

SENATE SUBSTITUTE
FOR
SENATE BILL NO. 975
AN ACT

To repeal sections 190.050, 190.051, 190.052, 190.070, and 190.090, RSMo, and to enact in lieu thereof five new sections relating to ambulance districts.

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

Section A. Sections 190.050, 190.051, 190.052, 190.070, and 190.090, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 190.050, 190.051, 190.052, 190.070, and 190.090, to read as follows:

190.050. 1. After the ambulance district has been declared organized, the declaring county commission[, except in counties of the second class having more than one hundred five thousand inhabitants located adjacent to a county of the first class having a charter form of government which has a population of over nine hundred thousand inhabitants, shall divide the district into six election districts as equal in population as possible, and shall by lot number the districts from one to six inclusive. The county commission shall cause an election to be held in the ambulance district within ninety days after the order establishing the ambulance district to elect ambulance district directors. Each voter shall vote for one director from the ambulance election district in which the voter resides. The directors elected from districts one and four shall serve for a term of one year, the directors elected from districts two and five shall serve for a term of two years, and the directors from districts three and six shall serve for a term of three years; thereafter, the terms of all directors shall be three

20 years. All directors shall serve the term to which they
21 were elected or appointed, and until their successors are
22 elected and qualified, except in cases of resignation or
23 disqualification. The county commission shall reapportion
24 the ambulance districts within sixty days after the
25 population of the county is reported to the governor for
26 each decennial census of the United States. Notwithstanding
27 any other provision of law, if the number of candidates for
28 the office of director is no greater than the number of
29 directors to be elected, no election shall be held, and the
30 candidates shall assume the responsibilities of their
31 offices at the same time and in the same manner as if they
32 have been elected.

33 2. In all counties of the second class having more
34 than one hundred five thousand inhabitants located adjacent
35 to a county of the first class having a charter form of
36 government which has a population of over nine hundred
37 thousand inhabitants,] shall order an election be held on
38 the next regularly scheduled election date and the voters
39 shall vote for six directors elected at large from within
40 the district for a term of three years. [Those directors
41 holding office in any district in such a county on August
42 13, 1976, shall continue to hold office until the expiration
43 of their terms, and their successors shall be elected from
44 the district at large for a term of three years. In any
45 district formed in such counties after August 13, 1976, the
46 governing body of the county shall cause an election to be
47 held in that district within ninety days after the order
48 establishing the ambulance district to elect ambulance
49 district directors.] Each voter shall vote for six
50 directors. The two candidates receiving the highest number
51 of votes at such election shall be elected for a term of
52 three years, the two candidates receiving the third and

53 fourth highest number of votes shall be elected for a term
54 of two years, the two candidates receiving the fifth and
55 sixth highest number of votes shall be elected for a term of
56 one year; thereafter, the term of all directors shall be
57 three years. A director holding office as of August 28,
58 2026, shall continue as an at-large director for the
59 remainder of such director's existing term.

60 [3.] 2. A candidate for director of the ambulance
61 district shall, at the time of filing, be a citizen of the
62 United States, [a qualified voter of the election district
63 as provided in subsection 1 of this section,] a resident of
64 the district for two years next preceding the election, and
65 shall be at least twenty-four years of age. In an
66 established district which is located within the
67 jurisdiction of more than one election authority, the
68 candidate shall file his or her declaration of candidacy
69 with the secretary of the board. In all other districts, a
70 candidate shall file a declaration of candidacy with the
71 county clerk of the county in which he or she resides. A
72 candidate shall file a statement under oath that he or she
73 possesses the required qualifications. No candidate's name
74 shall be printed on any official ballot unless the candidate
75 has filed a written declaration of candidacy pursuant to
76 subsection 5 of section 115.127. If the time between the
77 county commission's call for a special election and the date
78 of the election is not sufficient to allow compliance with
79 subsection 5 of section 115.127, the county commission
80 shall, at the time it calls the special election, set the
81 closing date for filing declarations of candidacy.

82 3. Any ambulance district may adopt and establish
83 election subdistricts by ordinance, providing that each
84 election subdistrict shall be composed of contiguous
85 territory as compact and as nearly equal in population as

86 may be, and that each board member shall be a resident of
87 the election subdistrict that they represent at the time of
88 their election and for the duration of their term. Such
89 ordinance shall only be adopted, amended, or repealed by a
90 two-thirds majority vote of the board of directors.

91 4. Notwithstanding any other provision of law to the
92 contrary, if the number of candidates for the office of
93 director is less than the number of directors to be elected,
94 no election shall be held, and the candidates shall assume
95 the responsibilities of their offices at the same time and
96 in the same manner as if they were elected.

