

**HOUSE AMENDMENT NO. \_\_\_\_\_**  
**TO**  
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**Offered By**

1 AMEND House Amendment No. \_\_\_\_\_ to House Committee Substitute for Senate Substitute No. 2  
2 for Senate Bill No. 26, Page 1, Line 1, by inserting after "Bill No. 26," the following

3  
4 "Page 1, Section 67.030, Line 14, by inserting after all of said line the following:

5  
6 "67.287. 1. As used in this section, the following terms mean:

7 (1) "Minimum standards", adequate and material provision of each of the items listed in  
8 subsection 2 of this section;

9 (2) "Municipality", any city, town, or village located in any county with a charter form of  
10 government and with more than nine hundred fifty thousand inhabitants;

11 (3) "Peace officer", any peace officer as defined in section 590.010 who is licensed under  
12 chapter 590.

13 2. Every municipality shall meet the following minimum standards within three years of  
14 August 28, 2015, by providing the following municipal services, financial services, and reports,  
15 except that the provision of subdivision (6) of this subsection shall be completed within [~~six~~] two  
16 years of August 28, 2021:

17 (1) A balanced annual budget listing anticipated revenues and expenditures, as required in  
18 section 67.010;

19 (2) An annual audit by a certified public accountant of the finances of the municipality that  
20 includes a report on the internal controls utilized by the municipality to prevent misuse of public  
21 funds. The municipality also shall include its current procedures that show compliance with or  
22 reasonable exceptions to the recommended internal controls;

23 (3) A cash management and accounting system that accounts for all revenues and  
24 expenditures;

25 (4) Adequate levels of insurance to minimize risk to include:

26 (a) General liability coverage;

27 (b) If applicable, liability coverage with endorsements to cover emergency medical  
28 personnel and paramedics;

29 (c) If applicable, police professional liability coverage;

30 (d) Workers compensation benefits for injured employees under the provisions of chapter  
31 287; and

32 (e) Bonds for local officials as required by section 77.390, 79.260, 80.250, or local charter;

33 (5) Access to a complete set of ordinances adopted by the governing body available to the  
34 public within ten business days of a written request. An online version of the regulations or code

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 shall satisfy this requirement for those ordinances that are codified;

2 (6) If a municipality has a police department or contracts with another police department for  
3 public safety services, a police department accredited or certified by the Commission on  
4 Accreditation for Law Enforcement Agencies or the Missouri Police Chiefs Association or a  
5 contract for police service with a police department accredited or certified by such entities;

6 (7) Written policies regarding the safe operation of emergency vehicles, including a policy  
7 on police pursuit;

8 (8) Written policies regarding the use of force by peace officers;

9 (9) Written general orders for a municipal police department unless contracting with another  
10 municipality or county for police services;

11 (10) Written policies for collecting and reporting all crime and police stop data for the  
12 municipality as required by law. Such policies shall be forwarded to the attorney general's office;

13 (11) Construction code review by existing staff, directly or by contract with a public or  
14 private agency. The provisions of this subdivision shall not require the municipality to adopt an  
15 updated construction code; and

16 (12) Information published annually on the website of the municipality indicating how the  
17 municipality met the standards in this subsection. If there is no municipal website, the information  
18 shall be submitted to the county for publication on its website, if it has a website.

19 3. If any resident of a municipality has belief or knowledge that such municipality has failed  
20 to ensure that the standards listed in subsection 2 of this section are regularly provided and are likely  
21 to continue to be provided, he or she may make an affidavit before any person authorized to  
22 administer oaths setting forth the facts alleging the failure to meet the required standards and file the  
23 affidavit with the attorney general. It shall be the duty of the attorney general, if, in his or her  
24 opinion, the facts stated in the affidavit justify, to declare whether the municipality is operating  
25 below minimum standards, and if it is, the municipality shall have sixty days to rectify the  
26 deficiencies in services noted by the attorney general. If after sixty days the municipality is still  
27 deemed by the attorney general to have failed to rectify sufficient minimum standards to be in  
28 compliance with those specified by subsection 2 of this section, the attorney general may file suit in  
29 the circuit court of the county. If the court finds that the municipality is not in compliance with the  
30 minimum standards specified in subsection 2 of this section, the circuit court of the county shall  
31 order the following remedies:

32 (1) Appointment of an administrative authority for the municipality including, but not  
33 limited to, another political subdivision, the state, or a qualified private party to administer all  
34 revenues under the name of the municipality or its agents and all funds collected on behalf of the  
35 municipality. If the court orders an administrative authority to administer the revenues under this  
36 subdivision, it may send an order to the director of revenue or other party charged with distributing  
37 tax revenue, as identified by the attorney general, to distribute such revenues and funds to the  
38 administrative authority who shall use such revenues and existing funds to provide the services  
39 required under a plan approved by the court. The court shall enter an order directing all financial  
40 and other institutions holding funds of the municipality, as identified by the attorney general, to  
41 honor the directives of the administrative authority;

42 (2) If the court finds that the minimum standards specified in subsection 2 of this section  
43 still are not established at the end of ninety days from the time the court finds that the municipality  
44 is not in compliance with the minimum standards specified in subsection 2 of this section, the court  
45 may either enter an order disincorporating the municipality or order placed on the ballot the question  
46 of whether to disincorporate the municipality as provided in subdivisions (1), (2), (4), and (5) of  
47 subsection 3 of section 479.368. The court also shall place the question of disincorporation on the  
48 ballot as provided by subdivisions (1), (2), (4), and (5) of subsection 3 of section 479.368 if at least  
49 twenty percent of the registered voters residing in the subject municipality or forty percent of the

1 number of voters who voted in the last municipal election, whichever is lesser, submit a petition to  
2 the court while the matter is pending, seeking disincorporation. The question shall be submitted to  
3 the voters in substantially the following form:

4  
5 The city/town/village of \_\_\_\_\_ has failed to meet minimum standards of governance as  
6 required by law. Shall the city/town/village of \_\_\_\_\_ be dissolved?

7  YES  NO  
8  
9

10 If electors vote to disincorporate, the court shall determine the date upon which the disincorporation  
11 shall occur, taking into consideration a logical transition.

12 4. The court shall have ongoing jurisdiction to enforce its orders and carry out the remedies  
13 in subsection 3 of this section."; and

14  
15 Further amend said bill,"; and

16  
17 Further amend said bill by amending the title, enacting clause, and intersectional references  
18 accordingly.

19  
20 AMENDS 0828H05.20H