

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 283

99TH GENERAL ASSEMBLY

2017

1203S.05T

AN ACT

To repeal sections 67.402, 67.505, 67.547, 67.1364, 68.075, 94.510, 137.565, 162.492, 229.150, 233.180, and 304.120, RSMo, and to enact in lieu thereof eleven new sections relating to political subdivisions.

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

Section A. Sections 67.402, 67.505, 67.547, 67.1364, 68.075, 94.510, 137.565, 162.492, 229.150, 233.180, and 304.120, RSMo, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 67.402, 67.505, 67.547, 67.1364, 68.075, 94.510, 137.565, 162.492, 229.150, 233.180, and 304.120, to read as follows:

67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of

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

15 government and with more than sixteen thousand four hundred but fewer than
16 sixteen thousand five hundred inhabitants;

17 (6) Any county of the third classification with a township form of
18 government and with more than fourteen thousand five hundred but fewer than
19 fourteen thousand six hundred inhabitants;

20 (7) Any county of the first classification with more than eighty-two
21 thousand but fewer than eighty-two thousand one hundred inhabitants;

22 (8) Any county of the first classification with more than one hundred four
23 thousand six hundred but fewer than one hundred four thousand seven hundred
24 inhabitants;

25 (9) Any county of the third classification with a township form of
26 government and with more than seven thousand nine hundred but fewer than
27 eight thousand inhabitants; [and]

28 (10) Any county of the second classification with more than fifty-two
29 thousand six hundred but fewer than fifty-two thousand seven hundred
30 inhabitants;

31 **(11) Any county of the first classification with more than sixty-**
32 **five thousand but fewer than seventy-five thousand inhabitants and**
33 **with a county seat with more than fifteen thousand but fewer than**
34 **seventeen thousand inhabitants; and**

35 **(12) Any county of the first classification with more than fifty**
36 **thousand but fewer than seventy thousand inhabitants and with a**
37 **county seat with more than two thousand one hundred but fewer than**
38 **two thousand four hundred inhabitants.**

39 2. The governing body of any county described in subsection 1 of this
40 section may enact ordinances to provide for the abatement of a condition of any
41 lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel,
42 parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction
43 equipment, derelict appliances, broken furniture, or overgrown or noxious weeds
44 in residential subdivisions or districts which may endanger public safety or which
45 is unhealthy or unsafe and declared to be a public nuisance.

46 3. Any ordinance enacted pursuant to this section shall:

47 (1) Set forth those conditions which constitute a nuisance and which are
48 detrimental to the health, safety, or welfare of the residents of the county;

49 (2) Provide for duties of inspectors with regard to those conditions which
50 may be declared a nuisance, and shall provide for duties of the building

51 commissioner or designated officer or officers to supervise all inspectors and to
52 hold hearings regarding such property;

53 (3) Provide for service of adequate notice of the declaration of nuisance,
54 which notice shall specify that the nuisance is to be abated, listing a reasonable
55 time for commencement, and may provide that such notice be served either by
56 personal service or by certified mail, return receipt requested, but if service
57 cannot be had by either of these modes of service, then service may be had by
58 publication. The ordinances shall further provide that the owner, occupant,
59 lessee, mortgagee, agent, and all other persons having an interest in the property
60 as shown by the land records of the recorder of deeds of the county wherein the
61 property is located shall be made parties;

62 (4) Provide that upon failure to commence work of abating the nuisance
63 within the time specified or upon failure to proceed continuously with the work
64 without unnecessary delay, the building commissioner or designated officer or
65 officers shall call and have a full and adequate hearing upon the matter before
66 the county commission, giving the affected parties at least ten days' written
67 notice of the hearing. Any party may be represented by counsel, and all parties
68 shall have an opportunity to be heard. After the hearings, if evidence supports
69 a finding that the property is a nuisance or detrimental to the health, safety, or
70 welfare of the residents of the county, the county commission shall issue an order
71 making specific findings of fact, based upon competent and substantial evidence,
72 which shows the property to be a nuisance and detrimental to the health, safety,
73 or welfare of the residents of the county and ordering the nuisance abated. If the
74 evidence does not support a finding that the property is a nuisance or detrimental
75 to the health, safety, or welfare of the residents of the county, no order shall be
76 issued.

