

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 393
94TH GENERAL ASSEMBLY

Reported from the Committee on Economic Development, Tourism and Local Government, March 15, 2007, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1842S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 321, RSMo, by adding thereto one new section relating to fire protection district consolidation.

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

Section A. Chapter 321, RSMo, is amended by adding thereto one new section, to be known as section 321.688, to read as follows:

321.688. 1. The board of directors of any fire district located wholly within any county of the first classification may consolidate with each other upon the passage of a joint resolution by each board desiring to consolidate. The joint resolution shall not become effective unless each board submits to the voters residing within the fire protection districts at a state general, primary, or special election a proposal to authorize the consolidation under this section.

2. The ballot of submission for the consolidation authorized in this section shall be in substantially the following form:

Shall (insert the name of the fire protection district) be consolidated into one fire protection district, to be known as the (insert name of proposed consolidated fire protection district)?

13 YES NO

14 If you are in favor of the question, place an "X" in the box opposite
15 "YES". If you are opposed to the question, place an "X" in the box
16 opposite "NO".

17 If a majority of the votes cast on the question by the qualified voters
18 voting thereon in each existing fire protection district are in favor of
19 the question, then the consolidation shall become effective on January
20 first of the year immediately following the approval of the

21 consolidation, unless the consolidation is approved at a November
22 election, in which case the consolidation shall become effective on
23 January first of the second year following the approval of the
24 consolidation. If a majority of the votes cast on the question by the
25 qualified voters voting thereon in any of the existing fire protection
26 districts desiring to consolidate are opposed to the question, then the
27 consolidation shall not become effective unless and until the question
28 is resubmitted within twelve months of the vote under this section to
29 the qualified voters in the fire protection district opposed to the
30 consolidation and such question is approved by a majority of the
31 qualified voters voting on the question.

32 3. The board of directors of any consolidated fire protection
33 district created under this section shall have six members, and shall
34 consist of the existing board members of the fire protection districts
35 that were consolidated. Upon the first occurrence of a vacancy in the
36 membership of the board, the number of members on the board may be
37 reduced from six to five upon approval by a majority of the remaining
38 board members. The terms of office for board members shall be
39 identical to the terms of office the board members were originally
40 elected to serve before the consolidation.

41 4. Upon the approval of consolidation under this section, the
42 consolidated district shall be a political subdivision of this state and a
43 body corporate, with all the powers of like or similar corporations, and
44 with all the powers, privileges, and duties of fire protection districts
45 under this chapter. All properties, rights, assets, and liabilities of the
46 fire protection districts which are consolidated, including outstanding
47 bonds thereof if any, shall become the properties, rights, assets, and
48 liabilities of the consolidated fire protection district.

49 5. The consolidated fire protection district shall levy the same
50 taxes as levied in the fire protection district with the lowest tax levy
51 before the consolidation.