

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR

HOUSE BILL NO. 336

97TH GENERAL ASSEMBLY

1220H.07T

2013

AN ACT

To repeal sections 84.480, 84.510, 84.830, 86.200, 86.257, 86.263, 99.845, 190.100, 321.015, 321.210, and 321.322, RSMo, and to enact in lieu thereof thirteen new sections relating to emergency services.

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

Section A. Sections 84.480, 84.510, 84.830, 86.200, 86.257, 86.263, 99.845, 190.100, 2 321.015, 321.210, and 321.322, RSMo, are repealed and thirteen new sections enacted in lieu 3 thereof, to be known as sections 67.145, 84.480, 84.510, 84.830, 86.200, 86.257, 86.263, 99.845, 4 190.098, 190.100, 321.015, 321.210, and 321.322, to read as follows:

67.145. No political subdivision of this state shall prohibit any first responder, as 2 the term "first responder" is defined in section 192.800, from engaging in any political 3 activity while off duty and not in uniform, being a candidate for elected or appointed 4 public office, or holding such office unless such political activity or candidacy is otherwise 5 prohibited by state or federal law.

84.480. The board of police commissioners shall appoint a chief of police who shall be 2 the chief police administrative and law enforcement officer of such cities. The chief of police 3 shall be chosen by the board solely on the basis of his or her executive and administrative 4 qualifications and his or her demonstrated knowledge of police science and administration with 5 special reference to his or her actual experience in law enforcement leadership and the provisions 6 of section 84.420. At the time of the appointment, the chief shall not be more than sixty years 7 of age, shall have had at least five years' executive experience in a governmental police agency

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.

8 and shall be certified by a surgeon or physician to be in a good physical condition, and shall be
9 a citizen of the United States and shall either be or become a citizen of the state of Missouri and
10 resident of the city in which he or she is appointed as chief of police. In order to secure and
11 retain the highest type of police leadership within the departments of such cities, the chief shall
12 receive a salary of not less than eighty thousand two hundred eleven dollars, nor more than one
13 hundred [seventy-two] **eighty-nine** thousand [four] **seven** hundred [seventy-eight] **twenty-six**
14 dollars per annum.

84.510. 1. For the purpose of operation of the police department herein created, the chief
2 of police, with the approval of the board, shall appoint such number of police department
3 employees, including police officers and civilian employees as the chief of police from time to
4 time deems necessary.

5 2. The base annual compensation of police officers shall be as follows for the several
6 ranks:

7 (1) Lieutenant colonels, not to exceed five in number, at not less than seventy-one
8 thousand nine hundred sixty-nine dollars, nor more than one hundred [twenty-one] **thirty-three**
9 thousand [seven] **eight** hundred [sixteen] **eighty-eight** dollars per annum each;

10 (2) Majors at not less than sixty-four thousand six hundred seventy-one dollars, nor more
11 than one hundred [eleven] **twenty-two** thousand [forty-eight] **one hundred fifty-three** dollars
12 per annum each;

13 (3) Captains at not less than fifty-nine thousand five hundred thirty-nine dollars, nor
14 more than one hundred [one] **eleven** thousand [three] **four** hundred [four] **thirty-four** dollars
15 per annum each;

16 (4) Sergeants at not less than forty-eight thousand six hundred fifty-nine dollars, nor
17 more than [eighty-eight] **ninety-seven** thousand [two hundred sixty] **eighty-six** dollars per
18 annum each;

19 (5) Master patrol officers at not less than fifty-six thousand three hundred four dollars,
20 nor more than [seventy-nine] **eighty-seven** thousand seven hundred [twenty-eight] **one** dollars
21 per annum each;

22 (6) Master detectives at not less than fifty-six thousand three hundred four dollars, nor
23 more than [seventy-nine] **eighty-seven** thousand seven hundred [twenty-eight] **one** dollars per
24 annum each;

25 (7) Detectives, investigators, and police officers at not less than twenty-six thousand six
26 hundred forty-three dollars, nor more than [seventy-five] **eighty-two** thousand [one] **six** hundred
27 [eight] **nineteen** dollars per annum each.

28 3. The board of police commissioners has the authority by resolution to effect a
29 comprehensive pay schedule program to provide for step increases with separate pay rates within
30 each rank, in the above-specified salary ranges from police officers through chief of police.

31 4. Officers assigned to wear civilian clothes in the performance of their regular duties
32 may receive an additional one hundred fifty dollars per month clothing allowance. Uniformed
33 officers may receive seventy-five dollars per month uniform maintenance allowance.

34 5. The chief of police, subject to the approval of the board, shall establish the total
35 regular working hours for all police department employees, and the board has the power, upon
36 recommendation of the chief, to pay additional compensation for all hours of service rendered
37 in excess of the established regular working period, but the rate of overtime compensation shall
38 not exceed one and one-half times the regular hourly rate of pay to which each member shall
39 normally be entitled. No credit shall be given nor deductions made from payments for overtime
40 for the purpose of retirement benefits.

41 6. The board of police commissioners, by majority affirmative vote, including the mayor,
42 has the authority by resolution to authorize incentive pay in addition to the base compensation
43 as provided for in subsection 2 of this section, to be paid police officers of any rank who they
44 determine are assigned duties which require an extraordinary degree of skill, technical
45 knowledge and ability, or which are highly demanding or unusual. No credit shall be given nor
46 deductions made from these payments for the purpose of retirement benefits.

47 7. The board of police commissioners may effect programs to provide additional
48 compensation for successful completion of academic work at an accredited college or university.
49 No credit shall be given nor deductions made from these payments for the purpose of retirement
50 benefits.

51 8. The additional pay increments provided in subsections 6 and 7 of this section shall not
52 be considered a part of the base compensation of police officers of any rank and shall not exceed
53 ten percent of what the officer would otherwise be entitled to pursuant to subsections 2 and 3 of
54 this section.

55 9. Not more than twenty-five percent of the officers in any rank who are receiving the
56 maximum rate of pay authorized by subsections 2 and 3 of this section may receive the additional
57 pay increments authorized by subsections 6 and 7 of this section at any given time. However,
58 any officer receiving a pay increment provided pursuant to the provisions of subsections 6 and
59 7 of this section shall not be deprived of such pay increment as a result of the limitations of this
60 subsection.

84.830. 1. [No person shall solicit orally, or by letter or otherwise, or shall be in any
2 manner concerned in soliciting, any assessment, contribution, or payment for any political
3 purpose whatsoever from any officer or employee in the service of the police department for such

4 cities or from members of the said police board.] No officer, agent, or employee of the police
5 department of such cities shall permit any [such] solicitation **for political purpose** in any
6 building or room occupied for the discharge of the official duties of the said department. [No
7 officer or employee in the service of said police department shall directly or indirectly give, pay,
8 lend, or contribute any part of his salary or compensation or any money or other valuable thing
9 to any person on account of, or to be applied to, the promotion of any political party, political
10 club, or any political purpose whatever.]

