

# SENATE BILL NO. 357

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

0946S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 12.010, 12.025, 12.027, 12.030, 12.050, and 95.525, RSMo, and to enact in lieu thereof four new sections relating to the acquisition of land by the United States government.

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

Section A. Sections 12.010, 12.025, 12.027, 12.030,  
2 12.050, and 95.525, RSMo, are repealed and four new sections  
3 enacted in lieu thereof, to be known as sections 12.010, 12.025,  
4 12.030, and 12.050, to read as follows:

12.010. **[The] Any** consent of the state of Missouri  
2 **[is]** given in accordance with the seventeenth clause, eighth  
3 Section of the first Article of the Constitution of the  
4 United States to the acquisition by the United States by  
5 purchase or grant of any land **or other real estate** in this  
6 state acquired for the purpose of **[establishing and**  
7 **maintaining post offices, internal revenue and other**  
8 **government offices, hospitals, sanatoriums, fish hatcheries,**  
9 **and land for reforestation, recreational and agricultural**  
10 **uses; but land acquired by eminent domain or condemnation**  
11 **for the purpose of reforestation, Native American/Indian**  
12 **gaming, recreational or agricultural uses shall only be**  
13 **acquired with] erection of forts, magazines, arsenals, dock**  
14 **yards, and other needful buildings shall only be by**  
15 statutory authorization of the general assembly **on a case-by-**  
16 **case basis.** Land used exclusively for the erection of

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

17 hospitals by the United States may also be acquired by  
18 condemnation, **but only upon case-by-case statutory**  
19 **authorization of the general assembly. Whether acquired by**  
20 **cession or condemnation, the state of Missouri saves and**  
21 **reserves the right of taxation to the same extent and in the**  
22 **same manner as if this cession had not been made.**

12.025. 1. Jurisdiction concurrent with that of the  
2 state of Missouri in and over land which is now, or may  
3 hereafter be, owned and used by the United States as an  
4 honor farm in connection with the operation of a federal  
5 penitentiary is hereby ceded to the United States for so  
6 long as the United States shall own and so use the land.

7 2. **Management** jurisdiction concurrent with that of the  
8 state of Missouri is hereby ceded to the United States  
9 within the area comprising the "Ozark National Scenic  
10 Riverways" for so long as this area is administered and  
11 maintained by the United States.

12 3. Provided that no part of this section shall apply  
13 to the White River watershed.

14 4. Provided further that no part of this section shall  
15 apply to the Osage and St. Francois River watersheds.

12.030. [The] **Any** consent of the state of Missouri  
2 [is] given[, ] in accordance with the seventeenth clause,  
3 eighth Section of the first Article of the Constitution of  
4 the United States, to the acquisition by the United States  
5 by purchase, condemnation, or otherwise, of any land in this  
6 state as sites for customhouses, courthouses, post offices,  
7 arsenals, forts and other needful buildings required for  
8 military purposes **shall be by case-by-case statutory**  
9 **authorization of the general assembly.**

12.050. [Consent of the state of Missouri is given to  
2 the acquisition] **Land or water acquired** by the United States

3 by purchase, gift, devise or lease of such areas of land or  
4 water, or of land and water in Missouri [as the United  
5 States deems necessary] **prior to August 28, 2023**, for the  
6 establishment of migratory-bird reservations in accordance  
7 with the act of Congress approved February 18, 1929,  
8 entitled "An Act to more effectively meet the obligations of  
9 the United States under the migratory-bird treaty with Great  
10 Britain by lessening the dangers threatening migratory game  
11 birds from drainage and other causes by the acquisition of  
12 areas of land and of water to furnish in perpetuity  
13 reservations for the adequate protection of such birds; and  
14 authorizing appropriations for the establishment of such  
15 areas, their maintenance and improvement and for other  
16 purposes", (16 U.S.C.A. § 715 et seq.) [reserving, however,  
17 to] **shall be subject to the state of Missouri's right of  
18 taxation to the same extent and in the same manner as if  
19 this cession had not been made; and further saving and  
20 reserving to the state of Missouri the right to serve  
21 thereon any civil or criminal process issued under the  
22 authority of the state, in any action on account of rights  
23 acquired, obligations incurred, or crimes committed in this  
24 state. The state of Missouri[, ] reserves full and complete  
25 jurisdiction and authority over all such areas not  
26 incompatible with the administration, maintenance,  
27 protection and control thereof by the United States under  
28 the terms of the act of Congress[; but acquisition and the  
29 operation of any such areas are subject to the approval of  
30 the state conservation commission].**

2 [12.027. 1. Concurrent legislative  
3 jurisdiction over crimes and offenses under the  
4 laws of the state is ceded to the United States  
5 over and within all the lands and lands acquired  
6 after August 28, 1996, dedicated to national  
park purposes in the following tracts:

- 7 (1) The George Washington Carver National  
8 Monument;  
9 (2) The Jefferson National Expansion  
10 Memorial National Historic Site;  
11 (3) The Wilson's Creek National  
12 Battlefield;  
13 (4) The Harry S Truman National Historic  
14 Site; and  
15 (5) The Ulysses S. Grant National Historic  
16 Site.

17 2. The concurrent jurisdiction ceded by  
18 subsection 1 of this section is vested upon  
19 acceptance by the United States by and through  
20 its appropriate officials and shall continue so  
21 long as the lands within the designated areas  
22 are dedicated to park purposes.

23 3. The governor is hereby authorized and  
24 empowered to execute all proper conveyances in  
25 the cession herein granted, upon request of the  
26 United States by and through its appropriate  
27 officials.

28 4. The state of Missouri retains  
29 concurrent jurisdiction, both civil and  
30 criminal, with the United States over all lands  
31 affected by the provisions of this section.]

[95.525. The consent of the state of  
2 Missouri is hereby fully given to the  
3 acquisition by the United States or any  
4 qualified authority thereof, by purchase, grant  
5 or condemnation, of any lands or improvements  
6 thereon, in any of the cities to which sections  
7 95.510 to 95.525 are applicable, for the purpose  
8 of establishing, improving in any manner, and  
9 maintaining any national park or plaza of the  
10 character described.]

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