

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 869, Page 22, Section 99.845, Line 335,
2 by inserting after all of said section and line the following:

3
4 "233.295. 1. Whenever a petition, signed by the owners of a majority of the acres of land,
5 within a road district organized under the provisions of sections 233.170 to 233.315 shall be filed
6 with the county commission of any county in which such district is situated, setting forth the name
7 of the district and the number of acres owned by each signer of such petition and the whole number
8 of acres in such district, the county commission shall have power, if in its opinion the public good
9 will be thereby advanced, to disincorporate such road district. No such road district shall be
10 disincorporated until notice is published in at least one newspaper of general circulation in the
11 county where the district is situated for four weeks successively prior to the hearing of such petition.

12 2. In any county with a population of at least thirty-two thousand inhabitants which adjoins
13 a county of the first classification which contains a city with a population of one hundred thousand
14 or more inhabitants that adjoins no other county of the first classification, whenever a petition
15 signed by at least fifty registered voters residing within the district organized under the provisions of
16 sections 233.170 to 233.315 is filed with the county clerk of the county in which the district is
17 situated, setting forth the name of the district and requesting the disincorporation of such district,
18 the county clerk shall certify for election the following question to be voted upon by the eligible
19 voters of the district:

20 Shall the incorporated road district organized under the provisions of
21 sections 233.170 to 233.315, RSMo, be dissolved?

22 YES NO

23 If a majority of the persons voting on the question are in favor of the proposition, then the county
24 commission shall disincorporate the road district.

25 3. The petition filed pursuant to subsection 2 of this section shall be submitted to the clerk
26 of the county no later than eight weeks prior to the next countywide election at which the question
27 will be voted upon.

28 4. Notwithstanding other provisions of this section to the contrary, in any county of the first
29 classification with more than one hundred four thousand six hundred but less than one hundred four
30 thousand seven hundred inhabitants, any petition to disincorporate a road district organized under

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 sections 233.170 to 233.315 shall be presented to the county commission or similar authority. The
2 petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the
3 district, shall state the name of the district, and shall request the disincorporation of the district. If a
4 petition is submitted as authorized in this section, and it is the opinion of the county commission
5 that the public good will be advanced by the disincorporation after providing notice and a hearing as
6 required in this section, then the county commission shall disincorporate the road district. This
7 subsection shall not apply to any road district located in two counties.

8 5. Notwithstanding other provisions of this section to the contrary, in any county of the third
9 classification without a township form of government and with more than thirty-four thousand but
10 fewer than thirty-four thousand one hundred inhabitants, any petition to disincorporate a road
11 district organized under sections 233.170 to 233.315 shall be presented to the county commission or
12 similar authority. The petition shall be signed by the lesser of fifty or a majority of the registered
13 voters residing within the district, shall state the name of the district, and shall request the
14 disincorporation of the district. If a petition is submitted as authorized in this section, and it is the
15 opinion of the county commission that the public good will be advanced by the disincorporation
16 after providing notice and a hearing as required in this section, then the county commission shall
17 disincorporate the road district. This subsection shall not apply to any road district located in two
18 counties.

19 6. Notwithstanding other provisions of this section to the contrary, in any county of the
20 second classification with more than fifty-four thousand two hundred but fewer than fifty-four
21 thousand three hundred inhabitants, any petition to disincorporate a road district organized under
22 sections 233.170 to 233.315 shall be presented to the county commission or similar authority. The
23 petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the
24 district, shall state the name of the district, and shall request the disincorporation of the district. If a
25 petition is submitted as authorized in this section, and it is the opinion of the county commission
26 that the public good will be advanced by the disincorporation after providing notice and a hearing as
27 required in this section, then the county commission shall disincorporate the road district. This
28 subsection shall not apply to any road district located in two counties.

29 7. Notwithstanding other provisions of this section to the contrary, in any county, any
30 petition to disincorporate a road district organized under sections 233.170 to 233.315 shall be
31 presented to the county commission or similar authority. The petition shall be signed by the lesser
32 of fifty or a majority of the registered voters residing within the district, shall state the name of the
33 district, and shall request the disincorporation of the district. If a petition is submitted as authorized
34 in this section, and it is the opinion of the county commission that the public good will be advanced
35 by the disincorporation after providing notice and a hearing as required in this section, then the
36 county commission shall disincorporate the road district. This subsection shall not apply to any
37 road district located in two counties.

38 8. Notwithstanding other provisions of this section to the contrary, in any county, a petition
39 to disincorporate a road district located in two counties organized under sections 233.170 to 233.315
40 shall be presented to the county commission or similar authority in each county in which the road
41 district is located. Each petition shall be signed by the lesser of fifty or a majority of the registered

1 voters residing within the district and county, shall state the name of the district, and shall request
2 the disincorporation of the district. If a petition is submitted as authorized in this section, and it is
3 the opinion of the county commission in each county in which the road district is located that the
4 public good will be advanced by the disincorporation after providing notice and a hearing as
5 required in this section, then the county commission in each county in which the road district is
6 located shall disincorporate the road district. A road district located in two counties shall not be
7 disincorporated until it is disincorporated in each county in which it is located.

8 9. The county commission or similar authority shall have the power to combine two or more
9 road districts organized under sections 233.170 to 233.315 upon request by a petition signed by a
10 majority of the commissioners in each of the road districts seeking to be combined.

11 10. The petition presented to the county commission or similar authority shall set forth the
12 request that the road districts desire to be consolidated and shall set forth the proposed name of the
13 new road district. If a petition is submitted as authorized in this section, then the county
14 commission or similar authority shall hold a public hearing at a place and time it designates after it
15 has published notice of the hearing for four consecutive weeks in a newspaper of general circulation
16 in the county.

17 11. After such hearing, if it is the opinion of the county commission that the public good
18 will be advanced by the consolidation of the districts, then the county commission or similar
19 authority shall issue its order consolidating the districts and in its order set the effective date of the
20 consolidation.

21 12. Upon consolidation, the county commission or similar authority shall appoint the three
22 initial commissioners of the consolidated district, one for a term of one year, one for a term of two
23 years, and one for a term of three years.

24 13. Upon consolidation, all assets and liabilities of the combined districts shall vest in the
25 new consolidated district. In the event the tax levies of the combined districts are different, then the
26 initial tax levy for the consolidated district shall be the lower of the districts which were combined
27 until changed as provided by statute.

28 14. The county commission or similar authority shall have the power to make deeds, bills of
29 sale, or other instruments transferring the assets of the districts combined to the new consolidated
30 district and shall have all other powers necessary to effectuate the consolidation and transfer of all
31 assets and liabilities to the consolidated road district.

32 15. The provision of subsections 9 to 15 of this section shall not apply to any road district
33 located in two counties.

34 233.600. The state auditor shall have the authority to audit any special road district created
35 under chapter 233 in the same manner as the auditor may audit any agency of the state."; and

36
37 Further amend said bill by amending the title, enacting clause, and intersectional references
38 accordingly.