190.051. 1. Notwithstanding the provisions of
2 sections 190.050 and 190.052 to the contrary, upon a
3 **[motion]** resolution adopted by the board of directors in
4 districts where there are six-member boards, and upon
5 approval by the voters in the district, the number of
6 directors may be increased to seven **[with one board member**
7 **running district wide,]** or decreased to five or three board
8 members. The resolution shall state the names of the
9 existing directors who will fill the positions on the board
10 if such measure is approved by the voters, as well as any
11 vacancies to be filled by subsequent election, and shall
12 state the dates on which those terms shall conclude.

13 2. The ballot to be used for the approval of the
14 voters to increase or decrease the number of members on the
15 board of directors of the ambulance district shall be
16 substantially in the following form:

17 Shall the number of members of the board of
18 directors of the _____ (Insert name of district)
19 Ambulance District be (increased to seven
20 members/decreased to five members/decreased to
21 three members)?

22

YES

NO

23 [2.] 3. If a majority of the voters voting on a
24 proposition to increase the number of board members [to
25 seven] vote in favor of the proposition, then at the next
26 election of board members after the voters vote to increase
27 the number of directors, the voters shall select [one person
28 to serve in addition to the existing six directors as the
29 member who shall run district wide] additional persons to
30 fill any such vacancies.

31 [3.] 4. If a majority of the voters voting on a
32 proposition to decrease the number of board members vote in
33 favor of the proposition, then the [county clerk shall
34 redraw the district into the resulting number of
35 subdistricts with equal population bases and hold elections
36 by subdistricts pursuant to section 190.050] existing board
37 members stated in the board resolution shall complete the
38 terms specified therein. Thereafter, members of the board
39 shall be elected to serve terms of three years and until
40 their successors are duly elected and qualified.

41 [4. Members of the board of directors in office on the
42 date of an election pursuant to this section to increase or
43 decrease the number of members of the board of directors
44 shall serve the term to which they were elected or appointed
45 and until their successors are elected and qualified.]

 190.052. Any member of the board of directors who
2 moves their residency from the district [from which the
3 member was elected] shall be disqualified as a member of the
4 board. If one or two vacancies occur in the membership of
5 the board as a result of death, resignation, or
6 disqualification, the remaining members shall appoint one or
7 two qualified persons, as provided in section 190.050, to
8 fill the vacancies until the end of the unexpired term.

9 Such appointment shall be made with the consent of a
10 majority of the remaining members of the board. If the
11 board is unable to agree in filling a vacancy [within sixty
12 days or if there are more than two vacancies at any one
13 time], the county commission, upon [notice from the board of
14 failure to agree in filling the vacancies] the written
15 request of a majority of the remaining board members or the
16 ambulance service administrator, as described in section
17 190.112, shall within [ten] thirty calendar days fill them
18 by appointment of qualified persons, as provided in section
19 190.050, and shall notify the persons in writing of their
20 appointment. The persons appointed shall serve for the
21 unexpired term.

190.070. 1. A petition for annexation of land to an
2 ambulance district shall be signed by not less than ten
3 percent or fifty voters, whichever is fewer, residing within
4 the territory therein described proposed for annexation and
5 shall be [filed with the county clerk of the county in which
6 the district or the greater portion thereof is situated, and
7 shall be addressed to the commissioners of the county
8 commission] presented to the board of directors of the
9 ambulance district. A hearing shall be held thereon as
10 nearly as possible as in the case of a formation petition.
11 If upon the hearing the [commissioners of the county
12 commission find] board of directors finds that the petition
13 is in compliance with the provisions of sections 190.005 to
14 190.085, they shall order the question to be submitted to
15 the voters within the territory and within the district.

16 2. The question shall be submitted in substantially
17 the following form to all of the voters in the existing
18 ambulance district and the area proposed to be annexed:

19 Shall _____ (description of territory) be
20 annexed to the _____ ambulance district, and a

21 tax imposed within such annexed area equal to
22 the existing rate of the ambulance
23 district?

24 3. If a majority of the votes cast on the question [in
25 the district and in the territory described in the petition,
26 respectively,] are in favor of the annexation, the
27 [commissioners of the county commission shall by order
28 declare] board of directors shall enact an ordinance
29 incorporating the territory annexed and shall describe the
30 altered boundaries of the district. A copy of the same
31 shall be filed with the county clerk.

190.090. 1. Two or more organized ambulance districts
2 may consolidate into one ambulance district by following the
3 procedures set forth in this section.

