

CONFERENCE COMMITTEE SUBSTITUTE NO. 2

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 672

AN ACT

To repeal sections 49.266, 56.067, 56.265, 56.363, 56.807, 56.816, 67.281, 67.320, 79.130, 94.270, 182.802, 192.310, 304.190, 321.322, 339.507, 348.407, 408.040, 488.305, 525.040, 525.070, 525.080, 525.230, and 525.310, RSMo, and to enact in lieu thereof thirty-three new sections relating to political subdivisions, with an existing penalty provision, and an effective date for certain sections.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1           Section A. Sections 49.266, 56.067, 56.265, 56.363, 56.807,  
2 56.816, 67.281, 67.320, 79.130, 94.270, 182.802, 192.310,  
3 304.190, 321.322, 339.507, 348.407, 408.040, 488.305, 525.040,  
4 525.070, 525.080, 525.230, and 525.310, RSMo, are repealed and  
5 thirty-three new sections enacted in lieu thereof, to be known as  
6 sections 49.266, 56.067, 56.265, 56.363, 56.807, 56.816, 57.095,  
7 67.281, 67.320, 79.130, 79.135, 94.270, 105.1415, 135.980,  
8 182.802, 190.088, 192.310, 249.424, 262.960, 262.962, 304.190,  
9 321.322, 339.531, 339.507, 348.407, 407.1610, 408.040, 488.305,  
10 525.040, 525.070, 525.080, 525.230, and 525.310, to read as  
11 follows:

1           49.266. 1. The county commission in all noncharter  
2 counties [of the first, second or fourth classification] may by  
3 order or ordinance promulgate reasonable regulations concerning  
4 the use of county property, the hours, conditions, methods and  
5 manner of such use and the regulation of pedestrian and vehicular  
6 traffic and parking thereon.

7           2. Violation of any regulation so adopted under subsection  
8 1 of this section is an infraction.

9           3. Upon a determination by the state fire marshal that a  
10 burn ban order is appropriate for a county because:

11           (1) An actual or impending occurrence of a natural disaster  
12 of major proportions within the county jeopardizes the safety and  
13 welfare of the inhabitants of such county; and

14           (2) The U.S. Drought Monitor has designated the county as  
15 an area of severe, extreme, or exceptional drought, the county  
16 commission may adopt an order or ordinance issuing a burn ban,  
17 which may carry a penalty of up to a class A misdemeanor. State  
18 agencies responsible for fire management or suppression  
19 activities and persons conducting agricultural burning using best  
20 management practices shall not be subject to the provisions of  
21 this subsection. The ability of an individual, organization, or  
22 corporation to sell fireworks shall not be affected by the  
23 issuance of a burn ban. The county burn ban may prohibit the  
24 explosion or ignition of any missile or skyrocket as the terms  
25 "missile" and "skyrocket" are defined by the 2012 edition of the  
26 American Fireworks Standards Laboratory, but shall not ban the  
27 explosion or ignition of any other consumer fireworks as the term  
28 "consumer fireworks" is defined under section 320.106.

1           4. The regulations so adopted shall be codified, printed  
2 and made available for public use and adequate signs concerning  
3 smoking, traffic and parking regulations shall be posted.

4           56.067. In counties of the first classification not having  
5 a charter form of government[, ] and other counties in which [have  
6 passed the proposition authorized by section 56.363] the  
7 prosecuting attorney is a full-time position, the prosecuting  
8 attorney, except in the performance of special prosecutions or  
9 otherwise representing the state or its political subdivisions,  
10 shall devote full time to his office, and shall not engage in the  
11 practice of law.

12           56.265. 1. The county prosecuting attorney in any county,  
13 other than in a chartered county, shall receive an annual salary  
14 computed using the following schedule, when applicable. The  
15 assessed valuation factor shall be the amount thereof as shown  
16 for the year immediately preceding the year for which the  
17 computation is done.

18           (1) For a full-time prosecutor the prosecutor shall receive  
19 compensation equal to the compensation of an associate circuit  
20 judge;

21           (2) For a part-time prosecutor:

Assessed Valuation	Amount
\$ 18,000,000 to 40,999,999	\$37,000
41,000,000 to 53,999,999	38,000
54,000,000 to 65,999,999	39,000
66,000,000 to 85,999,999	41,000
86,000,000 to 99,999,999	43,000
100,000,000 to 130,999,999	45,000

1	131,000,000 to 159,999,999	47,000
2	160,000,000 to 189,999,999	49,000
3	190,000,000 to 249,999,999	51,000
4	250,000,000 to 299,999,999	53,000
5	300,000,000 or more	55,000

6           2. Two thousand dollars of the salary authorized in this  
7 section shall be payable to the prosecuting attorney only if the  
8 prosecuting attorney has completed at least twenty hours of  
9 classroom instruction each calendar year relating to the  
10 operations of the prosecuting attorney's office when approved by  
11 a professional association of the county prosecuting attorneys of  
12 Missouri unless exempted from the training by the professional  
13 association. The professional association approving the program  
14 shall provide a certificate of completion to each prosecuting  
15 attorney who completes the training program and shall send a list  
16 of certified prosecuting attorneys to the treasurer of each  
17 county. Expenses incurred for attending the training session may  
18 be reimbursed to the county prosecuting attorney in the same  
19 manner as other expenses as may be appropriated for that purpose.

20           3. As used in this section, the term "prosecuting attorney"  
21 includes the circuit attorney of any city not within a county.

22           4. The prosecuting attorney of any county which becomes a  
23 county of the first classification during a four-year term of  
24 office or a county which passed the proposition authorized by  
25 subsection 1 of section 56.363 shall not be required to devote  
26 full time to such office pursuant to section 56.067 until the  
27 beginning of the prosecuting attorney's next term of office or  
28 until the proposition otherwise becomes effective.

1           5. The provisions of section 56.066 shall not apply to  
2 full-time prosecutors who are compensated pursuant to subdivision  
3 (1) of subsection 1 of this section.

4           56.363. 1. The county commission of any county may on its  
5 own motion and shall upon the petition of ten percent of the  
6 total number of people who voted in the previous general election  
7 in the county submit to the voters at a general or special  
8 election the proposition of making the county prosecutor a  
9 full-time position. The commission shall cause notice of the  
10 election to be published in a newspaper published within the  
11 county, or if no newspaper is published within the county, in a  
12 newspaper published in an adjoining county, for three weeks  
13 consecutively, the last insertion of which shall be at least ten  
14 days and not more than thirty days before the day of the  
15 election, and by posting printed notices thereof at three of the  
16 most public places in each township in the county. The  
17 proposition shall be put before the voters substantially in the  
18 following form:

19           Shall the office of prosecuting attorney be made a full-time  
20 position in ..... County?

21                            YES                            NO

22 If a majority of the voters voting on the proposition vote in  
23 favor of making the county prosecutor a full-time position, it  
24 shall become effective upon the date that the prosecutor who is  
25 elected at the next election subsequent to the passage of such  
26 proposal is sworn into office.

27           2. The provisions of subsection 1 of this section  
28 notwithstanding, in any county where the proposition of making

1 the county prosecutor a full-time position was submitted to the  
2 voters at a general election in 1998 and where a majority of the  
3 voters voting on the proposition voted in favor of making the  
4 county prosecutor a full-time position, the proposition shall  
5 become effective on May 1, 1999. Any prosecuting attorney whose  
6 position becomes full time on May 1, 1999, under the provisions  
7 of this subsection shall have the additional duty of providing  
8 not less than three hours of continuing education to peace  
9 officers in the county served by the prosecuting attorney in each  
10 year of the term beginning January 1, 1999.

11 3. In counties that, prior to August 28, 2001, have elected  
12 pursuant to this section to make the position of prosecuting  
13 attorney a full-time position, the county commission may at any  
14 time elect to have that position also qualify for the retirement  
15 benefit available for a full-time prosecutor of a county of the  
16 first classification. Such election shall be made by a majority  
17 vote of the county commission and once made shall be irrevocable,  
18 unless the voters of the county elect to change the position of  
19 prosecuting attorney back to a part-time position under  
20 subsection 4 of this section. When such an election is made, the  
21 results shall be transmitted to the Missouri prosecuting  
22 attorneys and circuit attorneys' retirement system fund, and the  
23 election shall be effective on the first day of January following  
24 such election. Such election shall also obligate the county to  
25 pay into the Missouri prosecuting attorneys and circuit  
26 attorneys' system retirement fund the same retirement  
27 contributions for full-time prosecutors as are paid by counties  
28 of the first classification.

1           4. In any county of the third classification without a  
2 township form of government and with more than twelve thousand  
3 but fewer than fourteen thousand inhabitants and with a city of  
4 the fourth classification with more than one thousand seven  
5 hundred but fewer than one thousand nine hundred inhabitants as  
6 the county seat that has elected to make the county prosecutor a  
7 full-time position under this section after the effective date of  
8 this act, the county commission may on its own motion and shall  
9 upon the petition of ten percent of the total number of people  
10 who voted in the previous general election in the county submit  
11 to the voters at a general or special election the proposition of  
12 changing the full-time prosecutor position to a part-time  
13 position. The commission shall cause notice of the election to  
14 be published in a newspaper published within the county, or if no  
15 newspaper is published within the county, in a newspaper  
16 published in an adjoining county, for three weeks consecutively,  
17 the last insertion of which shall be at least ten days and not  
18 more than thirty days before the day of the election, and by  
19 posting printed notices thereof at three of the most public  
20 places in each township in the county. The proposition shall be  
21 put before the voters substantially in the following form:

22           Shall the office of prosecuting attorney be made a part-time  
23 position in ..... County?

24                    YES                                    NO

25 If a majority of the voters vote in favor of making the county  
26 prosecutor a part-time position, it shall become effective upon  
27 the date that the prosecutor who is elected at the next election  
28 subsequent to the passage of such proposal is sworn into office.

1           5. In any county that has elected to make the full-time  
2 position of county prosecutor a part-time position under  
3 subsection 4 of this section, the county's retirement  
4 contribution to the retirement system and the retirement benefit  
5 earned by the member shall prospectively be that of a part-time  
6 prosecutor as established in this chapter. Any retirement  
7 contribution made and retirement benefit earned prior to the  
8 effective date of the voter approved proposition under subsection  
9 4 of this section shall be maintained by the retirement system  
10 and used to calculate the retirement benefit for such prior full-  
11 time position service. Under no circumstances shall a member in  
12 a part-time prosecutor position earn full-time position  
13 retirement benefit service accruals for time periods after the  
14 effective date of the proposition changing the county prosecutor  
15 back to a part-time position.