11 2. No officer or employee of said department shall promote, remove, or reduce any other
12 official or employee, or promise or threaten to do so, for withholding or refusing to make any
13 contribution for any political party or purpose or club, or for refusal to render any political
14 service, and shall not directly or indirectly attempt to coerce, command, or advise any other
15 officer or employee to make any such contribution or render any such service. No officer or
16 employee in the service of said department or member of the police board shall use his official
17 authority or influence for the purpose of interfering with any election or any nomination for
18 office, or affecting the result thereof. No officer or employee of such department shall [be a
19 member or official of any committee of any political party, or be a ward committeeman or
20 committeewoman, nor shall any such officer or employee] solicit any person to vote for or
21 against any candidate for public office, or "poll precincts" or be connected with other political
22 work of similar character on behalf of any political organization, party, or candidate **while on**
23 **duty or while wearing the official uniform of the department.** All such persons shall,
24 however, retain the right to vote as they may choose and to express their opinions on all political
25 subjects and candidates.

26 3. No person or officer or employee of said department shall affix any sign, bumper
27 sticker or other device to any property or vehicle under the control of said department which
28 either supports or opposes any ballot measure or political candidate.

29 4. No question in any examination shall relate to political or religious opinions or
30 affiliations, and no appointment, transfer, layoff, promotion, reduction, suspension, or removal
31 shall be affected by such opinions or affiliations.

32 5. No person shall make false statement, certification, mark, rating, or report with regard
33 to any tests, certificate, or appointment made under any provision of sections 84.350 to 84.860
34 or in any manner commit or attempt to commit any fraud preventing the impartial execution of
35 this section or any provision thereof.

36 6. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any
37 money, service, or other valuable consideration for or on account of any appointment, proposed
38 appointment, promotion to, or any advancement in, a position in the service of the police
39 departments of such cities.

40 7. No person shall defeat, deceive, or obstruct any person in his right to examination,
41 eligibility, certification, appointment or promotion under sections 84.350 to 84.860, or furnish
42 to any person any such secret information for the purpose of affecting the right or prospects of
43 any person with respect to employment in the police departments of such cities.

44 8. Any officer or any employee of the police department of such cities who shall be
45 found by the board to have violated any of the provisions of this section shall be discharged
46 forthwith from said service. It shall be the duty of the chief of police to prefer charges against
47 any such offending person at once. Any member of the board or of the common council of such
48 cities may bring suit to restrain payment of compensation to any such offending officer or
49 employee and, as an additional remedy, any such member of the board or of the common council
50 of such cities may also apply to the circuit court for a writ of mandamus to compel the dismissal
51 of such offending officer or employee. Officers or employees discharged by such mandamus
52 shall have no right of review before the police board. Any person dismissed or convicted under
53 this section shall, for a period of five years, be ineligible for appointment to any position in the
54 service of the police department of such cities or the municipal government of such cities. Any
55 persons who shall willfully or through culpable negligence violate any of the provisions of this
56 section may, upon conviction thereof, be punished by a fine of not less than fifty dollars and not
57 exceeding five hundred dollars, or by imprisonment for a time not exceeding six months, or by
58 both such fine and imprisonment.

86.200. The following words and phrases as used in sections 86.200 to 86.366, unless
2 a different meaning is plainly required by the context, shall have the following meanings:

3 (1) "Accumulated contributions", the sum of all mandatory contributions deducted from
4 the compensation of a member and credited to the member's individual account, together with
5 members' interest thereon;

6 (2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of
7 mortality tables and interest assumptions adopted by the board of trustees;

8 (3) "Average final compensation":

9 (a) With respect to a member who earns no creditable service on or after October 1,
10 2001, the average earnable compensation of the member during the member's last three years of
11 creditable service as a police officer, or if the member has had less than three years of creditable
12 service, the average earnable compensation of the member's entire period of creditable service;

13 (b) With respect to a member who is not participating in the DROP pursuant to section
14 86.251 on October 1, 2001, who did not participate in the DROP at any time before such date,
15 and who earns any creditable service on or after October 1, 2001, the average earnable
16 compensation of the member during the member's last two years of creditable service as a

17 policeman, or if the member has had less than two years of creditable service, then the average
18 earnable compensation of the member's entire period of creditable service;

19 (c) With respect to a member who is participating in the DROP pursuant to section
20 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns
21 to active participation in the system pursuant to section 86.251, and who terminates employment
22 as a police officer for reasons other than death or disability before earning at least two years of
23 creditable service after such return, the portion of the member's benefit attributable to creditable
24 service earned before DROP entry shall be determined using average final compensation as
25 defined in paragraph (a) of this subdivision; and the portion of the member's benefit attributable
26 to creditable service earned after return to active participation in the system shall be determined
27 using average final compensation as defined in paragraph (b) of this subdivision;

28 (d) With respect to a member who is participating in the DROP pursuant to section
29 86.251 on October 1, 2001, or whose participation in the DROP ended before such date, who
30 returns to active participation in the system pursuant to section 86.251, and who terminates
31 employment as a police officer after earning at least two years of creditable service after such
32 return, the member's benefit attributable to all of such member's creditable service shall be
33 determined using the member's average final compensation as defined in paragraph (b) of this
34 subdivision;

35 (e) With respect to a member who is participating in the DROP pursuant to section
36 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns
37 to active participation in the system pursuant to section 86.251, and whose employment as a
38 police officer terminates due to death or disability after such return, the member's benefit
39 attributable to all of such member's creditable service shall be determined using the member's
40 average final compensation as defined in paragraph (b) of this subdivision; and

41 (f) With respect to the surviving spouse or surviving dependent child of a member who
42 earns any creditable service on or after October 1, 2001, the average earnable compensation of
43 the member during the member's last two years of creditable service as a police officer or, if the
44 member has had less than two years of creditable service, the average earnable compensation of
45 the member's entire period of creditable service;

46 (4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;

47 (5) "Board of police commissioners", any board of police commissioners, police
48 commissioners and any other officials or boards now or hereafter authorized by law to employ
49 and manage a permanent police force in such cities;

50 (6) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer
51 the retirement system;

52 (7) "Creditable service", prior service plus membership service as provided in sections
53 86.200 to 86.366;

54 (8) "DROP", the deferred retirement option plan provided for in section 86.251;

55 (9) "Earnable compensation", the annual salary **established under section 84.160** which
56 a member would earn during one year on the basis of the member's rank or position [as specified
57 in the applicable salary matrix] plus any additional compensation for academic work and shift
58 differential that may be provided by any official or board now or hereafter authorized by law to
59 employ and manage a permanent police force in such cities. Such amount shall include the
60 member's deferrals to a deferred compensation plan pursuant to Section 457 of the Internal
61 Revenue Code or to a cafeteria plan pursuant to Section 125 of the Internal Revenue Code or,
62 effective October 1, 2001, to a transportation fringe benefit program pursuant to Section
63 132(f)(4) of the Internal Revenue Code. Earnable compensation shall not include a member's
64 additional compensation for overtime, standby time, court time, nonuniform time or unused
65 vacation time. Notwithstanding the foregoing, the earnable compensation taken into account
66 under the plan established pursuant to sections 86.200 to 86.366 with respect to a member who
67 is a noneligible participant, as defined in this subdivision, for any plan year beginning on or after
68 October 1, 1996, shall not exceed the amount of compensation that may be taken into account
69 under Section 401(a)(17) of the Internal Revenue Code, as adjusted for increases in the cost of
70 living, for such plan year. For purposes of this subdivision, a "noneligible participant" is an
71 individual who first becomes a member on or after the first day of the first plan year beginning
72 after the earlier of:

