

FIRST REGULAR SESSION

# SENATE BILL NO. 558

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

2530S.02I

ADRIANE D. CROUSE, Secretary

## AN ACT

To repeal section 204.569, RSMo, and to enact in lieu thereof one new section relating to common sewer districts.

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

Section A. Section 204.569, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 204.569,  
3 to read as follows:

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  
4 sewer district shall have the same powers with regard to the  
5 subdistrict as for the common sewer district as a whole,  
6 plus the following additional powers:

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

17 (2) To provide for the construction, extension,  
18 improvement, and operation of such sewers, sewer systems,

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19 and treatment and disposal facilities, as the board  
20 determines necessary for the preservation of public health  
21 and maintenance of sanitary conditions in the subdistrict;

22 (3) For the purpose of meeting the costs of activities  
23 undertaken pursuant to the authority granted in this  
24 section, to issue bonds in anticipation of revenues of the  
25 subdistrict in the same manner as set out in sections  
26 204.360 to 204.450, for other bonds of the common sewer  
27 district. Issuance of such bonds for the subdistrict shall  
28 require the assent only of four-sevenths of the voters of  
29 the subdistrict voting on the question[, and] **except that,**  
30 **as an alternative to such a vote, if the subdistrict is a**  
31 **part of a common sewer district located in whole or in part**  
32 **in any county of the first classification without a charter**  
33 **form of government adjacent to a county of the first**  
34 **classification with a charter form of government and a**  
35 **population of at least six hundred thousand and not more**  
36 **than seven hundred fifty thousand, bonds may be issued for**  
37 **such subdistrict if the question receives the written assent**  
38 **of three-quarters of the customers of the subdistrict in a**  
39 **manner consistent with section 204.370, where "customer", as**  
40 **used in this subdivision, means any political subdivision**  
41 **within the subdistrict that has a service or user agreement**  
42 **with the common sewer district.** The principal and interest  
43 of such bonds shall be payable only from the revenues of the  
44 subdistrict and not from any revenues of the common sewer  
45 district as a whole;

46 (4) To charge the costs of the common sewer district  
47 for operation and maintenance attributable to the  
48 subdistrict, plus a proportionate share of the common sewer  
49 district's costs of administration to revenues of the  
50 subdistrict and to consider such costs in determining

51 reasonable charges to impose within the subdistrict under  
52 section 204.440;

53       (5) With prior concurrence of the subdistrict's  
54 advisory board, to provide for the treatment and disposal of  
55 sewage from the subdistrict in or by means of facilities of  
56 the common sewer district not located within the  
57 subdistrict, in which case the board of trustees shall also  
58 have authority to charge a proportionate share of the costs  
59 of the common sewer district for operation and maintenance  
60 to revenues of the subdistrict and to consider such costs in  
61 determining reasonable charges to impose within the  
62 subdistrict under section 204.440.

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