

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

SENATE BILL NO. 975

AN ACT

To repeal sections 190.050, 190.051, 190.052, 190.070, 190.090, and 590.192, RSMo, and to enact in lieu thereof seven 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Section A. Sections 190.050, 190.051, 190.052, 190.070, 2 190.090, and 590.192, RSMo, are repealed and seven new sections 3 enacted in lieu thereof, to be known as sections 190.050, 4 190.051, 190.052, 190.070, 190.089, 190.090, and 590.192, to 5 read as follows:

190.050. 1. After the ambulance district has been 2 declared organized, the declaring county commission[, except 3 in counties of the second class having more than one hundred 4 five thousand inhabitants located adjacent to a county of 5 the first class having a charter form of government which 6 has a population of over nine hundred thousand inhabitants,] 7 shall divide the district into six election districts as 8 equal in population as possible[, and] or provide for the 9 election of six directors elected at large from within the 10 district.

11 (1) If the county commission divides the district into 12 election districts, the commission shall by lot number the 13 districts from one to six inclusive. The county commission 14 shall cause an election to be held in the ambulance district

15 [within ninety days] on the next regularly scheduled
16 election date after the order establishing the ambulance
17 district to elect ambulance district directors. Each voter
18 shall vote for one director from the ambulance election
19 district in which the voter resides. The directors elected
20 from districts one and four shall serve for a term of one
21 year, the directors elected from districts two and five
22 shall serve for a term of two years, and the directors from
23 districts three and six shall serve for a term of three
24 years; thereafter, the terms of all directors shall be three
25 years. All directors shall serve the term to which they
26 were elected or appointed, and until their successors are
27 elected and qualified, except in cases of resignation or
28 disqualification. The county commission shall reapportion
29 the ambulance districts within sixty days after the
30 population of the county is reported to the governor for
31 each decennial census of the United States. Notwithstanding
32 any other provision of law, if the number of candidates for
33 the office of director is no greater than the number of
34 directors to be elected, no election shall be held, and the
35 candidates shall assume the responsibilities of their
36 offices at the same time and in the same manner as if they
37 have been elected.

38 [2. In all counties of the second class having more
39 than one hundred five thousand inhabitants located adjacent
40 to a county of the first class having a charter form of
41 government which has a population of over nine hundred
42 thousand inhabitants,] (2) If the county commission
43 provides for an at-large board of directors, it shall order
44 an election be held on the next regularly scheduled election
45 date and the voters shall vote for six directors elected at
46 large from within the district for a term of three years.
47 [Those directors holding office in any district in such a

48 county on August 13, 1976, shall continue to hold office
49 until the expiration of their terms, and their successors
50 shall be elected from the district at large for a term of
51 three years. In any district formed in such counties after
52 August 13, 1976, the governing body of the county shall
53 cause an election to be held in that district within ninety
54 days after the order establishing the ambulance district to
55 elect ambulance district directors. Each voter shall vote
56 for six directors.] The two candidates receiving the
57 highest number of votes at such election shall be elected
58 for a term of three years, the two candidates receiving the
59 third and fourth highest number of votes shall be elected
60 for a term of two years, the two candidates receiving the
61 fifth and sixth highest number of votes shall be elected for
62 a term of one year; thereafter, the term of all directors
63 shall be three years. A director holding office as of
64 August 28, 2026, shall continue as an at-large director for
65 the remainder of such director's existing term.

66 [3.] 2. A candidate for director of the ambulance
67 district shall, at the time of filing, be a citizen of the
68 United States, [a qualified voter of the election district
69 as provided in subsection 1 of this section,] a resident of
70 the district for two years next preceding the election, and
71 shall be at least twenty-four years of age. In an
72 established district which is located within the
73 jurisdiction of more than one election authority, the
74 candidate shall file his or her declaration of candidacy
75 with the secretary of the board. In all other districts, a
76 candidate shall file a declaration of candidacy with the
77 county clerk of the county in which he or she resides. A
78 candidate shall file a statement under oath that he or she
79 possesses the required qualifications. No candidate's name
80 shall be printed on any official ballot unless the candidate

81 has filed a written declaration of candidacy pursuant to
82 subsection 5 of section 115.127. If the time between the
83 county commission's call for a special election and the date
84 of the election is not sufficient to allow compliance with
85 subsection 5 of section 115.127, the county commission
86 shall, at the time it calls the special election, set the
87 closing date for filing declarations of candidacy.