73 (a) The last day of the plan year that includes August 28, 1995; or

74 (b) December 31, 1995;

75 (10) "Internal Revenue Code", the federal Internal Revenue Code of 1986, as amended;

76 (11) "Mandatory contributions", the contributions required to be deducted from the
77 salary of each member who is not participating in DROP in accordance with section 86.320;

78 (12) **"Medical board", the board of three physicians of different disciplines**
79 **appointed by the trustees of the police retirement board and responsible for arranging and**
80 **passing upon all medical examinations required under the provisions of sections 86.200 to**
81 **86.366, which board shall investigate all essential statements and certificates made by or**
82 **on behalf of a member in connection with an application for disability retirement and shall**
83 **report in writing to the board of trustees its conclusions and recommendations, which can**
84 **be based upon the opinion of a single member or that of an outside specialist if one is**
85 **appointed, upon all the matters referred to such medical board;**

86 (13) "Member", a member of the retirement system as defined by sections 86.200 to
87 86.366;

88 [(13)] (14) "Members' interest", interest on accumulated contributions at such rate as
89 may be set from time to time by the board of trustees;

90 [(14)] (15) "Membership service", service as a policeman rendered since last becoming
91 a member, except in the case of a member who has served in the armed forces of the United
92 States and has subsequently been reinstated as a policeman, in which case "membership service"
93 means service as a policeman rendered since last becoming a member prior to entering such
94 armed service;

95 [(15)] (16) "Plan year" or "limitation year", the twelve consecutive-month period
96 beginning each October first and ending each September thirtieth;

97 [(16)] (17) "Policeman" or "police officer", any member of the police force of such cities
98 who holds a rank in such police force;

99 [(17)] (18) "Prior service", all service as a policeman rendered prior to the date the
100 system becomes operative or prior to membership service which is creditable in accordance with
101 the provisions of sections 86.200 to 86.366;

102 [(18)] (19) "Reserve officer", any member of the police reserve force of such cities,
103 armed or unarmed, who works less than full time, without compensation, and who, by his or her
104 assigned function or as implied by his or her uniform, performs duties associated with those of
105 a police officer and who currently receives a service retirement as provided by sections 86.200
106 to 86.366;

107 [(19)] (20) "Retirement allowance", annual payments for life as provided by sections
108 86.200 to 86.366 which shall be payable in equal monthly installments or any benefits in lieu
109 thereof granted to a member upon termination of employment as a police officer and actual
110 retirement;

111 [(20)] (21) "Retirement system", the police retirement system of the cities as defined in
112 sections 86.200 to 86.366;

113 [(21)] (22) "Surviving spouse", the surviving spouse of a member who was the member's
114 spouse at the time of the member's death.

86.257. 1. Upon the application of [a member in service or of] the board of police
2 commissioners **or any successor body**, any member who has completed ten or more years of
3 creditable service **or upon the police retirement system created by sections 86.200 to 86.366**
4 **first attaining, after the effective date of this act, a funded ratio, as defined in section**
5 **105.660 and as determined by the system's annual actuarial valuation, of at least eighty**
6 **percent, a member who has completed five or more years of creditable service** and who has
7 become permanently unable to perform the duties of a police officer as the result of an injury or
8 illness not exclusively caused or induced by the actual performance of his or her official duties
9 or by his or her own negligence shall be retired by the board of [trustees of the police retirement

10 system] **police commissioners or any successor body** upon certification by the medical
11 [director] **board** of the police retirement system and approval by the board of trustees of the
12 police retirement system that the member is mentally or physically unable to perform the duties
13 of a police officer, that the inability is permanent or likely to become permanent, and that the
14 member should be retired.

15 2. Once each year during the first five years following such member's retirement, and at
16 least once in every three-year period thereafter, the board of trustees may, and upon the member's
17 application shall, require any nonduty disability beneficiary who has not yet attained sixty years
18 of age to undergo a medical examination at a place designated by the medical [director] **board**
19 or such physicians as the medical [director] **board** appoints. If any nonduty disability
20 beneficiary who has not attained sixty years of age refuses to submit to a medical examination,
21 his or her nonduty disability pension may be discontinued until his or her withdrawal of such
22 refusal, and if his or her refusal continues for one year, all rights in and to such pension may be
23 revoked by the board of trustees.

24 3. If the medical [director] **board** certifies to the board of trustees that a nonduty
25 disability beneficiary is able to perform the duties of a police officer, and if the board of trustees
26 concurs on the report, then such beneficiary's nonduty disability pension shall cease.

27 4. If upon cessation of a disability pension under subsection 3 of this section, the former
28 disability beneficiary is restored to active service, he or she shall again become a member, and
29 he or she shall contribute thereafter at the same rate as other members. Upon his or her
30 subsequent retirement, he or she shall be credited with all of his or her active retirement, but not
31 including any time during which the former disability beneficiary received a disability pension
32 under this section.

86.263. 1. Any member **in active service** who is permanently unable to perform the **full**
2 **and unrestricted** duties of a police officer as the natural, proximate, and exclusive result of an
3 accident occurring within the actual performance of duty at some definite time and place, through
4 no negligence on the member's part, shall[, upon application,] be retired **by the board of police**
5 **commissioners or any successor body** upon certification by [the medical director of the police
6 retirement system and approval by the board of trustees of the police retirement system] **one or**
7 **more physicians of the medical board** that the member is mentally or physically unable to
8 perform the **full and unrestricted** duties of a police officer [and] , that the inability is permanent
9 or [reasonably] likely to become permanent, **and that the member should be retired. The**
10 **inability to perform the "full and unrestricted duties of a police officer" means the member**
11 **is unable to perform all the essential job functions for the position of police officer as**
12 **established by the board of police commissioners or any successor body.**

13 2. No member shall be approved for retirement under the provisions of subsection 1 of
14 this section unless the application was made and submitted to the board of [trustees of the police
15 retirement system] **police commissioners or any successor body** no later than five years
16 following the date of accident, provided, that if the accident was reported within five years of the
17 date of the accident and an examination made of the member within thirty days of the date of
18 accident by a health care provider whose services were provided through the board of police
19 commissioners with subsequent examinations made as requested, then an application made more
20 than five years following the date of the accident shall be considered timely.

21 3. Once each year during the first five years following a member's retirement, and at least
22 once in every three-year period thereafter, the board of trustees may require any disability
23 beneficiary who has not yet attained sixty years of age to undergo a medical examination or
24 medical examinations at a place designated by the medical [director] **board** or such physicians
25 as the medical [director] **board** appoints. If any disability beneficiary who has not attained sixty
26 years of age refuses to submit to a medical examination, his or her disability pension may be
27 discontinued **by the board of trustees of the police retirement system** until his or her
28 withdrawal of such refusal, and if his or her refusal continues for one year, all rights in and to
29 such pension may be revoked by the board of trustees.

