

SENATE BILL NO. 1286

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (26).

4967S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 67, RSMo, by adding thereto one new section relating to applications for property developments.

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

Section A. Chapter 67, RSMo, is amended by adding thereto
2 one new section, to be known as section 67.486, to read as
3 follows:

67.486. 1. As used in this section, the following
2 terms mean:

3 (1) "Political subdivision", a local public body
4 created under the Constitution of Missouri or by the general
5 assembly that exercises governmental functions for purposes
6 of a request made under this section;

7 (2) "Request", an application for a permit or any
8 other kind of prior approval from a political subdivision
9 for a permit related to the construction of a new
10 residential, commercial, or industrial building or the
11 repair or renovation of any such existing building.

12 2. (1) If an applicant submits a request to a
13 political subdivision, the political subdivision shall
14 approve or deny the applicant's request within thirty
15 calendar days.

16 (2) If no response is received by an applicant within
17 thirty calendar days, the request shall be deemed approved

18 and the applicant is authorized to proceed with the
19 construction as provided in the request.

20 (3) If the request is approved, the political
21 subdivision shall not impose on the applicant additional
22 requirements related to the request.

23 (4) (a) If the political subdivision denies the
24 request, the political subdivision shall state in writing to
25 the applicant the reasons for the denial.

26 (b) The written denial shall consist of the following:

27 a. If the request relates to work that is stamped by a
28 certified design professional and such request is denied on
29 the basis of the political subdivision's rejection of such
30 work, a detailed description of why the work of the design
31 professional who stamped such work is so inferior or so
32 insufficient that the political subdivision cannot approve
33 the request; or

34 b. If the request is denied on the basis of a
35 violation of a code provision governing any part of the
36 development or improvement that is the subject of the
37 request, a citation to the code provision the political
38 subdivision determines has been violated.

39 (5) The time limit in this subsection begins upon the
40 political subdivision's receipt of the applicant's request
41 as indicated by the political subdivision's notification to
42 the applicant that the applicant's electronic submission was
43 received or a receipt provided to the applicant upon the in-
44 person submission of such request.

45 3. (1) A political subdivision may deny an
46 applicant's request under subsection 2 of this section as
47 incomplete.

48 (2) The request is incomplete if the political
49 subdivision determines the request fails to contain all

50 information required by law, or by rule, ordinance, or
51 policy of the political subdivision, adopted prior to the
52 submission of the request.

53 (3) If the political subdivision denies a request as
54 incomplete, the political subdivision shall state in writing
55 to the applicant the reasons for the denial of the request
56 as incomplete and provide the applicant ten calendar days
57 during which such applicant may resubmit the application
58 with the requested information for a review in the
59 application's entirety for approval or denial as provided
60 under subsection 2 of this section.

61 (4) If an applicant resubmits a subsequent incomplete
62 request after receiving a written denial as incomplete, the
63 political subdivision shall not issue a subsequent denial of
64 the request as incomplete for reasons not included in the
65 denial for incompleteness of the initial request.

66 (5) Nothing in this subsection prevents a political
67 subdivision from denying any resubmitted incomplete request
68 for a reason related to the merits of the request rather
69 than the completeness of the request as provided under
70 subsection 2 of this section.

71 4. If an applicant resubmits a request after receiving
72 a written denial as required under subsection 2 of this
73 section, the political subdivision shall not issue a
74 subsequent denial that includes additional unrelated reasons
75 for denial that were unspecified and not included in the
76 denial of the initial request.

77 5. (1) The time limit in subsection 2 of this section
78 shall reset only if, within twenty calendar days of receipt
79 of the applicant's initial request, the political
80 subdivision sends written notice to the applicant of the

81 denial of the request as incomplete as provided under
82 subsection 3 of this section.

83 (2) If the denial of the request as incomplete by the
84 political subdivision is after twenty calendar days and
85 before the time limit in subsection 2 of this section and
86 the applicant resubmits the application with the requested
87 information for a review in the application's entirety, the
88 political subdivision shall have ten calendar days to
89 approve or deny the application based on the merits.

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