reporters shall be paid in  
20 semimonthly or monthly installments, as designated by the  
21 commissioner of administration.

22 488.2235. 1. In addition to all other court costs for  
23 municipal ordinance violations, any home rule city with more than  
24 four hundred thousand inhabitants and located in more than one  
25 county may provide for additional court costs in an amount up to  
26 five dollars per case for each municipal ordinance violation case  
27 filed before a municipal division judge or associate circuit

1 judge.

2 2. The judge may waive the assessment of the cost in those  
3 cases where the defendant is found by the judge to be indigent  
4 and unable to pay the costs.

5 3. Such cost shall be collected by the clerk and disbursed  
6 to the city at least monthly. The city shall use such additional  
7 costs only for the restoration, maintenance and upkeep of the  
8 municipal courthouse. The costs collected may be pledged to  
9 directly or indirectly secure bonds for the cost of restoration,  
10 maintenance and upkeep of the courthouse.

11 4. The provisions of this section shall expire August 28,  
12 ~~[2021]~~ 2026.

13 570.030. 1. A person commits the offense of stealing if he  
14 or she:

15 (1) Appropriates property or services of another with the  
16 purpose to deprive him or her thereof, either without his or her  
17 consent or by means of deceit or coercion;

18 (2) Attempts to appropriate anhydrous ammonia or liquid  
19 nitrogen of another with the purpose to deprive him or her  
20 thereof, either without his or her consent or by means of deceit  
21 or coercion; or

22 (3) For the purpose of depriving the owner of a lawful  
23 interest therein, receives, retains or disposes of property of  
24 another knowing that it has been stolen, or believing that it has  
25 been stolen.

26 2. The offense of stealing is a class A felony if the  
27 property appropriated consists of any of the following containing

1 any amount of anhydrous ammonia: a tank truck, tank trailer,  
2 rail tank car, bulk storage tank, field nurse, field tank or  
3 field applicator.

4 3. The offense of stealing is a class B felony if:

5 (1) The property appropriated or attempted to be  
6 appropriated consists of any amount of anhydrous ammonia or  
7 liquid nitrogen;

8 (2) The property consists of any animal considered  
9 livestock as the term livestock is defined in section 144.010, or  
10 any captive wildlife held under permit issued by the conservation  
11 commission, and the value of the animal or animals appropriated  
12 exceeds three thousand dollars and that person has previously  
13 been found guilty of appropriating any animal considered  
14 livestock or captive wildlife held under permit issued by the  
15 conservation commission. Notwithstanding any provision of law to  
16 the contrary, such person shall serve a minimum prison term of  
17 not less than eighty percent of his or her sentence before he or  
18 she is eligible for probation, parole, conditional release, or  
19 other early release by the department of corrections;

20 (3) A person appropriates property consisting of a motor  
21 vehicle, watercraft, or aircraft, and that person has previously  
22 been found guilty of two stealing-related offenses committed on  
23 two separate occasions where such offenses occurred within ten  
24 years of the date of occurrence of the present offense;

25 (4) The property appropriated or attempted to be  
26 appropriated consists of any animal considered livestock as the  
27 term is defined in section 144.010 if the value of the livestock



1 exceeds ten thousand dollars; or

2 (5) The property appropriated or attempted to be  
3 appropriated is owned by or in the custody of a financial  
4 institution and the property is taken or attempted to be taken  
5 physically from an individual person to deprive the owner or  
6 custodian of the property.

7 4. The offense of stealing is a class C felony if the value  
8 of the property or services appropriated is twenty-five thousand  
9 dollars or more.

10 5. The offense of stealing is a class D felony if:

11 (1) The value of the property or services appropriated is  
12 seven hundred fifty dollars or more;

13 (2) The offender physically takes the property appropriated  
14 from the person of the victim; or

15 (3) The property appropriated consists of:

16 (a) Any motor vehicle, watercraft or aircraft;

17 (b) Any will or unrecorded deed affecting real property;

18 (c) Any credit device, debit device or letter of credit;

19 (d) Any firearms;

20 (e) Any explosive weapon as defined in section 571.010;

21 (f) Any United States national flag designed, intended and  
22 used for display on buildings or stationary flagstaffs in the  
23 open;

24 (g) Any original copy of an act, bill or resolution,  
25 introduced or acted upon by the legislature of the state of  
26 Missouri;

27 (h) Any pleading, notice, judgment or any other record or

entry of any court of this state, any other state or of the United States;

(i) Any book of registration or list of voters required by chapter 115;

(j) Any animal considered livestock as that term is defined in section 144.010;

(k) Any live fish raised for commercial sale with a value of seventy-five dollars or more;

(l) Any captive wildlife held under permit issued by the conservation commission;

(m) Any controlled substance as defined by section 195.010;

(n) Ammonium nitrate;

(o) Any wire, electrical transformer, or metallic wire associated with transmitting telecommunications, video, internet, or voice over internet protocol service, or any other device or pipe that is associated with conducting electricity or transporting natural gas or other combustible fuels; or

(p) Any material appropriated with the intent to use such material to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues.

6. The offense of stealing is a class E felony if:

(1) The property appropriated is an animal; ~~[or]~~

(2) The property is a catalytic converter; or

(3) A person has previously been found guilty of three stealing-related offenses committed on three separate occasions where such offenses occurred within ten years of the date of occurrence of the present offense.

1           7. The offense of stealing is a class D misdemeanor if the  
2 property is not of a type listed in subsection 2, 3, 5, or 6 of  
3 this section, the property appropriated has a value of less than  
4 one hundred fifty dollars, and the person has no previous  
5 findings of guilt for a stealing-related offense.

6           8. The offense of stealing is a class A misdemeanor if no  
7 other penalty is specified in this section.

8           9. If a violation of this section is subject to enhanced  
9 punishment based on prior findings of guilt, such findings of  
10 guilt shall be pleaded and proven in the same manner as required  
11 by section 558.021.

12          10. The appropriation of any property or services of a type  
13 listed in subsection 2, 3, 5, or 6 of this section or of a value  
14 of seven hundred fifty dollars or more may be considered a  
15 separate felony and may be charged in separate counts.

16          11. The value of property or services appropriated pursuant  
17 to one scheme or course of conduct, whether from the same or  
18 several owners and whether at the same or different times,  
19 constitutes a single criminal episode and may be aggregated in  
20 determining the grade of the offense, except as set forth in  
21 subsection 10 of this section.

22          Section 1. No county, city, town or village in this state  
23 receiving public funds shall require documentation of an  
24 individual having received a vaccination against COVID-19 in  
25 order for the individual to access transportation systems or  
26 services or any other public accommodations.

27          Section B. Because of the importance of property tax relief

1 and the threat of government overreach to the residents of  
2 Missouri, the enactment of section 67.265 and the repeal and  
3 reenactment of sections 139.100 and 192.300 of this act is deemed  
4 necessary for the immediate preservation of the public health,  
5 welfare, peace, and safety, and is hereby declared to be an  
6 emergency act within the meaning of the constitution, and the  
7 enactment of section 67.265 and the repeal and reenactment of  
8 sections 139.100 and 192.300 of this act shall be in full force  
9 and effect upon its passage and approval.

10 ✓

11 \_\_\_\_\_  
12 \_\_\_\_\_  
13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 Representative John Wiemann

\_\_\_\_\_  
Senator Sandy Crawford