

FIRST REGULAR SESSION

HOUSE BILL NO. 322

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MOLENDORP (Sponsor),
McGHEE AND SCAVUZZO (Co-sponsors).

0979L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 204.569, RSMo, and to enact in lieu thereof one new section relating to sewer subdistricts.

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

Section A. Section 204.569, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 204.569, to read as follows:

204.569. When an unincorporated sewer subdistrict of a common sewer district has been formed pursuant to sections 204.565 to 204.573, the board of trustees of the common sewer district shall have the same powers with regard to the subdistrict as for the common sewer district as a whole, plus the following additional powers:

(1) To enter into agreements to accept, take title to, or otherwise acquire, and to operate such sewers, sewer systems, treatment and disposal facilities, and other property, both real and personal, of the political subdivisions included in the subdistrict as the board determines to be in the interest of the common sewer district to acquire or operate, according to such terms and conditions as the board finds reasonable, provided that such authority shall be in addition to the powers of the board of trustees pursuant to section 204.340;

(2) To provide for the construction, extension, improvement, and operation of such sewers, sewer systems, and treatment and disposal facilities, as the board determines necessary for the preservation of public health and maintenance of sanitary conditions in the subdistrict;

(3) For the purpose of meeting the costs of activities undertaken pursuant to the authority granted in this section, to issue bonds in anticipation of revenues of the subdistrict in the same manner as set out in sections 204.360 to 204.450, for other bonds of the common sewer district.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 Issuance of such bonds for the subdistrict shall require the assent only of four-sevenths of the
18 voters of the subdistrict voting on the question, and the principal and interest of such bonds shall
19 be payable only from the revenues of the subdistrict and not from any revenues of the common
20 sewer district as a whole. **If the subdistrict is a part of a common sewer district located in
21 any county with a charter form of government and with more than six hundred thousand
22 but fewer than seven hundred thousand inhabitants, the provisions of section 204.370
23 requiring action to authorize the issuance of bonds to undertake the activities in the
24 subdistrict shall apply, except that the term "customer" shall mean any political
25 subdivision within the subdistrict that has a service or user agreement with the common
26 sewer district;**

27 (4) To charge the costs of the common sewer district for operation and maintenance
28 attributable to the subdistrict, plus a proportionate share of the common sewer district's costs of
29 administration to revenues of the subdistrict and to consider such costs in determining reasonable
30 charges to impose within the subdistrict under section 204.440;

31 (5) With prior concurrence of the subdistrict's advisory board, to provide for the
32 treatment and disposal of sewage from the subdistrict in or by means of facilities of the common
33 sewer district not located within the subdistrict, in which case the board of trustees shall also
34 have authority to charge a proportionate share of the costs of the common sewer district for
35 operation and maintenance to revenues of the subdistrict and to consider such costs in
36 determining reasonable charges to impose within the subdistrict under section 204.440.

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