

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 271

AN ACT

To repeal sections 49.310, 50.166, 50.327, 50.332, 50.530, 50.660, 50.783, 57.530, 59.021, 59.100, 67.398, 67.990, 67.993, 67.1153, 67.1158, 82.390, 84.400, 91.025, 91.450, 115.127, 115.646, 137.115, 137.280, 139.100, 162.441, 192.300, 204.569, 221.105, 386.800, 393.106, 394.020, 394.315, 407.300, 451.040, 476.083, 485.060, 488.2235, 570.030, 620.2450, and 620.2456, RSMo, and section 49.266 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular session, and to enact in lieu thereof fifty-nine new sections relating to local government, with penalty provisions and an emergency clause for certain sections.

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

Section A. Sections 49.310, 50.166, 50.327, 50.332,
2 50.530, 50.660, 50.783, 57.530, 59.021, 59.100, 67.398, 67.990,
3 67.993, 67.1153, 67.1158, 82.390, 84.400, 91.025, 91.450,
4 115.127, 115.646, 137.115, 137.280, 139.100, 162.441, 192.300,
5 204.569, 221.105, 386.800, 393.106, 394.020, 394.315, 407.300,
6 451.040, 476.083, 485.060, 488.2235, 570.030, 620.2450, and
7 620.2456, RSMo, and section 49.266 as enacted by senate bill
8 no. 672, ninety-seventh general assembly, second regular
9 session, and section 49.266 as enacted by house bill no. 28,

10 ninety-seventh general assembly, first regular session, are
11 repealed and fifty-nine new sections enacted in lieu thereof,
12 to be known as sections 37.1090, 37.1091, 37.1092, 37.1093,
13 37.1094, 37.1095, 37.1096, 37.1097, 37.1098, 49.266, 49.310,
14 50.166, 50.327, 50.332, 50.530, 50.660, 50.783, 57.530, 59.021,
15 59.100, 64.207, 67.265, 67.398, 67.990, 67.993, 67.1153,
16 67.1158, 67.1847, 67.2680, 71.1000, 82.390, 84.400, 91.025,
17 91.450, 115.127, 115.646, 137.115, 137.280, 139.100, 162.441,
18 192.300, 204.569, 221.105, 304.900, 386.800, 393.106, 394.020,
19 394.315, 407.297, 407.300, 451.040, 476.083, 485.060, 488.2235,
20 570.030, 620.2450, 620.2456, 620.2460, and 1, to read as
21 follows:

37.1090. As used in sections 37.1090 to 37.1098, the
2 following terms mean:

3 (1) "Expenditure", any monetary payment from a
4 municipality or county to any vendor including, but not
5 limited to, a payment, distribution, loan, advance,
6 reimbursement, deposit, or gift;

7 (2) "Municipality", a city, town, or village that is
8 incorporated in accordance with the laws of this state;

9 (3) "State entity", the general assembly; the supreme
10 court of Missouri; the office of an elected state official;
11 or an agency, board, commission, department, institution,
12 instrumentality, office, or other governmental entity of
13 this state, excluding municipalities, counties, institutions
14 of higher education, and any public employee retirement
15 system;

16 (4) "Vendor", any person, partnership, corporation,
17 association, organization, state entity, or other party that:

18 (a) Sells, leases, or otherwise provides equipment,
19 materials, goods, supplies, or services to a municipality or
20 county; or

21 (b) Receives reimbursement from a municipality or
22 county for any expense.

37.1091. The "Missouri Local Government Expenditure
2 Database" is hereby created and shall be maintained on the
3 Missouri accountability portal, established under section
4 37.850, by the office of administration. The database shall
5 be available on the office of administration website and
6 shall include information about expenditures made during
7 each fiscal year that begins after December 31, 2022. The
8 database shall be publicly accessible without charge.

37.1092. For each expenditure, the Missouri local
2 government expenditure database shall include the following
3 information:

- 4 (1) The amount of the expenditure;
- 5 (2) The date the expenditure was paid;
- 6 (3) The vendor to whom the expenditure was paid,
7 unless the disclosure of the vendor's name would violate a
8 confidentiality requirement, in which case the vendor may be
9 listed as confidential;
- 10 (4) The purpose of the expenditure; and
- 11 (5) The municipality or county that made the
12 expenditure or requested the expenditure be made.

37.1093. The Missouri local government expenditure
2 database shall provide:

- 3 (1) A record of all expenditures; and
- 4 (2) The ability to download information.

37.1094. 1. A municipality or county may choose to
2 voluntarily participate in the Missouri local government
3 expenditure database, or, if a requisite number of residents
4 of a municipality or county request the municipality or
5 county to participate, such jurisdiction shall participate
6 in the Missouri local government expenditure database. The
7 requisite number of residents requesting participation shall

8 be five percent of the registered voters of such
9 jurisdiction voting in the last general municipal election,
10 as described under section 115.121, but in no case shall the
11 requisite number be fewer than fifty residents. Residents
12 may request participation by submitting a written letter by
13 certified mail to the governing body of the municipality or
14 county and the office of administration. Multiple residents
15 may sign one letter, but the number of requests from
16 residents shall include all requests from all letters
17 received. Upon receiving such a letter, the municipality or
18 county shall acknowledge receipt thereof to the resident and
19 the office of administration within thirty days. After
20 receiving the requisite number of requests, the municipality
21 or county shall begin participating in the database but
22 shall not be required to report expenditures incurred before
23 one complete six-month reporting period described under
24 subsection 2 of this section has elapsed.

25 2. Each municipality or county participating in the
26 database shall provide electronically transmitted
27 information to the office of administration, in a format the
28 office requires, for inclusion in the Missouri local
29 government expenditure database regarding each of the
30 municipality's or county's expenditures biannually.

31 Information regarding the first half of the calendar year
32 shall be submitted before July thirty-first of such year.
33 Information regarding the second half of the calendar year
34 shall be submitted before January thirty-first of the year
35 immediately following such year.

36 3. Notwithstanding subsection 1 of this section, no
37 submission shall be required for any expenditures incurred
38 before January 1, 2023.

39 4. The office of administration shall provide each
40 municipality and county participating in the database with a

41 template, in the format described under section 37.1092, for
42 the purpose of uploading the data. The office of
43 administration shall have the authority to grant the
44 municipality or county access for the purpose of uploading
45 data.

46 5. Upon appropriation, the office of administration
47 shall provide financial reimbursement to any participating
48 municipality or county for actual expenditures incurred for
49 participating in the database.

2 37.1095. No later than one year after the Missouri
3 local government expenditure database is implemented, the
4 office of administration shall provide, on the office of
5 administration website, an opportunity for public comment on
6 the utility of the database.

2 37.1096. The Missouri local government expenditure
3 database shall not include any confidential information or
4 any information that is not a public record under the laws
5 of this state. However, the state shall not be liable for
6 the disclosure of a record in the Missouri local government
7 expenditure database that is confidential information or is
8 not a public record under the laws of this state.

2 37.1097. Each municipality or county that has a
3 website shall display on its website a prominent internet
4 link to the Missouri local government expenditure database.

2 37.1098. The office of administration may adopt rules
3 to implement the provisions of sections 37.1090 to 37.1098.
4 Any rule or portion of a rule, as that term is defined in
5 section 536.010, that is created under the authority
6 delegated in this section shall become effective only if it
7 complies with and is subject to all of the provisions of
8 chapter 536 and, if applicable, section 536.028. This
9 section and chapter 536 are nonseverable, and if any of the
10 powers vested with the general assembly pursuant to chapter

10 536 to review, to delay the effective date, or to disapprove
11 and annul a rule are subsequently held unconstitutional,
12 then the grant of rulemaking authority and any rule proposed
13 or adopted after August 28, 2021, shall be invalid and void.

49.266. 1. The county commission in all [noncharter]
2 counties of the first, second, third, or fourth
3 classification may by order or ordinance promulgate
4 reasonable regulations concerning the use of county
5 property, the hours, conditions, methods and manner of such
6 use and the regulation of pedestrian and vehicular traffic
7 and parking thereon.

8 2. Violation of any regulation so adopted under
9 subsection 1 of this section is an infraction.

10 3. Upon a determination by the state fire marshal that
11 a burn ban order is appropriate for a county because:

12 (1) An actual or impending occurrence of a natural
13 disaster of major proportions within the county jeopardizes
14 the safety and welfare of the inhabitants of such county; and

15 (2) The U.S. Drought Monitor has designated the county
16 as an area of severe, extreme, or exceptional drought, the
17 county commission may adopt an order or ordinance issuing a
18 burn ban, which may carry a penalty of up to a class A
19 misdemeanor. State agencies responsible for fire management
20 or suppression activities and persons conducting
21 agricultural burning using best management practices shall
22 not be subject to the provisions of this subsection. The
23 ability of an individual, organization, or corporation to
24 sell fireworks shall not be affected by the issuance of a
25 burn ban. The county burn ban may prohibit the explosion or
26 ignition of any missile or skyrocket as the terms "missile"
27 and "skyrocket" are defined by the 2012 edition of the
28 American Fireworks Standards Laboratory, but shall not ban
29 the explosion or ignition of any other consumer fireworks as

30 the term "consumer fireworks" is defined under section
31 320.106.

32 4. The regulations so adopted shall be codified,
33 printed and made available for public use and adequate signs
34 concerning smoking, traffic and parking regulations shall be
35 posted.

2 [49.266. 1. The county commission in all
3 counties of the first, second or fourth
4 classification may by order or ordinance
5 promulgate reasonable regulations concerning the
6 use of county property, the hours, conditions,
7 methods and manner of such use and the
8 regulation of pedestrian and vehicular traffic
9 and parking thereon.

10 2. Violation of any regulation so adopted
11 under subsection 1 of this section is an
12 infraction.

13 3. Upon a determination by the state fire
14 marshal that a burn ban order is appropriate for
15 a county because:

16 (1) An actual or impending occurrence of a
17 natural disaster of major proportions within the
18 county jeopardizes the safety and welfare of the
19 inhabitants of such county; and

20 (2) The U.S. Drought Monitor has
21 designated the county as an area of severe,
22 extreme, or exceptional drought, the county
23 commission may adopt an order or ordinance
24 issuing a burn ban, which may carry a penalty of
25 up to a class A misdemeanor. State agencies
26 responsible for fire management or suppression
27 activities and persons conducting agricultural
28 burning using best management practices shall
29 not be subject to the provisions of this
30 subsection. The ability of an individual,
31 organization, or corporation to sell fireworks
32 shall not be affected by the issuance of a burn
33 ban. The county burn ban may prohibit the
34 explosion or ignition of any missile or
35 skyrocket as the terms "missile" and "skyrocket"
36 are defined by the 2012 edition of the American
37 Fireworks Standards Laboratory, but shall not
38 ban the explosion or ignition of any other
39 consumer fireworks as the term "consumer
40 fireworks" is defined under section 320.106.

41 4. The regulations so adopted shall be
42 codified, printed and made available for public
43 use and adequate signs concerning smoking,
44 traffic and parking regulations shall be posted.]

49.310. 1. Except as provided in sections 221.400 to
2 221.420 and subsection 2 of this section, the county
3 commission in each county in this state shall erect and

4 maintain at the established seat of justice a good and
5 sufficient courthouse, jail and necessary fireproof
6 buildings for the preservation of the records of the county;
7 except that in counties having a special charter, the jail
8 or workhouse may be located at any place within the county.
9 In pursuance of the authority herein delegated to the county
10 commission, the county commission may acquire a site,
11 construct, reconstruct, remodel, repair, maintain and equip
12 the courthouse and jail, and in counties wherein more than
13 one place is provided by law for holding of court, the
14 county commission may buy and equip or acquire a site and
15 construct a building or buildings to be used as a courthouse
16 and jail, and may remodel, repair, maintain and equip
17 buildings in both places. The county commission may issue
18 bonds as provided by the general law covering the issuance
19 of bonds by counties for the purposes set forth in this
20 section. In bond elections for these purposes in counties
21 wherein more than one place is provided by law for holding
22 of court, a separate ballot question may be submitted
23 covering proposed expenditures in each separate site
24 described therein, or a single ballot question may be
25 submitted covering proposed expenditures at more than one
26 site, if the amount of the proposed expenditures at each of
27 the sites is specifically set out therein.

28 2. The county commission in all counties of the fourth
29 classification and any county of the third, second, or first
30 classification may provide for the erection and maintenance
31 of a good and sufficient jail or holding cell facility at a
32 site in the county other than at the established seat of
33 justice.

34 3. In the absence of a local agreement otherwise, for
35 any courthouse that contains both county offices and court
36 facilities, the presiding judge of the circuit may establish

37 rules and procedures for court facilities and areas
38 necessary for court-related ingress, court-related egress
39 and other reasonable court-related usage, but the county
40 commission shall have authority over all other areas of the
41 courthouse.

50.166. 1. In all cases of claims allowed against the
2 county, and in all cases of grants, salaries, pay and
3 expenses allowed by law, the county clerk may fill in on a
4 form of warrant the amount due as approved by the county
5 commission and other necessary information. The form of the
6 warrant thus filled in by the county clerk may be
7 transmitted to the county treasurer. The warrant may be in
8 such form that a single instrument may serve as the warrant
9 and the county treasurer's draft or check, and may be so
10 designed that it is a nonnegotiable warrant when signed by
11 the county clerk and becomes a negotiable check or draft
12 after it has been signed by the county treasurer.

2. Upon request, the county treasurer shall have
14 access to any financially relevant document in the
15 possession of any county official for the purposes of
16 processing a warrant, unless such warrant is received in the
17 absence of a check then the county treasurer shall have
18 access to the information necessary to process the warrant.

3. No official of any county shall refuse a request
20 from the county treasurer for access to or a copy of any
21 document in the possession of a county official that is
22 financially relevant to his or her duties under section
23 50.330, except that any county official may redact, remove,
24 or delete any personal identifying information, including a
25 Social Security number, financial account numbers, medical
26 information, or any other personal identifying information,
27 before submission to the county treasurer.

28 4. No county treasurer shall refuse to release funds
29 for the payment of any properly approved expenditure.

 50.327. 1. Notwithstanding any other provisions of
2 law to the contrary, the salary schedules contained in
3 sections 49.082, 50.334, 50.343, 51.281, 51.282, 52.269,
4 53.082, 53.083, 54.261, 54.320, 55.091, 56.265, 57.317,
5 58.095, and 473.742 shall be set as a base schedule for
6 those county officials. Except when it is necessary to
7 increase newly elected or reelected county officials'
8 salaries, in accordance with Section 13, Article VII,
9 Constitution of Missouri, to comply with the requirements of
10 this section, the salary commission in all counties except
11 charter counties in this state shall be responsible for the
12 computation of salaries of all county officials; provided,
13 however, that any percentage salary adjustments in a county
14 shall be equal for all such officials in that county.

 2. Upon majority approval of the salary commission,
16 the annual compensation of part-time prosecutors contained
17 in section 56.265 and the county offices contained in
18 sections 49.082, 50.334, 50.343, 51.281, 51.282, 52.269,
19 53.082, 53.083, 54.261, 54.320, 55.091, 58.095, and 473.742
20 may be increased by up to two thousand dollars greater than
21 the compensation provided by the salary schedules; provided,
22 however, that any vote to increase compensation be effective
23 for all county offices in that county.

 3. Upon majority approval of the salary commission,
25 the annual compensation of a county sheriff as provided in
26 section 57.317 may be increased by up to six thousand
27 dollars greater than the compensation provided by the salary
28 schedule of such section.

 4. The salary commission of any county of the third
30 classification may amend the base schedules for the
31 computation of salaries for county officials referenced in

32 subsection 1 of this section to include assessed valuation
33 factors in excess of three hundred million dollars; provided
34 that the percentage of any adjustments in assessed valuation
35 factors shall be equal for all such officials in that county.

36 5. Upon the majority approval of the salary
37 commission, the annual compensation of a county coroner of
38 any county of the second classification as provided in
39 section 58.095 may be increased up to fourteen thousand
40 dollars greater than the compensation provided by the salary
41 schedule of such section.

50.332. In all counties of the first, second, third,
2 and fourth classes, and in any county with a charter form of
3 government and with more than two hundred thousand but fewer
4 than three hundred fifty thousand inhabitants, each county
5 officer may, subject to the approval of the governing body
6 of the county, contract with the governing body of any
7 municipality located within such county, either in whole or
8 in part, to perform the same type of duties for such
9 municipality as such county officer is performing for the
10 county, including, if agreed by both parties, the collection
11 by the collector or collector treasurer of residential
12 assessments under section 67.2815. Any compensation paid by
13 a municipality for services rendered pursuant to this
14 section shall be paid directly to the county, or county
15 officer, or both, as provided in the provisions of the
16 contract, and any compensation allowed any county officer
17 under any such contract may be retained by such officer in
18 addition to all other compensation provided by law.

50.530. As used in sections 50.530 to 50.745:

2 (1) "Accounting officer" means county auditor in
3 counties of the first and second classifications and the
4 county clerks in counties of the third and fourth
5 classifications;

6 (2) "Budget officer" means such person, as may, from
7 time to time, be appointed by the county commission of
8 counties of the first classification except in counties of
9 the first classification with a population of less than one
10 hundred thousand inhabitants according to the official
11 United States Census of 1970 the county auditor shall be the
12 chief budget officer, the presiding commissioner of the
13 county commission in counties of the second classification,
14 unless the county commission designates the county clerk as
15 budget officer, and the county clerk in counties of the
16 third and fourth classification. [Notwithstanding the
17 provisions of this subdivision to the contrary, in any
18 county of the first classification with more than eighty-two
19 thousand but fewer than eighty-two thousand one hundred
20 inhabitants, the presiding commissioner shall be the budget
21 officer unless the county commission designates the county
22 clerk as the budget officer.]