16           56.807. 1. Beginning August 28, 1989, and continuing  
17 monthly thereafter until August 27, 2003, the funds for  
18 prosecuting attorneys and circuit attorneys provided for in  
19 subsection 2 of this section shall be paid from county or city  
20 funds.

21           2. Beginning August 28, 1989, and continuing monthly  
22 thereafter until August 27, 2003, each county treasurer shall pay  
23 to the system the following amounts to be drawn from the general  
24 revenues of the county:

25           (1) For counties of the third and fourth classification  
26 except as provided in subdivision (3) of this subsection, three  
27 hundred seventy-five dollars;

28           (2) For counties of the second classification, five hundred

1 forty-one dollars and sixty-seven cents;

2 (3) For counties of the first classification, and, except  
3 as otherwise provided under section 56.363, counties which  
4 pursuant to section 56.363 elect to make the position of  
5 prosecuting attorney a full-time position after August 28, 2001,  
6 or whose county commission has elected a full-time retirement  
7 benefit pursuant to subsection 3 of section 56.363, and the city  
8 of St. Louis, one thousand two hundred ninety-one dollars and  
9 sixty-seven cents.

10 3. Beginning August 28, 1989, and continuing until August  
11 27, 2003, the county treasurer shall at least monthly transmit  
12 the sums specified in subsection 2 of this section to the  
13 Missouri office of prosecution services for deposit to the credit  
14 of the "Missouri Prosecuting Attorneys and Circuit Attorneys'  
15 Retirement System Fund", which is hereby created. All moneys  
16 held by the state treasurer on behalf of the system shall be paid  
17 to the system within ninety days after August 28, 1993. Moneys  
18 in the Missouri prosecuting attorneys and circuit attorneys'  
19 retirement system fund shall be used only for the purposes  
20 provided in sections 56.800 to 56.840 and for no other purpose.

21 4. Beginning August 28, 2003, the funds for prosecuting  
22 attorneys and circuit attorneys provided for in this section  
23 shall be paid from county or city funds and the surcharge  
24 established in this section and collected as provided by this  
25 section and sections 488.010 to 488.020.

26 5. Beginning August 28, 2003, each county treasurer shall  
27 pay to the system the following amounts to be drawn from the  
28 general revenues of the county:

1           (1) For counties of the third and fourth classification  
2 except as provided in subdivision (3) of this subsection, one  
3 hundred eighty-seven dollars;

4           (2) For counties of the second classification, two hundred  
5 seventy-one dollars;

6           (3) For counties of the first classification, counties  
7 which pursuant to section 56.363 elect to make the position of  
8 prosecuting attorney a full-time position after August 28, 2001,  
9 or whose county commission has elected a full-time retirement  
10 benefit pursuant to subsection 3 of section 56.363, and the city  
11 of St. Louis, six hundred forty-six dollars.

12           6. Beginning August 28, 2003, the county treasurer shall at  
13 least monthly transmit the sums specified in subsection 5 of this  
14 section to the Missouri office of prosecution services for  
15 deposit to the credit of the Missouri prosecuting attorneys and  
16 circuit attorneys' retirement system fund. Moneys in the  
17 Missouri prosecuting attorneys and circuit attorneys' retirement  
18 system fund shall be used only for the purposes provided in  
19 sections 56.800 to 56.840, and for no other purpose.

20           7. Beginning August 28, 2003, the following surcharge for  
21 prosecuting attorneys and circuit attorneys shall be collected  
22 and paid as follows:

23           (1) There shall be assessed and collected a surcharge of  
24 four dollars in all criminal cases filed in the courts of this  
25 state including violation of any county ordinance or any  
26 violation of criminal or traffic laws of this state, including  
27 infractions, but no such surcharge shall be assessed when the  
28 costs are waived or are to be paid by the state, county, or

1 municipality or when a criminal proceeding or the defendant has  
2 been dismissed by the court or against any person who has pled  
3 guilty and paid their fine pursuant to subsection 4 of section  
4 476.385. For purposes of this section, the term "county  
5 ordinance" shall include any ordinance of the city of St. Louis;

6 (2) The clerk responsible for collecting court costs in  
7 criminal cases shall collect and disburse such amounts as  
8 provided by sections 488.010 to 488.026. Such funds shall be  
9 payable to the prosecuting attorneys and circuit attorneys'  
10 retirement fund. Moneys credited to the prosecuting attorneys  
11 and circuit attorneys' retirement fund shall be used only for  
12 the purposes provided for in sections 56.800 to 56.840 and for no  
13 other purpose.

14 8. The board may accept gifts, donations, grants and  
15 bequests from private or public sources to the Missouri  
16 prosecuting attorneys and circuit attorneys' retirement system  
17 fund.

18 9. No state moneys shall be used to fund section 56.700 and  
19 sections 56.800 to 56.840 unless provided for by law.

20 56.816. 1. The normal annuity of a retired member who  
21 served as prosecuting attorney of a county of the third or fourth  
22 class shall, except as provided in subsection 3 of this section,  
23 be equal to:

24 (1) Any member who has served twelve or more years as a  
25 prosecuting attorney and who meets the conditions of retirement  
26 at or after the member's normal retirement age shall be entitled  
27 to a normal annuity in a monthly amount equal to one hundred five  
28 dollars multiplied by the number of two-year periods and partial

1 two-year periods served as a prosecuting attorney;

2 (2) Any member who has served twenty or more years as a  
3 prosecuting attorney and who meets the conditions of retirement  
4 at or after the member's normal retirement age shall be entitled  
5 to a normal annuity in a monthly amount equal to one hundred  
6 thirty dollars multiplied by the number of two-year periods and  
7 partial two-year periods as a prosecuting attorney.

8 2. The normal annuity of a retired member who served as  
9 prosecuting attorney of a first or second class county or as  
10 circuit attorney of a city not within a county shall be equal to  
11 fifty percent of the final average compensation.

12 3. Except as otherwise provided under section 56.363, the  
13 normal annuity of a retired member who served as a prosecuting  
14 attorney of a county which after August 28, 2001, elected to make  
15 the position of prosecuting attorney full time pursuant to  
16 section 56.363 shall be equal to fifty percent of the final  
17 average compensation.

18 4. The actuarial present value of a retired member's  
19 benefits shall be placed in a reserve account designated as a  
20 "Retired Lives Reserve". The value of the retired lives reserve  
21 shall be increased by the actuarial present value of retiring  
22 members' benefits, and by the interest earning of the total fund  
23 on a pro rata basis and it shall be decreased by payments to  
24 retired members and their survivors. Each year the actuary shall  
25 compare the actuarial present value of retired members' benefits  
26 with the retired lives reserve. If the value of the retired  
27 lives reserve plus one year's interest at the assumed rate of  
28 interest exceeds the actuarial present value of retired lives,

1 then distribution of this excess may be made equally to all  
2 retired members, or their eligible survivors. The distribution  
3 may be in a single sum or in monthly payments at the discretion  
4 of the board on the advice of the actuary.

5 57.095. Notwithstanding the provisions of section 537.600  
6 to the contrary, sheriffs or any other law enforcement officers  
7 shall have immunity from any liability, civil or criminal, while  
8 conducting service of process at the direction of any court to  
9 the extent that the officers' actions do not violate clearly  
10 established statutory or constitutional rights of which a  
11 reasonable person would have known.

12 67.281. 1. A builder of one- or two-family dwellings or  
13 townhouses shall offer to any purchaser on or before the time of  
14 entering into the purchase contract the option, at the  
15 purchaser's cost, to install or equip fire sprinklers in the  
16 dwelling or townhouse. Notwithstanding any other provision of  
17 law to the contrary, no purchaser of such a one- or two-family  
18 dwelling or townhouse shall be denied the right to choose or  
19 decline to install a fire sprinkler system in such dwelling or  
20 townhouse being purchased by any code, ordinance, rule,  
21 regulation, order, or resolution by any county or other political  
22 subdivision. Any county or other political subdivision shall  
23 provide in any such code, ordinance, rule, regulation, order, or  
24 resolution the mandatory option for purchasers to have the right  
25 to choose and the requirement that builders offer to purchasers  
26 the option to purchase fire sprinklers in connection with the  
27 purchase of any one- or two-family dwelling or townhouse. The  
28 provisions of this section shall expire on December 31, [2019]

1 2024.

2 2. Any governing body of any political subdivision that  
3 adopts the 2009 International Residential Code for One- and  
4 Two-Family Dwellings or a subsequent edition of such code without  
5 mandated automatic fire sprinkler systems in Section R313 of such  
6 code shall retain the language in section R317 of the 2006  
7 International Residential Code for two-family dwellings (R317.1)  
8 and townhouses (R317.2).

9 67.320. 1. Any county [of the first classification with  
10 more than one hundred ninety-eight thousand but less than one  
11 hundred ninety-nine thousand two hundred] with a charter form of  
12 government and with more than two hundred thousand but fewer than  
13 three hundred fifty thousand inhabitants or any county of the  
14 first classification with more than one hundred one thousand but  
15 fewer than one hundred fifteen thousand inhabitants may prosecute  
16 and punish violations of its county orders in the circuit court  
17 of such counties in the manner and to the extent herein provided  
18 or in a county municipal court if creation of a county municipal  
19 court is approved by order of the county commission. The county  
20 may adopt orders with penal provisions consistent with state law,  
21 but only in the areas of traffic violations, solid waste  
22 management, county building codes, on-site sewer treatment,  
23 zoning orders, and animal control. Any county municipal court  
24 established pursuant to the provisions of this section shall have  
25 jurisdiction over violations of that county's orders and the  
26 ordinances of municipalities with which the county has a contract  
27 to prosecute and punish violations of municipal ordinances of the  
28 municipality.

1           2. Except as provided in subsection 5 of this section in  
2 any county which has elected to establish a county municipal  
3 court pursuant to this section, the judges for such court shall  
4 be appointed by the county commission of such county, subject to  
5 confirmation by the legislative body of such county in the same  
6 manner as confirmation for other county appointed officers. The  
7 number of judges appointed, and qualifications for their  
8 appointment, shall be established by order of the commission.

9           3. The practice and procedure of each prosecution shall be  
10 conducted in compliance with all of the terms and provisions of  
11 sections 66.010 to 66.140, except as provided for in this  
12 section.

13           4. Any use of the term ordinance in sections 66.010 to  
14 66.140 shall be synonymous with the term order for purposes of  
15 this section.

16           5. In any county of the first classification with more than  
17 one hundred one thousand but fewer than one hundred fifteen  
18 thousand inhabitants, the first judges shall be appointed by the  
19 county commission for a term of four years, and thereafter the  
20 judges shall be elected for a term of four years. The number of  
21 judges appointed, and qualifications for their appointment, shall  
22 be established by order of the commission.