30 4. If the medical [director] **board** certifies to the board of trustees that a disability
31 beneficiary is able to perform the duties of a police officer, [and if the board of trustees concurs
32 with the medical director's determination,] then such beneficiary's disability pension shall cease.

33 5. If upon cessation of a disability pension under subsection 4 of this section, the former
34 disability beneficiary is restored to active service, he or she shall again become a member, and
35 he or she shall contribute thereafter at the same rate as other members. Upon his or her
36 subsequent retirement, he or she shall be credited with all of his or her active service time as a
37 member including the service time prior to receiving disability retirement, but not including any
38 time during which the former disability beneficiary received a disability pension under this
39 section.

40 6. If upon cessation of a disability pension under subsection 4 of this section, the former
41 disability beneficiary is not restored to active service, such former disability beneficiary shall be
42 entitled to the retirement benefit to which such former disability beneficiary would have been
43 entitled if such former disability beneficiary had terminated service for any reason other than
44 dishonesty or being convicted of a felony at the time of such cessation of such former disability
45 beneficiary's disability pension. For purposes of such retirement benefits, such former disability
46 beneficiary shall be credited with all of the former disability beneficiary's active service time as
47 a member, but not including any time during which the former disability beneficiary received a
48 disability beneficiary pension under this section.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for

36 in section 163.031 until such time as all redevelopment costs have been paid as provided for in
37 this section and section 99.850;

38 (b) Notwithstanding any provisions of this section to the contrary, for purposes of
39 determining the limitation on indebtedness of local government pursuant to article VI, section
40 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area
41 selected for redevelopment attributable to the increase above the total initial equalized assessed
42 valuation shall be included in the value of taxable tangible property as shown on the last
43 completed assessment for state or county purposes;

44 (c) The county assessor shall include the current assessed value of all property within
45 the taxing district in the aggregate valuation of assessed property entered upon the assessor's
46 book and verified pursuant to section 137.245, and such value shall be utilized for the purpose
47 of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri
48 Constitution;

49 (3) For purposes of this section, "levies upon taxable real property in such redevelopment
50 project by taxing districts" shall not include the blind pension fund tax levied under the authority
51 of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers'
52 inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of
53 the Missouri Constitution, except in redevelopment project areas in which tax increment
54 financing has been adopted by ordinance pursuant to a plan approved by vote of the governing
55 body of the municipality taken after August 13, 1982, and before January 1, 1998.

56 2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection
57 1 of this section, for redevelopment plans and projects adopted or redevelopment projects
58 approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total
59 additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing
60 districts, which are generated by economic activities within the area of the redevelopment project
61 over the amount of such taxes generated by economic activities within the area of the
62 redevelopment project in the calendar year prior to the adoption of the redevelopment project by
63 ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales
64 or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant
65 to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and
66 any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section
67 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local
68 political subdivision collecting officer to the treasurer or other designated financial officer of the
69 municipality, who shall deposit such funds in a separate segregated account within the special
70 allocation fund. Any provision of an agreement, contract or covenant entered into prior to July
71 12, 1990, between a municipality and any other political subdivision which provides for an

72 appropriation of other municipal revenues to the special allocation fund shall be and remain
73 enforceable.

74 3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection
75 1 of this section, for redevelopment plans and projects adopted or redevelopment projects
76 approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from
77 taxes, penalties and interest which are imposed by the municipality or other taxing districts, and
78 which are generated by economic activities within the area of the redevelopment project over the
79 amount of such taxes generated by economic activities within the area of the redevelopment
80 project in the calendar year prior to the adoption of the redevelopment project by ordinance,
81 while tax increment financing remains in effect, but excluding personal property taxes, taxes
82 imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels,
83 taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation
84 pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of
85 taxes and penalties and interest thereon, [or] any sales tax imposed by a county with a charter
86 form of government and with more than six hundred thousand but fewer than seven hundred
87 thousand inhabitants, for the purpose of sports stadium improvement or levied by such county
88 under section 238.410 for the purpose of the county transit authority operating transportation
89 facilities, **or for redevelopment plans and projects adopted or redevelopment projects**
90 **approved by ordinance after August 28, 2013, taxes imposed on sales under section 650.399**
91 **for the purpose of emergency communication systems**, shall be allocated to, and paid by the
92 local political subdivision collecting officer to the treasurer or other designated financial officer
93 of the municipality, who shall deposit such funds in a separate segregated account within the
94 special allocation fund.

95 4. Beginning January 1, 1998, for redevelopment plans and projects adopted or
96 redevelopment projects approved by ordinance and which have complied with subsections 4 to
97 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes
98 described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues,
99 as defined in subsection 8 of this section, estimated for the businesses within the project area and
100 identified by the municipality in the application required by subsection 10 of this section, over
101 and above the amount of such taxes reported by businesses within the project area as identified
102 by the municipality in their application prior to the approval of the redevelopment project by
103 ordinance, while tax increment financing remains in effect, may be available for appropriation
104 by the general assembly as provided in subsection 10 of this section to the department of
105 economic development supplemental tax increment financing fund, from the general revenue
106 fund, for distribution to the treasurer or other designated financial officer of the municipality
107 with approved plans or projects.

108 5. The treasurer or other designated financial officer of the municipality with approved
109 plans or projects shall deposit such funds in a separate segregated account within the special
110 allocation fund established pursuant to section 99.805.

111 6. No transfer from the general revenue fund to the Missouri supplemental tax increment
112 financing fund shall be made unless an appropriation is made from the general revenue fund for
113 that purpose. No municipality shall commit any state revenues prior to an appropriation being
114 made for that project. For all redevelopment plans or projects adopted or approved after
115 December 23, 1997, appropriations from the new state revenues shall not be distributed from the
116 Missouri supplemental tax increment financing fund into the special allocation fund unless the
117 municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes
118 and fifty percent of economic activity taxes generated by the project shall be used for eligible
119 redevelopment project costs while tax increment financing remains in effect. This account shall
120 be separate from the account into which payments in lieu of taxes are deposited, and separate
121 from the account into which economic activity taxes are deposited.

122 7. In order for the redevelopment plan or project to be eligible to receive the revenue
123 described in subsection 4 of this section, the municipality shall comply with the requirements of
124 subsection 10 of this section prior to the time the project or plan is adopted or approved by
125 ordinance. The director of the department of economic development and the commissioner of
126 the office of administration may waive the requirement that the municipality's application be
127 submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or
128 project's approval by ordinance.

