

FIRST REGULAR SESSION

# SENATE BILL NO. 393

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR McKENNA.

Read 1st time January 29, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1842S.011

## 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 with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants 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)?

YES  NO

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

If a majority of the votes cast on the question by the qualified voters

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

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

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

52         5. The consolidated fire protection district shall levy the same  
53 taxes as levied in the fire protection district with the lowest tax levy  
54 before the consolidation.