88 3. An ambulance district may, following a public
89 hearing subject to the provisions of chapter 610, by an
90 ordinance adopted by an affirmative vote of two-thirds of
91 the members of the board of directors, abolish the
92 boundaries of any existing election subdistricts if the
93 board is unable to find a qualified candidate to fill the
94 director position of each such subdistrict. Such ordinance
95 may eliminate the subdistricts entirely and provide for the
96 election of directors at large. A copy of the ordinance
97 shall be filed with the county clerk. Upon the abolition of
98 such election subdistricts, all current directors shall
99 serve as directors at large for the remainder of their
100 existing terms.

101 4. Any ambulance district may, by an ordinance adopted
102 by an affirmative vote of two-thirds of the members of the
103 board of directors, establish election subdistricts. Each
104 election subdistrict shall consist of contiguous territory
105 and shall be as compact and nearly equal in population as
106 practicable. The boundaries of such subdistricts shall be
107 established by the county commission. Each board member
108 shall be a resident of the election subdistrict that he or
109 she represents at the time of election and shall remain a
110 resident of such subdistrict for the duration of the
111 member's term.

112 5. Notwithstanding any other provision of law to the
113 contrary, if the number of candidates for the office of

114 director is no greater than the number of directors to be
115 elected, no election shall be held, and the candidates shall
116 assume the responsibilities of their offices at the same
117 time and 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 redraw
34 the district into the resulting number of subdistricts with
35 equal population bases and hold elections by subdistricts
36 pursuant to section 190.050. Thereafter, members of the
37 board shall be elected to serve terms of three years and
38 until their successors are duly elected and qualified.

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

190.052. Any member of the board of directors who
2 moves residency from the district [from which the member was
3 elected] shall be disqualified as a member of the board. If
4 one or two vacancies occur in the membership of the board as
5 a result of death, resignation, or disqualification, the
6 remaining members shall appoint one or two qualified
7 persons, as provided in section 190.050, to fill the
8 vacancies until the end of the unexpired term. Such
9 appointment shall be made with the consent of a majority of
10 the remaining members of the board. If the board is unable
11 to agree in filling a vacancy [within sixty days or if there
12 are more than two vacancies at any one time], the county
13 commission, upon [notice from the board of failure to agree
14 in filling the vacancies] the written request of a majority
15 of the remaining board members or the ambulance service
16 administrator, as described in section 190.112, shall within
17 [ten] thirty calendar days fill them by appointment of
18 qualified persons, as provided in section 190.050, and shall

19 notify the persons in writing of their appointment. The
20 persons appointed shall serve for the 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. A hearing shall be held thereon [as nearly as
9 possible as in the case of a formation petition] within
10 thirty days of the filing of such petition. If upon the
11 hearing the commissioners of the county commission find that
12 the petition is in compliance with the provisions of
13 sections 190.005 to 190.085, they shall order the question
14 to be submitted to the voters within the territory and
15 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, within thirty
28 days of the certification of the election results, by order
29 declare the territory annexed and shall describe the altered
30 boundaries of the district. A copy of the same shall be
31 filed with the county clerk.

190.089. Upon voter approval of an ambulance district
2 consolidation at an election, the department shall
3 prioritize and expedite any activities necessary to
4 facilitate the consolidation.

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
32 plan 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 such districts, and
45 the current tax levies imposed by each of such districts;

46 (3) The name of the district that shall be responsible
47 for maintaining ambulance service during the consolidation,
48 including continuing operations, administration, and
49 governance of the consolidated district, provided that there
50 shall be a presumption that the district with the largest
51 operating budget in the preceding fiscal year shall assume
52 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 timeline for consolidation, which shall
60 not exceed one hundred eighty days, provided that such

61 timeline 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 a
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
100 the board of directors, the existing ambulance districts
101 shall cease to exist and the consolidated district shall
102 assume all of the powers and duties exercised by those
103 districts. All assets and obligations of the existing
104 ambulance districts shall become assets and obligations of
105 the consolidated district], who shall record such documents
106 in the records of the county. A petition or resolution for
107 a proposed consolidation shall be received from all
108 ambulance districts within the same calendar year or shall
109 be 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 thirty days after the date of
122 the 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 the _____ 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
148 residing in the proposed consolidated district that
149 is not less than five percent of the votes cast for
150 governor in the district in the most recent
151 gubernatorial election.

152
153 8. If no objections are filed with the county clerk
154 within thirty days after the public hearing, within forty-
155 five days following the date of the public hearing, the
156 county commission shall order the districts consolidated
157 pursuant to the terms of the consolidation plan and shall
158 further appoint as directors those individuals identified in
159 the consolidation plan. The county commission shall further
160 set a date, time, and location for the first meeting of the
161 directors of the newly consolidated district.