129 8. For purposes of this section, "new state revenues" means:

130 (1) The incremental increase in the general revenue portion of state sales tax revenues
131 received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated,
132 taxes deposited to the school district trust fund in accordance with section 144.701, sales and use
133 taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by
134 law. In no event shall the incremental increase include any amounts attributable to retail sales
135 unless the municipality or authority has proven to the Missouri development finance board and
136 the department of economic development and such entities have made a finding that the sales
137 tax increment attributable to retail sales is from new sources which did not exist in the state
138 during the baseline year. The incremental increase in the general revenue portion of state sales
139 tax revenues for an existing or relocated facility shall be the amount that current state sales tax
140 revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan
141 as provided in subsection 10 of this section; or

142 (2) The state income tax withheld on behalf of new employees by the employer pursuant
143 to section 143.221 at the business located within the project as identified by the municipality.

144 The state income tax withholding allowed by this section shall be the municipality's estimate of
145 the amount of state income tax withheld by the employer within the redevelopment area for new
146 employees who fill new jobs directly created by the tax increment financing project.

147 9. Subsection 4 of this section shall apply only to blighted areas located in enterprise
148 zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment
149 zones, or to blighted areas located in central business districts or urban core areas of cities which
150 districts or urban core areas at the time of approval of the project by ordinance, provided that the
151 enterprise zones, federal empowerment zones or blighted areas contained one or more buildings
152 at least fifty years old; and

153 (1) Suffered from generally declining population or property taxes over the twenty-year
154 period immediately preceding the area's designation as a project area by ordinance; or

155 (2) Was a historic hotel located in a county of the first classification without a charter
156 form of government with a population according to the most recent federal decennial census in
157 excess of one hundred fifty thousand and containing a portion of a city with a population
158 according to the most recent federal decennial census in excess of three hundred fifty thousand.

159 10. The initial appropriation of up to fifty percent of the new state revenues authorized
160 pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the
161 department of economic development to a municipality until all of the following conditions have
162 been satisfied:

163 (1) The director of the department of economic development or his or her designee and
164 the commissioner of the office of administration or his or her designee have approved a tax
165 increment financing application made by the municipality for the appropriation of the new state
166 revenues. The municipality shall include in the application the following items in addition to the
167 items in section 99.810:

168 (a) The tax increment financing district or redevelopment area, including the businesses
169 identified within the redevelopment area;

170 (b) The base year of state sales tax revenues or the base year of state income tax withheld
171 on behalf of existing employees, reported by existing businesses within the project area prior to
172 approval of the redevelopment project;

173 (c) The estimate of the incremental increase in the general revenue portion of state sales
174 tax revenue or the estimate for the state income tax withheld by the employer on behalf of new
175 employees expected to fill new jobs created within the redevelopment area after redevelopment;

176 (d) The official statement of any bond issue pursuant to this subsection after
177 December 23, 1997;

178 (e) An affidavit that is signed by the developer or developers attesting that the provisions
179 of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the

180 redevelopment area would not be reasonably anticipated to be developed without the
181 appropriation of the new state revenues;

182 (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal
183 impact on the state of Missouri; and

184 (g) The statement of election between the use of the incremental increase of the general
185 revenue portion of the state sales tax revenues or the state income tax withheld by employers on
186 behalf of new employees who fill new jobs created in the redevelopment area;

187 (h) The name, street and mailing address, and phone number of the mayor or chief
188 executive officer of the municipality;

189 (i) The street address of the development site;

190 (j) The three-digit North American Industry Classification System number or numbers
191 characterizing the development project;

192 (k) The estimated development project costs;

193 (l) The anticipated sources of funds to pay such development project costs;

194 (m) Evidence of the commitments to finance such development project costs;

195 (n) The anticipated type and term of the sources of funds to pay such development
196 project costs;

197 (o) The anticipated type and terms of the obligations to be issued;

198 (p) The most recent equalized assessed valuation of the property within the development
199 project area;

200 (q) An estimate as to the equalized assessed valuation after the development project area
201 is developed in accordance with a development plan;

202 (r) The general land uses to apply in the development area;

203 (s) The total number of individuals employed in the development area, broken down by
204 full-time, part-time, and temporary positions;

205 (t) The total number of full-time equivalent positions in the development area;

206 (u) The current gross wages, state income tax withholdings, and federal income tax
207 withholdings for individuals employed in the development area;

208 (v) The total number of individuals employed in this state by the corporate parent of any
209 business benefitting from public expenditures in the development area, and all subsidiaries
210 thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time,
211 and temporary positions;

212 (w) The number of new jobs to be created by any business benefitting from public
213 expenditures in the development area, broken down by full-time, part-time, and temporary
214 positions;

- 215 (x) The average hourly wage to be paid to all current and new employees at the project
216 site, broken down by full-time, part-time, and temporary positions;
- 217 (y) For project sites located in a metropolitan statistical area, as defined by the federal
218 Office of Management and Budget, the average hourly wage paid to nonmanagerial employees
219 in this state for the industries involved at the project, as established by the United States Bureau
220 of Labor Statistics;
- 221 (z) For project sites located outside of metropolitan statistical areas, the average weekly
222 wage paid to nonmanagerial employees in the county for industries involved at the project, as
223 established by the United States Department of Commerce;
- 224 (aa) A list of other community and economic benefits to result from the project;
- 225 (bb) A list of all development subsidies that any business benefitting from public
226 expenditures in the development area has previously received for the project, and the name of
227 any other granting body from which such subsidies are sought;
- 228 (cc) A list of all other public investments made or to be made by this state or units of
229 local government to support infrastructure or other needs generated by the project for which the
230 funding pursuant to this section is being sought;
- 231 (dd) A statement as to whether the development project may reduce employment at any
232 other site, within or without the state, resulting from automation, merger, acquisition, corporate
233 restructuring, relocation, or other business activity;
- 234 (ee) A statement as to whether or not the project involves the relocation of work from
235 another address and if so, the number of jobs to be relocated and the address from which they
236 are to be relocated;
- 237 (ff) A list of competing businesses in the county containing the development area and
238 in each contiguous county;
- 239 (gg) A market study for the development area;
- 240 (hh) A certification by the chief officer of the applicant as to the accuracy of the
241 development plan;
- 242 (2) The methodologies used in the application for determining the base year and
243 determining the estimate of the incremental increase in the general revenue portion of the state
244 sales tax revenues or the state income tax withheld by employers on behalf of new employees
245 who fill new jobs created in the redevelopment area shall be approved by the director of the
246 department of economic development or his or her designee and the commissioner of the office
247 of administration or his or her designee. Upon approval of the application, the director of the
248 department of economic development or his or her designee and the commissioner of the office
249 of administration or his or her designee shall issue a certificate of approval. The department of
250 economic development may request the appropriation following application approval;

251 (3) The appropriation shall be either a portion of the estimate of the incremental increase
252 in the general revenue portion of state sales tax revenues in the redevelopment area or a portion
253 of the estimate of the state income tax withheld by the employer on behalf of new employees
254 who fill new jobs created in the redevelopment area as indicated in the municipality's application,
255 approved by the director of the department of economic development or his or her designee and
256 the commissioner of the office of administration or his or her designee. At no time shall the
257 annual amount of the new state revenues approved for disbursements from the Missouri
258 supplemental tax increment financing fund exceed thirty-two million dollars;

259 (4) Redevelopment plans and projects receiving new state revenues shall have a duration
260 of up to fifteen years, unless prior approval for a longer term is given by the director of the
261 department of economic development or his or her designee and the commissioner of the office
262 of administration or his or her designee; except that, in no case shall the duration exceed twenty-
263 three years.

