

HB 1573 -- Political Subdivisions

Sponsor: Schneider

This bill changes the laws regarding political subdivisions. In its main provisions, the bill:

(1) Authorizes the Secretary of State to enter into an agreement with a nonprofit organization to print and distribute copies of the Official State Manual. The nonprofit organization must charge a fee for a copy of the manual to cover the cost of production and distribution (Sections 11.010 and 11.025, RSMo);

(2) Specifies that any personal identifying information that is utilized in a voluntary registry of persons with health-related ailments created by a public governmental body to assist these individuals during a disaster or emergency is not to be considered a public record under the Open Meetings and Records Law, commonly known as the Sunshine Law. However, a governmental body cannot deny a lawful request for the identifying information from any law enforcement agency or public governmental body providing emergency services (Section 44.035);

(3) Authorizes a county to amend its budget twice during any fiscal year when there is a verifiable decline in funds of at least 2% that could not have been estimated or anticipated when the budget was adopted. Currently, a county is only authorized to amend its annual budget when it receives additional funds that could not be estimated. Any decrease in appropriations cannot unduly affect any one officeholder and cannot impact any dedicated fund authorized by law. The county must provide 30 days' notice of a public hearing regarding any amendment to the county budget, including a published summary of the proposed reductions and an explanation of the shortfall. If a county has a website, publication of the notice on the website will satisfy this notice requirement. Before any reduction affecting an elected officeholder can occur, negotiations must take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county commissioners can reduce budgets of departments under their direct supervision and responsibility at any time without these restrictions (Section 50.622);

(4) Specifies that a distributee of the County Employees' Retirement System may elect to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the individual in a direct rollover to the extent and in the time and manner as established in regulations and as otherwise provided for by the board of the system. Currently, the distribution must be made in substantially equal

periodic payments to the distributee (Section 50.1260);

(5) Requires a distressed municipality in St. Louis County to provide a minimum level of public services including emergency telephone service; police protection 24 hours per day, seven days a week; construction code enforcement review; adequate street maintenance; and weekly waste and recycling collection and requires a balanced annual budget and an annual audit. A distressed municipality is any city, town, or village designated as Group B under the county sales tax laws in Sections 66.600 - 66.630. If a distressed municipality fails to provide any of the required services or meet the budget and audit requirements, the governing body of the county can petition an appropriate court to withhold the Group B sales tax revenue until the noncompliant municipality develops and adopts a plan to provide all the required services or to authorize the county to administer the Group B sales tax revenue on behalf of the municipality to provide the services (Section 66.640);

(6) Authorizes any city, town, village, sewer district, or water supply district to impose, upon voter approval, a fee of up to \$4 per month or \$48 annually for each lateral sewer service line providing sewer service to residential property having four or fewer dwelling units for the purpose of repair or replacement due to failure of the lateral sewer service lines extending from the residential dwelling to its connection with the public sewer system (Section 67.313);

(7) Authorizes any county of the first classification to establish a law enforcement district under the provisions of the Missouri Law Enforcement District Act. Currently, any county of the first classification without a charter form of government and a population of 50,000 inhabitants or less may establish a district. The bill specifies that two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water. If any real property owner or registered voter within the proposed district does not sign the petition or file an entry of appearance and waiver of service of process, a copy of the petition must be served upon the owner or voter. He or she may object to the petition by filing a timely written answer. The district may impose, upon voter approval of at least four-sevenths of the registered instead of the current qualified voters, an annual property tax rate in an amount not to exceed 30 cents per \$100 assessed valuation; however, if the district does not impose the maximum allowable amount after initial voter approval, the district must obtain voter approval for any subsequent increase in the property tax rate. A new method for repealing the district property tax is specified in the bill. The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to

the district, considering its resources (Sections 67.1860 - 67.1894);

(8) Specifies that the monthly retirement allowance for certain members of the Missouri Local Government Employees' Retirement System can only be increased up to a maximum of 90%. Currently, any member of the system who retires and elects a partial lump-sum distribution will have his or her monthly retirement allowance reduced to 84% if the retiree is 60 years of age at the time of retirement. For each year the retiree's age at the time of retirement is more than 60, his or her monthly retirement allowance will be decreased by four-tenths of 1%; and for each year his or her age is less than 60, his or her monthly retirement allowance will be increased by four-tenths of 1% (Section 70.660);

(9) Requires the St. Louis Boundary Commission to grant or approve a voluntary annexation sought by a municipality within 14 days if the municipality demonstrates that a majority of the property owners in the area to be annexed support the annexation, the area is consistent with a boundary change proposal adopted by the municipality, and the municipality is a service provider for both water and sewer services within the municipality (Section 71.009);

(10) Specifies that a petition requesting a voluntary annexation only needs to be notarized instead of verified. Any action to invalidate a previous annexation must be brought within three years of the date of the adoption of the annexation ordinance, except for an action to deannex an area for failure of the annexing municipality to provide required services to the area within three years, which action must be brought within four years from the effective date of the annexation (Sections 71.012, 71.014, and 71.015);

(11) Exempts certain voluntary annexations from boundary commission review in St. Louis County. The annexation is not prohibited by the existence of an established unincorporated area (Section 72.401);

(12) Prohibits a municipality from approving a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area or any amendments to these documents unless a majority of the members of a tax increment finance commission established in the counties of Jefferson, St. Charles, or St. Louis vote to approve the plan, project, designation, or amendment and removes the provision allowing a municipality to override a commission recommendation in opposition to the plan, project, or designation by a two-thirds majority vote of its governing body (Section 99.825);

(13) Allows the Missouri Highways and Transportation Commission within the Department of Transportation to enter into a binding highway infrastructure improvement agreement to reimburse or repay any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement (Section 226.224);

(14) Specifies that any water provider or premises owner who terminates service due to delinquency of payment by a consumer cannot be liable for any civil or criminal damages for termination of the service nor can it be deemed constructive eviction. Currently, any water provider who terminates service due to delinquency of payment by a consumer cannot be liable for any civil or criminal damages (Section 250.140); and

(15) Requires a municipality to allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system (Section 304.120).