162 9. Upon receipt of any objections filed, the county
163 clerk shall verify that such objections are signed by the

164 necessary number of voters of the district. If such
165 objections are signed by an appropriate number of voters,
166 the county commission of each county in which the proposed
167 consolidated district is to be located shall thereupon order
168 the submission of the question to the voters of the
169 districts. The question shall be submitted in substantially
170 the following form:

171 Shall the existing ambulance districts be
172 consolidated into one ambulance district to be
173 known as the Ambulance District, with
174 such consolidated district authorized to levy a
175 property tax not to exceed the annual rate of
176 cents on the hundred dollars assessed
177 valuation or a sales tax in an amount not to exceed
178 percent, or a combination of both?
179

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

190 10. Notwithstanding any other provision of law to the
191 contrary, the consolidated district may impose an initial
192 tax levy up to the highest tax levy of the consolidating
193 districts, provided such tax levy is specifically set forth
194 in the ballot language submitted to and approved by the
195 voters of the consolidating district.

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

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

590.192. 1. There is hereby established the "Critical
2 Incident Stress Management Program" within the department of
3 public safety. The program shall provide services for peace
4 officers and first responders to assist in coping with
5 stress and potential psychological trauma resulting from a
6 response to a critical incident or emotionally difficult
7 event. Such services may include consultation, risk
8 assessment, education, intervention, and other crisis
9 intervention services provided by the department to peace
10 officers and first responders affected by a critical
11 incident. For purposes of this section, a "critical
12 incident" shall mean any event outside the usual realm of
13 human experience that is markedly distressing or evokes
14 reactions of intense fear, helplessness, or horror and

15 involves the perceived threat to a person's physical
16 integrity or the physical integrity of someone else. For
17 purposes of this section, the term "first responder" shall
18 have the same meaning as first responder in section 190.1010.

19 2. All peace officers and first responders shall be
20 required to meet with a program service provider once every
21 three to five years for a mental health check-in, or
22 participate in a department-established behavioral health or
23 mental health program that meets the requirements of
24 subsection 1 which shall satisfy this requirement. The
25 program service provider shall send a notification to the
26 peace officer's commanding officer, or first responder's
27 commanding officer, or first responder's director or
28 supervisor that he or she completed such check-in.

29 3. Any information disclosed by a peace officer or
30 first responder shall be privileged and shall not be used as
31 evidence in criminal, administrative, or civil proceedings
32 against the peace officer or first responder unless:

33 (1) A program representative reasonably believes the
34 disclosure is necessary to prevent harm to a person who
35 received services or to prevent harm to another person;

36 (2) The person who received the services provides
37 written consent to the disclosure; or

38 (3) The person receiving services discloses
39 information that is required to be reported under mandatory
40 reporting laws.

41 4. (1) There is hereby created in the state treasury
42 the "988 Public Safety Fund", which shall consist of moneys
43 appropriated by the general assembly. The state treasurer
44 shall be custodian of the fund. In accordance with sections
45 30.170 and 30.180, the state treasurer may approve
46 disbursements. The fund shall be a dedicated fund and
47 moneys in the fund shall be used solely by the department of

48 public safety for the purposes of providing services for
49 peace officers and first responders to assist in coping with
50 stress and potential psychological trauma resulting from a
51 response to a critical incident or emotionally difficult
52 event pursuant to subsection 1 of this section. Such
53 services may include consultation, risk assessment,
54 education, intervention, and other crisis intervention
55 services provided by the department to peace officers or
56 first responders affected by a critical incident. The
57 director of public safety may prescribe rules and
58 regulations necessary to carry out the provisions of this
59 section. Any rule or portion of a rule, as that term is
60 defined in section 536.010, that is created under the
61 authority delegated in this section shall become effective
62 only if it complies with and is subject to all of the
63 provisions of chapter 536 and, if applicable, section
64 536.028. This section and chapter 536 are nonseverable and
65 if any of the powers vested with the general assembly
66 pursuant to chapter 536 to review, to delay the effective
67 date, or to disapprove and annul a rule are subsequently
68 held unconstitutional, then the grant of rulemaking
69 authority and any rule proposed or adopted after August 28,
70 2021, shall be invalid and void.

71 (2) Notwithstanding the provisions of section 33.080
72 to the contrary, any moneys remaining in the fund at the end
73 of the biennium shall not revert to the credit of the
74 general revenue fund.

75 (3) The state treasurer shall invest moneys in the
76 fund in the same manner as other funds are invested. Any
77 interest and moneys earned on such investments shall be
78 credited to the fund.

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Rusty Black

Jeff Farnan