

FIRST REGULAR SESSION

# HOUSE BILL NO. 711

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES McDONALD (Sponsor), TORPEY, BROWN (50), KRATKY, COLONA, RIZZO, CIERPIOT, CURLS, HODGES, KANDER, ANDERS, LASATER, McMANUS, MOLENDORP, TALBOY, PETERS-BAKER, HOLSMAN, NANCE, GRISAMORE, CROSS, HUMMEL, MEADOWS, FALLERT, CASEY, McGEOGHEGAN, SWEARINGEN, HARRIS, LAUER AND McNARY (Co-sponsors).

1825L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 250.236 and 393.015, RSMo, and to enact in lieu thereof two new sections relating to the nonpayment of sewer services.

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

Section A. Sections 250.236 and 393.015, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 250.236 and 393.015, to read as follows:

250.236. 1. Any city, town or village may contract with a private or public water  
2 company to terminate water services, at the direction of the city, because a customer fails to pay  
3 his sewer bill. When charges for sewer services are in arrears for more than three months and  
4 after the city sends notice to the customer [by certified mail], the city may disconnect the  
5 customer's sewer line or request in writing that the private or public water company discontinue  
6 water service until such time as the sewer charges and all related costs are paid.

7 2. A private or public water company acting pursuant to a written request from the city  
8 as provided in subsection 1 of this section is not liable for damages related to termination of  
9 water services. All costs related to disconnection and reconnections shall be reimbursed to the  
10 private water company by the city.

393.015. 1. Notwithstanding any other provision of law to the contrary, any sewer  
2 corporation, municipality or sewer district established under the provisions of chapter 249 or  
3 250, or sections 204.250 to 204.470, or any sewer district created and organized pursuant to  
4 constitutional authority, may contract with any water corporation to terminate water services to

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.

5 any customer premises for nonpayment of a sewer bill. No such termination of water service  
6 may occur until thirty days after the sewer corporation, municipality or statutory sewer district  
7 or sewer district created and organized pursuant to constitutional authority sends a written notice  
8 to the customer [by certified mail], except that if the water corporation is performing a combined  
9 water and sewer billing service for the sewer corporation, municipality or sewer district, no  
10 additional notice or any additional waiting period shall be required other than the notice and  
11 waiting period already used by the water corporation to disconnect water service for nonpayment  
12 of the water bill. Acting pursuant to a contract, the water corporation shall discontinue water  
13 service until such time as the sewer charges and all related costs of termination and  
14 reestablishment of sewer and water services are paid by the customer.

15       2. A water corporation acting pursuant to a contract with a sewer corporation,  
16 municipality or sewer district as provided in subsection 1 of this section shall not be liable for  
17 damages related to termination of water services unless such damage is caused by the negligence  
18 of such water corporation, in which case the water corporation shall be indemnified by the sewer  
19 corporation, municipality or sewer district. Unless otherwise specified in the contract, all costs  
20 related to the termination and reestablishment of services by the water corporation shall be  
21 reimbursed by the sewer corporation, municipality, sewer district or sewer district created and  
22 organized pursuant to constitutional authority.