4 2. If the consolidation of existing ambulance
5 districts is desired, a number of voters residing in an
6 existing ambulance district equal to ten percent of the vote
7 cast for governor in the existing district in the next
8 preceding gubernatorial election may file with the county
9 clerk in which the territory or greater part of the proposed
10 consolidated district is situated a petition requesting the
11 consolidation of two or more existing ambulance districts.

12 3. The petition shall be in the following form:

13 We, the undersigned voters of the _____
14 ambulance district do hereby petition that
15 _____ existing ambulance districts be
16 consolidated into one consolidated ambulance
17 district to be known as the _____ Ambulance
18 District, subject to the attached consolidation
19 plan.

20 4. An alternative procedure of consolidation may be
21 followed, if the board of directors of the existing
22 ambulance districts pass a resolution in the following form:

23 Be it resolved by the board of directors of
24 the ambulance district that the _____ ambulance
25 districts be consolidated into one consolidated
26 ambulance district to be known as the
27 Ambulance District, subject to the attached
28 consolidation plan.

29 5. Every petition or resolution shall be accompanied
30 by a consolidation plan outlining the process for the
31 proposed consolidation. At a minimum, the consolidation plan
32 shall include the following:

33 (1) The name of the proposed consolidated district, a
34 legal description of the boundaries of such consolidated
35 district, and the proposed tax levy to be imposed by the
36 consolidated district. In the event that the proposed plan
37 is for the consolidation into an existing district, the
38 consolidation plan shall clearly state that the existing
39 district shall continue as the legal entity into which the
40 other districts are consolidated;

41 (2) The names of the districts to be consolidated,
42 accompanied by a list of all real property owned and
43 financial assets currently held by the district, all
44 outstanding bonds or debts of each of said districts, and
45 the current tax levies imposed by each of said districts;

46 (3) The name of the district which shall be
47 responsible for maintaining ambulance service during the
48 consolidation, including continuing operations,
49 administration, and governance of the consolidated district,
50 provided that there shall be a presumption that the district
51 with the largest operating budget in the preceding fiscal
52 year shall assume such responsibility;

53 (4) The proposed number of board members and specific
54 individuals who will serve as the initial directors,
55 provided that such directors shall be chosen from among the

56 existing board members of the districts to be consolidated
57 such that there is at least one director from each of the
58 districts to be consolidated; and

59 (5) A proposed time line for consolidation, which
60 shall not exceed one hundred eighty days, provided that such
61 time line shall be subject to modification by the board of
62 the consolidated district for good cause.

63 6. Upon the filing of a petition, or a resolution, and
64 a consolidation plan with the county clerk from each of the
65 ambulance districts proposed to be consolidated, the county
66 clerk shall present the petition or resolution and
67 consolidation plan to the commissioners of the county
68 commission [having jurisdiction who shall thereupon order
69 the submission of the question to the voters of the
70 districts. The filing of each of the petitions in the
71 ambulance districts shall have occurred within a continuous
72 twelve-month period.

73 6. The notice shall set forth the names of the
74 existing ambulance districts to be included in the
75 consolidated district.

76 7. The question shall be submitted in substantially
77 the following form:

78 Shall the existing _____ ambulance
79 districts be consolidated into one ambulance
80 district?

81 8. If the county commission having jurisdiction finds
82 that the question to consolidate the districts received a
83 majority of the votes cast, the commission shall make and
84 enter its order declaring that the proposition passed.

85 9. Within thirty days after the district has been
86 declared consolidated, the county commission shall divide
87 the district into six election districts and shall order an

88 election to be held and conducted as provided in section
89 190.050 for the election of directors.

90 10. Within thirty days after the election of the
91 initial board of directors of the district, the directors
92 shall meet and the time and place of the first meeting of
93 the board shall be designated by the county commission. At
94 the first meeting the newly elected board of directors shall
95 choose a name for the consolidated district and shall notify
96 the clerk of the county commission of each county within
97 which the consolidated district is located of the name of
98 the consolidated district.

99 11. On the thirtieth day following the election of the
100 board of directors, the existing ambulance districts shall
101 cease to exist and the consolidated district shall assume
102 all of the powers and duties exercised by those districts.
103 All assets and obligations of the existing ambulance
104 districts shall become assets and obligations of the
105 consolidated district], who shall record such documents in
106 the records of the county. A petition or resolution for a
107 proposed consolidation shall be received from all ambulance
108 districts within the same calendar year or shall be
109 considered null and void.