23           79.130. 1. The style of the ordinances of the city shall  
24 be: "Be it ordained by the board of aldermen of the city of  
25 ....., as follows:" No ordinance shall be passed except by  
26 bill, and no bill shall become an ordinance unless on its final  
27 passage a majority of the members elected to the board of  
28 aldermen shall vote for it, and the ayes and nays be entered on

1 the journal. Every proposed ordinance shall be introduced to the  
2 board of aldermen in writing and shall be read by title or in  
3 full two times prior to passage, both readings may occur at a  
4 single meeting of the board of aldermen. If the proposed  
5 ordinance is read by title only, copies of the proposed ordinance  
6 shall be made available for public inspection prior to the time  
7 the bill is under consideration by the board of aldermen. No  
8 bill shall become an ordinance until it shall have been signed by  
9 the mayor or person exercising the duties of the mayor's office,  
10 or shall have been passed over the mayor's veto, as herein  
11 provided.

12 2. The provisions of this section shall not apply to  
13 ordinances proposed or passed under section 79.135.

14 79.135. 1. In any city of the fourth classification with  
15 more than five thousand but fewer than six thousand inhabitants  
16 and located in any county of the third classification without a  
17 township form of government and with more than sixteen thousand  
18 but fewer than eighteen thousand inhabitants, a proposed  
19 ordinance may be submitted to the board of aldermen by petition  
20 signed by at least ten percent of the registered voters voting  
21 for mayor at the last municipal election. The petition shall  
22 contain, in addition to the requisite number of valid signatures,  
23 the full text of the ordinance sought to be passed and a request  
24 that the ordinance be submitted to a vote of the people if not  
25 passed by the board of aldermen.

26 2. The signatures to the petition need not all be appended  
27 to one paper, but each signer shall add to his or her signature  
28 his or her place of residence, giving the street and number. One

1 of the signers of each such paper shall make oath before an  
2 officer competent to administer oaths that the statements therein  
3 made are true as he or she believes and that each signature to  
4 the paper appended is the genuine signature of the person whose  
5 name it purports to be.

6 3. Within ten days from the date of filing such petition,  
7 the city clerk shall examine and ascertain whether the petition  
8 is signed by the requisite number of voters, and, if necessary,  
9 the board of aldermen shall allow the clerk extra help for such  
10 purpose. The clerk shall attach a certificate of examination to  
11 the petition. If by the clerk's certificate the petition is  
12 shown to be insufficient, the petition may be amended within ten  
13 days from the date of the issuance of the clerk's certificate.  
14 The clerk shall, within ten days after such amendment, make like  
15 examination of the amended petition. If the second certificate  
16 shows the petition to be insufficient, the petition shall be  
17 returned to the person filing it, without prejudice to the filing  
18 of a new petition to the same effect. If the petition is deemed  
19 to be sufficient, the clerk shall submit it to the board of  
20 aldermen without delay.

21 4. Upon receipt of the petition and certificate from the  
22 clerk, the board of aldermen shall either:

23 (1) Pass said ordinance without alteration within twenty  
24 days after attachment of the clerk's certificate to the  
25 accompanying petition; or

26 (2) Submit the question without alteration to the voters at  
27 the next municipal election, or, if the petition has been signed  
28 by twenty-five percent or more of the registered voters voting

1 for mayor at the last municipal election, the board of aldermen  
2 shall immediately submit the question without alteration to the  
3 voters of the city.

4 5. The question shall be submitted in substantially the  
5 following form:

6 Shall the following ordinance be (adopted) (repealed)?

7 (Set out ordinance)

8 6. If a majority of the voters vote in favor thereof, such  
9 ordinance shall thereupon become a valid and binding ordinance of  
10 the city.

11 7. Any number of proposed ordinances may be voted upon at  
12 the same election, in accordance with the provisions of this  
13 section.

14 8. Any ordinance in effect that was proposed by petition  
15 cannot be repealed except by a vote of the people. The board of  
16 aldermen may submit a proposition for the repeal of any such  
17 ordinance or for amendments thereto, to be voted upon at any  
18 municipal election; and should such proposition receive a  
19 majority of the votes cast thereon, such ordinance shall thereby  
20 be repealed or amended accordingly. The board of aldermen may  
21 amend an ordinance proposed by petition without a vote of the  
22 people, but the original purpose of the ordinance may not be  
23 changed by such amendment.

24 94.270. 1. The mayor and board of aldermen shall have  
25 power and authority to regulate and to license and to levy and  
26 collect a license tax on auctioneers, druggists, hawkers,  
27 peddlers, banks, brokers, pawnbrokers, merchants of all kinds,  
28 grocers, confectioners, restaurants, butchers, taverns, hotels,

1 public boardinghouses, billiard and pool tables and other tables,  
2 bowling alleys, lumber dealers, real estate agents, loan  
3 companies, loan agents, public buildings, public halls, opera  
4 houses, concerts, photographers, bill posters, artists, agents,  
5 porters, public lecturers, public meetings, circuses and shows,  
6 for parades and exhibitions, moving picture shows, horse or  
7 cattle dealers, patent right dealers, stockyards, inspectors,  
8 gaugers, mercantile agents, gas companies, insurance companies,  
9 insurance agents, express companies, and express agents,  
10 telegraph companies, light, power and water companies, telephone  
11 companies, manufacturing and other corporations or institutions,  
12 automobile agencies, and dealers, public garages, automobile  
13 repair shops or both combined, dealers in automobile accessories,  
14 gasoline filling stations, soft drink stands, ice cream stands,  
15 ice cream and soft drink stands combined, soda fountains, street  
16 railroad cars, omnibuses, drays, transfer and all other vehicles,  
17 traveling and auction stores, plumbers, and all other business,  
18 trades and avocations whatsoever, and fix the rate of carriage of  
19 persons, drayage and cartage of property; and to license, tax,  
20 regulate and suppress ordinaries, money brokers, money changers,  
21 intelligence and employment offices and agencies, public  
22 masquerades, balls, street exhibitions, dance houses, fortune  
23 tellers, pistol galleries, corn doctors, private venereal  
24 hospitals, museums, menageries, equestrian performances,  
25 horoscopic views, telescopic views, lung testers, muscle  
26 developers, magnifying glasses, ten pin alleys, ball alleys,  
27 billiard tables, pool tables and other tables, theatrical or  
28 other exhibitions, boxing and sparring exhibitions, shows and

1 amusements, tippling houses, and sales of unclaimed goods by  
2 express companies or common carriers, auto wrecking shops and  
3 junk dealers; to license, tax and regulate hackmen, draymen,  
4 omnibus drivers, porters and all others pursuing like  
5 occupations, with or without vehicles, and to prescribe their  
6 compensation; and to regulate, license and restrain runners for  
7 steamboats, cars, and public houses; and to license ferries, and  
8 to regulate the same and the landing thereof within the limits of  
9 the city, and to license and tax auto liveries, auto drays and  
10 jitneys.

11 2. Notwithstanding any other law to the contrary, no city  
12 of the fourth classification with more than eight hundred but  
13 less than nine hundred inhabitants and located in any county with  
14 a charter form of government and with more than one million  
15 inhabitants shall levy or collect a license fee on hotels or  
16 motels in an amount in excess of ~~twenty-seven~~ thirteen dollars  
17 fifty cents per room per year. No hotel or motel in such city  
18 shall be required to pay a license fee in excess of such amount,  
19 and any license fee in such city that exceeds the limitations of  
20 this subsection shall be automatically reduced to comply with  
21 this subsection.

22 3. Notwithstanding any other law to the contrary, no city  
23 of the fourth classification with more than four thousand one  
24 hundred but less than four thousand two hundred inhabitants and  
25 located in any county with a charter form of government and with  
26 more than one million inhabitants shall levy or collect a license  
27 fee on hotels or motels in an amount in excess of thirteen  
28 dollars and fifty cents per room per year. No hotel or motel in

1 such city shall be required to pay a license fee in excess of  
2 such amount, and any license fee in such city that exceeds the  
3 limitations of this subsection shall be automatically reduced to  
4 comply with this subsection.

5 4. Notwithstanding any other law to the contrary, on or  
6 after January 1, 2006, no city of the fourth classification with  
7 more than fifty-one thousand three hundred and eighty but less  
8 than fifty-one thousand four hundred inhabitants and located in  
9 any county with a charter form of government and with more than  
10 two hundred eighty thousand but less than two hundred eighty-five  
11 thousand or no city of the fourth classification with more than  
12 fifty-one thousand but fewer than fifty-two thousand inhabitants  
13 and located in any county with a charter form of government and  
14 with more than two hundred eighty thousand but less than two  
15 hundred eighty-five thousand shall levy or collect a license fee  
16 on hotels or motels in an amount in excess of one thousand  
17 dollars per year. No hotel or motel in such city shall be  
18 required to pay a license fee in excess of such amount, and any  
19 license fee in such city that exceeds the limitation of this  
20 subsection shall be automatically reduced to comply with this  
21 subsection.

22 5. Any city under subsection 4 of this section may increase  
23 a hotel and motel license tax by five percent per year but the  
24 total tax levied under this section shall not exceed one-eighth  
25 of one percent of such hotels' or motels' gross revenue.

26 6. Any city under subsection 1 of this section may increase  
27 a hotel and motel license tax by five percent per year but the  
28 total tax levied under this section shall not exceed the greater

1 of:

2 (1) One-eighth of one percent of such hotels' or motels'  
3 gross revenue; or

4 (2) The business license tax rate for such hotel or motel  
5 on May 1, 2005.

6 7. The provisions of subsection 6 of this section shall not  
7 apply to any tax levied by a city when the revenue from such tax  
8 is restricted for use to a project from which bonds are  
9 outstanding as of May 1, 2005.

10 105.1415. Any person who performs volunteer work in the  
11 office of a judge or prosecutor and receives no pay or  
12 compensation shall not be considered an employee of the county or  
13 municipality.

14 135.980. 1. As used in this section, the following terms  
15 shall mean:

16 (1) "NAICS", the classification provided by the most recent  
17 edition of the North American Industry Classification System as  
18 prepared by the Executive Office of the President, Office of  
19 Management and Budget;

20 (2) "Public financial incentive", any economic or financial  
21 incentive offered including:

22 (a) Any tax reduction, credit, forgiveness, abatement,  
23 subsidy, or other tax-relieving measure;

24 (b) Any tax increment financing or similar financial  
25 arrangement;

26 (c) Any monetary or non-monetary benefit related to any  
27 bond, loan, or similar financial arrangement;

28 (d) Any reduction, credit, forgiveness, abatement, subsidy,

1 or other relief related to any bond, loan, or similar financial  
2 arrangement; and

3 (e) The ability to form, own, direct, or receive any  
4 economic or financial benefit from any special taxation district.