 50.660. All contracts shall be executed in the name of
2 the county, or in the name of a township in a county with a
3 township form of government, by the head of the department
4 or officer concerned, except contracts for the purchase of
5 supplies, materials, equipment or services other than
6 personal made by the officer in charge of purchasing in any
7 county or township having the officer. No contract or order
8 imposing any financial obligation on the county or township
9 is binding on the county or township unless it is in writing
10 and unless there is a balance otherwise unencumbered to the
11 credit of the appropriation to which it is to be charged and
12 a cash balance otherwise unencumbered in the treasury to the
13 credit of the fund from which payment is to be made, each
14 sufficient to meet the obligation incurred and unless the
15 contract or order bears the certification of the accounting
16 officer so stating; except that in case of any contract for

17 public works or buildings to be paid for from bond funds or
18 from taxes levied for the purpose it is sufficient for the
19 accounting officer to certify that the bonds or taxes have
20 been authorized by vote of the people and that there is a
21 sufficient unencumbered amount of the bonds yet to be sold
22 or of the taxes levied and yet to be collected to meet the
23 obligation in case there is not a sufficient unencumbered
24 cash balance in the treasury. All contracts and purchases
25 shall be let to the lowest and best bidder after due
26 opportunity for competition, including advertising the
27 proposed letting in a newspaper in the county or township
28 with a circulation of at least five hundred copies per
29 issue, if there is one, except that the advertising is not
30 required in case of contracts or purchases involving an
31 expenditure of less than [~~six~~] twelve thousand dollars. It
32 is not necessary to obtain bids on any purchase in the
33 amount of [~~six~~] twelve thousand dollars or less made from
34 any one person, firm or corporation during any period of
35 ninety days. All bids for any contract or purchase may be
36 rejected and new bids advertised for. Contracts which
37 provide that the person contracting with the county or
38 township shall, during the term of the contract, furnish to
39 the county or township at the price therein specified the
40 supplies, materials, equipment or services other than
41 personal therein described, in the quantities required, and
42 from time to time as ordered by the officer in charge of
43 purchasing during the term of the contract, need not bear
44 the certification of the accounting officer, as herein
45 provided; but all orders for supplies, materials, equipment
46 or services other than personal shall bear the
47 certification. In case of such contract, no financial
48 obligation accrues against the county or township until the

49 supplies, materials, equipment or services other than
50 personal are so ordered and the certificate furnished.

50.783. 1. The county commission may waive the
2 requirement of competitive bids or proposals for supplies
3 when the commission has determined in writing and entered
4 into the commission minutes that there is only a single
5 feasible source for the supplies. Immediately upon
6 discovering that other feasible sources exist, the
7 commission shall rescind the waiver and proceed to procure
8 the supplies through the competitive processes as described
9 in this chapter. A single feasible source exists when:

10 (1) Supplies are proprietary and only available from
11 the manufacturer or a single distributor; or

12 (2) Based on past procurement experience, it is
13 determined that only one distributor services the region in
14 which the supplies are needed; or

15 (3) Supplies are available at a discount from a single
16 distributor for a limited period of time.

17 2. On any single feasible source purchase where the
18 estimated expenditure is over [~~six~~] twelve thousand dollars,
19 the commission shall post notice of the proposed purchase
20 and advertise the commission's intent to make such purchase
21 in at least one daily and one weekly newspaper of general
22 circulation in such places as are most likely to reach
23 prospective bidders or offerors and may provide such
24 information through an electronic medium available to the
25 general public at least ten days before the contract is to
26 be let.

27 3. Notwithstanding subsection 2 of this section to the
28 contrary, on any single feasible service purchase by any
29 county of the first classification with more than one
30 hundred fifty thousand but fewer than two hundred thousand
31 inhabitants or any county of the first classification with

32 more than two hundred sixty thousand but fewer than three
33 hundred thousand inhabitants where the estimated expenditure
34 is over [six] twelve thousand dollars, the commission shall
35 post notice of the proposed purchase and advertise the
36 commission's intent to make such purchase in at least one
37 daily and one weekly newspaper of general circulation in
38 such places as are most likely to reach prospective bidders
39 or offerors and may provide such information through an
40 electronic medium available to the general public at least
41 ten days before the contract is to be let.

57.530. The sheriff of the City of St. Louis shall[,
2 with the approval of a majority of the circuit judges of the
3 circuit court of said city,] appoint as many deputies and
4 assistants as may be necessary to perform the duties of his
5 or her office, and fix the compensation for their services,
6 which compensation, however, shall not in any case exceed
7 the annual rate of compensation fixed by the board of
8 aldermen of the City of St. Louis therefor.

59.021. A candidate for county recorder where the
2 offices of the clerk of the court and recorder of deeds are
3 separate, except in any city not within a county or any
4 county having a charter form of government, shall be at
5 least twenty-one years of age, a registered voter, and a
6 resident of the state of Missouri as well as the county in
7 which he or she is a candidate for at least one year prior
8 to the date of the general election. Upon election to
9 office, the person shall continue to reside in that county
10 during his or her tenure in office. Each candidate for
11 county recorder shall provide to the election authority a
12 copy of an affidavit from a surety company authorized to do
13 business in this state that indicates the candidate is able
14 to satisfy the bond requirements under section 59.100.

59.100. 1. Every recorder elected as provided in section 59.020, before entering upon the duties of the office as recorder, shall enter into bond to the state, in a sum set by the county commission [of not less than one thousand dollars], with sufficient sureties, not less than two, to be approved by the commission, conditioned for the faithful performance of the duties enjoined on such person by law as recorder, and for the delivering up of the records, books, papers, writings, seals, furniture and apparatus belonging to the office, whole, safe and undefaced, to such officer's successor.

2. For a recorder elected after December 31, 2021, the bond shall be no less than five thousand dollars. For a recorder elected before January 1, 2022, the bond shall be no less than one thousand dollars.

64.207. 1. The county commission of any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants may adopt rules, regulations, or ordinances to ensure the habitability of rented residences.

2. The rules, regulations, or ordinances shall require each rented residence provide:

(1) Structural protection from the elements;

(2) Access to water service, including hot water;

(3) Sewer service;

(4) Access to electrical service;

(5) Heat to the residence; and

(6) Basic security, which, at a minimum, shall include locking doors and windows.

If a utility service is unavailable because a tenant fails to pay for service, the unavailability shall not be a violation of the rules, regulations, or ordinances.

18 3. If a county elects to enact rules, regulations, or
19 ordinances under this section, at a minimum, they shall
20 contain the following provisions:

21 (1) (a) The county commission shall create a process
22 for selecting a designated officer to respond to written
23 complaints of the condition of a rented residence that
24 threatens the health or safety of tenants;

25 (b) Any written complaint under this section shall be
26 submitted by a tenant who is a lawful tenant who has signed
27 a lease agreement with the property owner or his or her
28 agent, and which tenant is current on all rent due;

29 (2) The owner of record of any rented residence
30 against which a written complaint has been submitted shall
31 be served with adequate notice. The notice shall specify
32 the condition alleged in the complaint and state a
33 reasonable date that abatement of the condition shall
34 commence. Notice shall be served by personal service or
35 certified mail, return receipt requested, or, if those
36 methods are unsuccessful, by publication;

37 (3) The owner of record and any other person who has
38 an interest in the rented residence shall be parties in a
39 hearing under subdivision (4) of this subsection;

40 (4) If work to abate the condition does not commence
41 by the date stated in the notice or if the work does not
42 proceed continuously and without unnecessary delay, as
43 determined by the designated officer, the complaint shall be
44 given a hearing before the county commission. Parties shall
45 be given at least ten days' notice of the hearing. Any
46 party may be represented by counsel, and all parties shall
47 have an opportunity to be heard. If the county commission
48 finds that the rented residence has a dangerous condition
49 that is detrimental to the health, safety, or welfare of the
50 tenant, the county commission shall issue an order that the

51 condition be abated. The order shall state specific facts,
52 based on competent and substantiated evidence, that support
53 its finding. If the county commission finds that the rented
54 residence does not have a dangerous condition that is
55 detrimental to the health, safety, or welfare of the tenant,
56 the county commission shall not issue an order; and

57 (5) Any violation of the order issued by the county
58 commission may be punished by a penalty, which shall not
59 exceed a class C misdemeanor. Each day a violation
60 continues shall be deemed a separate violation. Any penalty
61 enacted in the rules, regulations, or ordinances shall not
62 be the exclusive punishment for the condition. The
63 designated officer may, in his or her own name or in the
64 name of the county, seek and obtain any judicial relief
65 provided under equity or law including, but not limited to,
66 civil fines authorized under section 49.272, declaratory
67 relief, and injunctive relief. The designated officer may
68 declare the continued occupancy of the rented residence
69 unlawful while the condition or conditions remain unabated.

70 4. The county commission shall only have the authority
71 to respond to written complaints submitted to the county
72 commission and shall not have the authority to:

73 (1) Charge any fee for any action authorized under
74 this section;

75 (2) Perform any inspection of rented residences unless
76 in response to a written complaint; or

77 (3) Require licensing, registration, or certification
78 of a rented residence on a regular schedule or before
79 offering a residence for rent.

67.265. 1. For purposes of this section, the term
2 "order" shall mean a public health order, ordinance, rule,
3 or regulation issued by a political subdivision, including
4 by a health officer, local public health agency, public

5 health authority, or the political subdivision's executive,
6 as such term is defined in section 67.750, in response to an
7 actual or perceived threat to public health for the purpose
8 of preventing the spread of a contagious disease.

9 Notwithstanding any other provision of law to the contrary:

10 (1) Any order issued during and related to an
11 emergency declared pursuant to chapter 44 that directly or
12 indirectly closes, partially closes, or places restrictions
13 on the opening of or access to any one or more business
14 organizations, churches, schools, or other places of public
15 or private gathering or assembly, including any order,
16 ordinance, rule, or regulation of general applicability or
17 that prohibits or otherwise limits attendance at any public
18 or private gatherings, shall not remain in effect for longer
19 than thirty calendar days in a one hundred eighty-day
20 period, including the cumulative duration of similar orders
21 issued concurrently, consecutively, or successively, and
22 shall automatically expire at the end of the thirty days or
23 as specified in the order, whichever is shorter, unless so
24 authorized by a simple majority vote of the political
25 subdivision's governing body to extend such order or approve
26 a similar order; provided that such extension or approval of
27 similar orders shall not exceed thirty calendar days in
28 duration and any order may be extended more than once; and

29 (2) Any order of general applicability issued at a
30 time other than an emergency declared pursuant to chapter 44
31 that directly or indirectly closes an entire classification
32 of business organizations, churches, schools, or other
33 places of public or private gathering or assembly shall not
34 remain in effect for longer than twenty-one calendar days in
35 a one hundred eighty-day period, including the cumulative
36 duration of similar orders issued concurrently,
37 consecutively, or successively, and shall automatically

38 expire at the end of the twenty-one days or as specified in
39 the order, whichever is shorter, unless so authorized by a
40 two-thirds majority vote of the political subdivision's
41 governing body to extend such order or approve a similar
42 order; provided that such extension or approval of similar
43 orders may be extended more than once.

44 2. The governing bodies of the political subdivisions
45 issuing orders under this section shall at all times have
46 the authority to terminate an order issued or extended under
47 this section upon a simple majority vote of the body.

48 3. In the case of local public health agencies created
49 through an agreement by multiple counties under chapter 70,
50 all of the participating counties' governing bodies shall be
51 required to approve or terminate orders in accordance with
52 the provisions of this section.

53 4. Prior to or concurrent with the issuance or
54 extension of any order under subdivisions (1) and (2) of
55 subsection 1 of this section, the health officer, local
56 public health agency, public health authority, or executive
57 shall provide a report to the governing body containing
58 information supporting the need for such order.

59 5. No political subdivision of this state shall make
60 or modify any orders that have the effect, directly or
61 indirectly, of a prohibited order under this section.

62 6. No rule or regulation issued by the department of
63 health and senior services shall authorize a local health
64 official, health officer, local public health agency, or
65 public health authority to create or enforce any order,
66 ordinance, rule, or regulation described in section 192.300
67 or this section that is inconsistent with the provisions of
68 this section.

67.398. 1. The governing body of any city or village,
2 or any county having a charter form of government, or any

3 county of the first classification that contains part of a
4 city with a population of at least three hundred thousand
5 inhabitants, or any county of the first classification with
6 more than one hundred one thousand but fewer than one
7 hundred fifteen thousand inhabitants, may enact ordinances
8 to provide for the abatement of a condition of any lot or
9 land that has the presence of a nuisance including, but not
10 limited to, debris of any kind, weed cuttings, cut, fallen,
11 or hazardous trees and shrubs, overgrown vegetation and
12 noxious weeds which are seven inches or more in height,
13 rubbish and trash, lumber not piled or stacked twelve inches
14 off the ground, rocks or bricks, tin, steel, parts of
15 derelict cars or trucks, broken furniture, any flammable
16 material which may endanger public safety or any material or
17 condition which is unhealthy or unsafe and declared to be a
18 public nuisance.

19 2. The governing body of any home rule city with more
20 than four hundred thousand inhabitants and located in more
21 than one county may enact ordinances for the abatement of a
22 condition of any lot or land that has vacant buildings or
23 structures open to entry.

24 3. Any ordinance authorized by this section shall
25 provide for service to the owner of the property and, if the
26 property is not owner-occupied, to any occupant of the
27 property of a written notice specifically describing each
28 condition of the lot or land declared to be a public
29 nuisance, and which notice shall identify what action will
30 remedy the public nuisance. Unless a condition presents an
31 immediate, specifically identified risk to the public health
32 or safety, the notice shall provide a reasonable time, not
33 less than ten days, in which to abate or commence removal of
34 each condition identified in the notice. Written notice may
35 be given by personal service or by first-class mail to both

36 the occupant of the property at the property address and the
37 owner at the last known address of the owner, if not the
38 same. Upon a failure of the owner to pursue the removal or
39 abatement of such nuisance without unnecessary delay, the
40 building commissioner or designated officer may cause the
41 condition which constitutes the nuisance to be removed or
42 abated. If the building commissioner or designated officer
43 causes such condition to be removed or abated, the cost of
44 such removal or abatement and the proof of notice to the
45 owner of the property shall be certified to the city clerk
46 or officer in charge of finance who shall cause the
47 certified cost to be included in a special tax bill or added
48 to the annual real estate tax bill, at the collecting
49 official's option, for the property and the certified cost
50 shall be collected by the city collector or other official
51 collecting taxes in the same manner and procedure for
52 collecting real estate taxes. If the certified cost is not
53 paid, the tax bill shall be considered delinquent, and the
54 collection of the delinquent bill shall be governed by the
55 laws governing delinquent and back taxes. The tax bill from
56 the date of its issuance shall be deemed a personal debt
57 against the owner and shall also be a lien on the property
58 from the date the tax bill is delinquent until paid.

67.990. 1. The governing body of any county or city
2 not within a county may, upon approval of a majority of the
3 qualified voters of such county or city voting thereon, levy
4 and collect a tax not to exceed five cents per one hundred
5 dollars of assessed valuation, or in any county of the first
6 classification with more than eighty-five thousand nine
7 hundred but less than eighty-six thousand inhabitants, the
8 governing body may, upon approval of a majority of the
9 qualified voters of the county voting thereon, levy and
10 collect a tax not to exceed ten cents per one hundred

11 dollars of assessed valuation upon all taxable property
12 within the county or city or for the purpose of providing
13 services to persons sixty years of age or older. The tax so
14 levied shall be collected along with other county or city
15 taxes, in the manner provided by law. All funds collected
16 for this purpose shall be deposited in a special fund for
17 the provision of services for persons sixty years of age or
18 older, and shall be used for no other purpose except those
19 purposes authorized in sections 67.990 to 67.995. Deposits
20 in the fund shall be expended only upon approval of the
21 board of directors established in section 67.993, if in a
22 county, and only in accordance with the fund budget approved
23 by the county [or city] governing body.

24 2. The question of whether the tax authorized by this
25 section shall be imposed shall be submitted in substantially
26 the following form:

27 OFFICIAL BALLOT

28 Shall _____ (name of county/city) levy a tax of
29 _____ cents per each one hundred dollars assessed
30 valuation for the purpose of providing services to
31 persons sixty years of age or older?

32 YES NO

67.993. 1. Upon the approval of the tax authorized by
2 section 67.990 by the voters of the county or city not
3 within a county, the tax so approved shall be imposed upon
4 all taxable property within the county or city and the
5 proceeds therefrom shall be deposited in a special fund, to
6 be known as the "Senior Citizens' Services Fund", which is
7 hereby established within the county or city treasury. No
8 moneys in the senior citizens' services fund shall be spent
9 until the board of directors provided for in subsection 2 of
10 this section has been appointed and has taken office.

11 2. Upon approval of the tax authorized by section
12 67.990 by the voters of the county or city, the governing
13 body of the county or the mayor of the city shall appoint a
14 board of directors consisting of seven directors, who shall
15 be selected from the county or city at large and shall, as
16 nearly as practicable, represent the various groups to be
17 served by the board. Each director shall be a resident of
18 the county or city. Each director shall be appointed to
19 serve for a term of four years and until his successor is
20 duly appointed and qualified; except that, of the directors
21 first appointed, one director shall be appointed for a term
22 of one year, two directors shall be appointed for a term of
23 two years, two directors shall be appointed for a term of
24 three years, and two directors shall be appointed for a term
25 of four years. Directors may be reappointed. All vacancies
26 on the board of directors shall be filled for the remainder
27 of the unexpired term by the governing body of the county or
28 mayor of the city. The directors shall not receive any
29 compensation for their services, but may be reimbursed for
30 all actual and necessary expenses incurred in the
31 performance of their official duties from the moneys in the
32 senior citizens' services fund.

33 3. The administrative control and management of the
34 funds in the senior citizens' services fund and all programs
35 to be funded therefrom shall rest solely with the board of
36 directors appointed under subsection 2 of this section[;],
37 except [that], in counties, the budget for the senior
38 citizens' services fund shall be approved by the governing
39 body of the county [or city] prior to making of any payments
40 from the fund in any fiscal year. The board of directors
41 shall use the funds in the senior citizens' services fund to
42 provide programs which will improve the health, nutrition,
43 and quality of life of persons who are sixty years of age or

44 older. The budget may allocate funds for operational and
45 capital needs to senior-related programs in the county or
46 city in which such property taxes are collected. No funds
47 in the senior citizens' services fund may be used, directly
48 or indirectly, for any political purpose. In providing such
49 services, the board of directors may contract with any
50 person to provide services relating, in whole or in part, to
51 the services which the board itself may provide under this
52 section, and for such purpose may expend the tax proceeds
53 derived from the tax authorized by section 67.990.

