

FIRST REGULAR SESSION

# SENATE BILL NO. 384

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

1817S.011

ADRIANE D. CROUSE, Secretary

## AN ACT

To amend chapter 79, RSMo, by adding thereto one new section relating to appointment qualifications for certain municipal boards and commissions.

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

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

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

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

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

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

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

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

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

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