

SECOND REGULAR SESSION

HOUSE BILL NO. 2472

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HOBBS (Sponsor) AND BRUNS (Co-sponsor).

5507L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 260.247, RSMo, and to enact in lieu thereof one new section relating to solid waste management.

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

Section A. Section 260.247, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 260.247, to read as follows:

260.247. 1. Any city or political subdivision which annexes an area [or] , enters into or expands solid waste collection services into an area, **or engages in the ownership or operation of a solid waste processing facility** where the collection of solid waste **or the processing of solid waste** is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services **or own or operate a solid waste processing facility** in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, **nor shall the city or political subdivision commence ownership or operation of a solid waste reprocessing facility in such area for at least five years from the effective date of such notice**, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of [the] **a solid waste collection notice, or within six**

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.

18 **years of the effective date of a solid waste processing facility** notice, then the city or political
19 subdivision shall renotify under subsection 1 of this section.

20 3. If the services to be provided under a contract with the city or political subdivision
21 pursuant to subsection 2 of this section, **or by the city or political subdivision itself if it is to**
22 **own or operate the facility providing such services**, are substantially the same as the services
23 rendered in the area prior to the decision of the city to annex the area or to enter into or expand
24 its solid waste collection services **or to own or operate a solid waste processing facility in or**
25 into the area, the amount paid by the city shall be at least equal to the amount the private entity
26 or entities would have received for providing such services during that period.

27 4. Any private entity or entities which provide collection service in the area which the
28 city or political subdivision has decided to annex or enter into or expand its solid waste
29 collection services [into] **or to own or operate a solid waste processing facility** shall make
30 available upon written request by the city not later than thirty days following such request all
31 information in its possession or control which pertains to its activity in the area necessary for the
32 city to determine the nature and scope of the potential contract.

33 5. The provisions of this section shall apply to private entities that service fifty or more
34 residential accounts or any commercial accounts in the area in question.

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