

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 264

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREEN.

Read 1st time January 11, 2007, and ordered printed.

Read 2nd time January 18, 2007, and referred to the Committee on Economic Development, Tourism and Local Government.

Reported from the Committee February 8, 2007, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up February 21, 2007. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

0033S.01P

AN ACT

To repeal section 235.210, RSMo, and to enact in lieu thereof one new section relating to street light maintenance.

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

Section A. Section 235.210, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 235.210, to read as follows:

235.210. 1. The boundaries of any district organized under the provisions
2 of this law may be changed in the manner prescribed in this section and in
3 section 235.220, but any change of boundaries of the district shall not impair or
4 affect its organization or its rights in or to property, or any of its rights or
5 privileges whatsoever; or shall it affect or impair or discharge any contract,
6 obligation, lien or charge for or upon which it might be liable or chargeable had
7 the change of boundaries not been made.

8 2. [Two-thirds of the owners of real property in an area contiguous with
9 a street light maintenance district organized under this law and not located
10 within any municipality or another street light maintenance district may file with
11 the board a petition in writing praying that the real property be included within
12 the district. The petition shall describe the property to be annexed and shall be
13 deemed to give assent of the petitioners to the inclusion in the district of the
14 property described in the petition.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

15 3. The secretary of the board shall cause notice of the filing of the petition
16 to be given and published in the county in which the property is located, which
17 notice shall recite the filing of the petition, the names of the petitioners, the
18 descriptions of the lands sought to be included and the prayer of the petitioners,
19 giving notice to all persons interested to appear at the office of the board at the
20 time named in the notice and show cause in writing, if any they have, why the
21 petition should not be granted.

22 4. The board shall at the time and place mentioned, or at such time or
23 times to which the hearing may be adjourned, proceed to hear the petition and
24 all objections thereto presented in writing by any person showing cause why the
25 petition should not be granted. The failure of any person interested to show
26 cause in writing why the petition shall not be granted shall be deemed and held
27 and taken as an assent on his part to the inclusion of the lands in the district as
28 prayed for in the petition.

29 5. If the petition is granted, the board shall make an order to that effect
30 and file the same with the county clerk; and upon the order of the county
31 commission, the property shall be included in the district, and thereafter a copy
32 of the order of the board and the order of the commission shall be filed with the
33 recorder. The county commission shall proceed to make the order including such
34 additional property within the district as is provided in the order of the board,
35 unless the commission shall find that the order of the board was not authorized
36 by law or that the order of the board was not supported by competent and
37 substantial evidence.] **A petition for annexation of real property in an**
38 **area contiguous with a street light maintenance district organized**
39 **under this chapter and not located within any municipality or another**
40 **street light maintenance district shall be signed by property owners**
41 **who own not less than ten percent of the parcels of property within the**
42 **area proposed for annexation. The petition shall be filed with the**
43 **county clerk in which the district is situated and shall be addressed to**
44 **the county commission. A hearing shall be held regarding the proposed**
45 **annexation petition as soon as reasonably possible. If the county**
46 **commission finds at the hearing that the petition is in compliance with**
47 **the provisions of this section, they shall order the question to be**
48 **submitted to the voters within the proposed area of annexation and**
49 **within the district at a municipal, primary, or general election.**

50 3. The question shall be submitted in substantially the following

51 **form:**

52 **"Shall.....(description of area) be annexed to thestreet light**
53 **maintenance district?**

54 **YES**

NO

55 **If you are in favor of the question, place an "X" in the box opposite**
56 **"Yes". If you are opposed to the question, place an "X" in the box**
57 **opposite "No"."**

58 **4. If a majority of the votes cast on the question in the district**
59 **and in the area described in the petition, respectively, are in favor of**
60 **the annexation, the county commission shall by order declare the area**
61 **annexed and shall describe the altered boundaries of the district. A**
62 **copy of the order of the commission shall be filed within the county**
63 **recorder. If a majority of the votes cast on the question in the district**
64 **and in the area described in the petition, respectively, are not in favor**
65 **of the annexation, such area shall not be declared annexed. No such**
66 **question shall be resubmitted to the voters sooner than twelve months**
67 **from the date of submission of the last question.**

Bill ✓

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