

SENATE BILL NO. 706

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOENIG.

2758S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 72.418, RSMo, and to enact in lieu thereof one new section relating to fire protection services in St. Louis county.

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

Section A. Section 72.418, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 72.418,
3 to read as follows:

72.418. 1. Notwithstanding any other provision of law
2 to the contrary, no new city created pursuant to sections
3 72.400 to 72.423 shall establish a municipal fire department
4 to provide fire protection services, including emergency
5 medical services, if such city formerly consisted of
6 unincorporated areas in the county or municipalities in the
7 county, or both, which are provided fire protection services
8 and emergency medical services by one or more fire
9 protection districts. Such fire protection districts shall
10 continue to provide services to the area comprising the new
11 city and may levy and collect taxes the same as such
12 districts had prior to the creation of such new city.

2. Fire protection districts serving the area included
14 within any annexation by a city having a fire department,
15 including simplified boundary changes, shall continue to
16 provide fire protection services, including emergency
17 medical services to such area **for the first five full**
18 **calendar years following the effective date of the**

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

19 **annexation.** The annexing city shall pay annually to the
20 fire protection district an amount equal to that which the
21 fire protection district would have levied on all taxable
22 property within the annexed area. Such annexed area shall
23 not be subject to taxation for any purpose thereafter by the
24 fire protection district except for bonded indebtedness by
25 the fire protection district which existed prior to the
26 annexation. The amount to be paid annually by the
27 municipality to the fire protection district pursuant hereto
28 shall be a sum equal to the annual assessed value multiplied
29 by the annual tax rate as certified by the fire protection
30 district to the municipality, including any portion of the
31 tax created for emergency medical service provided by the
32 district, per one hundred dollars of assessed value in such
33 area. The tax rate so computed shall include any tax on
34 bonded indebtedness incurred subsequent to such annexation,
35 but shall not include any portion of the tax rate for bonded
36 indebtedness incurred prior to such annexation.
37 Notwithstanding any other provision of law to the contrary,
38 the residents of an area annexed on or after May 26, 1994,
39 may vote in all fire protection district elections and may
40 be elected to the fire protection district board of
41 directors.

42 3. [The fire protection district may approve or reject
43 any proposal for the provision of fire protection and
44 emergency medical services by a city] **Beginning on January**
45 **first of the sixth calendar year after the effective date of**
46 **the annexation, the annexing city having a fire department**
47 **shall pay annually to the fire protection district an amount**
48 **specified in an agreement approved by the governing bodies**
49 **of the city and the fire protection district. The agreement**
50 **may provide for the payment of compensation to the fire**

51 protection district of a stated sum per year that is agreed
52 upon by the fire protection district and the city entering
53 into such agreement; provided that any contract for a period
54 longer than five years shall have no binding force until
55 ratified by a majority of the voters in the fire protection
56 district and the city entering into such a contract. In the
57 event the city and the fire protection district are unable
58 to agree to an annual sum as provided in this subsection,
59 the city may choose to extend its fire protection and
60 emergency medical services to the annexed area or contract
61 with another service provider for service in the annexed
62 area. If the city elects to provide such fire protection
63 service or contract with another service provider, the fire
64 protection district shall cease to provide service to the
65 annexed area as of the date specified by the city and any
66 obligation for the city to pay the fire protection district
67 for service shall terminate, except as follows:

68 (1) During the month of January following the
69 termination of service to the annexed area by the fire
70 protection district, the city shall pay the fire protection
71 district a termination fee equal to fifty percent of the
72 total amount paid by the city to the fire protection
73 district during the last full calendar year of service by
74 the fire protection district to the annexed area less any
75 amount paid in that prior year for bonded indebtedness
76 incurred after annexation;

77 (2) In January of the following year, the city shall
78 pay the fire protection district a termination fee equal to
79 fifty percent of the amount paid by the city to the fire
80 protection district during the preceding year; and

81 (3) In January of the following year, the city shall
82 pay the fire protection district a termination fee equal to

83 fifty percent of the amount paid by the city to the fire
84 protection district during the preceding year, after which
85 any obligation of the city to make any payment to the fire
86 protection district shall terminate;

87 Provided, however, that the city shall continue to pay the
88 fire protection district an amount equal to that which the
89 fire protection district would have levied on all taxable
90 property within the annexed area for bonded indebtedness
91 incurred after annexation until such indebtedness is paid.
92 If, after termination of service to an annexed area by the
93 fire protection district, the fire protection district shall
94 dissolve, merge, annex, or in any other manner become part
95 of another fire protection district, the city's obligation
96 to make any termination fee payments shall cease as of the
97 effective date of such dissolution, merger, annexation, or
98 becoming part of another fire protection district.

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