54 4. The board of directors shall elect a chairman, vice
55 chairman, and such other officers as it deems necessary;
56 shall establish eligibility requirements for the programs it
57 furnishes; and shall do all other things necessary to carry
58 out the purposes of sections 67.990 to 67.995. A majority
59 of the board of directors shall constitute a quorum.

60 5. The board of directors, with the approval of the
61 governing body of the county or city, may accept any gift of
62 property or money for the use and benefit of the persons to
63 be served through the programs established and funded under
64 sections 67.990 to 67.995[,] and may sell or exchange any
65 such property so long as such sale or exchange is in the
66 best interests of the programs provided under sections
67 67.990 to 67.995 and the proceeds from such sale or exchange
68 are used exclusively to fund such programs. For a city not
69 within a county, the board of directors may solicit, accept,
70 and expend grants from private or public entities and enter
71 into agreements to effectuate such grants so long as the
72 transaction is in the best interest of the programs provided
73 by the board and the proceeds are used exclusively to fund
74 such programs.

67.1153. 1. The authority shall consist of five
2 commissioners, who shall be qualified voters of the state of

3 Missouri and residents of the county in which the authority
4 is created. The commissioners shall be appointed by the
5 ~~[governor with the advice and consent of the senate]~~ county
6 executive of the county in which the authority is created
7 with the advice and consent of the county legislative body
8 or, if there is no county executive, by the governing body
9 of the county. No more than three of the commissioners
10 appointed shall be of any one political party, and no
11 elective [or appointed] official of any political
12 subdivision of this state shall be a member of the authority.

13 2. The authority shall elect from its number a
14 chairman, and may appoint such officers and employees as it
15 may require for the performance of its duties and fix and
16 determine their qualifications, duties and compensation. No
17 action of the authority shall be binding unless taken at a
18 meeting at which at least three members are present and
19 unless a majority of the members present at such meeting
20 shall vote in favor thereof.

21 3. Of the commissioners initially appointed to the
22 authority, one shall serve for two years, one shall serve
23 for three years, one shall serve for four years, one shall
24 serve for five years, and one shall serve for six years.
25 Thereafter, successors shall hold office for terms of five
26 years, or for the unexpired terms of their predecessors.
27 Each commissioner shall hold office until his successor has
28 been appointed and qualified.

29 4. The commissioners shall receive no salary for the
30 performance of their duties, but shall be reimbursed for the
31 actual and necessary expenses incurred in the performance of
32 their duties, to be paid by the authority.

67.1158. 1. The governing body of a county which has
2 established an authority under the provisions of sections
3 67.1150 to 67.1158 may impose a tax on the charges for all

4 sleeping rooms paid by the transient guests of hotels or
5 motels situated in the county, which shall be more than two
6 percent but not more than five percent per occupied room per
7 night, except that such tax shall not become effective
8 unless the governing body of the county submits to the
9 voters of the county at a state general, primary, or special
10 election, a proposal to authorize the governing body of the
11 county to impose a tax under the provisions of this
12 section. The tax authorized by this section shall be in
13 addition to the charge for the sleeping room and shall be in
14 addition to any and all taxes imposed by law, and the
15 proceeds of such tax shall be used by the authority solely
16 for funding the construction and operation of convention,
17 visitor and sports facilities, other incidental facilities,
18 and operation of the authority consistent with the
19 provisions of sections 67.1150 to 67.1158. Such tax shall
20 be stated separately from all other charges and taxes.

21 2. The question shall be submitted in substantially
22 the following form:

23 Shall the _____ (County) levy a tax of _____
24 percent on each sleeping room occupied and rented
25 by transient guests of hotels and motels located
26 in the county, the proceeds of which shall be
27 expended for the funding of convention, visitor
28 and sports facilities, other incidental
29 facilities, and the county convention and sports
30 facilities authority?

31 YES NO

32 If a majority of the votes cast on the question by the
33 qualified voters voting thereon are in favor of the
34 question, then the tax shall become effective on the first
35 day of the calendar quarter following the calendar quarter
36 in which the election was held. If a majority of the votes

37 cast on the question by the qualified voters voting thereon
38 are opposed to the question, then the governing body for the
39 county shall have no power to impose the tax authorized by
40 this section unless and until the governing body of the
41 county resubmits the question and such question is approved
42 by a majority of the qualified voters voting thereon.

43 3. After the effective date of any tax authorized
44 under the provisions of this section, the county [which]
45 that levied the tax may adopt one of the [two] following
46 provisions for the collection and administration of the tax:

47 (1) The county [which levied the tax] may adopt rules
48 and regulations for the internal collection of such tax by
49 the county officers usually responsible for collection and
50 administration of county taxes; [or]

51 (2) The county may enter into an agreement with the
52 authority for the authority to collect such tax and perform
53 all functions incident to the administration, collection,
54 enforcement, and operation of such tax. The tax authorized
55 by this section shall be collected and reported upon such
56 forms and under such administrative rules and regulations as
57 may be prescribed by the authority; or

58 ~~[(2)]~~ (3) The county may enter into an agreement with
59 the director of revenue of the state of Missouri for the
60 purpose of collecting the tax authorized in this section.
61 In the event any county enters into an agreement with the
62 director of revenue of the state of Missouri for the
63 collection of the tax authorized in this section, the
64 director of revenue shall perform all functions incident to
65 the administration, collection, enforcement and operation of
66 such tax, and shall collect the additional tax authorized
67 under the provisions of this section. The tax authorized by
68 this section shall be collected and reported upon such forms
69 and under such administrative rules and regulations as may

70 be prescribed by the director of revenue, and the director
71 of revenue shall retain not less than one percent nor more
72 than three percent for cost of collection.

73 4. If a tax is imposed by a county under this section,
74 the [county may collect a penalty of one percent and
75 interest not to exceed two percent per month on unpaid taxes
76 which shall be considered delinquent thirty days after the
77 last day of each quarter] tax for each calendar quarter
78 shall be due on the first day of the next calendar quarter.
79 If any taxes are not paid within thirty days after the due
80 date, the authority collecting the tax may collect, in
81 addition to the amount of the tax due, one percent interest
82 per month on the unpaid taxes and a penalty of two percent
83 per month on the unpaid tax. Any penalty or interest shall
84 be calculated beginning on the original due date. The
85 authority, in its discretion, may abate a portion of the
86 penalty to facilitate the voluntary payment of the tax.

87 5. If a tax is imposed by a county under this section,
88 either the county or the authority shall have the power to
89 audit the taxed facilities to ensure compliance with the tax
90 by the facility. During such audit, the taxed facilities
91 shall give access to examine necessary records to ensure
92 compliance.

93 6. Suits to enforce the collection and payment of the
94 tax against the taxed facilities [may] shall be filed and
95 prosecuted only by the authority. [If suit is filed,] The
96 authority [may] shall be entitled to recover [as damages a
97 reasonable] costs and attorney's [fee and costs of suit
98 against the taxed facility] fees incurred by the authority
99 in collecting the tax.

2 67.1847. A political subdivision, including a
3 grandfathered political subdivision as defined in
subdivision (2) of subsection 1 of section 67.1846, shall

4 not charge a linear foot fee for the use of its right-of-way
5 to a telecommunications company or other public utility as
6 defined in section 386.020.

2 67.2680. The state or any other political subdivision
3 shall not impose any new tax, license, or fee in addition to
4 any tax, license, or fee already authorized on or before
5 August 28, 2021, upon the provision of satellite or
6 streaming video service.

2 71.1000. 1. Two or more municipalities may elect to
3 form a broadband infrastructure improvement district for the
4 delivery of broadband internet service to the residents of
5 such municipality, which district shall be a body politic
6 and corporate.

7 2. A municipality electing to form a district under
8 this section shall submit to the eligible voters of each
9 such municipality a proposition at a general or special
10 election of such municipality, in substantially the
11 following form:

12 "Shall the municipality of _____ enter into a
13 broadband infrastructure improvement district to
14 be known as _____?"

15 3. Additional municipalities may be admitted to the
16 district in the manner provided in subsection 8 of this
17 section.

18 4. A district created under this section shall have
19 the power to partner with a telecommunications company or
20 broadband service provider in order to construct or improve
21 telecommunications facilities which shall be wholly owned
22 and operated by the telecommunications company or broadband
23 service provider, as the terms "telecommunications company"
24 and "telecommunications facilities" are defined in section
386.020 and subject to the provisions of section 392.410,

25 that are in an unserved or underserved area, as defined in
26 section 620.2450, to the residents of the district. Before
27 any facilities are improved or constructed as a result of
28 this section, the area shall be certified as unserved or
29 underserved by the director of broadband development within
30 the department of economic development.

31 5. A district may finance the provision or expansion
32 of broadband internet service through grants, loans, bonds,
33 user fees, or a tax as set forth in subsection 6 of this
34 section.

35 6. (1) Any district may impose by resolution a sales
36 tax on all retail sales made in such district which are
37 subject to taxation pursuant to sections 144.010 to
38 144.525. The sales tax imposed pursuant to this subsection
39 shall not exceed one percent, except that such tax shall not
40 become effective unless the governing body of each
41 municipality member of the district submits to the voters of
42 such municipality at an election held on the first Tuesday
43 after the first Monday in November of even-numbered years, a
44 proposal to authorize the district to impose a tax under the
45 provisions of this subsection. The tax authorized by this
46 subsection shall be in addition to any and all taxes imposed
47 by law, and the proceeds of such tax shall be used solely to
48 provide broadband service to residents of the district.
49 Such tax shall be stated separately from all other charges
50 and taxes.

51 (2) The ballot shall be substantially in the following
52 form:

53 "Shall the (insert name of district)
54 impose a district-wide sales tax at the rate of
55 (insert amount) for the purpose of
56 providing broadband service to residents of the
57 district?"

58

YES

NO

59

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".

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If a majority of the votes cast on the question by the
qualified voters voting thereon in each municipality are in
favor of the question, then the tax shall become effective
on the first day of the calendar quarter following the
calendar quarter in which the election was held. If a
majority of the votes cast on the question by the qualified
voters voting thereon in any one municipality are opposed to
the question, then the governing body for the district shall
have no power to impose the tax authorized by this
subsection.

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(3) The director of the department of revenue shall
collect any tax adopted pursuant to this section pursuant to
section 32.087.

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7. (1) The district governing board shall be composed
of at least one representative from each member, but in no
case shall there be less than four representatives.

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(2) Annually, on or before the last Monday in April
commencing in the year following the effective date of the
district's creation, the local governing body of each member
shall appoint a representative to the district governing
board for three-year terms. The local governing body of a
member, by majority vote, may replace its appointed
representative at any time.

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(3) For the purpose of transacting business, the
presence of representatives representing more than fifty
percent of district members shall constitute a quorum. Any
action adopted by a majority of the votes cast at a meeting

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90 of the governing board at which a quorum is present shall be
91 the action of the board.

92 (4) Each district member's representative shall be
93 entitled to cast one vote.

94 (5) Unless replaced as provided in subdivision (2) of
95 this subsection, a representative on the governing board
96 shall hold office until his or her successor is duly
97 appointed. Any representative may be reappointed to
98 successive terms without limit.

99 (6) Any vacancy on the board shall be filled within
100 thirty days after such vacancy occurs by appointment of the
101 local governing body which appointed the representative
102 whose position has become vacant. An appointee to a vacancy
103 shall serve until the expiration of the term of the
104 representative whose position to the appointment was made
105 and may thereafter be reappointed.

106 (7) Each district member may reimburse its
107 representative to the governing board for expenses as it
108 determines reasonable.

109 (8) (a) The officers of the district shall be the
110 chair and the vice chair of the board, the clerk of the
111 district, and the treasurer of the district.

112 (b) The chair shall preside at all meetings of the
113 board and shall make and sign all contracts on behalf of the
114 district upon approval by the board. The chair shall
115 perform all duties incident to the position and office.

116 (c) During the absence of or inability of the chair to
117 render or perform his or her duties or exercise his or her
118 powers, the same shall be performed and exercised by the
119 vice chair and when so acting, the vice chair shall have all
120 the powers and be subject to all the responsibilities hereby
121 given to or imposed upon the chair.

122 (d) During the absence or inability of the vice chair
123 to render or perform his or her duties or exercise his or
124 her powers, the board shall elect from among its membership
125 an acting vice chair who shall have the powers and be
126 subject to all the responsibilities hereby given or imposed
127 upon the vice chair.

128 (e) Upon the death, disability, resignation, or
129 removal of the chair or vice chair, the board shall elect a
130 successor to such vacant office until the next annual
131 meeting.

132 (9) The board shall adopt bylaws for the regulation of
133 its affairs and the conduct of its business.

134 8. (1) The board may authorize the inclusion of
135 additional district members in the broadband infrastructure
136 improvement district upon such terms and conditions as in
137 the board's sole discretion shall be deemed to be fair,
138 reasonable, and in the best interests of the district.

139 (2) Prior to applying for admission to a broadband
140 infrastructure improvement district, a municipality electing
141 to join a district shall submit to the eligible voters of
142 the municipality a proposition at a general or special
143 election of such municipality, in substantially the
144 following form:

145 "Shall the municipality of _____ join the
146 broadband infrastructure improvement district
147 known as _____?"

148 The local governing body of any nonmember municipality which
149 desires to be admitted to the district shall make
150 application for admission to the board after an affirmative
151 result from such election.

152 (3) The board shall determine the financial, economic,
153 governance, and operational effects that are likely to occur

154 if such municipality is admitted and thereafter either grant
155 or deny authority for admission of the petitioning
156 municipality. If the board grants such authority, it shall
157 also specify any terms and conditions, including financial
158 obligations, upon which such admission is predicated. Upon
159 resolution of the board, such applicant municipality shall
160 become a district member.

161 9. A district member may withdraw from the district in
162 the same manner as the vote for admission to the district
163 set forth in subsection 8 of this section.

164 10. Dissolution of a broadband infrastructure
165 improvement district created pursuant to this section shall
166 follow the procedures established in sections 67.950 and
167 67.955.

82.390. 1. Beginning January 1, 1998, the license
2 collector of the City of St. Louis shall receive a salary of
3 fifty-eight thousand three hundred dollars per year and
4 beginning January 1, 1999, the license collector of the City
5 of St. Louis shall receive a salary of sixty-four thousand
6 one hundred thirty dollars, payable as provided in section
7 82.395. Beginning [January 1, 2000, the compensation of the
8 license collector of the City of St. Louis] January 1, 2022,
9 the license collector of the city of St. Louis shall receive
10 a salary of one hundred twenty-five thousand dollars per
11 year and such salary may be annually increased by an amount
12 equal to the annual salary adjustment for employees of the
13 City of St. Louis as approved by the board of aldermen of
14 such city.

15 2. The license collector may appoint one chief deputy,
16 and one assistant deputy license collector, either of whom,
17 in the absence for any cause of the license collector, may
18 perform all the duties of the license collector. The
19 license collector may appoint a cashier, an assistant

20 cashier, a secretary and such other clerks, account clerks
21 and inspectors as are required by the license collector to
22 properly and efficiently perform the duties of the license
23 collector's office when such positions are approved by the
24 board of aldermen of such city.

25 3. The salaries and compensation of the employees
26 enumerated in subsection 2 of this section shall be payable
27 as provided in section 82.395.

28 4. The license collector, deputy license collector and
29 clerks may administer oaths in the transaction of the
30 business of the office. The license collector and the
31 license collector's sureties are responsible for the
32 official acts of all employees appointed by the license
33 collector.

84.400. 1. Any one of said commissioners so appointed
2 or any member of any such police force who, during the term
3 of his office, shall accept any other place of public trust,
4 or emolument, or who shall knowingly receive any nomination
5 for an office elective by the people, and shall fail to
6 decline such nomination publicly within the five days
7 succeeding such nomination or shall become a candidate for
8 the nomination for any office at the hands of any political
9 party, shall be deemed to have thereby forfeited and vacated
10 office as such commissioner or member of such police force.

11 2. Notwithstanding any provisions of law to the
12 contrary, a member of the board or any member of such police
13 force may be appointed to serve on any state or federal
14 board, commission, or task force where no compensation for
15 such service is paid, except that such board member or
16 member of such police force may accept payment of a per diem
17 for attending meetings, or if no per diem is provided,
18 reimbursement from such board, commission, or task force for

19 reasonable and necessary expenses for attending such
20 meetings.

91.025. 1. As used in this section, the following
2 terms mean:

3 (1) "Municipally owned or operated electric power
4 system", a system for the distribution of electrical power
5 and energy to the inhabitants of a municipality which is
6 owned and operated by the municipality itself, whether
7 operated under authority pursuant to this chapter or under a
8 charter form of government;

9 (2) "Permanent service", electrical service provided
10 through facilities which have been permanently installed on
11 a structure and which are designed to provide electric
12 service for the structure's anticipated needs for the
13 indefinite future, as contrasted with facilities installed
14 temporarily to provide electrical service during
15 construction. Service provided temporarily shall be at the
16 risk of the electrical supplier and shall not be
17 determinative of the rights of the provider or recipient of
18 permanent service;

19 (3) "Structure" or "structures", an agricultural,
20 residential, commercial, industrial or other building or a
21 mechanical installation, machinery or apparatus at which
22 retail electric energy is being delivered through a metering
23 device which is located on or adjacent to the structure and
24 connected to the lines of an electrical corporation, rural
25 electric cooperative, municipally owned or operated electric
26 power system, or joint municipal utility commission. Such
27 terms shall include any contiguous or adjacent additions to
28 or expansions of a particular structure. Nothing in this
29 section shall be construed to confer any right on an
30 electric supplier to serve new structures on a particular

31 tract of land because it was serving an existing structure
32 on that tract.

