

# SENATE BILL NO. 414

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROWDEN.

1613S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 323.030, RSMo, and to enact in lieu thereof one new section relating to the filling of liquified petroleum gas containers.

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

Section A. Section 323.030, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 323.030,  
3 to read as follows:

323.030. 1. No person, firm or corporation, other  
2 than the owner and those authorized by the owner so to do,  
3 shall sell, fill, refill, deliver or permit to be delivered,  
4 or use in any manner any liquefied petroleum gas container  
5 or receptacle for any gas, compound, or for any other  
6 purpose whatsoever.

7 2. (1) Upon a complaint, or notice otherwise given,  
8 to the director of the department of agriculture that an  
9 owner has abandoned or is otherwise not providing, selling,  
10 filling, refilling, delivering, or permitting to be  
11 delivered, any liquefied petroleum gas container or  
12 receptacle, the director may authorize a person other than  
13 the owner or a person authorized by the owner to sell, fill,  
14 refill, deliver, or permit to be delivered liquefied  
15 petroleum gas to such container or receptacle.

16 (2) Prior to granting the authorization provided in  
17 subsection 1 of this section, the director shall provide  
18 notice to the owner that the director shall hold a hearing

19 for the purpose of authorizing another person to provide the  
20 liquefied petroleum gas to the container or receptacle.  
21 Such hearing shall be held by the director within seven  
22 business days of providing notice to the owner. The owner  
23 shall have the opportunity to be heard as to why the owner  
24 has not abandoned or otherwise failed to provide the  
25 liquefied petroleum gas to the container or receptacle.

26 (3) After the hearing is completed, the director shall  
27 issue his or her order as to whether the owner has abandoned  
28 or is otherwise not providing, selling, filling, refilling,  
29 delivering, or permitting to be delivered, any liquefied  
30 petroleum gas to a container or receptacle, and further  
31 whether any other person shall be authorized to fill such  
32 container or receptacle.

33 (4) Any order issued under the provisions of this  
34 subsection shall remain in effect for up to thirty days and  
35 may, after another hearing held under subdivision (2) of  
36 this subsection, be renewed for additional thirty-day  
37 periods.

✓