

FIRST REGULAR SESSION
[P E R F E C T E D]
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.

Removed from the Consent Calendar March 7, 2007.

Re-reported from the Committee on Economic Development, Tourism and Local Government, March 15, 2007, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute adopted March 29, 2007.

Taken up March 29, 2007. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

1842S.02P

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)?

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

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.**