33 2. Once a municipally owned or operated electrical
34 system, or its predecessor in interest, lawfully commences
35 supplying retail electric energy to a structure through
36 permanent service facilities, it shall have the right to
37 continue serving such structure, and other suppliers of
38 electrical energy shall not have the right to provide
39 service to the structure except as might be otherwise
40 permitted in the context of municipal annexation, pursuant
41 to section 386.800 or pursuant to a territorial agreement
42 approved under section 394.312. The public service
43 commission, upon application made by a customer, may order a
44 change of suppliers on the basis that it is in the public
45 interest for a reason other than a rate differential, and
46 the commission is hereby given jurisdiction over municipally
47 owned or operated electric systems to accomplish the purpose
48 of this section. The commission's jurisdiction under this
49 section is limited to public interest determinations and
50 excludes questions as to the lawfulness of the provision of
51 service, such questions being reserved to courts of
52 competent jurisdiction. Except as provided in this section,
53 nothing in this section shall be construed as otherwise
54 conferring upon the commission jurisdiction over the
55 service, rates, financing, accounting or management of any
56 such municipally owned or operated electrical system, and
57 nothing in this section, section 393.106, and section
58 394.315 shall affect the rights, privileges or duties of any
59 municipality to form or operate municipally owned or
60 operated electrical systems. Nothing in this section shall
61 be construed to make lawful any provision of service which
62 was unlawful prior to July 11, 1991. Nothing in this
63 section shall be construed to make unlawful the continued

64 lawful provision of service to any structure which may have
65 had a different supplier in the past, if such a change in
66 supplier was lawful at the time it occurred.

67 3. Notwithstanding the provisions of this section,
68 section 393.106, section 394.080, and section 394.315 to the
69 contrary, in the event that a retail electric supplier is
70 providing service to a structure located within a city,
71 town, or village that has ceased to be a rural area, and
72 such structure is demolished and replaced by a new
73 structure, such retail electric service supplier may provide
74 permanent service to the new structure upon the request of
75 the owner of the new structure.

91.450. Any city of the third or fourth class, and any
2 town or village, and any city now organized or which may
3 hereafter be organized and having a special charter, and
4 which now has or may hereafter have less than thirty
5 thousand inhabitants, shall have power to erect or to
6 acquire, by purchase or otherwise, maintain and operate,
7 waterworks, gas works, electric light and power plant, steam
8 heating plant, or any other device or plant for furnishing
9 light, power or heat, telephone plant or exchange, street
10 railway or any other public transportation, conduit system,
11 public auditorium or convention hall, which are hereby
12 declared public utilities, and such cities, towns or
13 villages are hereby authorized and empowered to provide for
14 the erection or extension of the same by the issue of bonds
15 therefor, and any city, town or village which may own,
16 maintain or operate, and which may hereafter acquire, by
17 purchase or otherwise, and operate, or which may engage in
18 the construction of any of the plants, systems or works
19 mentioned in this section, is hereby authorized and
20 empowered to establish, by ordinance, within such city, town
21 or village, an executive department to be known as "The

22 Board of Public Works", to consist of four persons, electors
23 of said city, town or village, who have resided therein for
24 a period of two years next before their appointment, or any
25 resident of the county that receives services from such
26 board, who shall be appointed by the mayor of such city,
27 town or village, and confirmed by the common council in such
28 manner as other appointive officers of such city, town or
29 village are appointed and confirmed. The members of such
30 board shall hold office for a term of four years each, or
31 until their successors are appointed and qualified;
32 provided, that the members of said board shall hold office
33 for a term of four years each, except the first incumbents,
34 as members of said board of public works, who shall be
35 appointed and hold office for the term of one, two, three
36 and four years respectively.

115.127. 1. Except as provided in subsection 4 of
2 this section, upon receipt of notice of a special election
3 to fill a vacancy submitted pursuant to subsection 2 of
4 section 115.125, the election authority shall cause legal
5 notice of the special election to be published in a
6 newspaper of general circulation in its jurisdiction. The
7 notice shall include the name of the officer or agency
8 calling the election, the date and time of the election, the
9 name of the office to be filled and the date by which
10 candidates must be selected or filed for the office. Within
11 one week prior to each special election to fill a vacancy
12 held in its jurisdiction, the election authority shall cause
13 legal notice of the election to be published in two
14 newspapers of different political faith and general
15 circulation in the jurisdiction. The legal notice shall
16 include the date and time of the election, the name of the
17 officer or agency calling the election and a sample ballot.
18 If there is only one newspaper of general circulation in the

19 jurisdiction, the notice shall be published in the newspaper
20 within one week prior to the election. If there are two or
21 more newspapers of general circulation in the jurisdiction,
22 but no two of opposite political faith, the notice shall be
23 published in any two of the newspapers within one week prior
24 to the election.

25 2. Except as provided in subsections 1 and 4 of this
26 section and in sections 115.521, 115.549 and 115.593, the
27 election authority shall cause legal notice of each election
28 held in its jurisdiction to be published. The notice shall
29 be published in two newspapers of different political faith
30 and qualified pursuant to chapter 493 which are published
31 within the bounds of the area holding the election. If
32 there is only one so-qualified newspaper, then notice shall
33 be published in only one newspaper. If there is no
34 newspaper published within the bounds of the election area,
35 then the notice shall be published in two qualified
36 newspapers of different political faith serving the area.
37 Notice shall be published twice, the first publication
38 occurring in the second week prior to the election, and the
39 second publication occurring within one week prior to the
40 election. Each such legal notice shall include the date and
41 time of the election, the name of the officer or agency
42 calling the election and a sample ballot; and, unless notice
43 has been given as provided by section 115.129, the second
44 publication of notice of the election shall include the
45 location of polling places. The election authority may
46 provide any additional notice of the election it deems
47 desirable.

48 3. The election authority shall print the official
49 ballot as the same appears on the sample ballot, and no
50 candidate's name or ballot issue which appears on the sample
51 ballot or official printed ballot shall be stricken or

52 removed from the ballot except on death of a candidate or by
53 court order, but in no event shall a candidate or issue be
54 stricken or removed from the ballot less than eight weeks
55 before the date of the election.

56 4. In lieu of causing legal notice to be published in
57 accordance with any of the provisions of this chapter, the
58 election authority in jurisdictions which have less than
59 seven hundred fifty registered voters and in which no
60 newspaper qualified pursuant to chapter 493 is published,
61 may cause legal notice to be mailed during the second week
62 prior to the election, by first class mail, to each
63 registered voter at the voter's voting address. All such
64 legal notices shall include the date and time of the
65 election, the location of the polling place, the name of the
66 officer or agency calling the election and a sample ballot.

67 5. If the opening date for filing a declaration of
68 candidacy for any office in a political subdivision or
69 special district is not required by law or charter, the
70 opening filing date shall be 8:00 a.m., the **[sixteenth]**
71 seventeenth Tuesday prior to the election[, except that for
72 any home rule city with more than four hundred thousand
73 inhabitants and located in more than one county and any
74 political subdivision or special district located in such
75 city, the opening filing date shall be 8:00 a.m., the
76 fifteenth Tuesday prior to the election]. If the closing
77 date for filing a declaration of candidacy for any office in
78 a political subdivision or special district is not required
79 by law or charter, the closing filing date shall be 5:00
80 p.m., the **[eleventh]** fourteenth Tuesday prior to the
81 election. The political subdivision or special district
82 calling an election shall, before the **[sixteenth]**
83 seventeenth Tuesday, **[or the fifteenth Tuesday for any home**
84 rule city with more than four hundred thousand inhabitants

85 and located in more than one county or any political
86 subdivision or special district located in such city,] prior
87 to any election at which offices are to be filled, notify
88 the general public of the opening filing date, the office or
89 offices to be filled, the proper place for filing and the
90 closing filing date of the election. Such notification may
91 be accomplished by legal notice published in at least one
92 newspaper of general circulation in the political
93 subdivision or special district.

94 6. Except as provided for in sections 115.247 and
95 115.359, if there is no additional cost for the printing or
96 reprinting of ballots or if the candidate agrees to pay any
97 printing or reprinting costs, a candidate who has filed for
98 an office or who has been duly nominated for an office may,
99 at any time after the certification of the notice of
100 election required in subsection 1 of section 115.125 but no
101 later than 5:00 p.m. on the eighth Tuesday before the
102 election, withdraw as a candidate pursuant to a court order,
103 which, except for good cause shown by the election authority
104 in opposition thereto, shall be freely given upon
105 application by the candidate to the circuit court of the
106 area of such candidate's residence.

115.646. No contribution or expenditure of public
2 funds shall be made directly by any officer, employee or
3 agent of any political subdivision, including school
4 districts and charter schools, to advocate, support, or
5 oppose the passage or defeat of any ballot measure or the
6 nomination or election of any candidate for public office,
7 or to direct any public funds to, or pay any debts or
8 obligations of, any committee supporting or opposing such
9 ballot measures or candidates. This section shall not be
10 construed to prohibit any public official of a political
11 subdivision, including school districts and charter schools,

12 from making public appearances or from issuing press
13 releases concerning any such ballot measure. Any purposeful
14 violation of this section shall be punished as a class four
15 election offense.

137.115. 1. All other laws to the contrary
2 notwithstanding, the assessor or the assessor's deputies in
3 all counties of this state including the City of St. Louis
4 shall annually make a list of all real and tangible personal
5 property taxable in the assessor's city, county, town or
6 district. Except as otherwise provided in subsection 3 of
7 this section and section 137.078, the assessor shall
8 annually assess all personal property at thirty-three and
9 one-third percent of its true value in money as of January
10 first of each calendar year. The assessor shall annually
11 assess all real property, including any new construction and
12 improvements to real property, and possessory interests in
13 real property at the percent of its true value in money set
14 in subsection 5 of this section. The true value in money of
15 any possessory interest in real property in subclass (3),
16 where such real property is on or lies within the ultimate
17 airport boundary as shown by a federal airport layout plan,
18 as defined by 14 CFR 151.5, of a commercial airport having a
19 FAR Part 139 certification and owned by a political
20 subdivision, shall be the otherwise applicable true value in
21 money of any such possessory interest in real property, less
22 the total dollar amount of costs paid by a party, other than
23 the political subdivision, towards any new construction or
24 improvements on such real property completed after January
25 1, 2008, and which are included in the above-mentioned
26 possessory interest, regardless of the year in which such
27 costs were incurred or whether such costs were considered in
28 any prior year. The assessor shall annually assess all real
29 property in the following manner: new assessed values shall

30 be determined as of January first of each odd-numbered year
31 and shall be entered in the assessor's books; those same
32 assessed values shall apply in the following even-numbered
33 year, except for new construction and property improvements
34 which shall be valued as though they had been completed as
35 of January first of the preceding odd-numbered year,
36 provided that no real residential property shall be assessed
37 at a value that exceeds the previous assessed value for such
38 property, exclusive of new construction and improvements, by
39 more than the percentage increase in the consumer price
40 index or five percent, whichever is greater. The assessor
41 may call at the office, place of doing business, or
42 residence of each person required by this chapter to list
43 property, and require the person to make a correct statement
44 of all taxable tangible personal property owned by the
45 person or under his or her care, charge or management,
46 taxable in the county. On or before January first of each
47 even-numbered year, the assessor shall prepare and submit a
48 two-year assessment maintenance plan to the county governing
49 body and the state tax commission for their respective
50 approval or modification. The county governing body shall
51 approve and forward such plan or its alternative to the plan
52 to the state tax commission by February first. If the
53 county governing body fails to forward the plan or its
54 alternative to the plan to the state tax commission by
55 February first, the assessor's plan shall be considered
56 approved by the county governing body. If the state tax
57 commission fails to approve a plan and if the state tax
58 commission and the assessor and the governing body of the
59 county involved are unable to resolve the differences, in
60 order to receive state cost-share funds outlined in section
61 137.750, the county or the assessor shall petition the
62 administrative hearing commission, by May first, to decide

63 all matters in dispute regarding the assessment maintenance
64 plan. Upon agreement of the parties, the matter may be
65 stayed while the parties proceed with mediation or
66 arbitration upon terms agreed to by the parties. The final
67 decision of the administrative hearing commission shall be
68 subject to judicial review in the circuit court of the
69 county involved. In the event a valuation of subclass (1)
70 real property within any county with a charter form of
71 government, or within a city not within a county, is made by
72 a computer, computer-assisted method or a computer program,
73 the burden of proof, supported by clear, convincing and
74 cogent evidence to sustain such valuation, shall be on the
75 assessor at any hearing or appeal. In any such county,
76 unless the assessor proves otherwise, there shall be a
77 presumption that the assessment was made by a computer,
78 computer-assisted method or a computer program. Such
79 evidence shall include, but shall not be limited to, the
80 following:

81 (1) The findings of the assessor based on an appraisal
82 of the property by generally accepted appraisal techniques;
83 and

84 (2) The purchase prices from sales of at least three
85 comparable properties and the address or location thereof.
86 As used in this subdivision, the word "comparable" means
87 that:

88 (a) Such sale was closed at a date relevant to the
89 property valuation; and

90 (b) Such properties are not more than one mile from
91 the site of the disputed property, except where no similar
92 properties exist within one mile of the disputed property,
93 the nearest comparable property shall be used. Such
94 property shall be within five hundred square feet in size of
95 the disputed property, and resemble the disputed property in

96 age, floor plan, number of rooms, and other relevant
97 characteristics.

98 2. Assessors in each county of this state and the City
99 of St. Louis may send personal property assessment forms
100 through the mail.

101 3. The following items of personal property shall each
102 constitute separate subclasses of tangible personal property
103 and shall be assessed and valued for the purposes of
104 taxation at the following percentages of their true value in
105 money:

106 (1) Grain and other agricultural crops in an
107 unmanufactured condition, one-half of one percent;

108 (2) Livestock, twelve percent;

109 (3) Farm machinery, twelve percent;

110 (4) Motor vehicles which are eligible for registration
111 as and are registered as historic motor vehicles pursuant to
112 section 301.131 and aircraft which are at least twenty-five
113 years old and which are used solely for noncommercial
114 purposes and are operated less than fifty hours per year or
115 aircraft that are home built from a kit, five percent;

116 (5) Poultry, twelve percent; and

117 (6) Tools and equipment used for pollution control and
118 tools and equipment used in retooling for the purpose of
119 introducing new product lines or used for making
120 improvements to existing products by any company which is
121 located in a state enterprise zone and which is identified
122 by any standard industrial classification number cited in
123 subdivision (7) of section 135.200, twenty-five percent.

124 4. The person listing the property shall enter a true
125 and correct statement of the property, in a printed blank
126 prepared for that purpose. The statement, after being
127 filled out, shall be signed and either affirmed or sworn to

128 as provided in section 137.155. The list shall then be
129 delivered to the assessor.

130 5. (1) All subclasses of real property, as such
131 subclasses are established in Section 4(b) of Article X of
132 the Missouri Constitution and defined in section 137.016,
133 shall be assessed at the following percentages of true value:

134 (a) For real property in subclass (1), nineteen
135 percent;

136 (b) For real property in subclass (2), twelve percent;
137 and

138 (c) For real property in subclass (3), thirty-two
139 percent.

140 (2) A taxpayer may apply to the county assessor, or,
141 if not located within a county, then the assessor of such
142 city, for the reclassification of such taxpayer's real
143 property if the use or purpose of such real property is
144 changed after such property is assessed under the provisions
145 of this chapter. If the assessor determines that such
146 property shall be reclassified, he or she shall determine
147 the assessment under this subsection based on the percentage
148 of the tax year that such property was classified in each
149 subclassification.

150 6. Manufactured homes, as defined in section 700.010,
151 which are actually used as dwelling units shall be assessed
152 at the same percentage of true value as residential real
153 property for the purpose of taxation. The percentage of
154 assessment of true value for such manufactured homes shall
155 be the same as for residential real property. If the county
156 collector cannot identify or find the manufactured home when
157 attempting to attach the manufactured home for payment of
158 taxes owed by the manufactured home owner, the county
159 collector may request the county commission to have the
160 manufactured home removed from the tax books, and such

161 request shall be granted within thirty days after the
162 request is made; however, the removal from the tax books
163 does not remove the tax lien on the manufactured home if it
164 is later identified or found. For purposes of this section,
165 a manufactured home located in a manufactured home rental
166 park, rental community or on real estate not owned by the
167 manufactured home owner shall be considered personal
168 property. For purposes of this section, a manufactured home
169 located on real estate owned by the manufactured home owner
170 may be considered real property.

171 7. Each manufactured home assessed shall be considered
172 a parcel for the purpose of reimbursement pursuant to
173 section 137.750, unless the manufactured home is real estate
174 as defined in subsection 7 of section 442.015 and assessed
175 as a realty improvement to the existing real estate parcel.

176 8. Any amount of tax due and owing based on the
177 assessment of a manufactured home shall be included on the
178 personal property tax statement of the manufactured home
179 owner unless the manufactured home is real estate as defined
180 in subsection 7 of section 442.015, in which case the amount
181 of tax due and owing on the assessment of the manufactured
182 home as a realty improvement to the existing real estate
183 parcel shall be included on the real property tax statement
184 of the real estate owner.

185 9. The assessor of each county and each city not
186 within a county shall use the trade-in value published in
187 the October issue of the National Automobile Dealers'
188 Association Official Used Car Guide, or its successor
189 publication, as the recommended guide of information for
190 determining the true value of motor vehicles described in
191 such publication. The assessor shall not use a value that
192 is greater than the average trade-in value in determining
193 the true value of the motor vehicle without performing a

194 physical inspection of the motor vehicle. For vehicles two
195 years old or newer from a vehicle's model year, the assessor
196 may use a value other than average without performing a
197 physical inspection of the motor vehicle. In the absence of
198 a listing for a particular motor vehicle in such
199 publication, the assessor shall use such information or
200 publications which in the assessor's judgment will fairly
201 estimate the true value in money of the motor vehicle.

202 10. Before the assessor may increase the assessed
203 valuation of any parcel of subclass (1) real property by
204 more than fifteen percent since the last assessment,
205 excluding increases due to new construction or improvements,
206 the assessor shall conduct a physical inspection of such
207 property.

208 11. If a physical inspection is required, pursuant to
209 subsection 10 of this section, the assessor shall notify the
210 property owner of that fact in writing and shall provide the
211 owner clear written notice of the owner's rights relating to
212 the physical inspection. If a physical inspection is
213 required, the property owner may request that an interior
214 inspection be performed during the physical inspection. The
215 owner shall have no less than thirty days to notify the
216 assessor of a request for an interior physical inspection.