77 4. Any ordinance authorized by this section may provide that if the owner
78 fails to begin abating the nuisance within a specific time which shall not be
79 longer than seven days of receiving notice that the nuisance has been ordered
80 removed, the building commissioner or designated officer shall cause the
81 condition which constitutes the nuisance to be removed. If the building
82 commissioner or designated officer causes such condition to be removed or abated,
83 the cost of such removal shall be certified to the county clerk or officer in charge
84 of finance who shall cause the certified cost to be included in a special tax bill or
85 added to the annual real estate tax bill, at the county collector's option, for the
86 property and the certified cost shall be collected by the county collector in the

87 same manner and procedure for collecting real estate taxes. If the certified cost
88 is not paid, the tax bill shall be considered delinquent, and the collection of the
89 delinquent bill shall be governed by the laws governing delinquent and back
90 taxes. The tax bill from the date of its issuance shall be deemed a personal debt
91 against the owner and shall also be a lien on the property until paid.

92 5. Nothing in this section authorizes any county to enact nuisance
93 abatement ordinances that provide for the abatement of any condition relating to
94 agricultural structures or agricultural operations, including but not limited to the
95 raising of livestock or row crops.

96 6. No county of the first, second, third, or fourth classification shall have
97 the power to adopt any ordinance, resolution, or regulation under this section
98 governing any railroad company regulated by the Federal Railroad
99 Administration.

67.505. 1. Any county may, by a majority vote of its governing body,
2 impose a county sales tax, in conjunction with a property tax reduction for each
3 year in which the sales tax is imposed, for the benefit of such county in
4 accordance with the provisions of sections 67.500 to 67.545; provided, however,
5 that no ordinance or order enacted pursuant to the authority granted by the
6 provisions of sections 67.500 to 67.545 shall be effective unless the governing
7 body of the county submits to the voters of the county, at a county or state
8 general, primary or special election, a proposal to authorize the governing body
9 of the county to impose a tax and reduce property taxes under the provisions of
10 sections 67.500 to 67.545.

11 2. The ballot of submission shall contain, but need not be limited to, the
12 following language:

13 Shall the county of _____ (county's name) impose a countywide
14 sales tax of _____ (insert amount) and reduce its total property tax
15 levy annually by _____ (insert amount) percent of the total amount
16 of sales tax revenue collected in the same tax year?

17 ☐ YES ☐ NO

18 If you are in favor of the question, place an "X" in the box opposite
19 "YES". If you are opposed to the question, place an "X" in the box
20 opposite "NO".

21 If a majority of the votes cast on the proposal by the qualified voters voting
22 thereon are in favor of the proposal, then the ordinance or order and any
23 amendments thereto shall be in effect. If a majority of the votes cast by the

24 qualified voters voting are opposed to the proposal, then the governing body of the
25 county shall have no power to impose the sales tax and reduce the property tax
26 as herein authorized unless and until the governing body of the county shall
27 again have submitted another proposal to authorize the governing body of the
28 county to impose the sales tax and reduce the property tax under the provisions
29 of sections 67.500 to 67.545 and such proposal is approved by a majority of the
30 qualified voters voting thereon.

31 3. The sales tax may be imposed at a rate of one-fourth of one percent,
32 three-eighths of one percent or one-half of one percent on the receipts from the
33 sale at retail of all tangible personal property or taxable services at retail within
34 any county adopting such tax, if such property and services are subject to
35 taxation by the state of Missouri under the provisions of sections 144.010 to
36 144.525. Each year in which a sales tax is imposed under the provisions of
37 sections 67.500 to 67.545, the county shall, after determining its budget,
38 excluding funds required to be set aside and placed to the credit of special road
39 districts, within the limits set by the constitution and laws of this state for the
40 following calendar year and the total property tax levy needed to raise the
41 revenues required by such budget, reduce that total property tax levy in an
42 amount sufficient to decrease the total property taxes it will collect by an amount
43 equal to one of the following:

44 (1) Fifty percent of the sales tax revenue collected in the tax year for
45 which the property taxes are being levied;

46 (2) Sixty percent of the sales tax revenue collected in the tax year for
47 which the property taxes are being levied;

48 (3) Seventy percent of the sales tax revenue collected in the tax year for
49 which the property taxes are being levied;

50 (4) Eighty percent of the sales tax revenue collected in the tax year for
51 which the property taxes are being levied;

52 (5) Ninety percent of the sales tax revenue collected in the tax year for
53 which the property taxes are being levied;

54 (6) One hundred percent of the sales tax revenue collected in the tax year
55 for which the property taxes are being levied;

56 provided that, in the event that in the immediately preceding year a county
57 actually collected more or less sales tax revenue than the amount determined
58 under subdivision (4) of section 67.500, the county shall adjust its total property
59 tax levy for the current year to reflect such increase or decrease.

