

SECOND REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 918

89TH GENERAL ASSEMBLY

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INTRODUCED BY SENATORS HOWARD, LYBYER AND McKENNA.

Read 1st time February 16, 1998, and 1,000 copies ordered printed.

Read 2nd time February 18, 1998, and referred to the Committee on Appropriations.

Reported from the Committee March 11, 1998, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 25, 1998. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

S3886.01P

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## AN ACT

To repeal sections 630.520 and 630.530, RSMo 1994, relating to lease of land.

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

Section A. Sections 630.520 and 630.530, RSMo 1994, are repealed, to read as follows:

[630.520. 1. The director of the department may lease any real property determined by the chief administrative officer at each facility to be in excess of the immediate needs or requirements of the facility.

2. The state director of the division of purchasing shall authorize the lease of such larger parcels of lands by sealed bids to the general public. The bids shall be opened by the state director of the division of purchasing, but all bids may be rejected.

3. The term of the lease shall be for a period of one year or less, shall give the lessor the option of renewing the lease from year to year and shall include conditions that the lessee shall hold the state harmless and indemnify it from liability for his acts or omission.

4. The chief administrative officer of the state facility where the land is located, or his designee, shall periodically inspect the property to insure compliance with all

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

provisions of the lease.]

[630.530. 1. Notwithstanding the provisions of subsection 10 of section 37.005, RSMo, to the contrary, if the department discontinues the use of any land or any building or portion thereof on the grounds of any of its facilities, whether for patient or resident care, habilitation and treatment or for administration, the department shall inform the commissioner of administration of the availability of such land or buildings and whether certain governmental, private, or not for profit activities could be conducted on the grounds and be compatible with the services of the facilities.

2. The commissioner may lease such land or buildings pursuant to public bid to governmental, private, or not for profit entities.

3. The department shall charge such entity at least for the costs of utilities and services it furnishes to the lessee of any land or building it leases; except that the cost of utilities and services furnished may be waived by the department where the lessee is a not for profit entity whose activities confer a benefit on the facility or its residents, or both, in an amount that equals or exceeds such costs of utilities and services furnished.

4. The term of the lease on any building or portion thereof shall be for a term of one year or less, shall give the department the option of renewing the lease from year to year and shall include conditions that the lessee shall use and maintain the land and building for uses compatible with the services of the facility. The term of the lease on any land leased pursuant to this section shall be for an initial term not in excess of twenty years, but shall give the department the option of renewing the lease for a period not in excess of twenty years. The lease shall by its terms protect the state from liability for damages occurring on the land or in the building.

5. The governor shall sign the lease on behalf of the state.]

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Bill  
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