217 12. A physical inspection, as required by subsection
218 10 of this section, shall include, but not be limited to, an
219 on-site personal observation and review of all exterior
220 portions of the land and any buildings and improvements to
221 which the inspector has or may reasonably and lawfully gain
222 external access, and shall include an observation and review
223 of the interior of any buildings or improvements on the
224 property upon the timely request of the owner pursuant to
225 subsection 11 of this section. Mere observation of the
226 property via a drive-by inspection or the like shall not be

227 considered sufficient to constitute a physical inspection as
228 required by this section.

229 13. A county or city collector may accept credit cards
230 as proper form of payment of outstanding property tax or
231 license due. No county or city collector may charge
232 surcharge for payment by credit card which exceeds the fee
233 or surcharge charged by the credit card bank, processor, or
234 issuer for its service. A county or city collector may
235 accept payment by electronic transfers of funds in payment
236 of any tax or license and charge the person making such
237 payment a fee equal to the fee charged the county by the
238 bank, processor, or issuer of such electronic payment.

239 14. Any county or city not within a county in this
240 state may, by an affirmative vote of the governing body of
241 such county, opt out of the provisions of this section and
242 sections 137.073, 138.060, and 138.100 as enacted by house
243 bill no. 1150 of the ninety-first general assembly, second
244 regular session and section 137.073 as modified by house
245 committee substitute for senate substitute for senate
246 committee substitute for senate bill no. 960, ninety-second
247 general assembly, second regular session, for the next year
248 of the general reassessment, prior to January first of any
249 year. No county or city not within a county shall exercise
250 this opt-out provision after implementing the provisions of
251 this section and sections 137.073, 138.060, and 138.100 as
252 enacted by house bill no. 1150 of the ninety-first general
253 assembly, second regular session and section 137.073 as
254 modified by house committee substitute for senate substitute
255 for senate committee substitute for senate bill no. 960,
256 ninety-second general assembly, second regular session, in a
257 year of general reassessment. For the purposes of applying
258 the provisions of this subsection, a political subdivision
259 contained within two or more counties where at least one of

260 such counties has opted out and at least one of such
261 counties has not opted out shall calculate a single tax rate
262 as in effect prior to the enactment of house bill no. 1150
263 of the ninety-first general assembly, second regular
264 session. A governing body of a city not within a county or
265 a county that has opted out under the provisions of this
266 subsection may choose to implement the provisions of this
267 section and sections 137.073, 138.060, and 138.100 as
268 enacted by house bill no. 1150 of the ninety-first general
269 assembly, second regular session, and section 137.073 as
270 modified by house committee substitute for senate substitute
271 for senate committee substitute for senate bill no. 960,
272 ninety-second general assembly, second regular session, for
273 the next year of general reassessment, by an affirmative
274 vote of the governing body prior to December thirty-first of
275 any year.

276 15. The governing body of any city of the third
277 classification with more than twenty-six thousand three
278 hundred but fewer than twenty-six thousand seven hundred
279 inhabitants located in any county that has exercised its
280 authority to opt out under subsection 14 of this section may
281 levy separate and differing tax rates for real and personal
282 property only if such city bills and collects its own
283 property taxes or satisfies the entire cost of the billing
284 and collection of such separate and differing tax rates.
285 Such separate and differing rates shall not exceed such
286 city's tax rate ceiling.

287 16. Any portion of real property that is available as
288 reserve for strip, surface, or coal mining for minerals for
289 purposes of excavation for future use or sale to others that
290 has not been bonded and permitted under chapter 444 shall be
291 assessed based upon how the real property is currently being
292 used. Any information provided to a county assessor, state

293 tax commission, state agency, or political subdivision
 294 responsible for the administration of tax policies shall, in
 295 the performance of its duties, make available all books,
 296 records, and information requested, except such books,
 297 records, and information as are by law declared confidential
 298 in nature, including individually identifiable information
 299 regarding a specific taxpayer or taxpayer's mine property.
 300 For purposes of this subsection, "mine property" shall mean
 301 all real property that is in use or readily available as a
 302 reserve for strip, surface, or coal mining for minerals for
 303 purposes of excavation for current or future use or sale to
 304 others that has been bonded and permitted under chapter 444.

137.280. 1. Taxpayers' personal property lists,
 2 except those of merchants and manufacturers, and except
 3 those of railroads, public utilities, pipeline companies or
 4 any other person or corporation subject to special statutory
 5 requirements, such as chapter 151, who shall return and file
 6 their assessments on locally assessed property no later than
 7 April first, shall be delivered to the office of the
 8 assessor of the county between the first day of January and
 9 the first day of March each year and shall be signed and
 10 certified by the taxpayer as being a true and complete list
 11 or statement of all the taxable tangible personal property.
 12 If any person shall fail to deliver the required list to the
 13 assessor by the first day of March, the owner of the
 14 property which ought to have been listed shall be assessed a
 15 penalty added to the tax bill, based on the assessed value
 16 of the property that was not reported, as follows:

Assessed Valuation	Penalty
0 - \$1,000	\$15.00
\$1,001 - \$2,000	\$25.00

20	\$2,001 - \$3,000	\$35.00
21	\$3,001 - \$4,000	\$45.00
22	\$4,001 - \$5,000	\$55.00
23	\$5,001 - \$6,000	\$65.00
24	\$6,001 - \$7,000	\$75.00
25	\$7,001 - \$8,000	\$85.00
26	\$8,001 - \$9,000	\$95.00
27	\$9,001 and above	\$105.00

28 The assessor in any county of the first classification
 29 without a charter form of government with a population of
 30 one hundred thousand or more inhabitants which contains all
 31 or part of a city with a population of three hundred fifty
 32 thousand or more inhabitants shall omit assessing the
 33 penalty in any case where he or she is satisfied the neglect
 34 is unavoidable and not willful or falls into one of the
 35 following categories. The assessor in all other political
 36 subdivisions shall omit assessing the penalty in any case
 37 where he or she is satisfied the neglect falls into at least
 38 one of the following categories:

- 39 (1) The taxpayer is in military service and is outside
 40 the state;
- 41 (2) The taxpayer filed timely, but in the wrong county;
- 42 (3) There was a loss of records due to fire or flood;
- 43 (4) The taxpayer can show the list was mailed timely
 44 as evidenced by the date of postmark;
- 45 (5) The assessor determines that no form for listing
 46 personal property was mailed to the taxpayer for that tax
 47 year; or

48 (6) The neglect occurred as a direct result of the
49 actions or inactions of the county or its employees or
50 contractors.

51 2. Between March first and April first, the assessor
52 shall send to each taxpayer who was sent an assessment list
53 for the current tax year, and said list was not returned to
54 the assessor, a second notice that statutes require the
55 assessment list be returned immediately. In the event the
56 taxpayer returns the assessment list to the assessor before
57 May first, the penalty described in subsection 1 of this
58 section shall not apply. If said assessment list is not
59 returned before May first by the taxpayer, the penalty shall
60 apply.

61 3. It shall be the duty of the county commission and
62 assessor to place on the assessment rolls for the year all
63 personal property discovered in the calendar year which was
64 taxable on January first of that year.

65 4. If annual waivers exceed forty percent, then by
66 February first of each year, the assessor shall transmit to
67 the county employees' retirement fund an electronic or paper
68 copy of the log maintained under subsection 3 of section
69 50.1020 for the prior calendar year.

70 5. An assessor may, upon request of a taxpayer, send
71 any assessment list or notice required by this section to
72 such taxpayer in electronic form.

139.100. 1. (1) If any taxpayer shall fail or
2 neglect to pay to the collector his taxes at the time
3 required by law, then it shall be the duty of the collector,
4 after the first day of January then next ensuing and in the
5 absence of an agreement entered into pursuant to subdivision
6 (2) of this subsection, to collect and account for, as other
7 taxes, an additional tax, as penalty, the amount provided
8 for in section 140.100.

9 (2) For property tax liabilities incurred on or after
10 January 1, 2020, and on or before December 31, 2020, the
11 collector of any county with a charter form of government
12 and with more than nine hundred fifty thousand inhabitants
13 may enter into an agreement with any taxpayer for the
14 payment of any amount of tax not paid at the time required
15 by law, including a waiver or reduction of penalties and
16 interest on such taxes, provided that any such agreement
17 shall require such taxes to be paid to the collector or
18 postmarked by no later than January 8, 2021.

19 (3) For any taxpayer that has paid penalties and
20 interest on property tax liabilities not paid at the time
21 required by law, and such penalties and interest are
22 subsequently reduced or waived through an agreement entered
23 into pursuant to subdivision (2) of this subsection, that
24 portion of penalties and interest paid and subsequently
25 reduced or waived may be credited to the taxpayer on such
26 taxpayer's tax liability for the subsequent year. The
27 county may reduce on a pro-rata basis any distributions to
28 taxing jurisdictions by the amount of any penalties and
29 interest from late payments from the 2020 tax year that were
30 collected and distributed, but were then subsequently
31 reduced or waived pursuant to subdivision (2) of this
32 subsection.

33 2. Collectors shall, on the day of their annual
34 settlement with the county governing body, file with
35 governing body a statement, under oath, of the amount so
36 received, and from whom received, and settle with the
37 governing body therefor; but, interest shall not be
38 chargeable against persons who are absent from their homes,
39 and engaged in the military service of this state or of the
40 United States. The provisions of this section shall apply
41 to the City of St. Louis, so far as the same relates to the

42 addition of such interest, which, in such city, shall be
43 collected and accounted for by the collector as other taxes,
44 for which he shall receive no compensation.

45 3. Whenever any collector of the revenue in the state
46 fails or refuses to collect the penalty provided for in this
47 section on state and county taxes, it shall be the duty of
48 the director of revenue and county clerk to charge such
49 collectors with the amount of interest due thereon, as shown
50 by the returns of the county clerk, and such collector shall
51 be liable to the penalties as provided for in section
52 139.270.

53 4. For purposes of this section and other provisions
54 of law relating to the timely payment of taxes due on any
55 real or personal property, payments for taxes due on any
56 real or personal property which are delivered by United
57 States mail to the collector, the collector's office, or
58 other officer or office designated by the county or city to
59 receive such payments, of the appropriate county or city,
60 shall be deemed paid as of the postmark date stamped on the
61 envelope or other cover in which such payment is mailed. In
62 the event any payment of taxes due is sent by registered or
63 certified mail, the date of registration or certification
64 shall be deemed the postmark date. No additional tax or
65 penalty shall be imposed under this section on any taxpayer
66 whose payment is delivered by United States mail, if the
67 postmark date stamped on the envelope or other cover
68 containing such payment falls within the prescribed period
69 or on or before the prescribed date, including any extension
70 granted, for making the payment or if the postmaster for the
71 jurisdiction where the payment was mailed verifies in
72 writing that the payment was deposited in the United States
73 mail within the prescribed period or on or before the
74 prescribed date, including any extension granted, for making

75 the payment, and was delayed in delivery because of an error
76 by the United States postal service and not because of an
77 error by the taxpayer. In the absence of a postmark, or if
78 the postmark is illegible or otherwise inconclusive, the
79 collector may use the collector's judgment regarding the
80 timeliness of the payment contained therein and shall
81 document such decision.

162.441. 1. If any school district desires to be
2 attached to a community college district organized under
3 sections 178.770 to 178.890 or to one or more adjacent seven-
4 director school districts for school purposes, upon the
5 receipt of a petition setting forth such fact, signed either
6 by voters of the district equal in number to ten percent of
7 those voting in the last school election at which school
8 board members were elected or by a majority of the voters of
9 the district, whichever is the lesser, the school board of
10 the district desiring to be so attached shall submit the
11 question to the voters at a state general election.

12 2. As an alternative to the procedure in subsection 1
13 of this section, a seven-director district may, by a
14 majority vote of its board of education, propose a plan to
15 the voters of the district at a state general election to
16 attach the district to one or more adjacent seven-director
17 districts and call an election upon the question of such
18 plan.

19 3. As an alternative to the procedures in subsection 1
20 or 2 of this section, a community college district organized
21 under sections 178.770 to 178.890 may, by a majority vote of
22 its board of trustees, propose a plan to the voters of the
23 school district at a state general election to attach the
24 school district to the community college district, levy the
25 tax rate applicable to the community college district at the
26 time of the vote of the board of trustees, and call an

27 election upon the question of such plan. The tax rate
28 applicable to the community college district shall not be
29 levied as to the school district until the proposal by the
30 board of trustees of the community college district has been
31 approved by a majority vote of the voters of the school
32 district at the election called for that purpose. The
33 community college district shall be responsible for the
34 costs associated with the election.

35 4. A plat of the proposed changes to all affected
36 districts shall be published and posted with the notice of
37 election.

38 5. The question shall be [submitted in substantially
39 the following form:

40 Shall the _____ school district be annexed to
41 the _____ school districts effective the _____
42 day of _____, _____?] approved by the school
43 district and the ballot language shall include
44 the tax rate and assessed valuation of the
45 school district prior to and after approval of
46 the question.

47 6. If a majority of the votes cast in the district
48 proposing annexation favor annexation, the secretary shall
49 certify the fact, with a copy of the record, to the board of
50 the district and to the boards of the districts to which
51 annexation is proposed; whereupon the boards of the seven-
52 director districts to which annexation is proposed shall
53 meet to consider the advisability of receiving the district
54 or a portion thereof, and if a majority of all the members
55 of each board favor annexation, the boundary lines of the
56 seven-director school districts from the effective date
57 shall be changed to include the district, and the board
58 shall immediately notify the secretary of the district which
59 has been annexed of its action.

60 7. Upon the effective date of the annexation, all
61 indebtedness, property and money on hand belonging thereto
62 shall immediately pass to the seven-director school
63 district. If the district is annexed to more than one
64 district, the provisions of sections 162.031 and 162.041
65 shall apply.

66 8. (1) The school board of any school district which
67 has been attached to a community college district or to
68 another seven-director school district pursuant to this
69 section may submit to the voters at a state general election
70 the question of whether to void any annexation completed
71 pursuant to this section and to return the boundaries of
72 such school district to those in existence prior to the
73 annexation. The question shall be submitted in
74 substantially the following form:

75 Shall the school district void the
76 annexation to the community college
77 district and return the boundaries of such
78 school district to those in existence prior to
79 the annexation?

80 (2) If a majority of the votes cast in the district
81 proposing to void the annexation favor voiding the
82 annexation, the secretary shall certify the fact, with a
83 copy of the record, to the board of the district and to the
84 boards of the districts to which the voiding the annexation
85 is proposed. Upon the effective date of a proposal under
86 this subsection, applicable property and money belonging to
87 the school district shall immediately revert back to the
88 school district.

 192.300. 1. The county commissions and the county
2 health center boards of the several counties may make and
3 promulgate orders, ordinances, rules or regulations,
4 respectively as will tend to enhance the public health and

5 prevent the entrance of infectious, contagious, communicable
6 or dangerous diseases into such county, but any orders,
7 ordinances, rules or regulations shall not:

8 (1) Be in conflict with any rules or regulations
9 authorized and made by the department of health and senior
10 services in accordance with this chapter or by the
11 department of social services under chapter 198; or

12 (2) Impose standards or requirements on an
13 agricultural operation and its appurtenances, as such term
14 is defined in section 537.295, that are inconsistent with,
15 in addition to, different from, or more stringent than any
16 provision of this chapter or chapters 260, 640, 643, and
17 644, or any rule or regulation promulgated under such
18 chapters.

19 2. The county commissions and the county health center
20 boards of the several counties may establish reasonable fees
21 to pay for any costs incurred in carrying out such orders,
22 ordinances, rules or regulations, however, the establishment
23 of such fees shall not deny personal health services to
24 those individuals who are unable to pay such fees or impede
25 the prevention or control of communicable disease. Fees
26 generated shall be deposited in the county treasury. All
27 fees generated under the provisions of this section shall be
28 used to support the public health activities for which they
29 were generated.

30 3. After the promulgation and adoption of such orders,
31 ordinances, rules or regulations by such county commission
32 or county health board, such commission or county health
33 board shall make and enter an order or record declaring such
34 orders, ordinances, rules or regulations to be printed and
35 available for distribution to the public in the office of
36 the county clerk, and shall require a copy of such order to
37 be published in some newspaper in the county in three

38 successive weeks, not later than thirty days after the entry
39 of such order, ordinance, rule or regulation.

40 4. Any person, firm, corporation or association which
41 violates any of the orders or ordinances adopted,
42 promulgated and published by such county commission is
43 guilty of a misdemeanor and shall be prosecuted, tried and
44 fined as otherwise provided by law. The county commission
45 or county health board of any such county has full power and
46 authority to initiate the prosecution of any action under
47 this section.

48 5. Any orders, ordinances, rules, or regulations made
49 and promulgated under the authority in this section shall
50 comply with the provisions of section 67.265.

