

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 786, Page 1,
2 Section A, Line 7, by inserting after all of said section and line the following:

3
4 "77.700. 1. Notwithstanding any provision of sections 72.400 to 72.430, the county
5 governing body of any county with a charter form of government and with more than nine hundred
6 fifty thousand inhabitants in which a city of the third classification is located shall disincorporate the
7 city as provided in this section and sections 77.700 to 77.715.

8 2. The county governing body shall order an election upon the question of disincorporation
9 of a city of the third classification upon petition of twenty-five percent of the voters of the city.

10 3. The county governing body shall give notice of the election by publication in a
11 newspaper of general circulation published in the city or, if there is no such newspaper in the city,
12 then in the newspaper in the county published nearest the city. The notice shall contain a copy of
13 the petition and the names of the petitioners. No election on the question of disincorporation shall
14 be held until the notice has been published for four weeks successively.

15 4. The question shall be submitted in substantially the following form:

16 Shall the city of be dissolved?

17 5. Upon the affirmative vote of fifty percent and one of those persons voting on the
18 question, the county governing body shall disincorporate the city.

19 77.703. No dissolution of the corporation shall invalidate or affect any right accruing to the
20 corporation or to any person or invalidate or affect any contract entered into or imposed on the
21 corporation.

22 77.706. Whenever the county governing body shall dissolve any city of the third
23 classification, the county governing body shall appoint some competent person to act as trustee for
24 the corporation so dissolved, and such trustee, before entering upon the discharge of his or her
25 duties, shall take and subscribe an oath that he or she will faithfully discharge the duties of his or
26 her office and shall give bond with sufficient security, to be approved by the governing body, to the
27 use of such disincorporated city, conditioned for the faithful discharge of his or her duty.

28 77.709. The trustee shall have power to prosecute and defend to final judgment all suits
29 instituted by or against the corporation, collect all moneys due the same, liquidate all lawful
30 demands against the same, and for that purpose shall sell any property belonging to the corporation,

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 or so much thereof as may be necessary, and generally to do all acts requisite to bring to a speedy
2 close all the affairs of the corporation.

3 77.712. The trustee shall employ counsel whenever necessary in the discharge of his or her
4 duties and shall make a report of the proceedings to the county governing body at each regular term
5 thereof, and the trustee shall receive for his or her services such compensation as the governing
6 body shall think reasonable.

7 77.715. When the trustee shall have closed the affairs of the corporation and shall have paid
8 all debts due by the corporation, he or she shall pay over to the county treasurer all money
9 remaining in his or her hands, take receipt therefor, and deliver to the clerk of the county governing
10 body all books, papers, records, and deeds belonging to the dissolved corporation.

11 79.490. 1. The county governing body of any county in which a city of the fourth class is
12 located shall disincorporate such city as provided in this section.

13 2. (1) Except as provided in subdivision (2) of this subsection, the county governing body
14 shall order an election upon the question of disincorporation of a fourth class city upon petition of
15 one-half of the voters of the city.

16 (2) Notwithstanding any provision of sections 72.400 to 72.430, in any county with a
17 charter form of government and with more than nine hundred fifty thousand inhabitants the county
18 governing body shall order an election upon the question of disincorporation of a fourth class city
19 upon petition of twenty-five percent of the voters of the city.

20 3. The county governing body shall give notice of the election by publication in a
21 newspaper of general circulation published in the city or, if there is no such newspaper in the city,
22 then in the newspaper in the county published nearest the city. The notice shall contain a copy of
23 the petition and the names of the petitioners. No election on the question of disincorporation shall
24 be held until the notice has been published for four weeks successively. 4. The question shall be
25 submitted in substantially the following form:

26 Shall the city of be dissolved?

27 5. (1) Except as provided in subdivision (2) of this subsection, upon the affirmative vote of
28 sixty percent of those persons voting on the question, the county governing body shall
29 disincorporate the city.

30 (2) Notwithstanding any provision of sections 72.400 to 72.430, in any county with a
31 charter form of government and with more than nine hundred fifty thousand inhabitants upon the
32 affirmative vote of fifty percent and one of those persons voting on the question, the county
33 governing body shall
34 disincorporate the city.

35 80.570. 1. The county governing body of each county shall have power to disincorporate
36 any town or village which they may have incorporated as provided in this section.

37 2. (1) Except as provided in subdivision (2) of this subsection, the county governing body
38 shall order an election upon the question of disincorporation of a town or village upon petition of
39 one-half of the voters of the town or village.