264 11. In addition to the areas authorized in subsection 9 of this section, the funding
265 authorized pursuant to subsection 4 of this section shall also be available in a federally approved
266 levee district, where construction of a levee begins after December 23, 1997, and which is
267 contained within a county of the first classification without a charter form of government with
268 a population between fifty thousand and one hundred thousand inhabitants which contains all
269 or part of a city with a population in excess of four hundred thousand or more inhabitants.

270 12. There is hereby established within the state treasury a special fund to be known as
271 the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the
272 department of economic development. The department shall annually distribute from the
273 Missouri supplemental tax increment financing fund the amount of the new state revenues as
274 appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the
275 conditions of subsection 10 of this section are met. The fund shall also consist of any gifts,
276 contributions, grants or bequests received from federal, private or other sources. Moneys in the
277 Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to
278 state appropriations.

279 13. Redevelopment project costs may include, at the prerogative of the state, the portion
280 of salaries and expenses of the department of economic development and the department of
281 revenue reasonably allocable to each redevelopment project approved for disbursements from
282 the Missouri supplemental tax increment financing fund for the ongoing administrative functions
283 associated with such redevelopment project. Such amounts shall be recovered from new state
284 revenues deposited into the Missouri supplemental tax increment financing fund created under
285 this section.

286 14. For redevelopment plans or projects approved by ordinance that result in net new
287 jobs from the relocation of a national headquarters from another state to the area of the
288 redevelopment project, the economic activity taxes and new state tax revenues shall not be based
289 on a calculation of the incremental increase in taxes as compared to the base year or prior
290 calendar year for such redevelopment project, rather the incremental increase shall be the amount
291 of total taxes generated from the net new jobs brought in by the national headquarters from
292 another state. In no event shall this subsection be construed to allow a redevelopment project
293 to receive an appropriation in excess of up to fifty percent of the new state revenues.

**190.098. 1. In order for a person to be eligible for certification by the department
2 as a community paramedic, an individual shall:**

3 **(1) Be currently certified as a paramedic;**

4 **(2) Successfully complete or have successfully completed a community paramedic
5 certification program from a college, university, or educational institution that has been
6 approved by the department or accredited by a national accreditation organization
7 approved by the department; and**

8 **(3) Complete an application form approved by the department.**

9 **2. A community paramedic shall practice in accordance with protocols and
10 supervisory standards established by the medical director. A community paramedic shall
11 provide services of a health care plan if the plan has been developed by the patient's
12 physician or by an advanced practice registered nurse through a collaborative practice
13 arrangement with a physician or a physician assistant through a collaborative practice
14 arrangement with a physician and there is no duplication of services to the patient from
15 another provider.**

16 **3. Any ambulance service shall enter into a written contract to provide community
17 paramedic services in another ambulance service area, as that term is defined in section
18 190.100. The contract that is agreed upon may be for an indefinite period of time, as long
19 as it includes at least a sixty-day cancellation notice by either ambulance service.**

20 **4. A community paramedic is subject to the provisions of sections 190.001 to
21 190.245 and rules promulgated under sections 190.001 to 190.245.**

22 **5. No person shall hold himself or herself out as a community paramedic or provide
23 the services of a community paramedic unless such person is certified by the department.**

24 **6. The medical director shall approve the implementation of the community
25 paramedic program.**

26 **7. Any rule or portion of a rule, as that term is defined in section 536.010, that is
27 created under the authority delegated in this section shall become effective only if it
28 complies with and is subject to all of the provisions of chapter 536 and, if applicable,**

29 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
30 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
31 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
32 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2013,**
33 **shall be invalid and void.**

190.100. As used in sections 190.001 to 190.245, the following words and terms mean:

2 (1) "Advanced life support (ALS)", an advanced level of care as provided to the adult
3 and pediatric patient such as defined by national curricula, and any modifications to that curricula
4 specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

5 (2) "Ambulance", any privately or publicly owned vehicle or craft that is specially
6 designed, constructed or modified, staffed or equipped for, and is intended or used, maintained
7 or operated for the transportation of persons who are sick, injured, wounded or otherwise
8 incapacitated or helpless, or who require the presence of medical equipment being used on such
9 individuals, but the term does not include any motor vehicle specially designed, constructed or
10 converted for the regular transportation of persons who are disabled, handicapped, normally
11 using a wheelchair, or otherwise not acutely ill, or emergency vehicles used within airports;

12 (3) "Ambulance service", a person or entity that provides emergency or nonemergency
13 ambulance transportation and services, or both, in compliance with sections 190.001 to 190.245,
14 and the rules promulgated by the department pursuant to sections 190.001 to 190.245;

15 (4) "Ambulance service area", a specific geographic area in which an ambulance service
16 has been authorized to operate;

17 (5) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric
18 patient as defined by national curricula, and any modifications to that curricula specified in rules
19 adopted by the department pursuant to sections 190.001 to 190.245;

20 (6) "Council", the state advisory council on emergency medical services;

21 (7) "Department", the department of health and senior services, state of Missouri;

22 (8) "Director", the director of the department of health and senior services or the
23 director's duly authorized representative;

24 (9) "Dispatch agency", any person or organization that receives requests for emergency
25 medical services from the public, by telephone or other means, and is responsible for dispatching
26 emergency medical services;

27 (10) "Emergency", the sudden and, at the time, unexpected onset of a health condition
28 that manifests itself by symptoms of sufficient severity that would lead a prudent layperson,
29 possessing an average knowledge of health and medicine, to believe that the absence of
30 immediate medical care could result in:

- 31 (a) Placing the person's health, or with respect to a pregnant woman, the health of the
32 woman or her unborn child, in significant jeopardy;
- 33 (b) Serious impairment to a bodily function;
- 34 (c) Serious dysfunction of any bodily organ or part;
- 35 (d) Inadequately controlled pain;
- 36 (11) "Emergency medical dispatcher", a person who receives emergency calls from the
37 public and has successfully completed an emergency medical dispatcher course, meeting or
38 exceeding the national curriculum of the United States Department of Transportation and any
39 modifications to such curricula specified by the department through rules adopted pursuant to
40 sections 190.001 to 190.245;
- 41 (12) "Emergency medical response agency", any person that regularly provides a level
42 of care that includes first response, basic life support or advanced life support, exclusive of
43 patient transportation;
- 44 (13) "Emergency medical services for children (EMS-C) system", the arrangement of
45 personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency
46 medical services required in prevention and management of incidents which occur as a result of
47 a medical emergency or of an injury event, natural disaster or similar situation;
- 48 (14) "Emergency medical services (EMS) system", the arrangement of personnel,
49 facilities and equipment for the effective and coordinated delivery of emergency medical services
50 required in prevention and management of incidents occurring as a result of an illness, injury,
51 natural disaster or similar situation;
- 52 (15) "Emergency medical technician", a person licensed in emergency medical care in
53 accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by
54 the department pursuant to sections 190.001 to 190.245;
- 55 (16) "Emergency medical technician-basic" or "EMT-B", a person who has successfully
56 completed a course of instruction in basic life support as prescribed by the department and is
57 licensed by the department in accordance with standards prescribed by sections 190.001 to
58 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;
- 59 (17) **"Emergency medical technician-community paramedic", "community
60 paramedic", or "EMT-CP", a person who is certified as an emergency medical technician-
61 paramedic and is certified by the department in accordance with standards prescribed in
62 section 190.098;**
- 63 (18) "Emergency medical technician-intermediate" or "EMT-I", a person who has
64 successfully completed a course of instruction in certain aspects of advanced life support care
65 as prescribed by the department and is licensed by the department in accordance with sections