110 7. Each of the ambulance districts seeking to
111 consolidate shall post the notice of the intent to
112 consolidate in the same manner as district public meetings
113 are posted. In addition, publication of such notice of
114 intent shall be made in a newspaper of general circulation
115 in every county in which the proposed consolidated ambulance
116 district shall be located, with publication to be made once
117 per week for two consecutive weeks. A public hearing shall
118 be held jointly by all ambulance districts seeking to
119 consolidate at a location within the boundaries of the
120 proposed consolidated ambulance district, provided that such

121 hearing shall be no more than ten days after the date of the
122 second publication. The notice of intent shall be in
123 substantially the following form:

124 NOTICE OF THE FILING OF A PETITION/RESOLUTION FOR
125 CONSOLIDATION OF THE AMBULANCE DISTRICTS
126

127 To all voters, residents, and interested persons
128 within the boundaries of the above described
129 ambulance districts: You are hereby notified that
130 a petition/resolution has been filed for the
131 consolidation of the above named ambulance
132 districts into one consolidated ambulance district
133 to be known as Ambulance District. A
134 proposed consolidation plan is available for
135 inspection at the office of the County Clerk of
136 County.

137 A public hearing will be held on (date) at
138 (time) at the following location:
139 . The purpose of this public hearing shall
140 be to explain the reasons for the consolidation and
141 answer questions from the public.
142

143 Objections to this consolidation may be filed with
144 the County Clerk of County, provided such
145 objections are filed in writing not less than
146 thirty days after the public hearing. Any such
147 objection must be signed by a number of voters not
148 less than five percent of the votes cast for
149 governor in the most recent gubernatorial election.
150

151 8. If no objections are filed with the county clerk
152 within thirty days after the public hearing, then within
153 forty-five days following the date of the public hearing,
154 the county commission shall order the districts consolidated
155 pursuant to the terms of the consolidation plan and shall
156 further appoint as directors those individuals identified in
157 the consolidation plan. The county commission shall further

158 set a date, time, and location for the first meeting of the
159 directors of the newly consolidated district.

160 9. Upon receipt of any objections filed, the county
161 clerk shall verify that such objections are signed by the
162 necessary number of voters of the district. If said
163 objections are signed by an appropriate number of voters,
164 the county commission of each county in which the proposed
165 consolidated district is to be located shall thereupon order
166 the submission of the question to the voters of the
167 districts. The question shall be submitted in substantially
168 the following form:

169 Shall the existing _____ ambulance districts be
170 consolidated into one ambulance district to be
171 known as the _____ Ambulance District, with
172 such consolidated district authorized to levy a
173 property tax not to exceed the annual rate of
174 _____ cents on the hundred dollars assessed
175 valuation or a sales tax in an amount not to exceed
176 _____ percent, or a combination of both?
177

178 If the county commission having jurisdiction finds that the
179 question to consolidate the districts received a majority of
180 the votes cast, the commission shall make and enter its
181 order declaring that the proposition passed. The county
182 commission shall further order the districts consolidated
183 pursuant to the terms of the consolidation plan and shall
184 further appoint as directors those individuals identified in
185 the consolidation plan. The county commission shall further
186 set a date, time, and location for the first meeting of the
187 directors of the newly consolidated district.

188 10. Notwithstanding any other provision of law to the
189 contrary, the consolidated district may impose an initial
190 tax levy up to the highest tax levy of the consolidating

191 districts, provided such tax levy is specifically set forth
192 in the ballot language submitted to and approved by the
193 voters of the consolidating district.

194 11. Without a vote of the residents of the
195 consolidated district as provided in this section, no
196 consolidated ambulance district shall be permitted to impose
197 a property tax greater than the lowest of any existing
198 property tax rate of the districts to be consolidated, nor
199 shall the consolidated ambulance district be permitted to
200 impose any sales tax greater than the lowest of any existing
201 sales tax rate of the districts to be consolidated.

202 12. Upon written certification by the board of
203 directors of the consolidated district to the prior district
204 that the consolidated district has obtained the necessary
205 licenses and permits to operate an ambulance service and all
206 directors of such consolidated district have completed the
207 training required by section 190.053, the existing ambulance
208 districts shall cease to exist and the consolidated district
209 shall assume all of the powers and duties exercised by those
210 districts. All assets and obligations of the existing
211 ambulance districts shall become assets and obligations of
212 the consolidated district.

213 13. Any ambulance district that has contracted for
214 ambulance service with another ambulance district for more
215 than five consecutive years may submit a joint resolution
216 executed by the boards of both ambulance districts to the
217 county clerk of the county in which the larger area of the
218 proposed consolidated district is located, requesting
219 consolidation of said districts by consolidating the smaller
220 districts into the larger district. Such resolution shall
221 be accompanied by a consolidation plan as provided in this
222 section. Upon the receipt of such joint resolution, the
223 county commission shall promptly order the smaller districts

224 consolidated into the larger district pursuant to the terms
225 of the consolidation plan without the necessity of providing
226 notice or public hearing.