5 2. No city not within a county shall by ballot measure  
6 impose any restriction on any public financial incentive  
7 authorized by statute for a business with a NAICS code of 212111.

8 3. The provisions of this section shall expire on December  
9 31, 2017.

10 182.802. 1. (1) Any public library district located in  
11 any of the following counties may impose a tax as provided in  
12 this section:

13 (a) At least partially within any county of the third  
14 classification without a township form of government and with  
15 more than forty thousand eight hundred but fewer than forty  
16 thousand nine hundred inhabitants;

17 (b) Any county of the third classification without a  
18 township form of government and with more than thirteen thousand  
19 five hundred but fewer than thirteen thousand six hundred  
20 inhabitants;

21 (c) Any county of the third classification without a  
22 township form of government and with more than thirteen thousand  
23 two hundred but fewer than thirteen thousand three hundred  
24 inhabitants;

25 (d) Any county of the third classification with a township  
26 form of government and with more than twenty-nine thousand seven  
27 hundred but fewer than twenty-nine thousand eight hundred  
28 inhabitants;

1 (e) Any county of the second classification with more than  
2 nineteen thousand seven hundred but fewer than nineteen thousand  
3 eight hundred inhabitants;

4 (f) Any county of the third classification with a township  
5 form of government and with more than thirty-three thousand one  
6 hundred but fewer than thirty-three thousand two hundred  
7 inhabitants;

8 (g) Any county of the third classification without a  
9 township form of government and with more than eighteen thousand  
10 but fewer than twenty thousand inhabitants and with a city of the  
11 third classification with more than six thousand but fewer than  
12 seven thousand inhabitants as the county seat;

13 (h) Any county of the fourth classification with more than  
14 twenty thousand but fewer than thirty thousand inhabitants.

15 (2) Any public library district listed in subdivision (1)  
16 of this subsection may, by a majority vote of its board of  
17 directors, impose a tax not to exceed one-half of one cent on all  
18 retail sales subject to taxation under sections 144.010 to  
19 144.525 for the purpose of funding the operation and maintenance  
20 of public libraries within the boundaries of such library  
21 district. The tax authorized by this subsection shall be in  
22 addition to all other taxes allowed by law. No tax under this  
23 subsection shall become effective unless the board of directors  
24 submits to the voters of the district, at a county or state  
25 general, primary or special election, a proposal to authorize the  
26 tax, and such tax shall become effective only after the majority  
27 of the voters voting on such tax approve such tax.

28 2. In the event the district seeks to impose a sales tax

1 under this subsection, the question shall be submitted in  
2 substantially the following form:

3 Shall a ..... cent sales tax be levied on all retail  
4 sales within the district for the purpose of providing funding  
5 for ..... library district?

6  YES  NO

7

8 If a majority of the votes cast on the proposal by the qualified  
9 voters voting thereon are in favor of the proposal, then the tax  
10 shall become effective. If a majority of the votes cast by the  
11 qualified voters voting are opposed to the proposal, then the  
12 board of directors shall have no power to impose the tax unless  
13 and until another proposal to authorize the tax is submitted to  
14 the voters of the district and such proposal is approved by a  
15 majority of the qualified voters voting thereon. The provisions  
16 of sections 32.085 and 32.087 shall apply to any tax approved  
17 under this subsection.

18 3. As used in this section, "qualified voters" or "voters"  
19 means any individuals residing within the district who are  
20 eligible to be registered voters and who have registered to vote  
21 under chapter 115, or, if no individuals are eligible and  
22 registered to vote reside within the proposed district, all of  
23 the owners of real property located within the proposed district  
24 who have unanimously petitioned for or consented to the adoption  
25 of an ordinance by the governing body imposing a tax authorized  
26 in this section. If the owner of the property within the  
27 proposed district is a political subdivision or corporation of  
28 the state, the governing body of such political subdivision or

1 corporation shall be considered the owner for purposes of this  
2 section.

3 4. For purposes of this section the term "public library  
4 district" shall mean any city library district, county library  
5 district, city-county library district, municipal library  
6 district, consolidated library district, or urban library  
7 district.

8 190.088. 1. A city of the fourth classification with more  
9 than two thousand seven hundred but fewer than three thousand  
10 inhabitants and located in any county of the first classification  
11 with more than eighty-three thousand but fewer than ninety-two  
12 thousand inhabitants that is located partially within an  
13 ambulance district may file with the ambulance district's board  
14 of directors a notice of intention of detachment stating the  
15 city's intent that the area located within the city and the  
16 ambulance district, or a portion of such area, is to be excluded  
17 and taken from the district. The filing of a notice of intention  
18 of detachment must be authorized by ordinance. Such notice of  
19 intention of detachment shall describe the subject area to be  
20 excluded from the ambulance district in the form of a legal  
21 description and map.

22 2. After filing the notice of intention of detachment with  
23 the ambulance district, the city shall conduct a public hearing  
24 on the notice of intention of detachment and give notice by  
25 publication in a newspaper of general circulation qualified to  
26 publish legal matters in the county where the subject area is  
27 located, at least once a week for three consecutive weeks prior  
28 to the hearing, with the last notice being not more than twenty

1 days and not less than ten days before the hearing. The hearing  
2 may be continued to another date without further notice other  
3 than a motion to be entered upon the minutes fixing the time and  
4 place of the subsequent hearing. At the public hearing, the city  
5 shall present its reasons why it desires to detach the subject  
6 area from the ambulance district and its plan to provide or cause  
7 to be provided ambulance services to the subject area.

8 3. Following the public hearing, the governing body of the  
9 city may approve the detachment of the subject area from the  
10 ambulance district by enacting an ordinance with two-thirds of  
11 all members of the legislative body of the city voting in favor  
12 of the ordinance.

13 4. Upon duly enacting such detachment ordinance, the city  
14 shall cause three certified copies of the same to be filed with  
15 the county assessor and the clerk of the county wherein the city  
16 is located and one certified copy to be filed with the election  
17 authority if different from the clerk of the county that has  
18 jurisdiction over the area being detached.

19 5. Upon the effective date of the ordinance, which may be  
20 up to one year from the date of its passage and approval, the  
21 ambulance district shall no longer provide or cause to be  
22 provided ambulance services to the subject area and shall no  
23 longer levy and collect any tax upon the property included within  
24 the detached area, provided that all real property excluded from  
25 an ambulance district shall thereafter be subject to the levy of  
26 taxes for the payment of any indebtedness of the ambulance  
27 district outstanding at the time of exclusion; provided that  
28 after any real property shall have been excluded from an

1 ambulance district as provided under this section, any buildings  
2 and improvements thereafter erected or constructed on the  
3 excluded real property, all machinery and equipment thereafter  
4 installed or placed on the excluded real property, and all  
5 tangible personal property not in the ambulance district at the  
6 time of the exclusion of the subject area, shall not be subject  
7 to any taxes levied by the ambulance district.

8 6. The city shall also:

9 (1) On or before January first of the second calendar year  
10 after the date on which the property was detached from the  
11 ambulance district, pay to the ambulance district a fee equal to  
12 the amount of revenue that would have been generated during the  
13 previous calendar year by the ambulance district tax on the  
14 property in the area detached which was formerly part of the  
15 ambulance district;

16 (2) On or before January first of the third calendar year  
17 after the date on which the property was detached from the  
18 ambulance district, pay to the ambulance district a fee equal to  
19 four-fifths of the amount of revenue that would have been  
20 generated during the previous calendar year by the ambulance  
21 district tax on the property in the area detached which was  
22 formerly a part of the ambulance district;

23 (3) On or before January first of the fourth calendar year  
24 occurring after the date on which the property was detached from  
25 the ambulance district, pay to the ambulance district a fee equal  
26 to three-fifths of the amount of revenue that would have been  
27 generated during the previous calendar year by the ambulance  
28 district tax on the property in the area detached which was

1 formerly a part of the ambulance district;

2 (4) On or before January first of the fifth calendar year  
3 occurring after the date on which the property was detached from  
4 the ambulance district, pay to the ambulance district a fee equal  
5 to two-fifths of the amount of revenue that would have been  
6 generated during the previous calendar year by the ambulance  
7 district tax on the property in the area detached which was  
8 formerly a part of the ambulance district; and

9 (5) On or before January first of the sixth calendar year  
10 occurring after the date on which the property was detached from  
11 the ambulance district, pay to the ambulance district a fee equal  
12 to one-fifth of the amount of revenue that would have been  
13 generated during the previous calendar year by the ambulance  
14 district tax on the property in the area detached which was  
15 formerly a part of the ambulance district.

16 7. The provisions of this section shall not apply to any  
17 county in which a boundary commission has been established under  
18 sections 72.400 to 72.423.

19 192.310. Nothing in sections 192.260 to 192.320 shall apply  
20 to any home rule city with more than sixty-four thousand but  
21 fewer than seventy-one thousand inhabitants, or cities which now  
22 have, or may hereafter have, a population of seventy-five  
23 thousand or over which are maintaining organized health  
24 departments; provided, that such cities shall furnish the  
25 department of health and senior services reports of contagious,  
26 infectious, communicable or dangerous diseases, which have been  
27 designated by them as such and such other statistical information  
28 as the board may require.

1           249.424. 1. If approved by a majority of the voters voting  
2 on the proposal, and upon the adoption of a resolution by a  
3 majority of the sewer district's board of trustees, any sewer  
4 district established and organized under this chapter, may levy  
5 and impose annually a fee not to exceed thirty-six dollars per  
6 year within its boundaries for the repair of lateral sewer  
7 service lines on or connecting residential property having six or  
8 fewer dwelling units, except that the fee shall not be imposed on  
9 property in the sewer district that is located within any city,  
10 town, village, or unincorporated area of a county that already  
11 imposes a fee under section 249.422. Any sewer district that  
12 establishes or increases the fee used to repair any portion of  
13 the lateral sewer service line shall include all defective  
14 portions of the lateral sewer service line from the residential  
15 structure to its connection with the public sewer system line.  
16 Notwithstanding any provision of chapter 448, the fee imposed  
17 pursuant to this chapter shall be imposed upon condominiums that  
18 have six or fewer condominium units per building and each  
19 condominium unit shall be responsible for its proportionate share  
20 of any fee charged pursuant to this chapter, and in addition, any  
21 condominium unit shall, if determined to be responsible for and  
22 served by its own individual lateral sewer line, be treated as an  
23 individual residence regardless of the number of units in the  
24 development. It shall be the responsibility of the condominium  
25 owner or condominium association to notify the sewer district  
26 that they are not properly classified as provided in this  
27 section.