66 190.001 to 190.245 and rules and regulations adopted by the department pursuant to sections
67 190.001 to 190.245;

68 [(18)] (19) "Emergency medical technician-paramedic" or "EMT-P", a person who has
69 successfully completed a course of instruction in advanced life support care as prescribed by the
70 department and is licensed by the department in accordance with sections 190.001 to 190.245
71 and rules adopted by the department pursuant to sections 190.001 to 190.245;

72 [(19)] (20) "Emergency services", health care items and services furnished or required
73 to screen and stabilize an emergency which may include, but shall not be limited to, health care
74 services that are provided in a licensed hospital's emergency facility by an appropriate provider
75 or by an ambulance service or emergency medical response agency;

76 [(20)] (21) "First responder", a person who has successfully completed an emergency
77 first response course meeting or exceeding the national curriculum of the United States
78 Department of Transportation and any modifications to such curricula specified by the
79 department through rules adopted pursuant to sections 190.001 to 190.245 and who provides
80 emergency medical care through employment by or in association with an emergency medical
81 response agency;

82 [(21)] (22) "Health care facility", a hospital, nursing home, physician's office or other
83 fixed location at which medical and health care services are performed;

84 [(22)] (23) "Hospital", an establishment as defined in the hospital licensing law,
85 subsection 2 of section 197.020, or a hospital operated by the state;

86 [(23)] (24) "Medical control", supervision provided by or under the direction of
87 physicians to providers by written or verbal communications;

88 [(24)] (25) "Medical direction", medical guidance and supervision provided by a
89 physician to an emergency services provider or emergency medical services system;

90 [(25)] (26) "Medical director", a physician licensed pursuant to chapter 334 designated
91 by the ambulance service or emergency medical response agency and who meets criteria
92 specified by the department by rules pursuant to sections 190.001 to 190.245;

93 [(26)] (27) "Memorandum of understanding", an agreement between an emergency
94 medical response agency or dispatch agency and an ambulance service or services within whose
95 territory the agency operates, in order to coordinate emergency medical services;

96 [(27)] (28) "Patient", an individual who is sick, injured, wounded, diseased, or otherwise
97 incapacitated or helpless, or dead, excluding deceased individuals being transported from or
98 between private or public institutions, homes or cemeteries, and individuals declared dead prior
99 to the time an ambulance is called for assistance;

100 [(28)] (29) "Person", as used in these definitions and elsewhere in sections 190.001 to
101 190.245, any individual, firm, partnership, copartnership, joint venture, association, cooperative

102 organization, corporation, municipal or private, and whether organized for profit or not, state,
103 county, political subdivision, state department, commission, board, bureau or fraternal
104 organization, estate, public trust, business or common law trust, receiver, assignee for the benefit
105 of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

106 [(29)] **(30)** "Physician", a person licensed as a physician pursuant to chapter 334;

107 [(30)] **(31)** "Political subdivision", any municipality, city, county, city not within a
108 county, ambulance district or fire protection district located in this state which provides or has
109 authority to provide ambulance service;

110 [(31)] **(32)** "Professional organization", any organized group or association with an
111 ongoing interest regarding emergency medical services. Such groups and associations could
112 include those representing volunteers, labor, management, firefighters, EMT-B's, nurses, EMT-
113 P's, physicians, communications specialists and instructors. Organizations could also represent
114 the interests of ground ambulance services, air ambulance services, fire service organizations,
115 law enforcement, hospitals, trauma centers, communication centers, pediatric services, labor
116 unions and poison control services;

117 [(32)] **(33)** "Proof of financial responsibility", proof of ability to respond to damages for
118 liability, on account of accidents occurring subsequent to the effective date of such proof, arising
119 out of the ownership, maintenance or use of a motor vehicle in the financial amount set in rules
120 promulgated by the department, but in no event less than the statutory minimum required for
121 motor vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

122 [(33)] **(34)** "Protocol", a predetermined, written medical care guideline, which may
123 include standing orders;

124 [(34)] **(35)** "Regional EMS advisory committee", a committee formed within an
125 emergency medical services (EMS) region to advise ambulance services, the state advisory
126 council on EMS and the department;

127 [(35)] **(36)** "Specialty care transportation", the transportation of a patient requiring the
128 services of an emergency medical technician-paramedic who has received additional training
129 beyond the training prescribed by the department. Specialty care transportation services shall
130 be defined in writing in the appropriate local protocols for ground and air ambulance services
131 and approved by the local physician medical director. The protocols shall be maintained by the
132 local ambulance service and shall define the additional training required of the emergency
133 medical technician-paramedic;

134 [(36)] **(37)** "Stabilize", with respect to an emergency, the provision of such medical
135 treatment as may be necessary to attempt to assure within reasonable medical probability that no
136 material deterioration of an individual's medical condition is likely to result from or occur during
137 ambulance transportation unless the likely benefits of such transportation outweigh the risks;

138 [(37)] (38) "State advisory council on emergency medical services", a committee formed
139 to advise the department on policy affecting emergency medical service throughout the state;

140 [(38)] (39) "State EMS medical directors advisory committee", a subcommittee of the
141 state advisory council on emergency medical services formed to advise the state advisory council
142 on emergency medical services and the department on medical issues;

143 [(39)] (40) "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in
144 which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation
145 in electrocardiogram analysis, and as further defined in rules promulgated by the department
146 under sections 190.001 to 190.250;

147 [(40)] (41) "STEMI care", includes education and prevention, emergency transport,
148 triage, and acute care and rehabilitative services for STEMI that requires immediate medical or
149 surgical intervention or treatment;

150 [(41)] (42) "STEMI center", a hospital that is currently designated as such by the
151 department to care for patients with ST-segment elevation myocardial infarctions;

152 [(42)] (43) "Stroke", a condition of impaired blood flow to a patient's brain as defined
153 by the department;

154 [(43)] (44) "Stroke care", includes emergency transport, triage, and acute intervention
155 and other acute care services for stroke that potentially require immediate medical or surgical
156 intervention or treatment, and may include education, primary prevention, acute intervention,
157 acute and subacute management, prevention of complications, secondary stroke prevention, and
158 rehabilitative services;

159 [(44)] (45) "Stroke center", a hospital that is currently designated as such by the
160 department;

161 [(45)] (46) "Trauma", an injury to human tissues and organs resulting from the transfer
162 of energy from the environment;

163 [(46)] (47) "Trauma care" includes injury prevention, triage, acute care and rehabilitative
164 services for major single system or multisystem injuries that potentially require immediate
165 medical or surgical intervention or treatment;

166 [(47)] (48) "Trauma center", a hospital that is currently designated as such by the
167 department.