40 (2) Notwithstanding any provision of sections 72.400 to 72.430, in any county with a
41 charter form of government and with more than nine hundred fifty thousand inhabitants the county

1 governing body shall order an election upon the question of disincorporation of a town or village
2 upon petition of twenty-five percent of the voters of the town or village. 3. The county governing
3 body shall give notice of the election by publication in a newspaper of general circulation published
4 in the town or village or, if there is no such newspaper in the town or village, then in the newspaper
5 in the county published nearest the town or village. The notice shall contain a copy of the petition
6 and the names of the petitioners. No election on the question of disincorporation shall be held until
7 the notice has been published for eight weeks successively.

8 4. The question shall be submitted in substantially the following form as the case may be:

9 Shall the town of be dissolved?; or

10 Shall the village of be dissolved?

11 5. (1) Except as provided in subdivision (2) of this subsection, upon the affirmative vote of
12 sixty percent of those persons voting on the question, the county governing body shall
13 disincorporate the town or village.

14 (2) Notwithstanding any provision of sections 72.400 to 72.430, in any county with a
15 charter form of government and with more than nine hundred fifty thousand inhabitants upon the
16 affirmative vote of fifty percent and one of those persons voting on the question, the county
17 governing body shall
18 disincorporate the town or village.

19 6. Any county governing body may, in its discretion, on the application of any person or
20 persons owning a tract of land containing five acres or more in a town or village, used only for
21 agricultural purposes, to diminish the limits of such town or village by excluding any such tract of
22 land from said corporate limits; provided, that such application shall be accompanied by a petition
23 asking such change and signed by a majority of the voters in such town or village. And thereafter
24 such tract of land so excluded shall not be deemed or held to be any part of such town or village.

25 82.133. 1. Notwithstanding any provision of sections 72.400 to 72.430, the county
26 governing body of any county with a charter form of government and with more than nine hundred
27 fifty thousand inhabitants in which a constitutional charter or home rule city is located shall
28 disincorporate the city as provided in sections 82.133 to 82.145.

29 2. The county governing body shall order an election upon the question of disincorporation
30 of a constitutional charter or home rule city upon petition of twenty-five percent of the voters of the
31 city.

32 3. The county governing body shall give notice of the election by publication in a
33 newspaper of general circulation published in the city or, if there is no such newspaper in the city,
34 then in the newspaper in the county published nearest the city. The notice shall contain a copy of
35 the petition and the names of the petitioners. No election on the question of disincorporation shall
36 be held until the notice has been published for four weeks successively.

37 4. The question shall be submitted in substantially the following form:

38 Shall the city of be dissolved?

39 5. Upon the affirmative vote of fifty percent and one of those persons voting on the
40 question, the county governing body shall disincorporate the city.

41 82.136. No dissolution of the corporation shall invalidate or affect any right accruing to the

1 corporation or to any person, or invalidate or affect any contract entered into or imposed on the
2 corporation.

3 82.139. Whenever the county governing body shall dissolve any constitutional charter or
4 home rule city, the county governing body shall appoint some competent person to act as trustee for
5 the corporation so dissolved, and the trustee, before entering upon the discharge of his or her duties,
6 shall take and subscribe an oath that he or she will faithfully discharge the duties of the office and
7 shall give bond with sufficient security, to be approved by the governing body, to the use of the
8 disincorporated city, conditioned for the faithful discharge of the trustee's duty.

9 82.142. The trustee shall have power to prosecute and defend to final judgment all suits
10 instituted by or against the corporation, collect all moneys due the same, liquidate all lawful
11 demands against the same, and for that purpose shall sell any property belonging to the corporation,
12 or so much thereof as may be necessary, and generally to do all acts requisite to bring to a speedy
13 close all the affairs of the corporation.

14 82.145. The trustee shall employ counsel whenever necessary in the discharge of his or her
15 duties and shall make a report of the proceedings to the county governing body at each regular term
16 thereof, and the trustee shall receive for his or her services such compensation as the governing
17 body shall think reasonable.

18 82.148. When the trustee shall have closed the affairs of the corporation, and shall have paid
19 all debts due by the corporation, he or she shall pay over to the county treasurer all money
20 remaining in his or her hands, take receipt therefor, and deliver to the clerk of the county governing
21 body all books, papers, records, and deeds belonging to the dissolved corporation."; and

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23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.