28           2. The question shall be submitted to the registered voters

1 who reside within the boundaries of the sewer district, excluding  
2 any voters who live within the boundaries of any city, town,  
3 village, or unincorporated area of a county that already imposes  
4 a fee under section 249.422. The question shall be submitted in  
5 substantially the following form:

6 Shall a maximum charge not to exceed thirty-six dollars be  
7 assessed annually on residential property for each lateral sewer  
8 service line serving six or fewer dwelling units on that property  
9 and condominiums that have six or fewer condominium units per  
10 building and any condominium responsible for its own individual  
11 lateral sewer line to provide funds to pay the cost of certain  
12 repairs of those lateral sewer service lines which may be billed  
13 quarterly or annually?

14  YES

14  NO

15 3. If a majority of the voters voting thereon approve the  
16 proposal provided for in subsection 2 of this section, any sewer  
17 district established and organized under this chapter may, upon  
18 the adoption of a resolution by a majority of the sewer  
19 district's board of trustees, collect and administer such fee in  
20 order to protect the public health, welfare, peace, and safety.  
21 The funds collected shall be deposited in a special account to be  
22 used solely for the purpose of paying for all or a portion of the  
23 costs reasonably associated with and necessary to administer and  
24 carry out the defective lateral sewer service line repairs. All  
25 interest generated on deposited funds shall be accrued to the  
26 special account established for the repair of lateral sewer  
27 service lines.

28 4. The collector in any county containing a sewer district

1 that adopts a resolution under this section to collect a fee for  
2 the repair of lateral sewer service lines may add such fee to the  
3 general tax levy bills of property owners within the boundaries  
4 of the sewer district, excluding property located in any city,  
5 town, village, or unincorporated area of the county that already  
6 imposes a fee under section 249.422. All revenues received on  
7 such combined bill for the purpose of providing for the repair of  
8 lateral sewer service lines shall be separated from all other  
9 revenues so collected and credited to the special account  
10 established by the sewer district under subsection 3 of this  
11 section.

12 5. If a city, town, village, or county, which is within the  
13 sewer district and imposed a fee under section 249.422, later  
14 rescinds such fee after voters authorized the fee provided under  
15 this section, the sewer district may submit the question provided  
16 under subsection 2 of this section to the registered voters of  
17 such city, town, village, or county that have property within the  
18 boundaries of the sewer district. If a majority of voters voting  
19 on the proposal approve, the sewer district may levy and impose  
20 the fee as provided under this section on property within such  
21 city, town, village, or county.

22 262.960. 1. This section shall be known and may be cited  
23 as the "Farm-to-School Act".

24 2. There is hereby created within the department of  
25 agriculture the "Farm-to-School Program" to connect Missouri  
26 farmers and schools in order to provide schools with locally  
27 grown agricultural products for inclusion in school meals and  
28 snacks and to strengthen local farming economies. The department

1 shall designate an employee to administer and monitor the farm-  
2 to-school program and to serve as liaison between Missouri  
3 farmers and schools.

4 3. The following agencies shall make staff available to the  
5 Missouri farm-to-school program for the purpose of providing  
6 professional consultation and staff support to assist the  
7 implementation of this section:

8 (1) The department of health and senior services;

9 (2) The department of elementary and secondary education;

10 and

11 (3) The office of administration.

12 4. The duties of the department employee coordinating the  
13 farm-to-school program shall include, but not be limited to:

14 (1) Establishing and maintaining a website database to  
15 allow farmers and schools to connect whereby farmers can enter  
16 the locally grown agricultural products they produce along with  
17 pricing information, the times such products are available, and  
18 where they are willing to distribute such products;

19 (2) Providing leadership at the state level to encourage  
20 schools to procure and use locally grown agricultural products;

21 (3) Conducting workshops and training sessions and  
22 providing technical assistance to school food service directors,  
23 personnel, farmers, and produce distributors and processors  
24 regarding the farm-to-school program; and

25 (4) Seeking grants, private donations, or other funding  
26 sources to support the farm-to-school program.

27 262.962. 1. As used in this section, section 262.960, and  
28 subsection 5 of section 348.407, the following terms shall mean:

1       (1) "Locally grown agricultural products", food or fiber  
2 produced or processed by a small agribusiness or small farm;

3       (2) "Schools", includes any school in this state that  
4 maintains a food service program under the United States  
5 Department of Agriculture and administered by the school;

6       (3) "Small agribusiness", a qualifying agribusiness as  
7 defined in section 348.400, and located in Missouri with gross  
8 annual sales of less than five million dollars;

9       (4) "Small farm", a family-owned farm or family farm  
10 corporation as defined in section 350.010, and located in  
11 Missouri with less than two hundred fifty thousand dollars in  
12 gross sales per year.

13       2. There is hereby created a taskforce under the  
14 AgriMissouri program established in section 261.230, which shall  
15 be known as the "Farm-to-School Taskforce". The taskforce shall  
16 be made up of at least one representative from each of the  
17 following agencies: the University of Missouri extension  
18 service, the department of agriculture, the department of  
19 elementary and secondary education, and the office of  
20 administration. In addition, the director of the department of  
21 agriculture shall appoint two persons actively engaged in the  
22 practice of small agribusiness. In addition, the director of the  
23 department of elementary and secondary education shall appoint  
24 two persons from schools within the state who direct a food  
25 service program. One representative for the department of  
26 agriculture shall serve as the chairperson for the taskforce and  
27 shall coordinate the taskforce meetings. The taskforce shall  
28 hold at least two meetings, but may hold more as it deems

1 necessary to fulfill its requirements under this section. Staff  
2 of the department of agriculture may provide administrative  
3 assistance to the taskforce if such assistance is required.

4 3. The mission of the taskforce is to provide  
5 recommendations for strategies that:

6 (1) Allow schools to more easily incorporate locally grown  
7 agricultural products into their cafeteria offerings, salad bars,  
8 and vending machines; and

9 (2) Allow schools to work with food service providers to  
10 ensure greater use of locally grown agricultural products by  
11 developing standardized language for food service contracts.

12 4. In fulfilling its mission under this section, the  
13 taskforce shall review various food service contracts of schools  
14 within the state to identify standardized language that could be  
15 included in such contracts to allow schools to more easily  
16 procure and use locally grown agricultural products.

17 5. The taskforce shall prepare a report containing its  
18 findings and recommendations and shall deliver such report to the  
19 governor, the general assembly, and to the director of each  
20 agency represented on the taskforce by no later than December 31,  
21 2015.

22 6. In conducting its work, the taskforce may hold public  
23 meetings at which it may invite testimony from experts, or it may  
24 solicit information from any party it deems may have information  
25 relevant to its duties under this section.

26 7. This section shall expire on December 31, 2015.

27 304.190. 1. No motor vehicle, unladen or with load,  
28 operating exclusively within the corporate limits of cities

1 containing seventy-five thousand inhabitants or more or within  
2 two miles of the corporate limits of the city or within the  
3 commercial zone of the city shall exceed fifteen feet in height.

4 2. No motor vehicle operating exclusively within any said  
5 area shall have a greater weight than twenty-two thousand four  
6 hundred pounds on one axle.

7 3. The "commercial zone" of the city is defined to mean  
8 that area within the city together with the territory extending  
9 one mile beyond the corporate limits of the city and one mile  
10 additional for each fifty thousand population or portion thereof  
11 provided, however:

12 (1) The commercial zone surrounding a city not within a  
13 county shall extend twenty-five miles beyond the corporate limits  
14 of any such city not located within a county and shall also  
15 extend throughout any county with a charter form of government  
16 which adjoins that city and throughout any county with a charter  
17 form of government and with more than two hundred fifty thousand  
18 but fewer than three hundred fifty thousand inhabitants that is  
19 adjacent to such county adjoining such city;

20 (2) The commercial zone of a city with a population of at  
21 least four hundred thousand inhabitants but not more than four  
22 hundred fifty thousand inhabitants shall extend twelve miles  
23 beyond the corporate limits of any such city; except that this  
24 zone shall extend from the southern border of such city's limits,  
25 beginning with the western-most freeway, following said freeway  
26 south to the first intersection with a multilane undivided  
27 highway, where the zone shall extend south along said freeway to  
28 include a city of the fourth classification with more than eight

1 thousand nine hundred but less than nine thousand inhabitants,  
2 and shall extend north from the intersection of said freeway and  
3 multilane undivided highway along the multilane undivided highway  
4 to the city limits of a city with a population of at least four  
5 hundred thousand inhabitants but not more than four hundred fifty  
6 thousand inhabitants, and shall extend east from the city limits  
7 of a special charter city with more than two hundred seventy-five  
8 but fewer than three hundred seventy-five inhabitants along State  
9 Route 210 and northwest from the intersection of State Route 210  
10 and State Route 10 to include the boundaries of any city of the  
11 third classification with more than ten thousand eight hundred  
12 but fewer than ten thousand nine hundred inhabitants and located  
13 in more than one county. The commercial zone shall continue east  
14 along State Route 10 from the intersection of State Route 10 and  
15 State Route 210 to the eastern city limit of a city of the fourth  
16 classification with more than five hundred fifty but fewer than  
17 six hundred twenty-five inhabitants and located in any county of  
18 the third classification without a township form of government  
19 and with more than twenty-three thousand but fewer than twenty-  
20 six thousand inhabitants and with a city of the third  
21 classification with more than five thousand but fewer than six  
22 thousand inhabitants as the county seat. The commercial zone  
23 described in this subdivision shall be extended to also include  
24 the stretch of State Route 45 from its intersection with  
25 Interstate 29 extending northwest to the city limits of any  
26 village with more than forty but fewer than fifty inhabitants and  
27 located in any county of the first classification with more than  
28 eighty-three thousand but fewer than ninety-two thousand

1 inhabitants and with a city of the fourth classification with  
2 more than four thousand five hundred but fewer than five thousand  
3 inhabitants as the county seat;

4 (3) The commercial zone of a city of the third  
5 classification with more than nine thousand six hundred fifty but  
6 fewer than nine thousand eight hundred inhabitants shall extend  
7 south from the city limits along U.S. Highway 61 to the  
8 intersection of State Route 00 in a county of the third  
9 classification without a township form of government and with  
10 more than seventeen thousand eight hundred but fewer than  
11 seventeen thousand nine hundred inhabitants;

12 (4) The commercial zone of a home rule city with more than  
13 one hundred eight thousand but fewer than one hundred sixteen  
14 thousand inhabitants shall extend north from the city limits  
15 along U.S. Highway 63 for eight miles, and shall extend east from  
16 the city limits along State Route WW to the intersection of State  
17 Route J and continue south on State Route J for four miles.

18 4. In no case shall the commercial zone of a city be  
19 reduced due to a loss of population. The provisions of this  
20 section shall not apply to motor vehicles operating on the  
21 interstate highways in the area beyond two miles of a corporate  
22 limit of the city unless the United States Department of  
23 Transportation increases the allowable weight limits on the  
24 interstate highway system within commercial zones. In such case,  
25 the mileage limits established in this section shall be  
26 automatically increased only in the commercial zones to conform  
27 with those authorized by the United States Department of  
28 Transportation.