204.569. When an unincorporated sewer subdistrict of a
2 common sewer district has been formed pursuant to sections
3 204.565 to 204.573, the board of trustees of the common
4 sewer district shall have the same powers with regard to the
5 subdistrict as for the common sewer district as a whole,
6 plus the following additional powers:

7 (1) To enter into agreements to accept, take title to,
8 or otherwise acquire, and to operate such sewers, sewer
9 systems, treatment and disposal facilities, and other
10 property, both real and personal, of the political
11 subdivisions included in the subdistrict as the board
12 determines to be in the interest of the common sewer
13 district to acquire or operate, according to such terms and
14 conditions as the board finds reasonable, provided that such
15 authority shall be in addition to the powers of the board of
16 trustees pursuant to section 204.340;

17 (2) To provide for the construction, extension,
18 improvement, and operation of such sewers, sewer systems,
19 and treatment and disposal facilities, as the board

20 determines necessary for the preservation of public health
21 and maintenance of sanitary conditions in the subdistrict;

22 (3) For the purpose of meeting the costs of activities
23 undertaken pursuant to the authority granted in this
24 section, to issue bonds in anticipation of revenues of the
25 subdistrict in the same manner as set out in sections
26 204.360 to 204.450, for other bonds of the common sewer
27 district. Issuance of such bonds for the subdistrict shall
28 require the assent only of four-sevenths of the voters of
29 the subdistrict voting on the question[, and] except that,
30 as an alternative to such a vote, if the subdistrict is a
31 part of a common sewer district located in whole or in part
32 in any county of the first classification without a charter
33 form of government adjacent to a county of the first
34 classification with a charter form of government and a
35 population of at least six hundred thousand and not more
36 than seven hundred fifty thousand, bonds may be issued for
37 such subdistrict if the question receives the written assent
38 of three-quarters of the customers of the subdistrict in a
39 manner consistent with section 204.370, where "customer", as
40 used in this subdivision, means any political subdivision
41 within the subdistrict that has a service or user agreement
42 with the common sewer district. The principal and interest
43 of such bonds shall be payable only from the revenues of the
44 subdistrict and not from any revenues of the common sewer
45 district as a whole;

46 (4) To charge the costs of the common sewer district
47 for operation and maintenance attributable to the
48 subdistrict, plus a proportionate share of the common sewer
49 district's costs of administration to revenues of the
50 subdistrict and to consider such costs in determining
51 reasonable charges to impose within the subdistrict under
52 section 204.440;

53 (5) With prior concurrence of the subdistrict's
54 advisory board, to provide for the treatment and disposal of
55 sewage from the subdistrict in or by means of facilities of
56 the common sewer district not located within the
57 subdistrict, in which case the board of trustees shall also
58 have authority to charge a proportionate share of the costs
59 of the common sewer district for operation and maintenance
60 to revenues of the subdistrict and to consider such costs in
61 determining reasonable charges to impose within the
62 subdistrict under section 204.440.

 221.105. 1. The governing body of any county and of
2 any city not within a county shall fix the amount to be
3 expended for the cost of incarceration of prisoners confined
4 in jails or medium security institutions. The per diem cost
5 of incarceration of these prisoners chargeable by the law to
6 the state shall be determined, subject to the review and
7 approval of the department of corrections.

8 2. When the final determination of any criminal
9 prosecution shall be such as to render the state liable for
10 costs under existing laws, it shall be the duty of the
11 sheriff to certify to the clerk of the circuit court or
12 court of common pleas in which the case was determined the
13 total number of days any prisoner who was a party in such
14 case remained in the county jail. It shall be the duty of
15 the county commission to supply the cost per diem for county
16 prisons to the clerk of the circuit court on the first day
17 of each year, and thereafter whenever the amount may be
18 changed. It shall then be the duty of the clerk of the
19 court in which the case was determined to include in the
20 bill of cost against the state all fees which are properly
21 chargeable to the state. In any city not within a county it
22 shall be the duty of the superintendent of any facility
23 boarding prisoners to certify to the chief executive officer

24 of such city not within a county the total number of days
25 any prisoner who was a party in such case remained in such
26 facility. It shall be the duty of the superintendents of
27 such facilities to supply the cost per diem to the chief
28 executive officer on the first day of each year, and
29 thereafter whenever the amount may be changed. It shall be
30 the duty of the chief executive officer to bill the state
31 all fees for boarding such prisoners which are properly
32 chargeable to the state. The chief executive may by
33 notification to the department of corrections delegate such
34 responsibility to another duly sworn official of such city
35 not within a county. The clerk of the court of any city not
36 within a county shall not include such fees in the bill of
37 costs chargeable to the state. The department of
38 corrections shall revise its criminal cost manual in
39 accordance with this provision.

40 3. Except as provided under subsection 6 of section
41 217.718, the actual costs chargeable to the state, including
42 those incurred for a prisoner who is incarcerated in the
43 county jail because the prisoner's parole or probation has
44 been revoked or because the prisoner has, or allegedly has,
45 violated any condition of the prisoner's parole or
46 probation, and such parole or probation is a consequence of
47 a violation of a state statute, or the prisoner is a
48 fugitive from the Missouri department of corrections or
49 otherwise held at the request of the Missouri department of
50 corrections regardless of whether or not a warrant has been
51 issued shall be the actual cost of incarceration not to
52 exceed:

53 (1) Until July 1, 1996, seventeen dollars per day per
54 prisoner;

55 (2) On and after July 1, 1996, twenty dollars per day
56 per prisoner;

57 (3) On and after July 1, 1997, up to thirty-seven
58 dollars and fifty cents per day per prisoner, subject to
59 appropriations[, but not less than the amount appropriated
60 in the previous fiscal year].

61 4. The presiding judge of a judicial circuit may
62 propose expenses to be reimbursable by the state on behalf
63 of one or more of the counties in that circuit. Proposed
64 reimbursable expenses may include pretrial assessment and
65 supervision strategies for defendants who are ultimately
66 eligible for state incarceration. A county may not receive
67 more than its share of the amount appropriated in the
68 previous fiscal year, inclusive of expenses proposed by the
69 presiding judge. Any county shall convey such proposal to
70 the department, and any such proposal presented by a
71 presiding judge shall include the documented agreement with
72 the proposal by the county governing body, prosecuting
73 attorney, at least one associate circuit judge, and the
74 officer of the county responsible for custody or
75 incarceration of prisoners of the county represented in the
76 proposal. Any county that declines to convey a proposal to
77 the department, pursuant to the provisions of this
78 subsection, shall receive its per diem cost of incarceration
79 for all prisoners chargeable to the state in accordance with
80 the provisions of subsections 1, 2, and 3 of this section.

304.900. 1. As used in this section, the following
2 terms mean:

3 (1) "Agent", a person given the responsibility, by an
4 entity, of navigating and operating a personal delivery
5 device;

6 (2) "Personal delivery device", a powered device
7 operated primarily on sidewalks and crosswalks, intended
8 primarily for the transport of property on public rights-of-
9 way, and capable of navigating with or without the active

10 control or monitoring of a natural person. Notwithstanding
11 any other provision of law, a "personal delivery device"
12 shall not be defined as a motor vehicle or a vehicle;

13 (3) "Personal delivery device operator", an entity or
14 its agent that exercises physical control or monitoring over
15 the navigation system and operation of a personal delivery
16 device. A "personal delivery device operator" does not
17 include an entity or person that requests or receives the
18 services of a personal delivery device for the purpose of
19 transporting property or an entity or person who merely
20 arranges for and dispatches the requested services of a
21 personal delivery device.

22 2. Notwithstanding any other provision of law, a
23 personal delivery device is authorized to operate in this
24 state:

25 (1) On any sidewalk or crosswalk of any county or
26 municipality in the state; and

27 (2) On any roadway of any county or municipality in
28 the state, provided that the personal delivery device shall
29 not unreasonably interfere with motor vehicles or traffic.

30 3. A personal delivery device shall:

31 (1) Not block public rights-of-way;

32 (2) Obey all traffic and pedestrian control signals
33 and devices;

34 (3) Operate at a speed that does not exceed a maximum
35 speed of ten miles per hour on a sidewalk or crosswalk;

36 (4) Contain a unique identifying number that is
37 displayed on the device;

38 (5) Include a means of identifying the personal
39 delivery device operator; and

40 (6) Be equipped with a system that enables the
41 personal delivery device to come to a controlled stop.

42 4. Subject to the requirements of this section, a
43 personal delivery device operating on a sidewalk or
44 crosswalk shall have all the responsibilities applicable to
45 a pedestrian under the same circumstances.

46 5. A personal delivery device shall be exempt from
47 motor vehicle registration requirements.

48 6. A personal delivery device operator shall maintain
49 an insurance policy that provides general liability coverage
50 of at least one hundred thousand dollars for damages arising
51 from the combined operations of personal delivery devices
52 under a personal delivery device operator's control.

53 7. If the personal delivery device is being operated
54 between sunset and sunrise, it shall be equipped with
55 lighting on both the front and rear of the personal delivery
56 device visible in clear weather from a distance of at least
57 five hundred feet to the front and rear of the personal
58 delivery device.

59 8. A personal delivery device shall not be used for
60 the transportation of hazardous material regulated under the
61 Hazardous Materials Transportation Act, 49 USC Section 5103,
62 and required to be placarded under 49 CFR Part 172, Subpart
63 F.

64 9. Nothing in this section shall prohibit a political
65 subdivision from regulating the operation of personal
66 delivery devices on a highway or pedestrian area to insure
67 the welfare and safety of its residents. However, political
68 subdivisions shall not regulate the design, manufacture and
69 maintenance of a personal delivery device nor the types of
70 property that may be transported by a personal delivery
71 device. Additionally, no political subdivision shall treat
72 personal delivery devices differently for the purposes of
73 assessment and taxation or other charges from personal
74 property that is similar in nature.

75 10. A personal delivery device operator may not sell
76 or disclose a personally identifiable likeness to a third
77 party in exchange for monetary compensation. For purposes
78 of this section, a personally identifiable likeness includes
79 photographic images, videos, digital image files, or other
80 digital data that can be used to either directly or
81 indirectly identify an individual. "Personally identifiable
82 likeness" does not include aggregated or anonymized data.
83 The use of any personally identifiable likeness by a
84 personal delivery device operator to improve their products
85 and services is allowed under this section. Information
86 that would otherwise be protected under this section as
87 confidential shall only be provided to a law enforcement
88 entity with a properly executed, lawful subpoena.

 386.800. 1. No municipally owned electric utility may
2 provide electric energy at retail to any structure located
3 outside the municipality's corporate boundaries after July
4 11, 1991, unless:

5 (1) The structure was lawfully receiving permanent
6 service from the municipally owned electric utility prior to
7 July 11, 1991; or

8 (2) The service is provided pursuant to an approved
9 territorial agreement under section 394.312; or

10 (3) The service is provided pursuant to lawful
11 municipal annexation and subject to the provisions of this
12 section; or

13 (4) The structure is located in an area which was
14 previously served by an electrical corporation regulated
15 under chapter 386, and chapter 393, and the electrical
16 corporation's authorized service territory was contiguous to
17 or inclusive of the municipality's previous corporate
18 boundaries, and the electrical corporation's ownership or
19 operating rights within the area were acquired in total by

20 the municipally owned electrical system prior to July 11,
21 1991. In the event that a municipally owned electric
22 utility in a city with a population of more than one hundred
23 twenty-five thousand located in a county of the first class
24 not having a charter form of government and not adjacent to
25 any other county of the first class desires to serve
26 customers beyond the authorized service territory in an area
27 which was previously served by an electrical corporation
28 regulated under the provisions of chapter 386, and chapter
29 393, as provided in this subdivision, in the absence of an
30 approved territorial agreement under section 394.312, the
31 municipally owned utility shall apply to the public service
32 commission for an order assigning nonexclusive service
33 territories and concurrently shall provide written notice of
34 the application to other electric service suppliers with
35 electric facilities located in or within one mile outside of
36 the boundaries of the proposed expanded service territory.
37 The proposed service area shall be contiguous to the
38 authorized service territory which was previously served by
39 an electrical corporation regulated under the provisions of
40 chapter 386, and chapter 393, as a condition precedent to
41 the granting of the application. The commission shall have
42 one hundred twenty days from the date of application to
43 grant or deny the requested order. The commission after a
44 hearing may grant the order upon a finding that granting of
45 the applicant's request is not detrimental to the public
46 interest. In granting the applicant's request the
47 commission shall give due regard to territories previously
48 granted to or served by other electric service suppliers and
49 the wasteful duplication of electric service facilities.

50 2. Any municipally owned electric utility may extend,
51 pursuant to lawful annexation, its electric service
52 territory to include [any structure located within a newly

53 annexed area which has not received permanent service from
54 another supplier within ninety days prior to the effective
55 date of the annexation] areas where another electric
56 supplier currently is not providing permanent service to a
57 structure. If a rural electric cooperative has existing
58 electric service facilities with adequate and necessary
59 service capability located in or within one mile outside the
60 boundaries of the area proposed to be annexed, a majority of
61 the existing developers, landowners, or prospective electric
62 customers in the area proposed to be annexed may, anytime
63 within forty-five days prior to the effective date of the
64 annexation, submit a written request to the governing body
65 of the annexing municipality to invoke mandatory good faith
66 negotiations under section 394.312 to determine which
67 electric service supplier is best suited to serve all or
68 portions of the newly annexed area. In such negotiations
69 the following factors shall be considered, at a minimum:
70 (1) The preference of landowners and prospective
71 electric customers;
72 (2) The rates, terms, and conditions of service of the
73 electric service suppliers;
74 (3) The economic impact on the electric service
75 suppliers;
76 (4) Each electric service supplier's operational
77 ability to serve all or portions of the annexed area within
78 three years of the date the annexation becomes effective;
79 (5) Avoiding the wasteful duplication of electric
80 facilities;
81 (6) Minimizing unnecessary encumbrances on the
82 property and landscape within the area to be annexed; and
83 (7) Preventing the waste of materials and natural
84 resources.

85 If the municipally owned electric utility and rural electric
86 cooperative are unable to negotiate a territorial agreement
87 pursuant to section 394.312 within forty-five days, then
88 they may submit proposals to those submitting the original
89 written request, whose preference shall control, section
90 394.080 to the contrary notwithstanding, and the governing
91 body of the annexing municipality shall not reject the
92 petition requesting annexation based on such preference.
93 This subsection shall not apply to municipally-owned
94 property in any newly annexed area.

95 3. In the event an electrical corporation rather than
96 a municipally owned electric utility lawfully is providing
97 electric service in the municipality, all the provisions of
98 subsection 2 shall apply equally as if the electrical
99 corporation were a municipally owned electric utility,
100 except that if the electrical corporation and the rural
101 electric cooperative are unable to negotiate a territorial
102 agreement pursuant to section 394.312 within forty-five
103 days, then either electric service supplier may file an
104 application with the commission for an order determining
105 which electric service supplier should serve, in whole or in
106 part, the area to be annexed. The application shall be made
107 pursuant to the rules and regulations of the commission
108 governing applications for certificates of public
109 convenience and necessity. The commission after the
110 opportunity for hearing shall make its determination after
111 consideration of the factors set forth in subdivisions (1)
112 through (7) of subsection 2 of this section, and section
113 394.080 to the contrary notwithstanding, may grant its order
114 upon a finding that granting of the applicant's request is
115 not detrimental to the public interest. The commission
116 shall issue its decision by report and order no later than
117 one hundred twenty days from the date of the application

118 unless otherwise ordered by the commission for good cause
119 shown. Review of such commission decisions shall be
120 governed by sections 386.500 to 386.550. If the applicant
121 is a rural electric cooperative, the commission shall charge
122 to the rural electric cooperative the appropriate fees as
123 set forth in subsection 9 of this section.

124 [3.] 4. When a municipally owned electric utility
125 desires to extend its service territory to include any
126 structure located within a newly annexed area which has
127 received permanent service from another electric service
128 supplier within ninety days prior to the effective date of
129 the annexation, it shall:

130 (1) Notify by publication in a newspaper of general
131 circulation the record owner of said structure, and notify
132 in writing any affected electric service supplier and the
133 public service commission, within sixty days after the
134 effective date of the annexation its desire to extend its
135 service territory to include said structure; and

136 (2) Within six months after the effective date of the
137 annexation receive the approval of the municipality's
138 governing body to begin negotiations pursuant to section
139 394.312 with [any] the affected electric service supplier.

140 [4.] 5. Upon receiving approval from the
141 municipality's governing body pursuant to subsection [3] 4
142 of this section, the municipally owned electric utility and
143 the affected electric service supplier shall meet and
144 negotiate in good faith the terms of the territorial
145 agreement and any transfers or acquisitions, including, as
146 an alternative, granting the affected electric service
147 supplier a franchise or authority to continue providing
148 service in the annexed area. In the event that the affected
149 electric service supplier does not provide wholesale
150 electric power to the municipality, if the affected electric

151 service supplier so desires, the parties [shall] may also
152 negotiate, consistent with applicable law, regulations and
153 existing power supply agreements, for power contracts which
154 would provide for the purchase of power by the municipality
155 from the affected electric service supplier for an amount of
156 power equivalent to the loss of any sales to customers
157 receiving permanent service at structures within the annexed
158 areas which are being sought by the municipally owned
159 electric utility. The parties shall have no more than one
160 hundred eighty days from the date of receiving approval from
161 the municipality's governing body within which to conclude
162 their negotiations and file their territorial agreement with
163 the commission for approval under the provisions of section
164 394.312. The time period for negotiations allowed under
165 this subsection may be extended for a period not to exceed
166 one hundred eighty days by a mutual agreement of the parties
167 and a written request with the public service commission.

168 [5.] 6. For purposes of this section, the term "fair
169 and reasonable compensation" shall mean the following:

170 (1) The present-day reproduction cost, new, of the
171 properties and facilities serving the annexed areas, less
172 depreciation computed on a straight-line basis; and

173 (2) An amount equal to the reasonable and prudent cost
174 of detaching the facilities in the annexed areas and the
175 reasonable and prudent cost of constructing any necessary
176 facilities to reintegrate the system of the affected
177 electric service supplier outside the annexed area after
178 detaching the portion to be transferred to the municipally
179 owned electric utility; and

180 (3) [~~Four~~] Two hundred percent of gross revenues less
181 gross receipts taxes received by the affected electric
182 service supplier from the twelve-month period preceding the
183 approval of the municipality's governing body under the

184 provisions of subdivision (2) of subsection [3] 4 of this
185 section, normalized to produce a representative usage from
186 customers at the subject structures in the annexed area; and

187 (4) Any federal, state and local taxes which may be
188 incurred as a result of the transaction, including the
189 recapture of any deduction or credit; and

190 (5) Any other costs reasonably incurred by the
191 affected electric supplier in connection with the
192 transaction.