321.015. 1. No person holding any lucrative office or employment under this state, or
2 any political subdivision thereof as defined in section 70.120, shall hold the office of fire
3 protection district director under this chapter. When any fire protection district director accepts
4 any office or employment under this state or any political subdivision thereof, his office shall
5 thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as
6 fire protection district director.

7 **2.** This section shall not apply to:

8 **(1)** Members of the organized militia, of the reserve corps, public school employees and
9 notaries public[, or to] ;

10 **(2)** Fire protection districts located wholly within counties of the second, third or fourth
11 [class or] **classification**;

12 **(3)** **Fire protection districts in counties of the first classification with less than**
13 **eighty-five thousand inhabitants**;

14 **(4)** **Fire protection districts** located within [first class] counties **of the first**
15 **classification** not adjoining any other [first class] county[, nor shall this section apply to] **of the**
16 **first classification**;

17 **(5)** **Fire protection districts located within** any county of the first or second [class]
18 **classification** not having more than nine hundred thousand inhabitants which borders any three
19 [first class] counties **of the first classification**; [nor shall this section apply to]

20 **(6)** **Fire protection districts located within** any [first class] county [without a charter
21 form of government] **of the first classification** which adjoins both a [first class] county with a
22 charter form of government with [at least] **more than** nine hundred **fifty** thousand inhabitants,
23 and adjoins at least four other counties;

24 **(7)** **Fire protection districts located within any county of the first classification with**
25 **more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.**

26 **3. For the purposes of this section**, the term "lucrative office or employment" does not
27 include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in
28 an amount not to exceed seventy-five dollars for each day of service, for service rendered to a
29 fire protection district, the state or any political subdivision thereof.

321.210. On the first Tuesday in April after the expiration of at least two full calendar
2 years from the date of the election of the first board of directors, and on the first Tuesday in April
3 every two years thereafter, an election for members of the board of directors shall be held in the
4 district. Nominations shall be filed at the headquarters of the fire protection district in which a
5 majority of the district is located by paying a [ten-dollar] filing fee **up to the amount of a**
6 **candidate for state representative as set forth under section 115.357** and filing a statement
7 under oath that he possesses the required qualifications. The candidate receiving the most votes
8 shall be elected. Any new member of the board shall qualify in the same manner as the members
9 of the first board qualify.

321.322. 1. If any property located within the boundaries of a fire protection district
2 shall be included within a city having a population of at least two thousand five hundred but not
3 more than sixty-five thousand which is not wholly within the fire protection district and which
4 maintains a city fire department, then upon the date of actual inclusion of the property within the

5 city, as determined by the annexation process, the city shall within sixty days assume by contract
6 with the fire protection district all responsibility for payment in a lump sum or in installments
7 an amount mutually agreed upon by the fire protection district and the city for the city to cover
8 all obligations of the fire protection district to the area included within the city, and thereupon
9 the fire protection district shall convey to the city the title, free and clear of all liens or
10 encumbrances of any kind or nature, any such tangible real and personal property of the fire
11 protection district as may be agreed upon, which is located within the part of the fire protection
12 district located within the corporate limits of the city with full power in the city to use and
13 dispose of such tangible real and personal property as the city deems best in the public interest,
14 and the fire protection district shall no longer levy and collect any tax upon the property included
15 within the corporate limits of the city; except that, if the city and the fire protection district
16 cannot mutually agree to such an arrangement, then the city shall assume responsibility for fire
17 protection in the annexed area on or before January first of the third calendar year following the
18 actual inclusion of the property within the city, as determined by the annexation process, and
19 furthermore the fire protection district shall not levy and collect any tax upon that property
20 included within the corporate limits of the city after the date of inclusion of that property:

21 (1) On or before January first of the second calendar year occurring after the date on
22 which the property was included within the city, the city shall pay to the fire protection district
23 a fee equal to the amount of revenue which would have been generated during the previous
24 calendar year by the fire protection district tax on the property in the area annexed which was
25 formerly a part of the fire protection district;

26 (2) On or before January first of the third calendar year occurring after the date on which
27 the property was included within the city, the city shall pay to the fire protection district a fee
28 equal to four-fifths of the amount of revenue which would have been generated during the
29 previous calendar year by the fire protection district tax on the property in the area annexed
30 which was formerly a part of the fire protection district;

31 (3) On or before January first of the fourth calendar year occurring after the date on
32 which the property was included within the city, the city shall pay to the fire protection district
33 a fee equal to three-fifths of the amount of revenue which would have been generated during the
34 previous calendar year by the fire protection district tax on the property in the area annexed
35 which was formerly a part of the fire protection district;

36 (4) On or before January first of the fifth calendar year occurring after the date on which
37 the property was included within the city, the city shall pay to the fire protection district a fee
38 equal to two-fifths of the amount of revenue which would have been generated during the
39 previous calendar year by the fire protection district tax on the property in the area annexed
40 which was formerly a part of the fire protection district; and

41 (5) On or before January first of the sixth calendar year occurring after the date on which
42 the property was included within the city, the city shall pay to the fire protection district a fee
43 equal to one-fifth of the amount of revenue which would have been generated during the
44 previous calendar year by the fire protection district tax on the property in the area annexed
45 which was formerly a part of the fire protection district.

46

47 Nothing contained in this section shall prohibit the ability of a city to negotiate contracts with
48 a fire protection district for mutually agreeable services. This section shall also apply to those
49 fire protection districts and cities which have not reached agreement on overlapping boundaries
50 previous to August 28, 1990. Such fire protection districts and cities shall be treated as though
51 inclusion of the annexed area took place on December thirty-first immediately following August
52 28, 1990.

53 2. Any property excluded from a fire protection district by reason of subsection 1 of this
54 section shall be subject to the provisions of section 321.330.

55 3. The provisions of this section shall not apply in any county of the first class having
56 a charter form of government and having a population of over nine hundred thousand inhabitants.

57 4. The provisions of this section shall not apply where the annexing city or town operates
58 a city fire department and was on January 1, 2005, a city of the fourth classification with more
59 than eight thousand nine hundred but fewer than nine thousand inhabitants and entirely
60 surrounded by a single fire district. In such cases, the provision of fire and emergency medical
61 services following annexation shall be governed by subsections 2 and 3 of section 72.418.

62 **5. The provisions of this section shall not apply where the annexing city or town**
63 **operates a city fire department, is any city of the third classification with more than six**
64 **thousand but fewer than seven thousand inhabitants and located in any county with a**
65 **charter form of government and with more than two hundred thousand but fewer than**
66 **three hundred fifty thousand inhabitants, and is entirely surrounded by a single fire**
67 **protection district. In such cases, the provision of fire and emergency medical services**
68 **following annexation shall be governed by subsections 2 and 3 of section 72.418.**

✓