1           5. Nothing in this section shall prevent a city, county, or  
2 municipality, by ordinance, from designating the routes over  
3 which such vehicles may be operated.

4           6. No motor vehicle engaged in interstate commerce, whether  
5 unladen or with load, whose operations in the state of Missouri  
6 are limited exclusively to the commercial zone of a first class  
7 home rule municipality located in a county with a population  
8 between eighty thousand and ninety-five thousand inhabitants  
9 which has a portion of its corporate limits contiguous with a  
10 portion of the boundary between the states of Missouri and  
11 Kansas, shall have a greater weight than twenty-two thousand four  
12 hundred pounds on one axle, nor shall exceed fifteen feet in  
13 height.

14           321.322. 1. If any property located within the boundaries  
15 of a fire protection district shall be included within a city  
16 having a population of at least two thousand five hundred but not  
17 more than sixty-five thousand which is not wholly within the fire  
18 protection district and which maintains a city fire department,  
19 then upon the date of actual inclusion of the property within the  
20 city, as determined by the annexation process, the city shall  
21 within sixty days assume by contract with the fire protection  
22 district all responsibility for payment in a lump sum or in  
23 installments an amount mutually agreed upon by the fire  
24 protection district and the city for the city to cover all  
25 obligations of the fire protection district to the area included  
26 within the city, and thereupon the fire protection district shall  
27 convey to the city the title, free and clear of all liens or  
28 encumbrances of any kind or nature, any such tangible real and

1 personal property of the fire protection district as may be  
2 agreed upon, which is located within the part of the fire  
3 protection district located within the corporate limits of the  
4 city with full power in the city to use and dispose of such  
5 tangible real and personal property as the city deems best in the  
6 public interest, and the fire protection district shall no longer  
7 levy and collect any tax upon the property included within the  
8 corporate limits of the city; except that, if the city and the  
9 fire protection district cannot mutually agree to such an  
10 arrangement, then the city shall assume responsibility for fire  
11 protection in the annexed area on or before January first of the  
12 third calendar year following the actual inclusion of the  
13 property within the city, as determined by the annexation  
14 process, and furthermore the fire protection district shall not  
15 levy and collect any tax upon that property included within the  
16 corporate limits of the city after the date of inclusion of that  
17 property:

18 (1) On or before January first of the second calendar year  
19 occurring after the date on which the property was included  
20 within the city, the city shall pay to the fire protection  
21 district a fee equal to the amount of revenue which would have  
22 been generated during the previous calendar year by the fire  
23 protection district tax on the property in the area annexed which  
24 was formerly a part of the fire protection district;

25 (2) On or before January first of the third calendar year  
26 occurring after the date on which the property was included  
27 within the city, the city shall pay to the fire protection  
28 district a fee equal to four-fifths of the amount of revenue

1 which would have been generated during the previous calendar year  
2 by the fire protection district tax on the property in the area  
3 annexed which was formerly a part of the fire protection  
4 district;

5 (3) On or before January first of the fourth calendar year  
6 occurring after the date on which the property was included  
7 within the city, the city shall pay to the fire protection  
8 district a fee equal to three-fifths of the amount of revenue  
9 which would have been generated during the previous calendar year  
10 by the fire protection district tax on the property in the area  
11 annexed which was formerly a part of the fire protection  
12 district;

13 (4) On or before January first of the fifth calendar year  
14 occurring after the date on which the property was included  
15 within the city, the city shall pay to the fire protection  
16 district a fee equal to two-fifths of the amount of revenue which  
17 would have been generated during the previous calendar year by  
18 the fire protection district tax on the property in the area  
19 annexed which was formerly a part of the fire protection  
20 district; and

21 (5) On or before January first of the sixth calendar year  
22 occurring after the date on which the property was included  
23 within the city, the city shall pay to the fire protection  
24 district a fee equal to one-fifth of the amount of revenue which  
25 would have been generated during the previous calendar year by  
26 the fire protection district tax on the property in the area  
27 annexed which was formerly a part of the fire protection  
28 district.

1 Nothing contained in this section shall prohibit the ability of a  
2 city to negotiate contracts with a fire protection district for  
3 mutually agreeable services. This section shall also apply to  
4 those fire protection districts and cities which have not reached  
5 agreement on overlapping boundaries previous to August 28, 1990.  
6 Such fire protection districts and cities shall be treated as  
7 though inclusion of the annexed area took place on December  
8 thirty-first immediately following August 28, 1990.

9 2. Any property excluded from a fire protection district by  
10 reason of subsection 1 of this section shall be subject to the  
11 provisions of section 321.330.

12 3. The provisions of this section shall not apply in any  
13 county of the first class having a charter form of government and  
14 having a population of over nine hundred thousand inhabitants.

15 4. [The provisions of this section shall not apply where the  
16 annexing city or town operates a city fire department and was on  
17 January 1, 2005, a city of the fourth classification with more  
18 than eight thousand nine hundred but fewer than nine thousand  
19 inhabitants and entirely surrounded by a single fire district.  
20 In such cases, the provision of fire and emergency medical  
21 services following annexation shall be governed by subsections 2  
22 and 3 of section 72.418.

23 5.] The provisions of this section shall not apply where  
24 the annexing city or town operates a city fire department, is any  
25 city of the third classification with more than six thousand but  
26 fewer than seven thousand inhabitants and located in any county  
27 with a charter form of government and with more than two hundred  
28 thousand but fewer than three hundred fifty thousand inhabitants,

1 and is entirely surrounded by a single fire protection district.  
2 In such cases, the provision of fire and emergency medical  
3 services following annexation shall be governed by subsections 2  
4 and 3 of section 72.418.

5 339.507. 1. There is hereby created within the division of  
6 professional registration the "Missouri Real Estate Appraisers  
7 Commission", which shall consist of seven members appointed by  
8 the governor with the advice and consent of the senate, six of  
9 whom shall be appraiser members, and one shall be a public  
10 member. Each member shall be a resident of this state and a  
11 registered voter for a period of one year prior to the person's  
12 appointment. The president of the Missouri Appraiser Advisory  
13 Council in office at the time shall, at least ninety days prior  
14 to the expiration of the term of the commission member, other  
15 than the public member, or as soon as feasible after the vacancy  
16 on the commission otherwise occurs, submit to the director of the  
17 division of professional registration a list of five appraisers  
18 qualified and willing to fill the vacancy in question, with the  
19 request and recommendation that the governor appoint one of the  
20 five persons so listed, and with the list so submitted, the  
21 president of the Missouri Appraiser Advisory Council shall  
22 include in his or her letter of transmittal a description of the  
23 method by which the names were chosen by that association. The  
24 public member shall have never been engaged in the businesses of  
25 real estate appraisal, real estate sales or making loans secured  
26 by real estate.

27 2. The real estate appraiser members appointed by the  
28 governor shall be Missouri residents who have real estate

1 appraisal experience in the state of Missouri for not less than  
2 five years immediately preceding their appointment. Appraiser  
3 members of the commission shall be appointed from the registry of  
4 state-certified real estate appraisers and state-licensed real  
5 estate appraisers. Real estate appraiser commission members,  
6 appointed after August 28, 2014, shall not be from the same  
7 United States congressional district.

8 3. All members shall be appointed for three-year terms.  
9 All members shall serve until their successors have been  
10 appointed and qualified. Vacancies occurring in the membership  
11 of the commission for any reason shall be filled by appointment  
12 by the governor for the unexpired term. Upon expiration of their  
13 terms, members of the commission shall continue to hold office  
14 until the appointment and qualification of their successors. No  
15 more than four members of the commission shall be members of the  
16 same political party. No person shall be appointed for more than  
17 two consecutive terms. The governor may remove a member for  
18 cause.

19 4. The commission shall meet at least once each calendar  
20 quarter to conduct its business. A quorum of the commission  
21 shall consist of four members.

22 5. Each member of the commission shall be entitled to a per  
23 diem allowance of fifty dollars for each meeting of the  
24 commission at which the member is present and shall be entitled  
25 to reimbursement of the member's expenses necessarily incurred in  
26 the discharge of the member's official duties. Each member of  
27 the commission shall be entitled to reimbursement of travel  
28 expenses necessarily incurred in attending meetings of the

1 commission.

2 6. The commission shall prepare an annual report outlining  
3 business conducted by the commission during the previous calendar  
4 year and shall submit a copy to the general assembly by April  
5 first of each year. The report shall include:

6 (1) The number of complaints that were filed against  
7 licensees;

8 (2) The number and disposition of investigations conducted  
9 by the commission pursuant to the filing of a complaint; and

10 (3) An accounting of all expenditures of the commission.

11 339.531. 1. Any person may file a complaint with the  
12 commission alleging that a licensee has committed any combination  
13 of the acts or omissions provided in subsection 2 of section  
14 339.532. A complaint shall be in writing and shall be signed by  
15 the complainant, but a complainant is not required to specify the  
16 provisions of law or regulations alleged to have been violated in  
17 the complaint.

18 2. Upon the receipt of a complaint against a licensee, the  
19 commission shall refer the complaint to the probable cause  
20 committee. The commission shall appoint a probable cause  
21 committee of four members, one of whom shall be a current member  
22 of the commission and three members selected by the commission  
23 through recommendations provided by the Missouri Appraisers  
24 Advisory Council. The probable cause committee shall serve in an  
25 advisory capacity to the commission and review complaints and  
26 make a recommendation to the commission regarding the disposition  
27 of the complaint. The commission shall provide by rule for the  
28 selection process, length of committee member terms, and other

1 procedures necessary for the functioning of the committee. No  
2 complaints shall be brought before the probable cause committee  
3 prior to its creation, appointment of members, and approval of  
4 all rules and regulations pursuant to chapter 536.

5 3. Each complaint shall be considered a grievance until  
6 reviewed by the probable cause committee. When a grievance is  
7 filed under subsection 1 of this section, a copy shall be  
8 provided to the licensee, who shall have ten working days to  
9 respond documenting why the grievance may have no merit. If the  
10 licensee responds within the allowable time, the probable cause  
11 committee shall review the grievance and response. If the  
12 probable cause committee determines that the grievance has no  
13 merit, the grievance shall be dismissed and no complaint shall be  
14 placed on the licensee's record. If the probable cause committee  
15 determines that the grievance has merit, it shall present the  
16 case to the commission, and the commission shall decide whether  
17 or not to proceed with an investigation of the grievance as a  
18 complaint. If the commission decides to proceed with an  
19 investigation of a complaint, at that time the complaint shall  
20 become a part of the licensee's record.

