

FIRST REGULAR SESSION

# HOUSE BILL NO. 884

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES ROORDA (Sponsor), HOLSMAN, MEADOWS, BRUNS,  
HODGES, WILDBERGER, COLONA, SCHIEFFER, FISCHER (107), AULL, NORR, SCHOELLER,  
CORCORAN, BROWN (50), LAMPE, PACE, HUGHES, SMITH (14),  
DIECKHAUS AND BROWN (73) (Co-sponsors).

2008L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 67.304, RSMo, and to enact in lieu thereof one new section relating to public safety officers soliciting charitable contributions.

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

Section A. Section 67.304, RSMo, is repealed and one new section enacted in lieu  
2 thereof, to be known as section 67.304, to read as follows:

67.304. 1. The governing body of any municipality or county may authorize any  
2 organization to stand in a road in such municipality or county to solicit a charitable contribution.  
3 Any organization seeking authorization under this section shall file a written application with  
4 the governing body no later than the eleventh day before the solicitation is to begin. The  
5 application shall include:

- 6 (1) The date and time the solicitation is to occur;
- 7 (2) The location of the solicitation; and
- 8 (3) The number of solicitors to be involved at each location of the solicitation.

9 2. **(1) Notwithstanding the provisions of subsection 1 of this section to the contrary,**  
10 **the governing body of any municipality or county shall authorize an organization to stand**  
11 **in a road in such municipality or county to solicit a charitable contribution if:**

12 (a) **The persons who will be engaged in soliciting such charitable contributions are**  
13 **public safety officers and such officers shall only be soliciting within the service area of the**  
14 **political subdivision by which they are employed;**

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.

15           **(b) The organization files a written application with the governing body no later**  
16 **than the eleventh day before the solicitation is to begin;**

17           **(c) The application includes:**

18           **a. The date and time the solicitation is to occur;**

19           **b. The location of the solicitation;**

20           **c. The number of solicitors to be involved at each location of the solicitation;**

21           **d. Proof of a valid liability insurance policy in an amount of at least one million**  
22 **dollars insuring the charity, the political subdivision employing the public safety officers,**  
23 **and the municipality or county authorizing the solicitation against bodily injury and**  
24 **property damage arising out of or in connection with the solicitation.**

25           **(2) For the purposes of this subsection, the term "public safety officer" shall mean**  
26 **any law enforcement officer, firefighter, or other person employed to protect the public**  
27 **safety of a political subdivision.**

28           **(3) The governing body shall approve the application within five business days of**  
29 **the filing date of the application if all requirements of this subsection are met.**

30           **3.** The governing body may require the applicant to obtain a permit or to pay a  
31 reasonable fee to receive the authorization.

32           **[3.] 4. Unless otherwise required by subsection 2 of this section,** the governing body  
33 may require proof of liability insurance in the amount determined by the municipality or county  
34 to cover damages that may arise from the solicitation. The insurance shall provide coverage  
35 against claims against the applicant and claims against the governing body.

36           **[4.] 5.** Collections shall only be conducted at intersections controlled by electronic signal  
37 lights or by four-way stop signs.

38           **[5.] 6.** The governing body may set a minimum age requirement for all individuals  
39 participating in charitable solicitation activities under this section.

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