60 **4. No county in this state shall impose a tax under this section**
61 **for the purpose of funding in whole or in part the construction,**
62 **operation, or maintenance of any zoological activities, zoological**
63 **facilities, zoological organizations, the metropolitan zoological park**
64 **and museum district as created under section 184.350, or any zoological**
65 **boards.**

67.547. 1. In addition to the tax authorized by section 67.505, any county
2 **as defined in section 67.750** may, by a majority vote of its governing body,
3 impose an additional county sales tax on all sales which are subject to taxation
4 under the provisions of sections 144.010 to 144.525. The tax authorized by this
5 section shall be in addition to any and all other sales tax allowed by law; except
6 that no ordinance or order imposing a sales tax under the provisions of this
7 section shall be effective unless the governing body of the county submits to the
8 voters of the county, at a county or state general, primary or special election, a
9 proposal to authorize the governing body of the county to impose such tax.

10 2. The ballot of submission shall contain, but need not be limited to the
11 following language:

12 Shall the county of (county's name) impose a countywide
13 sales tax of (insert rate) percent **for the purpose of**
14 **.....(insert purpose)?**

15 ☐ YES ☐ NO

16 If you are in favor of the question, place an "X" in the box opposite
17 "YES". If you are opposed to the question, place an "X" in the box
18 opposite "NO".

19 If a majority of the votes cast on the proposal by the qualified voters voting
20 thereon are in favor of the proposal, then the ordinance or order and any
21 amendments thereto shall be in effect. If a majority of the votes cast by the
22 qualified voters voting are opposed to the proposal, then the governing body of the
23 county shall have no power to impose the sales tax as herein authorized unless
24 and until the governing body of the county submits another proposal to authorize
25 the governing body of the county to impose the sales tax under the provisions of
26 this section and such proposal is approved by a majority of the qualified voters
27 voting thereon. **A county shall not submit to the voters a proposed sales**
28 **tax under this section for a period of two years from the date of an**
29 **election in which the county previously submitted to the voters a**
30 **proposed sales tax under this section, regardless of whether the initial**

31 **proposed sales tax was approved or disapproved by the voters. The**
32 **revenue collected from the sales tax authorized under this section shall**
33 **only be used for the purpose approved by voters of the county.**

34 3. The sales tax may be imposed at a rate of one-eighth of one percent,
35 one-fourth of one percent, three-eighths of one percent, or one-half of one percent
36 on the receipts from the sale at retail of all tangible personal property or taxable
37 services at retail within any county adopting such tax[,] if such property and
38 services are subject to taxation by the state of Missouri under the provisions of
39 sections 144.010 to 144.525. **In any city not within a county or any county**
40 **described in subsection 5 of this section, no sales tax for the purpose**
41 **of funding zoological activities and zoological facilities as those terms**
42 **are defined in section 184.500 shall exceed a rate of one-eighth of one**
43 **percent unless the sales tax was levied and collected before August 28,**
44 **2017. Beginning August 28, 2017, no county shall submit to the voters**
45 **any proposal that results in a combined rate of sales taxes adopted**
46 **under this section in excess of one percent.**

47 4. Except as modified in this section, all provisions of sections 32.085 and
48 32.087 shall apply to the tax imposed under this section.

49 5. In any first class county having a charter form of government and
50 having a population of nine hundred thousand or more, the proceeds of the sales
51 tax authorized by this section shall be distributed so that an amount equal to
52 three-eighths of the proceeds of the tax shall be distributed to the county and the
53 remaining five-eighths shall be distributed to the cities, towns and villages and
54 the unincorporated area of the county on the ratio that the population of each
55 bears to the total population of the county. **Three-eighths of the tax rate**
56 **adopted by such a county shall be included in the calculation of the**
57 **county's one percent combined tax rate ceiling provided in subsection**
58 **3 of this section.** The population of each city, town or village and the
59 unincorporated area of the county and the total population of the county shall be
60 determined on the basis of the most recent federal decennial census. **The**
61 **provisions of this subsection shall not apply if the revenue collected is**
62 **used to support zoological activities of the zoological subdistrict as**
63 **defined under section 184.352.**

64 6. **Except as prohibited under section 184.353, residents of any**
65 **county that does not adopt a sales tax under this section for the**
66 **purpose of supporting zoological activities may be charged an**

67 **admission fee for zoological facilities, programs, or events that are not**
68 **part of the zoological subdistrict defined under subdivision (15) of**
69 **section 184.352 as of August 28, 2017.**

70 7. In any county of the second classification with more than nineteen
71 thousand seven hundred but fewer than nineteen thousand eight hundred
72 inhabitants, the proceeds of the sales tax authorized by this section shall be
73 distributed so that an amount equal to three-fourths of the proceeds of the tax
74 shall be distributed to the county and the remaining one-fourth shall be
75 distributed equally among the incorporated cities, towns, and villages of the
76 county. Upon request from any city, town, or village within the county, the
77 county shall make available for inspection the distribution report provided to the
78 county by the department of revenue. Any expenses incurred by the county in
79 supplying such report to a city, town, or village shall be paid by such city, town,
80 or village.