21 4. When the commission determines to proceed with a  
22 complaint against a licensee, the commission shall investigate  
23 the actions of the licensee against whom the complaint is made.  
24 In conducting an investigation, the commission may request the  
25 licensee under investigation to:

- 26 (1) Answer the charges made against him or her in writing;  
27 (2) Produce relevant documentary evidence pertaining to the  
28 specific complaint causing the investigation; and

1           (3) Appear before the commission.

2           5. A copy of any written answer of the licensee requested  
3 under subsection 4 of this section may be furnished to the  
4 complainant, as long as furnishing the written answer does not  
5 require disclosure of confidential information under the Uniform  
6 Standards of Professional Appraisal Practice.

7           6. The commission shall notify the complainant and the  
8 licensee that an investigation has been commenced within ten  
9 working days of the date of the commission's decision to proceed  
10 with a complaint under subsection 4 of this section. The  
11 commission shall also notify and inform the complainant and  
12 licensee of the status of the investigation every sixty days  
13 following the commencement of the investigation. No  
14 investigation shall last longer than twelve months. Once an  
15 investigation is closed or dismissed it shall not be reopened.

16           7. In the event that the commission fails to meet the  
17 notification and investigation requirements of this section or  
18 does not finish the investigation within twelve months, then the  
19 commission shall provide the complainant at the commission's  
20 expense with an appraisal and an appraisal report of the real  
21 estate originally appraised by the licensee under investigation.

22           8. A real estate appraiser member of the commission shall  
23 recuse themselves from any matter in which their knowledge of the  
24 parties, circumstances, or subject matter will substantially  
25 affect their ability to be fair and impartial.

26           9. Any rule or portion of a rule, as that term is defined  
27 in section 536.010, that is created under the authority delegated  
28 in this section shall become effective only if it complies with

1 and is subject to all of the provisions of chapter 536 and, if  
2 applicable, section 536.028. This section and chapter 536 are  
3 nonseverable and if any of the powers vested with the general  
4 assembly pursuant to chapter 536 to review, to delay the  
5 effective date, or to disapprove and annul a rule are  
6 subsequently held unconstitutional, then the grant of rulemaking  
7 authority and any rule proposed or adopted after the effective  
8 date of this section shall be invalid and void.

9 10. Nothing in this section shall be construed as limiting  
10 or delaying any administrative remedies or actions available  
11 through the administrative hearing process.

12 11. The provisions of this section shall become effective  
13 August 28, 2015.

14 348.407. 1. The authority shall develop and implement  
15 agricultural products utilization grants as provided in this  
16 section.

17 2. The authority may reject any application for grants  
18 pursuant to this section.

19 3. The authority shall make grants, and may make loans or  
20 guaranteed loans from the grant fund to persons for the creation,  
21 development and operation, for up to three years from the time of  
22 application approval, of rural agricultural businesses whose  
23 projects add value to agricultural products and aid the economy  
24 of a rural community.

25 4. The authority may make loan guarantees to qualified  
26 agribusinesses for agricultural business development loans for  
27 businesses that aid in the economy of a rural community and  
28 support production agriculture or add value to agricultural

1 products by providing necessary products and services for  
2 production or processing.

3 5. The authority may make grants, loans, or loan guarantees  
4 to Missouri businesses to access resources for accessing and  
5 processing locally grown agricultural products for use in schools  
6 within the state.

7 6. The authority may, upon the provision of a fee by the  
8 requesting person in an amount to be determined by the authority,  
9 provide for a feasibility study of the person's rural  
10 agricultural business concept.

11 [6.] 7. Upon a determination by the authority that such  
12 concept is feasible and upon the provision of a fee by the  
13 requesting person, in an amount to be determined by the  
14 authority, the authority may then provide for a marketing study.  
15 Such marketing study shall be designed to determine whether such  
16 concept may be operated profitably.

17 [7.] 8. Upon a determination by the authority that the  
18 concept may be operated profitably, the authority may provide for  
19 legal assistance to set up the business. Such legal assistance  
20 shall include, but not be limited to, providing advice and  
21 assistance on the form of business entity, the availability of  
22 tax credits and other assistance for which the business may  
23 qualify as well as helping the person apply for such assistance.

24 [8.] 9. The authority may provide or facilitate loans or  
25 guaranteed loans for the business including, but not limited to,  
26 loans from the United States Department of Agriculture Rural  
27 Development Program, subject to availability. Such financial  
28 assistance may only be provided to feasible projects, and for an

1 amount that is the least amount necessary to cause the project to  
2 occur, as determined by the authority. The authority may  
3 structure the financial assistance in a way that facilitates the  
4 project, but also provides for a compensatory return on  
5 investment or loan payment to the authority, based on the risk of  
6 the project.

7 [9.] 10. The authority may provide for consulting services  
8 in the building of the physical facilities of the business.

9 [10.] 11. The authority may provide for consulting services  
10 in the operation of the business.

11 [11.] 12. The authority may provide for such services  
12 through employees of the state or by contracting with private  
13 entities.

14 [12.] 13. The authority may consider the following in  
15 making the decision:

16 (1) The applicant's commitment to the project through the  
17 applicant's risk;

18 (2) Community involvement and support;

19 (3) The phase the project is in on an annual basis;

20 (4) The leaders and consultants chosen to direct the  
21 project;

22 (5) The amount needed for the project to achieve the  
23 bankable stage; and

24 (6) The [projects] project's planning for long-term success  
25 through feasibility studies, marketing plans and business plans.

26 [13.] 14. The department of agriculture, the department of  
27 natural resources, the department of economic development and the  
28 University of Missouri may provide such assistance as is

1 necessary for the implementation and operation of this section.  
2 The authority may consult with other state and federal agencies  
3 as is necessary.

4 [14.] 15. The authority may charge fees for the provision  
5 of any service pursuant to this section.

6 [15.] 16. The authority may adopt rules to implement the  
7 provisions of this section.

8 [16.] 17. Any rule or portion of a rule, as that term is  
9 defined in section 536.010, that is created under the authority  
10 delegated in sections 348.005 to 348.180 shall become effective  
11 only if it complies with and is subject to all of the provisions  
12 of chapter 536 and, if applicable, section 536.028. All  
13 rulemaking authority delegated prior to August 28, 1999, is of no  
14 force and effect and repealed. Nothing in this section shall be  
15 interpreted to repeal or affect the validity of any rule filed or  
16 adopted prior to August 28, 1999, if it fully complied with all  
17 applicable provisions of law. This section and chapter 536 are  
18 nonseverable and if any of the powers vested with the general  
19 assembly pursuant to chapter 536 to review, to delay the  
20 effective date or to disapprove and annul a rule are subsequently  
21 held unconstitutional, then the grant of rulemaking authority and  
22 any rule proposed or adopted after August 28, 1999, shall be  
23 invalid and void.

24 407.1610. It shall be unlawful for any person or entity to  
25 engage in the speculative accumulation of asphalt roofing  
26 shingles in any city not within a county. For the purposes of  
27 this section, the term "speculative accumulation" means the  
28 collection or storage of asphalt shingles without a showing that,

1 during a calendar year, at least seventy-five percent of the  
2 material accumulated during the year, either by weight or by  
3 volume, will be recycled for other use.

4 408.040. 1. Judgments shall accrue interest on the  
5 judgment balance as set forth in this section. The "judgment  
6 balance" is defined as the total amount of the judgment awarded  
7 on the day judgment is entered including, but not limited to,  
8 principal, prejudgment interest, and all costs and fees. Post-  
9 judgment payments or credits shall be applied first to post-  
10 judgment costs, then to post-judgment interest, and then to the  
11 judgment balance.

12 2. In all nontort actions, interest shall be allowed on all  
13 money due upon any judgment or order of any court from the date  
14 judgment is entered by the trial court until satisfaction be made  
15 by payment, accord or sale of property; all such judgments and  
16 orders for money upon contracts bearing more than nine percent  
17 interest shall bear the same interest borne by such contracts,  
18 and all other judgments and orders for money shall bear nine  
19 percent per annum until satisfaction made as aforesaid.

20 [2.] 3. Notwithstanding the provisions of subsection [1] 2  
21 of this section, in tort actions, interest shall be allowed on  
22 all money due upon any judgment or order of any court from the  
23 date [of] judgment is entered by the trial court until full  
24 satisfaction. All such judgments and orders for money shall bear  
25 a per annum interest rate equal to the intended Federal Funds  
26 Rate, as established by the Federal Reserve Board, plus five  
27 percent, until full satisfaction is made. The judgment shall  
28 state the applicable interest rate, which shall not vary once

1 entered. In tort actions, if a claimant has made a demand for  
2 payment of a claim or an offer of settlement of a claim, to the  
3 party, parties or their representatives, and to such party's  
4 liability insurer if known to the claimant, and the amount of the  
5 judgment or order exceeds the demand for payment or offer of  
6 settlement, then prejudgment interest shall be awarded,  
7 calculated from a date ninety days after the demand or offer was  
8 received, as shown by the certified mail return receipt, or from  
9 the date the demand or offer was rejected without counter offer,  
10 whichever is earlier. In order to qualify as a demand or offer  
11 pursuant to this section, such demand must:

12 (1) Be in writing and sent by certified mail return receipt  
13 requested; and

14 (2) Be accompanied by an affidavit of the claimant  
15 describing the nature of the claim, the nature of any injuries  
16 claimed and a general computation of any category of damages  
17 sought by the claimant with supporting documentation, if any is  
18 reasonably available; and

19 (3) For wrongful death, personal injury, and bodily injury  
20 claims, be accompanied by a list of the names and addresses of  
21 medical providers who have provided treatment to the claimant or  
22 decedent for such injuries, copies of all reasonably available  
23 medical bills, a list of employers if the claimant is seeking  
24 damages for loss of wages or earning, and written authorizations  
25 sufficient to allow the party, its representatives, and liability  
26 insurer if known to the claimant to obtain records from all  
27 employers and medical care providers; and

28 (4) Reference this section and be left open for ninety

1 days.

2

3 Unless the parties agree in writing to a longer period of time,  
4 if the claimant fails to file a cause of action in circuit court  
5 prior to a date one hundred twenty days after the demand or offer  
6 was received, then the court shall not award prejudgment interest  
7 to the claimant. If the claimant is a minor or incompetent or  
8 deceased, the affidavit may be signed by any person who  
9 reasonably appears to be qualified to act as next friend or  
10 conservator or personal representative. If the claim is one for  
11 wrongful death, the affidavit may be signed by any person  
12 qualified pursuant to section 537.080 to make claim for the  
13 death. Nothing contained herein shall limit the right of a  
14 claimant, in actions other than tort actions, to recover  
15 prejudgment interest as otherwise provided by law or contract.

