

# SENATE BILL NO. 706

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOENIG.

2758S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 72.418, RSMo, and to enact in lieu thereof one new section relating to fire protection services in St. Louis county.

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

Section A. Section 72.418, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 72.418,  
3 to read as follows:

72.418. 1. Notwithstanding any other provision of law  
2 to the contrary, no new city created pursuant to sections  
3 72.400 to 72.423 shall establish a municipal fire department  
4 to provide fire protection services, including emergency  
5 medical services, if such city formerly consisted of  
6 unincorporated areas in the county or municipalities in the  
7 county, or both, which are provided fire protection services  
8 and emergency medical services by one or more fire  
9 protection districts. Such fire protection districts shall  
10 continue to provide services to the area comprising the new  
11 city and may levy and collect taxes the same as such  
12 districts had prior to the creation of such new city.

2. Fire protection districts serving the area included  
14 within any annexation by a city having a fire department,  
15 including simplified boundary changes, shall continue to  
16 provide fire protection services, including emergency  
17 medical services to such area **for the first five full**  
18 **calendar years following the effective date of the**

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

19 **annexation.** The annexing city shall pay annually to the  
20 fire protection district an amount equal to that which the  
21 fire protection district would have levied on all taxable  
22 property within the annexed area. Such annexed area shall  
23 not be subject to taxation for any purpose thereafter by the  
24 fire protection district except for bonded indebtedness by  
25 the fire protection district which existed prior to the  
26 annexation. The amount to be paid annually by the  
27 municipality to the fire protection district pursuant hereto  
28 shall be a sum equal to the annual assessed value multiplied  
29 by the annual tax rate as certified by the fire protection  
30 district to the municipality, including any portion of the  
31 tax created for emergency medical service provided by the  
32 district, per one hundred dollars of assessed value in such  
33 area. The tax rate so computed shall include any tax on  
34 bonded indebtedness incurred subsequent to such annexation,  
35 but shall not include any portion of the tax rate for bonded  
36 indebtedness incurred prior to such annexation.  
37 Notwithstanding any other provision of law to the contrary,  
38 the residents of an area annexed on or after May 26, 1994,  
39 may vote in all fire protection district elections and may  
40 be elected to the fire protection district board of  
41 directors.

42 3. [The fire protection district may approve or reject  
43 any proposal for the provision of fire protection and  
44 emergency medical services by a city] **Beginning on January**  
45 **first of the sixth calendar year after the effective date of**  
46 **the annexation, the annexing city having a fire department**  
47 **shall pay annually to the fire protection district an amount**  
48 **specified in an agreement approved by the governing bodies**  
49 **of the city and the fire protection district. The agreement**  
50 **may provide for the payment of compensation to the fire**

51 protection district of a stated sum per year that is agreed  
52 upon by the fire protection district and the city entering  
53 into such agreement; provided that any contract for a period  
54 longer than five years shall have no binding force until  
55 ratified by a majority of the voters in the fire protection  
56 district and the city entering into such a contract. In the  
57 event the city and the fire protection district are unable  
58 to agree to an annual sum as provided in this subsection,  
59 the city may choose to extend its fire protection and  
60 emergency medical services to the annexed area or contract  
61 with another service provider for service in the annexed  
62 area. If the city elects to provide such fire protection  
63 service or contract with another service provider, the fire  
64 protection district shall cease to provide service to the  
65 annexed area as of the date specified by the city and any  
66 obligation for the city to pay the fire protection district  
67 for service shall terminate, except as follows:

68 (1) During the month of January following the  
69 termination of service to the annexed area by the fire  
70 protection district, the city shall pay the fire protection  
71 district a termination fee equal to fifty percent of the  
72 total amount paid by the city to the fire protection  
73 district during the last full calendar year of service by  
74 the fire protection district to the annexed area less any  
75 amount paid in that prior year for bonded indebtedness  
76 incurred after annexation;

77 (2) In January of the following year, the city shall  
78 pay the fire protection district a termination fee equal to  
79 fifty percent of the amount paid by the city to the fire  
80 protection district during the preceding year; and

81 (3) In January of the following year, the city shall  
82 pay the fire protection district a termination fee equal to

83 fifty percent of the amount paid by the city to the fire  
84 protection district during the preceding year, after which  
85 any obligation of the city to make any payment to the fire  
86 protection district shall terminate;

87 Provided, however, that the city shall continue to pay the  
88 fire protection district an amount equal to that which the  
89 fire protection district would have levied on all taxable  
90 property within the annexed area for bonded indebtedness  
91 incurred after annexation until such indebtedness is paid.  
92 If, after termination of service to an annexed area by the  
93 fire protection district, the fire protection district shall  
94 dissolve, merge, annex, or in any other manner become part  
95 of another fire protection district, the city's obligation  
96 to make any termination fee payments shall cease as of the  
97 effective date of such dissolution, merger, annexation, or  
98 becoming part of another fire protection district.

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