

SECOND REGULAR SESSION

SENATE BILL NO. 858

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOSLEY.

3177S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 321, RSMo, by adding thereto one new section relating to fire protection districts.

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

Section A. Chapter 321, RSMo, is amended by adding thereto one new section, to be known as section 321.731, to read as follows:

321.731. 1. Notwithstanding any other provision of law to the contrary, in any fire protection district which is located within, or which adjoins a fire protection district which is located within, in whole or in part, a street light maintenance district with a registration of more than one thousand but less than three thousand voters, or which is wholly located within a street light maintenance district with a registration of more than five hundred but less than one thousand voters, and that is located within a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, the board of election commissioners sitting as an apportionment commission of such county shall establish one ward for each district director for the purpose of electing directors of such districts. In the event of a tie vote for adoption of an apportionment or re-apportionment of wards, the chairperson of the affected fire district shall break the tie.

19 2. The ward boundaries shall be drawn by the
20 commissioners within ninety days after the effective date of
21 this act, and within six months after each decennial census
22 is reported to the president of the United States.

23 3. The commissioners shall apportion the wards by
24 dividing the population, determined by the preceding
25 decennial census, of the district by the number of directors
26 and shall establish each ward so that the population of that
27 ward shall, as nearly as possible, equal that figure or be
28 within one percent thereof. Each ward shall be composed of
29 contiguous territory as compact as may be.

30 4. All directors elected or appointed in such
31 districts shall be elected or appointed to represent one of
32 the wards, beginning with the first general municipal
33 election or vacancy occurring after the effective date of
34 this act. Each member shall reside for one year prior to
35 the date of his or her election in the ward from which he or
36 she is elected, or in the case of a vacancy, the ward from
37 which he or she is appointed; and shall forfeit their office
38 if they remove their residence from the ward. Such vacancy
39 may be declared, after notice and a hearing, and the office
40 filled by the remaining members of the board as provided by
41 law.

42 5. Elected members of the board in office on the
43 effective date of this act, shall hold office for the length
44 of the term for which they were elected, and until their
45 successors are elected and qualified, and any members
46 appointed to fill vacancies in office occurring after the
47 effective date of this act, shall serve until the next
48 general municipal election, at which time a successor shall
49 be elected to serve for the remainder of the term to which
50 the replaced member was elected.

51 6. At the first general municipal election to occur
52 after the effective date of this act, at which an election
53 for a fire protection district director is scheduled to be
54 on the ballot, the elections for the seats of any expiring
55 terms or appointed terms, as provided herein, of at-large
56 board members shall be filled by persons elected from the
57 lowest-numbered wards, as those wards are created and
58 numbered by the apportionment commission. At the second
59 general municipal election to occur after the effective date
60 of this act, at which an election for a fire protection
61 district director is scheduled to be on the ballot, the
62 elections for the seats of any expiring terms or appointed
63 terms, as provided herein, of at-large board members, shall
64 be filled by persons elected from the lowest-numbered wards,
65 not filled at the prior election. At the third general
66 municipal election to occur after the effective date of this
67 act, at which an election for a fire protection district
68 director is scheduled to be on the ballot, the elections for
69 the seats of any expiring terms or appointed terms, as
70 provided herein, of at-large board members, shall be filled
71 by persons elected from the lowest-numbered wards, not
72 filled at the prior two elections.

73 7. The law governing fire protection districts shall
74 continue to apply to any district described in this section,
75 except as expressly provided in this section.

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