193 [6.] 7. In the event the parties are unable to reach
194 an agreement under subsection [4] 5 of this section, within
195 sixty days after the expiration of the time specified for
196 negotiations, the municipally owned electric utility or the
197 affected electric service supplier may apply to the
198 commission for an order assigning exclusive service
199 territories within the annexed area and a determination of
200 the fair and reasonable compensation amount to be paid to
201 the affected electric service supplier under subsection [5]
202 6 of this section. Applications shall be made and notice of
203 such filing shall be given to all affected parties pursuant
204 to the rules and regulations of the commission governing
205 applications for certificates of public convenience and
206 necessity. Unless otherwise ordered by the commission for
207 good cause shown, the commission shall rule on such
208 applications not later than one hundred twenty days after
209 the application is properly filed with the secretary of the
210 commission. The commission shall hold evidentiary hearings
211 to assign service territory between the affected electric
212 service suppliers inside the annexed area and to determine
213 the amount of compensation due any affected electric service
214 supplier for the transfer of plant, facilities or associated
215 lost revenues between electric service suppliers in the
216 annexed area. The commission shall make such determinations

217 based on findings of what best serves the public interest
218 and shall issue its decision by report and order. Review of
219 such commission decisions shall be governed by sections
220 386.500 to 386.550. The payment of compensation and
221 transfer of title and operation of the facilities shall
222 occur within ninety days after the order and any appeal
223 therefrom becomes final unless the order provides otherwise.

224 [7.] 8. In reaching its decision under subsection 6 of
225 this section, the commission shall consider the following
226 factors:

227 (1) Whether the acquisition or transfers sought by the
228 municipally owned electric utility within the annexed area
229 from the affected electric service supplier are, in total,
230 in the public interest, including the preference of the
231 owner of any affected structure, consideration of rate
232 disparities between the competing electric service
233 suppliers, and issues of unjust rate discrimination among
234 customers of a single electric service supplier if the rates
235 to be charged in the annexed areas are lower than those
236 charged to other system customers; and

237 (2) The fair and reasonable compensation to be paid by
238 the municipally owned electric utility, to the affected
239 electric service supplier with existing system operations
240 within the annexed area, for any proposed acquisitions or
241 transfers; and

242 (3) Any effect on system operation, including, but not
243 limited to, loss of load and loss of revenue; and

244 (4) Any other issues upon which the municipally owned
245 electric utility and the affected electric service supplier
246 might otherwise agree, including, but not limited to, the
247 valuation formulas and factors contained in subsections [4,
248 5 and 6] 5, 6, and 7, of this section, even if the parties

249 could not voluntarily reach an agreement thereon under those
250 subsections.

251 [8.] 9. The commission is hereby given all necessary
252 jurisdiction over municipally owned electric utilities and
253 rural electric cooperatives to carry out the purposes of
254 this section consistent with other applicable law; provided,
255 however, the commission shall not have jurisdiction to
256 compel the transfer of customers or structures with a
257 connected load greater than one thousand kilowatts. The
258 commission shall by rule set appropriate fees to be charged
259 on a case-by-case basis to municipally owned electric
260 utilities and rural electric cooperatives to cover all
261 necessary costs incurred by the commission in carrying out
262 its duties under this section. Nothing in this section
263 shall be construed as otherwise conferring upon the public
264 service commission jurisdiction over the service, rates,
265 financing, accounting, or management of any rural electric
266 cooperative or municipally owned electric utility, except as
267 provided in this section.

268 10. Notwithstanding sections 394.020 and 394.080 to
269 the contrary, a rural electric cooperative may provide
270 electric service within the corporate boundaries of a
271 municipality if such service is provided:

272 (1) Pursuant to subsections 2 through 9 of this
273 section; and

274 (2) Such service is conditioned upon the execution of
275 the appropriate territorial and municipal franchise
276 agreements, which may include a nondiscriminatory
277 requirement, consistent with other applicable law, that the
278 rural electric cooperative collect and remit a sales tax
279 based on the amount of electricity sold by the rural
280 electric cooperative within the municipality.

393.106. 1. As used in this section, the following
2 terms mean:

3 (1) "Permanent service", electrical service provided
4 through facilities which have been permanently installed on
5 a structure and which are designed to provide electric
6 service for the structure's anticipated needs for the
7 indefinite future, as contrasted with facilities installed
8 temporarily to provide electrical service during
9 construction. Service provided temporarily shall be at the
10 risk of the electrical supplier and shall not be
11 determinative of the rights of the provider or recipient of
12 permanent service;

13 (2) "Structure" or "structures", an agricultural,
14 residential, commercial, industrial or other building or a
15 mechanical installation, machinery or apparatus at which
16 retail electric energy is being delivered through a metering
17 device which is located on or adjacent to the structure and
18 connected to the lines of an electrical supplier. Such
19 terms shall include any contiguous or adjacent additions to
20 or expansions of a particular structure. Nothing in this
21 section shall be construed to confer any right on an
22 electric supplier to serve new structures on a particular
23 tract of land because it was serving an existing structure
24 on that tract.

25 2. Once an electrical corporation or joint municipal
26 utility commission, or its predecessor in interest, lawfully
27 commences supplying retail electric energy to a structure
28 through permanent service facilities, it shall have the
29 right to continue serving such structure, and other
30 suppliers of electrical energy shall not have the right to
31 provide service to the structure except as might be
32 otherwise permitted in the context of municipal annexation,
33 pursuant to section 386.800 and section 394.080, or pursuant

34 to a territorial agreement approved under section 394.312.
35 The public service commission, upon application made by an
36 affected party, may order a change of suppliers on the basis
37 that it is in the public interest for a reason other than a
38 rate differential. The commission's jurisdiction under this
39 section is limited to public interest determinations and
40 excludes questions as to the lawfulness of the provision of
41 service, such questions being reserved to courts of
42 competent jurisdiction. Except as provided in this section,
43 nothing contained herein shall affect the rights, privileges
44 or duties of existing corporations pursuant to this
45 chapter. Nothing in this section shall be construed to make
46 lawful any provision of service which was unlawful prior to
47 July 11, 1991. Nothing in this section shall be construed
48 to make unlawful the continued lawful provision of service
49 to any structure which may have had a different supplier in
50 the past, if such a change in supplier was lawful at the
51 time it occurred. However, those customers who had
52 cancelled service with their previous supplier or had
53 requested cancellation by May 1, 1991, shall be eligible to
54 change suppliers as per previous procedures. No customer
55 shall be allowed to change electric suppliers by
56 disconnecting service between May 1, 1991, and July 11, 1991.

57 3. Notwithstanding the provisions of this section,
58 section 91.025, section 394.080, and section 394.315 to the
59 contrary, in the event that a retail electric supplier is
60 providing service to a structure located within a city,
61 town, or village that ceased to be a rural area, and such
62 structure is demolished and replaced by a new structure,
63 such retail electric service supplier may provide permanent
64 service to the new structure upon the request of the owner
65 of the new structure.

394.020. In this chapter, unless the context otherwise
2 requires,

3 (1) "Member" means each incorporator of a cooperative
4 and each person admitted to and retaining membership
5 therein, and shall include a husband and wife admitted to
6 joint membership;

7 (2) "Person" includes any natural person, firm,
8 association, corporation, business trust, partnership,
9 federal agency, state or political subdivision or agency
10 thereof, or any body politic; and

11 (3) "Rural area" shall be deemed to mean any area of
12 the United States not included within the boundaries of any
13 city, town or village having a population in excess of
14 fifteen hundred inhabitants, and such term shall be deemed
15 to include both the farm and nonfarm population thereof.
16 The number of inhabitants specified in this subsection shall
17 be increased by six percent every ten years after each
18 decennial census beginning in 2030.

394.315. 1. As used in this section, the following
2 terms mean:

3 (1) "Permanent service", electrical service provided
4 through facilities which have been permanently installed on
5 a structure and which are designed to provide electric
6 service for the structure's anticipated needs for the
7 indefinite future, as contrasted with facilities installed
8 temporarily to provide electrical service during
9 construction. Service provided temporarily shall be at the
10 risk of the electrical supplier and shall not be
11 determinative of the rights of the provider or recipient of
12 permanent service;

13 (2) "Structure" or "structures", an agricultural,
14 residential, commercial, industrial or other building or a
15 mechanical installation, machinery or apparatus at which

16 retail electric energy is being delivered through a metering
17 device which is located on or adjacent to the structure and
18 connected to the lines of an electrical supplier. Such
19 terms shall include any contiguous or adjacent additions to
20 or expansions of a particular structure. Nothing in this
21 section shall be construed to confer any right on [a rural
22 electric cooperative] an electric supplier to serve new
23 structures on a particular tract of land because it was
24 serving an existing structure on that tract.

25 2. Once a rural electric cooperative, or its
26 predecessor in interest, lawfully commences supplying retail
27 electric energy to a structure through permanent service
28 facilities, it shall have the right to continue serving such
29 structure, and other suppliers of electrical energy shall
30 not have the right to provide service to the structure
31 except as might be otherwise permitted in the context of
32 municipal annexation, pursuant to section 386.800 and
33 section 394.080, or pursuant to a territorial agreement
34 approved under section 394.312. The public service
35 commission, upon application made by an affected party, may
36 order a change of suppliers on the basis that it is in the
37 public interest for a reason other than a rate differential,
38 and the commission is hereby given jurisdiction over rural
39 electric cooperatives to accomplish the purpose of this
40 section. The commission's jurisdiction under this section
41 is limited to public interest determinations and excludes
42 questions as to the lawfulness of the provision of service,
43 such questions being reserved to courts of competent
44 jurisdiction. Except as provided herein, nothing in this
45 section shall be construed as otherwise conferring upon the
46 commission jurisdiction over the service, rates, financing,
47 accounting or management of any such cooperative, and except
48 as provided in this section, nothing contained herein shall

49 affect the rights, privileges or duties of existing
50 cooperatives pursuant to this chapter. Nothing in this
51 section shall be construed to make lawful any provision of
52 service which was unlawful prior to July 11, 1991. Nothing
53 in this section shall be construed to make unlawful the
54 continued lawful provision of service to any structure which
55 may have had a different supplier in the past, if such a
56 change in supplier was lawful at the time it occurred.
57 However, those customers who had cancelled service with
58 their previous supplier or had requested cancellation by May
59 1, 1991, shall be eligible to change suppliers as per
60 previous procedures. No customer shall be allowed to change
61 electric suppliers by disconnecting service between May 1,
62 1991, and July 11, 1991.

63 3. Notwithstanding the provisions of this section,
64 section 91.025, section 393.106, and section 394.080 to the
65 contrary, in the event that a retail electric supplier is
66 providing service to a structure located within a city,
67 town, or village that has ceased to be a rural area, and
68 such structure is demolished and replaced by a new
69 structure, such retail electric service supplier may provide
70 permanent service to the new structure upon the request of
71 the owner of the new structure.

2 407.297. 1. Notwithstanding any other provision of
3 law to the contrary, no person shall engage in the business
4 of a copper property peddler in a city not within a county
5 without first obtaining a license from the city and
6 complying with the provisions of this section.

7 2. For the purposes of this section, the following
8 terms shall mean:

9 (1) "Copper property", any insulated copper wire,
10 copper tubing, copper guttering and downspouts, or any item
composed completely of copper;

11 (2) "Copper property peddler", any person who sells or
12 attempts to sell copper property and who is not either a
13 licensed or certified tradesperson or does not hold a
14 business license issued by the city.

15 3. The city shall determine the license fee. The
16 license shall expire June thirtieth of each year. Each
17 license shall bear a separate number, the name and address
18 of the licensee, a color photo of the licensee, and
19 telephone number of the licensee. The license shall be
20 available only to the person in whose name it is issued and
21 shall not be used by any person other than the original
22 licensee. Any licensee who shall permit his or her license
23 to be used by any other person, and any other person who
24 shall use a license granted to another person, shall each be
25 deemed guilty of a violation of this section.

26 4. Application for a license under this section shall
27 be made in writing to the city and shall state the name,
28 age, description, and address of the applicant. The
29 application shall include a sworn statement setting forth
30 each and every conviction of the applicant for violations of
31 federal, state, or municipal laws, statutes, or ordinances.
32 In addition, the applicant shall, at his or her expense,
33 obtain a complete copy of the applicant's criminal record as
34 indicated by the records of a law enforcement agency and
35 submit such record as part of the application. No license
36 shall be granted to any person who has been convicted of
37 burglary, robbery, stealing, theft, or possession or
38 receiving stolen goods in the last twenty-four months prior
39 to the date of the application.

40 5. The city shall have the power and authority to
41 revoke any license under this section for any willful
42 violation of this section by a copper property peddler,
43 provided the licensee has been notified in writing at his or

44 her place of business of the violations complained of and
45 shall have been afforded a reasonable opportunity to have a
46 hearing.

47 6. The provisions of this section shall only be
48 effective when the city is actively issuing licenses to
49 copper property peddlers.

407.300. 1. Every purchaser or collector of, or
2 dealer in, junk, scrap metal, or any secondhand property who
3 obtains items for resale or profit shall keep a register
4 containing a written or electronic record for each purchase
5 or trade in which each type of material subject to the
6 provisions of this section is obtained for value. There
7 shall be a separate record for each transaction involving
8 any:

9 (1) Copper, brass, or bronze;

10 (2) Aluminum wire, cable, pipe, tubing, bar, ingot,
11 rod, fitting, or fastener;

12 (3) Material containing copper or aluminum that is
13 knowingly used for farming purposes as farming is defined in
14 section 350.010; whatever may be the condition or length of
15 such metal;

16 (4) Detached catalytic converter; or

17 (5) Motor vehicle, heavy equipment, or tractor battery.

18 2. The record required by this section shall contain
19 the following data:

20 (1) A copy of the driver's license or photo
21 identification issued by the state or by the United States
22 government or agency thereof [to] of the person from whom
23 the material is obtained;

24 (2) The current address, gender, birth date, and a
25 color photograph of the person from whom the material is
26 obtained if not included or are different from the

27 identification required in subdivision (1) of this
28 subsection;

29 (3) The date, time, and place of the transaction;

30 (4) The license plate number of the vehicle used by
31 the seller during the transaction; and

32 (5) A full description of the material, including the
33 weight and purchase price.

34 3. The records required under this section shall be
35 maintained for a minimum of [~~twenty-four~~] thirty-six months
36 from when such material is obtained and shall be available
37 for inspection by any law enforcement officer.

38 4. [~~Anyone convicted of violating this section shall~~
39 ~~be guilty of a class B misdemeanor.~~] No transaction that
40 includes a detached catalytic converter shall occur at any
41 location other than the fixed place of business of the
42 purchaser or collector of, or dealer in, junk, scrap metal,
43 or any secondhand property. No detached catalytic converter
44 shall be altered, modified, disassembled, or destroyed until
45 it has been in the purchaser's, collector's, or dealer's
46 possession for five business days.

47 5. Anyone licensed under section 301.218 who knowingly
48 purchases a stolen detached catalytic converter shall be
49 subject to the following penalties:

50 (1) For a first violation, a fine in the amount of
51 five-thousand dollars;

52 (2) For a second violation, a fine in the amount of
53 ten-thousand dollars; and

54 (3) For a third violation, revocation of the license
55 for a business described under section 301.218.

56 6. This section shall not apply to [~~any~~] either of the
57 following transactions:

58 (1) [Any transaction for which the total amount paid
59 for all regulated material purchased or sold does not exceed
60 fifty dollars, unless the material is a catalytic converter;

61 (2)] Any transaction for which the seller[, including
62 a farm or farmer,] has an existing business relationship
63 with the scrap metal dealer and is known to the scrap metal
64 dealer making the purchase to be an established business or
65 political subdivision that operates a business with a fixed
66 location that can be reasonably expected to generate
67 regulated scrap metal and can be reasonably identified as
68 such a business, and for which the seller is paid by check
69 or by electronic funds transfer, or the seller produces an
70 acceptable identification, which shall be a copy of the
71 driver's license or photo identification issued by the state
72 or by the United States government or agency thereof, and a
73 copy is retained by the purchaser; or

74 [(3)] (2) Any transaction for which the type of metal
75 subject to subsection 1 of this section is a minor part of a
76 larger item, except for heating and cooling equipment or
77 equipment used in the generation and transmission of
78 electrical power or telecommunications.

451.040. 1. Previous to any marriage in this state, a
2 license for that purpose shall be obtained from the officer
3 authorized to issue the same, and no marriage contracted
4 shall be recognized as valid unless the license has been
5 previously obtained, and unless the marriage is solemnized
6 by a person authorized by law to solemnize marriages.

7 2. Before applicants for a marriage license shall
8 receive a license, and before the recorder of deeds shall be
9 authorized to issue a license, the parties to the marriage
10 shall present an application for the license, duly executed
11 and signed in the presence of the recorder of deeds or their
12 deputy or electronically through an online process. If an

13 applicant is unable to sign the application in the presence
14 of the recorder of deeds as a result of the applicant's
15 incarceration or because the applicant has been called or
16 ordered to active military duty out of the state or country,
17 the recorder of deeds may issue a license if:

18 (1) An affidavit or sworn statement is submitted by
19 the incarcerated or military applicant on a form furnished
20 by the recorder of deeds which includes the necessary
21 information for the recorder of deeds to issue a marriage
22 license under this section. The form shall include, but not
23 be limited to, the following:

24 (a) The names of both applicants for the marriage
25 license;

26 (b) The date of birth of the incarcerated or military
27 applicant;

28 (c) An attestation by the incarcerated or military
29 applicant that both applicants are not related;

30 (d) The date the marriage ended if the incarcerated or
31 military applicant was previously married;

32 (e) An attestation signed by the incarcerated or
33 military applicant stating in substantial part that the
34 applicant is unable to appear in the presence of the
35 recorder of deeds as a result of the applicant's
36 incarceration or because the applicant has been called or
37 ordered to active military duty out of the state or country,
38 which will be verified by the professional or official who
39 directs the operation of the jail or prison or the military
40 applicant's military officer, or such professional's or
41 official's designee, and acknowledged by a notary public
42 commissioned by the state of Missouri at the time of
43 verification. However, in the case of an applicant who is
44 called or ordered to active military duty outside Missouri,
45 [acknowledgement] acknowledgment may be obtained by a notary

46 public who is duly commissioned by a state other than
47 Missouri or by notarial services of a military officer in
48 accordance with the Uniform Code of Military Justice at the
49 time of verification;

50 (2) The completed marriage license application of the
51 incarcerated or military applicant is submitted which
52 includes the applicant's Social Security number; except
53 that, in the event the applicant does not have a Social
54 Security number, a sworn statement by the applicant to that
55 effect; and

56 (3) A copy of a government-issued identification for
57 the incarcerated or military applicant which contains the
58 applicant's photograph. However, in such case the
59 incarcerated applicant does not have such an identification
60 because the jail or prison to which he or she is confined
61 does not issue an identification with a photo his or her
62 notarized application shall satisfy this requirement.