16 [3.] 4. In tort actions, a judgment for prejudgment  
17 interest awarded pursuant to this [subsection] section should  
18 bear interest at a per annum interest rate equal to the intended  
19 Federal Funds Rate, as established by the Federal Reserve Board,  
20 plus three percent. The judgment shall state the applicable  
21 interest rate, which shall not vary once entered.

22 488.305. 1. The clerk of the circuit court shall charge  
23 and collect fees for the clerk's duties as prescribed by sections  
24 429.090 and 429.120 in such amounts as are determined pursuant to  
25 sections 488.010 to 488.020.

26 2. The clerk of the circuit court may charge and collect in  
27 cases where a garnishment is granted, a surcharge not to exceed  
28 ten dollars for the clerk's duties. Any moneys collected under

1 this subsection shall be placed in a fund to be used at the  
2 discretion of the circuit clerk to maintain and improve case  
3 processing and record preservation.

4 525.040. 1. Notice of garnishment, served as provided in  
5 sections 525.010 to 525.480 shall have the effect of attaching  
6 all personal property, money, rights, credits, bonds, bills,  
7 notes, drafts, checks or other choses in action of the defendant  
8 in the garnishee's possession or charge, or under his or her  
9 control at the time of the service of the garnishment, or which  
10 may come into his or her possession or charge, or under his or  
11 her control, or be owing by him or her, between that time and the  
12 time of filing his or her answer, or in the case of a continuous  
13 wage garnishment, until the judgment is paid in full or until the  
14 employment relationship is terminated, whichever occurs first;  
15 but he or she shall not be liable to a judgment in money on  
16 account of such bonds, bills, notes, drafts, checks or other  
17 choses in action, unless the same shall have been converted into  
18 money since the garnishment, or he or she ~~[fail]~~ fails, in such  
19 time as the court may prescribe, to deliver them into court, or  
20 to the sheriff or other person designated by the court.

21 2. Writs of garnishment which would otherwise have equal  
22 priority shall have priority according to the date of service on  
23 the garnishee. If the employee's wages have been attached by  
24 more than one writ of garnishment, the employer shall inform the  
25 inferior garnisher of the existence and case number of all senior  
26 garnishments.

27 525.070. Whenever any property, effects, money or debts,  
28 belonging or owing to the defendant, shall be confessed, or found

1 by the court or jury, to be in the hands of the garnishee, the  
2 garnishee may, at any time before final judgment, discharge  
3 himself or herself, by paying or delivering the same, or so much  
4 thereof as the court shall order, to the sheriff [or], to the  
5 court, or if applicable, to the attorney for the party on whose  
6 behalf the order of garnishment was issued, from all further  
7 liability on account of the property, money or debts so paid or  
8 delivered.

9 525.080. 1. If it appear that a garnishee, at or after his  
10 or her garnishment, was possessed of any property of the  
11 defendant, or was indebted to him or her, the court, or judge in  
12 vacation, may order the delivery of such property, or the payment  
13 of the amount owing by the garnishee, to the sheriff [or], into  
14 court, or to the attorney for the party on whose behalf the order  
15 of garnishment was issued, at such time as the court may direct;  
16 or may permit the garnishee to retain the same, upon his or her  
17 executing a bond to the plaintiff, with security, approved by the  
18 court, to the effect that the property shall be forthcoming, or  
19 the amount paid, as the court may direct. Upon a breach of the  
20 obligation of such bond, the plaintiff may proceed against the  
21 obligors therein, in the manner prescribed in the case of a  
22 delivery bond given to the sheriff.

23 2. Notwithstanding subsection 1 of this section, when  
24 property is protected from garnishment by state or federal law  
25 including but not limited to federal restrictions on the  
26 garnishment of earnings in Title 15, U.S.C. Sections 1671 to 1677  
27 and Old Age, Survivors and Disability Insurance benefits as  
28 provided in Title 42, U.S.C. Section 407, such property need not

1 be delivered to the court, or to any other person, by the  
2 garnishee to the extent such protection or preemption is  
3 applicable.

4 525.230. [1. The court shall make the garnishee a  
5 reasonable allowance] The garnishee may deduct a one-time sum not  
6 to exceed twenty dollars, or the fee previously agreed upon  
7 between the garnishee and judgment debtor if the garnishee is a  
8 financial institution, for his or her trouble and expenses in  
9 answering the interrogatories and withholding the funds, to be  
10 [paid out of the funds or proceeds of the property or effects  
11 confessed in his or her hands. The reasonable allowances shall  
12 include any court costs, attorney's fees and any other bona fide  
13 expenses of the garnishee.

14 2. The court also shall allow the garnishee, in addition to  
15 the reasonable allowance for his or her trouble and expenses in  
16 answering the interrogatories, to collect an administrative fee  
17 consisting of the greater of eight dollars or two percent of the  
18 amount required to be deducted by any court-ordered garnishment  
19 or series of garnishments arising out of the same judgment debt.  
20 Such fee shall be for the trouble and expenses in administering  
21 the notice of garnishment and paying over any garnished funds  
22 available to the court. The fee shall be withheld by the  
23 employer from the employee, or by any other garnishee from any  
24 fund garnished, in addition to the moneys withheld to satisfy the  
25 court-ordered judgment. Such fee shall not be a credit against  
26 the court-ordered judgment and shall be collected first] withheld  
27 from any funds garnished, in addition to the moneys withheld to  
28 satisfy the court-ordered judgment. Such fee shall not be a

1 credit against the court-ordered judgment and shall be collected  
2 first. The garnishee may file a motion with the court for  
3 additional costs, including attorney's fees, reasonably incurred  
4 in answering the interrogatories in which case the court may make  
5 such award as it deems reasonable. The motion shall be filed on  
6 or before the date the garnishee makes payment or delivers  
7 property subject to garnishment to the court.

8 525.310. 1. [When a judgment has been rendered against an  
9 officer, appointee or employee of the state of Missouri, or any  
10 municipal corporation or other political subdivision of the  
11 state, the judgment creditor, or his attorney or agent, may file  
12 in the office of the clerk of the court before whom the judgment  
13 was rendered, an application setting forth such facts, and that  
14 the judgment debtor is employed by the state, or a municipal  
15 corporation or other political subdivision of the state, with the  
16 name of the department of state or the municipal corporation or  
17 other political subdivision of the state which employs the  
18 judgment debtor, and the name of the treasurer, or the name and  
19 title of the paying, disbursing or auditing officer of the state,  
20 municipal corporation or other political subdivision of the  
21 state, charged with the duty of payment or audit of such salary,  
22 wages, fees or earnings of such employee, and upon the filing of  
23 such application the clerk shall issue a writ of sequestration  
24 directed to the sheriff or other officer authorized to execute  
25 writs in the county in which such paying, disbursing or auditing  
26 officer may be found and the sheriff or other officer to whom the  
27 writ is directed shall serve a true copy thereof upon such  
28 paying, disbursing or auditing officer named therein, which shall

1 have the effect of attaching any and all salary, wages, fees or  
2 earnings of the judgment debtor, which are not made exempt by  
3 virtue of the exemption statutes of this state and are not in  
4 excess of the amount due on the judgment and costs, then due and  
5 payable, from the date of the writ to the return day thereof.

6 2. The paying, disbursing or auditing officer charged with  
7 the duty of payment or audit of the salary, wages, fees or  
8 earnings of the judgment debtor shall deliver to the sheriff or  
9 officer serving the writ the amount, not to exceed the amount due  
10 upon the judgment and costs, of the salary, wages, fees or  
11 earnings of the judgment debtor not made exempt by virtue of the  
12 exemption statutes of this state, as the same shall become due to  
13 the judgment debtor. The paying, disbursing or auditing officer  
14 shall pay to the judgment debtor the remaining portion of his  
15 salary, wages, fees or earnings, as the same shall become due to  
16 the judgment debtor. The sheriff, or officer serving the writ,  
17 shall provide to the paying, disbursing or auditing officer along  
18 with the writ sufficient information to compute the amount which  
19 shall be delivered to the sheriff or officer serving the writ.  
20 Neither the state, municipal corporation or other political  
21 subdivision of the state, nor the paying, disbursing or auditing  
22 officer shall be liable for the payment of any amount above the  
23 amount delivered to the sheriff or officer serving the writ if  
24 the computation of the amount delivered is in accordance with the  
25 information provided with the writ.

26 3. The sheriff or officer serving such writ shall endorse  
27 thereon the day and date he received the same, and upon receiving  
28 any amount in connection with the writ, shall issue his receipt

1 to such paying, disbursing or auditing officer therefor. All  
2 amounts delivered to the sheriff, or officer serving said writ,  
3 in connection with the writ, or so much thereof as shall be  
4 necessary therefor, shall be applied to the payment of the  
5 judgment debt, interest and costs in the same manner as in the  
6 case of garnishment under execution. The sheriff or other  
7 officer serving the writ shall make his return to the writ  
8 showing the manner of serving the same, and he shall be allowed  
9 the same fees therefor as provided for levy of execution, and the  
10 writ shall be returnable in the same manner as the execution  
11 issued out of the court in which the judgment was rendered.  
12 Nothing in this section shall deprive the judgment debtor of any  
13 exemptions to which he may be entitled under the exemption laws  
14 of this state, and the same may be claimed by him to the sheriff  
15 or other officer serving the writ at any time on or before the  
16 return day of the writ in the manner provided under the exemption  
17 laws of this state. It shall be the duty of such sheriff or  
18 other officer serving the writ, at the time of the service  
19 thereof, to apprise the judgment debtor of his exemption rights,  
20 either in person or by registered letter directed to the judgment  
21 debtor to his last known address.] The state, municipal, or other  
22 political subdivision employer served with a garnishment shall  
23 have the same duties and obligations as those imposed upon a  
24 private employer when served with a garnishment.

25 2. Pay of any officer, appointee, or employee of the state  
26 of Missouri, or any municipal corporation or other political  
27 subdivision of the state, shall be subject to garnishment to the  
28 same extent as in any other garnishment. All garnishments

1 against such employee shall proceed in the same manner as any  
2 other garnishment.

3 3. Service of legal process to which a department,  
4 municipal corporation, or other political subdivision of the  
5 state is subject under this section may be accomplished by  
6 personal service upon the paying, disbursing, or auditing officer  
7 of the state, municipal corporation or other political  
8 subdivision of the state, charged with the duty of payment or  
9 audit of such salary, wages, fees, or earnings of such employees.

10 Section B. The repeal and reenactment of sections 408.040,  
11 488.305, 525.040, 525.070, 525.080, 525.230, and 525.310 of this  
12 act shall become effective on January 15, 2015.

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Mike Parson

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Caleb Jones - 50