63 3. Each application for a license shall contain the
64 Social Security number of the applicant, provided that the
65 applicant in fact has a Social Security number, or the
66 applicant shall sign a statement provided by the recorder
67 that the applicant does not have a Social Security number.
68 The Social Security number contained in an application for a
69 marriage license shall be exempt from examination and
70 copying pursuant to section 610.024. After the receipt of
71 the application the recorder of deeds shall issue the
72 license, unless one of the parties withdraws the
73 application. The license shall be void after thirty days
74 from the date of issuance.

75 4. Any person violating the provisions of this section
76 shall be deemed guilty of a misdemeanor.

77 5. Common-law marriages shall be null and void.

78 6. Provided, however, that no marriage shall be deemed
79 or adjudged invalid, nor shall the validity be in any way
80 affected for want of authority in any person so solemnizing
81 the marriage pursuant to section 451.100, if consummated
82 with the full belief on the part of the persons, so married,
83 or either of them, that they were lawfully joined in
84 marriage.

85 7. In the event a recorder of deeds utilizes an online
86 process to accept applications for a marriage license or to
87 issue a marriage license and the applicants' identity has
88 not been verified in person, the recorder of deeds shall
89 have a two-step identity verification process or a process
90 that independently verifies the identity of such applicants.

91 Such process shall be adopted as part of any electronic
92 system for marriage licenses if the applicants do not
93 present themselves to the recorder of deeds or his or her
94 designee in person. It shall be the responsibility of the
95 recorder of deeds to ensure any process adopted to allow
96 electronic application or issuance of a marriage license
97 verifies the identities of both applicants. The recorder of
98 deeds shall not accept applications for or issue marriage
99 licenses through the process provided in this subsection
100 unless both applicants are at least eighteen years of age
101 and at least one of the applicants is a resident of the
102 county or city not within a county in which the application
103 was submitted.

 476.083. 1. In addition to any appointments made
2 pursuant to section 485.010, the presiding judge of each
3 circuit containing one or more facilities operated by the
4 department of corrections with an average total inmate
5 population in all such facilities in the circuit over the
6 previous two years of more than two thousand five hundred
7 inmates or containing, as of January 1, 2016, a diagnostic

8 and reception center operated by the department of
9 corrections and a mental health facility operated by the
10 department of mental health which houses persons found not
11 guilty of a crime by reason of mental disease or defect
12 under chapter 552 and provides sex offender rehabilitation
13 and treatment services (SORTS) may appoint a circuit court
14 marshal to aid the presiding judge in the administration of
15 the judicial business of the circuit by overseeing the
16 physical security of [the courthouse,] court facilities,
17 including courtrooms, jury rooms, and chambers or offices of
18 the court; serving court-generated papers and orders[,]; and
19 assisting the judges of the circuit as the presiding judge
20 determines appropriate. Such circuit court marshal
21 appointed pursuant to the provisions of this section shall
22 serve at the pleasure of the presiding judge. The circuit
23 court marshal authorized by this section is in addition to
24 staff support from the circuit clerks, deputy circuit
25 clerks, division clerks, municipal clerks, and any other
26 staff personnel which may otherwise be provided by law.

27 2. The salary of a circuit court marshal shall be
28 established by the presiding judge of the circuit within
29 funds made available for that purpose, but such salary shall
30 not exceed ninety percent of the salary of the highest paid
31 sheriff serving a county wholly or partially within that
32 circuit. Personnel authorized by this section shall be paid
33 from state funds or federal grant moneys which are available
34 for that purpose and not from county funds.

35 3. Any person appointed as a circuit court marshal
36 pursuant to this section shall have at least five years'
37 prior experience as a law enforcement officer. In addition,
38 any such person shall within one year after appointment, or
39 as soon as practicable, attend a court security school or
40 training program operated by the United States Marshal

41 Service. In addition to all other powers and duties
42 prescribed in this section, a circuit court marshal may:

- 43 (1) Serve process;
- 44 (2) Wear a concealable firearm; and
- 45 (3) Make an arrest based upon local court rules and
46 state law, and as directed by the presiding judge of the
47 circuit.

485.060. 1. Each court reporter for a circuit judge
2 shall receive an annual salary of twenty-six thousand nine
3 hundred dollars beginning January 1, 1985, until December
4 31, 1985, and beginning January 1, 1986, an annual salary of
5 thirty thousand dollars.

6 2. Such annual salary shall be modified by any salary
7 adjustment provided by section 476.405[,].

8 3. Beginning January 1, 2022, the annual salary, as
9 modified under section 476.405, shall be adjusted upon
10 meeting the minimum number of cumulative years of service as
11 a court reporter with a circuit court of this state by the
12 following schedule:

13 (1) For each court reporter with zero to five years of
14 service: the annual salary shall be increased only by any
15 salary adjustment provided by section 476.405;

16 (2) For each court reporter with six to ten years of
17 service: the annual salary shall be increased by five and
18 one-quarter percent;

19 (3) For each court reporter with eleven to fifteen
20 years of service: the annual salary shall be increased by
21 eight and one-quarter percent;

22 (4) For each court reporter with sixteen to twenty
23 years of service: the annual salary shall be increased by
24 eight and one-half percent; or

25 (5) For each court reporter with twenty-one or more
26 years of service: the annual salary shall be increased by
27 eight and three-quarters percent.

28 A court reporter may receive multiple adjustments under this
29 subsection as his or her cumulative years of service
30 increase, but only one percentage listed in subdivisions (1)
31 to (5) of this subsection shall apply to the annual salary
32 at a time.

33 4. Salaries shall be payable in equal monthly
34 installments on the certification of the judge of the court
35 or division in whose court the reporter is employed. [When]
36 If paid by the state, the salaries of such court reporters
37 shall be paid in semimonthly or monthly installments, as
38 designated by the commissioner of administration.

 488.2235. 1. In addition to all other court costs for
2 municipal ordinance violations, any home rule city with more
3 than four hundred thousand inhabitants and located in more
4 than one county may provide for additional court costs in an
5 amount up to five dollars per case for each municipal
6 ordinance violation case filed before a municipal division
7 judge or associate circuit judge.

8 2. The judge may waive the assessment of the cost in
9 those cases where the defendant is found by the judge to be
10 indigent and unable to pay the costs.

11 3. Such cost shall be collected by the clerk and
12 disbursed to the city at least monthly. The city shall use
13 such additional costs only for the restoration, maintenance
14 and upkeep of the municipal courthouse. The costs collected
15 may be pledged to directly or indirectly secure bonds for
16 the cost of restoration, maintenance and upkeep of the
17 courthouse.

18 4. The provisions of this section shall expire August
19 28, [2021] 2026.

570.030. 1. A person commits the offense of stealing
2 if he or she:

3 (1) Appropriates property or services of another with
4 the purpose to deprive him or her thereof, either without
5 his or her consent or by means of deceit or coercion;

6 (2) Attempts to appropriate anhydrous ammonia or
7 liquid nitrogen of another with the purpose to deprive him
8 or her thereof, either without his or her consent or by
9 means of deceit or coercion; or

10 (3) For the purpose of depriving the owner of a lawful
11 interest therein, receives, retains or disposes of property
12 of another knowing that it has been stolen, or believing
13 that it has been stolen.

14 2. The offense of stealing is a class A felony if the
15 property appropriated consists of any of the following
16 containing any amount of anhydrous ammonia: a tank truck,
17 tank trailer, rail tank car, bulk storage tank, field nurse,
18 field tank or field applicator.

19 3. The offense of stealing is a class B felony if:

20 (1) The property appropriated or attempted to be
21 appropriated consists of any amount of anhydrous ammonia or
22 liquid nitrogen;

23 (2) The property consists of any animal considered
24 livestock as the term livestock is defined in section
25 144.010, or any captive wildlife held under permit issued by
26 the conservation commission, and the value of the animal or
27 animals appropriated exceeds three thousand dollars and that
28 person has previously been found guilty of appropriating any
29 animal considered livestock or captive wildlife held under
30 permit issued by the conservation commission.

31 Notwithstanding any provision of law to the contrary, such
32 person shall serve a minimum prison term of not less than
33 eighty percent of his or her sentence before he or she is

34 eligible for probation, parole, conditional release, or
35 other early release by the department of corrections;

36 (3) A person appropriates property consisting of a
37 motor vehicle, watercraft, or aircraft, and that person has
38 previously been found guilty of two stealing-related
39 offenses committed on two separate occasions where such
40 offenses occurred within ten years of the date of occurrence
41 of the present offense;

42 (4) The property appropriated or attempted to be
43 appropriated consists of any animal considered livestock as
44 the term is defined in section 144.010 if the value of the
45 livestock exceeds ten thousand dollars; or

46 (5) The property appropriated or attempted to be
47 appropriated is owned by or in the custody of a financial
48 institution and the property is taken or attempted to be
49 taken physically from an individual person to deprive the
50 owner or custodian of the property.

51 4. The offense of stealing is a class C felony if the
52 value of the property or services appropriated is twenty-
53 five thousand dollars or more.

54 5. The offense of stealing is a class D felony if:

55 (1) The value of the property or services appropriated
56 is seven hundred fifty dollars or more;

57 (2) The offender physically takes the property
58 appropriated from the person of the victim; or

59 (3) The property appropriated consists of:

60 (a) Any motor vehicle, watercraft or aircraft;

61 (b) Any will or unrecorded deed affecting real
62 property;

63 (c) Any credit device, debit device or letter of
64 credit;

65 (d) Any firearms;

66 (e) Any explosive weapon as defined in section 571.010;

67 (f) Any United States national flag designed, intended
68 and used for display on buildings or stationary flagstaffs
69 in the open;

70 (g) Any original copy of an act, bill or resolution,
71 introduced or acted upon by the legislature of the state of
72 Missouri;

73 (h) Any pleading, notice, judgment or any other record
74 or entry of any court of this state, any other state or of
75 the United States;

76 (i) Any book of registration or list of voters
77 required by chapter 115;

78 (j) Any animal considered livestock as that term is
79 defined in section 144.010;

80 (k) Any live fish raised for commercial sale with a
81 value of seventy-five dollars or more;

82 (l) Any captive wildlife held under permit issued by
83 the conservation commission;

84 (m) Any controlled substance as defined by section
85 195.010;

86 (n) Ammonium nitrate;

87 (o) Any wire, electrical transformer, or metallic wire
88 associated with transmitting telecommunications, video,
89 internet, or voice over internet protocol service, or any
90 other device or pipe that is associated with conducting
91 electricity or transporting natural gas or other combustible
92 fuels; or

93 (p) Any material appropriated with the intent to use
94 such material to manufacture, compound, produce, prepare,
95 test or analyze amphetamine or methamphetamine or any of
96 their analogues.

97 6. The offense of stealing is a class E felony if:

98 (1) The property appropriated is an animal; [or]

99 (2) The property is a catalytic converter; or

100 (3) A person has previously been found guilty of three
101 stealing-related offenses committed on three separate
102 occasions where such offenses occurred within ten years of
103 the date of occurrence of the present offense.

104 7. The offense of stealing is a class D misdemeanor if
105 the property is not of a type listed in subsection 2, 3, 5,
106 or 6 of this section, the property appropriated has a value
107 of less than one hundred fifty dollars, and the person has
108 no previous findings of guilt for a stealing-related offense.

109 8. The offense of stealing is a class A misdemeanor if
110 no other penalty is specified in this section.

111 9. If a violation of this section is subject to
112 enhanced punishment based on prior findings of guilt, such
113 findings of guilt shall be pleaded and proven in the same
114 manner as required by section 558.021.

115 10. The appropriation of any property or services of a
116 type listed in subsection 2, 3, 5, or 6 of this section or
117 of a value of seven hundred fifty dollars or more may be
118 considered a separate felony and may be charged in separate
119 counts.

120 11. The value of property or services appropriated
121 pursuant to one scheme or course of conduct, whether from
122 the same or several owners and whether at the same or
123 different times, constitutes a single criminal episode and
124 may be aggregated in determining the grade of the offense,
125 except as set forth in subsection 10 of this section.

620.2450. 1. A grant program is hereby established
2 under sections 620.2450 to 620.2458 to award grants to
3 applicants who seek to expand access to broadband internet
4 service in unserved and underserved areas of the state. The
5 department of economic development shall administer and act
6 as the fiscal agent for the grant program and shall be
7 responsible for receiving and reviewing grant applications

8 and awarding grants under sections 620.2450 to 620.2458.
9 Funding for the grant program established under this section
10 shall be subject to appropriation by the general assembly.

11 2. Any funds allocated by the state of Missouri for
12 the purposes of the construction of broadband infrastructure
13 shall be distributed by the state subject to the provisions
14 of this grant program unless the provisions of sections
15 620.2450 to 620.2458 would be out of compliance with any
16 regulations placed on the receipt of such funds and would
17 thus prohibit the expenditure of such funds.

18 3. As used in sections 620.2450 to 620.2458, the
19 following terms shall mean:

20 (1) "Underserved area", a project area without access
21 to wireline or fixed wireless broadband internet service of
22 speeds of at least twenty-five megabits per-second download
23 and three megabits per-second upload;

24 (2) "Unserved area", a project area without access to
25 wireline or fixed wireless broadband internet service of
26 speeds of at least ten megabits per-second download and one
27 megabit per-second upload.

620.2456. 1. The department of economic development
2 shall not award any grant to an otherwise eligible grant
3 applicant where funding from the Connect America Fund [has]
4 or Rural Digital Opportunity Funds have been awarded, where
5 high-cost support from the federal Universal Service Fund
6 has been received by rate of return carriers, or where any
7 other federal funding has been awarded which did not require
8 any matching-fund component, for any portion of the proposed
9 project area, nor shall any grant money be used to serve any
10 retail end user that already has access to wireline or fixed
11 wireless broadband internet service of speeds of at least
12 twenty-five megabits per-second download and three megabits
13 per-second upload.

14 2. No grant awarded under sections 620.2450 to
15 620.2458, when combined with any federal, state, or local
16 funds, shall fund more than fifty percent of the total cost
17 of a project.

18 3. No single project shall be awarded grants under
19 sections 620.2450 to 620.2458 whose cumulative total exceeds
20 five million dollars.

21 4. The department of economic development shall
22 endeavor to award grants under sections 620.2450 to 620.2458
23 to qualified applicants in all regions of the state.

24 5. An award granted under sections 620.2450 to
25 620.2458 shall not:

26 (1) Require an open access network;

27 (2) Impose rates, terms, and conditions that differ
28 from what a provider offers in other areas of its service
29 area;

30 (3) Impose any rate, service, or any other type of
31 regulation beyond speed requirements set forth in section
32 620.2451; or

33 (4) Impose an unreasonable time constraint on the time
34 to build the service.

35 6. If a grant recipient fails to establish the speed
36 requirements set forth in section 620.2451, then the grant
37 recipient shall return all grant moneys to the department.

620.2460. 1. No federal funds received by the state,
2 political subdivision, city, town, or village through the
3 American Recovery Plan or any other federally passed COVID-
4 19 Relief legislation shall be expended for the construction
5 of broadband internet infrastructure unless the project to
6 be constructed is located in an "unserved area" or
7 "underserved area" as such terms are described in section
8 620.2450 and such project will provide broadband internet
9 service to customers at speeds of at least twenty-five

10 megabits per-second download and three megabits per-second
11 upload and must be scalable to higher speeds.

12 2. Prior to a political subdivision, city, town, or
13 village authorizing an expenditure for the construction of
14 broadband infrastructure, the office of broadband
15 development shall certify the project is located within an
16 "unserved area" or "underserved area" as such terms are
17 described in section 620.2450.

18 3. When the office of broadband development receives a
19 request from a political subdivision, city, town, or village
20 to certify a project is in an "underserved area" or
21 "unserved area" as such terms are described in section
22 620.2450, the office shall notify each internet service
23 provider that offers service within the census block the
24 project is being constructed prior to the certification of
25 the project.

26 4. A broadband internet service provider that provides
27 existing service within the census block the project is
28 located may submit to the department of economic
29 development, within forty-five days of notification by the
30 office of broadband development, a written challenge to an
31 application. Such challenge shall contain information
32 demonstrating that:

33 (1) The provider currently provides broadband internet
34 service to retail customers within the proposed unserved or
35 underserved area;

36 (2) The provider has taken affirmative steps to begin
37 the process of construction to provide broadband internet
38 service to retail customers within the proposed unserved or
39 underserved area; or

40 (3) The provider has been designated funding through
41 federal programs to support the deployment or expansion of

42 broadband networks in the proposed unserved or underserved
43 area.

44 5. Within three business days of the submission of a
45 written challenge, the department of economic development
46 shall notify the political subdivision, municipality, town,
47 or village.

48 6. The department of economic development shall
49 evaluate each challenge submitted under this section. If
50 the department determines the challenge to be valid, the
51 project shall not be considered to be in an "unserved area"
52 or "underserved area" the expenditure by the political
53 subdivision, municipality, town, or village shall be
54 prohibited. However, an area shall be considered an
55 unserved or underserved area if the federal funding award
56 supporting a challenge under paragraph (3) of subsection 4
57 of this section is forfeited or upon disqualification of the
58 recipient entity awarded federal funding for that geographic
59 area.

Section 1. No county, city, town or village in this
2 state receiving public funds shall require documentation of
3 an individual having received a vaccination against COVID-19
4 in order for the individual to access transportation systems
5 or services or any other public accommodations.

Section B. Because of the importance of property tax
2 relief and the threat of government overreach to the
3 residents of Missouri, the enactment of section 67.265 and
4 the repeal and reenactment of sections 139.100 and 192.300
5 of this act is deemed necessary for the immediate
6 preservation of the public health, welfare, peace, and
7 safety, and is hereby declared to be an emergency act within
8 the meaning of the constitution, and the enactment of
9 section 67.265 and the repeal and reenactment of sections

10 139.100 and 192.300 of this act shall be in full force and
11 effect upon its passage and approval.