81 [7.] 8. In any first class county having a charter form of government and
82 having a population of nine hundred thousand or more, no tax shall be imposed
83 pursuant to this section for the purpose of funding in whole or in part the
84 construction, operation or maintenance of a sports stadium, field house, indoor
85 or outdoor recreational facility, center, playing field, parking facility or anything
86 incidental or necessary to a complex suitable for any type of professional sport or
87 recreation, either upon, above or below the ground.

88 [8.] 9. **No county in this state, other than a county with a charter**
89 **form of government and with more than nine hundred fifty thousand**
90 **inhabitants and a city not within a county, shall impose a tax under**
91 **this section for the purpose of funding in whole or in part the**
92 **construction, operation, or maintenance of any zoological activities,**
93 **zoological facilities, zoological organizations, the metropolitan**
94 **zoological park and museum district as created under section 184.350,**
95 **or any zoological boards.**

96 10. The director of revenue may authorize the state treasurer to make
97 refunds from the amounts in the trust fund and credited to any county for
98 erroneous payments and overpayments made, and may redeem dishonored checks
99 and drafts deposited to the credit of such counties. If any county abolishes the
100 tax, the county shall notify the director of revenue of the action at least ninety
101 days prior to the effective date of the repeal and the director of revenue may
102 order retention in the trust fund, for a period of one year, of two percent of the

103 amount collected after receipt of such notice to cover possible refunds or
104 overpayment of the tax and to redeem dishonored checks and drafts deposited to
105 the credit of such accounts. After one year has elapsed after the effective date of
106 abolition of the tax in such county, the director of revenue shall remit the balance
107 in the account to the county and close the account of that county. The director
108 of revenue shall notify each county of each instance of any amount refunded or
109 any check redeemed from receipts due the county.

110 **11. No revenue received from a tax for the purpose of funding**
111 **zoological activities in any county shall be used for the benefit of any**
112 **entity that has ever been named Grant's Farm or is located at ten**
113 **thousand five hundred one Gravois Road, Saint Louis, Missouri, or**
114 **successor address, or to supplant any funding received from the**
115 **metropolitan zoological park and museum district established under**
116 **section 184.350.**

67.1364. 1. Upon adoption of the tourism sales tax, there shall be
2 established a tourism commission to consist of five members appointed by the
3 governing body of the city or county. Of these five members, one will be a
4 representative of the hotel and motel industry and two shall be active in the
5 tourism industry; the remaining members of the commission will be members of
6 local general business interests in the city or county. One member of the city or
7 county governing body shall serve as liaison in a nonvoting capacity. **If**
8 **members of a tourism commission are appointed by the governing body**
9 **of a city, all members shall be a resident of the city or county in which any**
10 **part of the city is located. If members of a tourism commission are**
11 **appointed by the governing body of a county, all members shall be a**
12 **resident of such county.** Members of the tourism commission will be
13 appointed for a term of three years; but, of the members first appointed, one shall
14 be appointed for a term of one year, two shall be appointed for a term of two
15 years, and two shall be appointed for a term of three years. Members of the
16 commission may serve no more than two consecutive terms. The members will
17 serve without compensation.

18 2. The revenue received from the tax shall be deposited in a special fund
19 and used solely to promote tourism. The commission shall administer the moneys
20 within the limits of the budget approved by the city or county governing body.

68.075. 1. This section shall be known and may be cited as the "Advanced
2 Industrial Manufacturing Zones Act".

3 2. As used in this section, the following terms shall mean:

4 (1) "AIM zone", an area identified through a resolution passed by the port
5 authority board of commissioners appointed under section 68.045 that is being
6 developed or redeveloped for any purpose so long as any infrastructure and
7 building built or improved is in the development area. The port authority board
8 of commissioners shall file an annual report indicating the established AIM zones
9 with the department of revenue;

10 (2) **"County average wage", the average wages in each county as**
11 **determined by the Missouri department of economic development for**
12 **the most recently completed full calendar year. However, if the**
13 **computed county average wage is above the statewide average wage,**
14 **the statewide average wage shall be deemed the county average wage**
15 **for such county for the purpose of determining eligibility;**

16 (3) "New job", the number of full-time employees located at the project
17 facility that exceeds the project facility base employment less any decrease in the
18 number of full-time employees at related facilities below the related facility base
19 employment. No job that was created prior to the date of the notice of intent
20 shall be deemed a new job. An employee that spends less than fifty percent of the
21 employee's work time at the facility is still considered to be located at a facility
22 if the employee receives his or her directions and control from that facility, is on
23 the facility's payroll, one hundred percent of the employee's income from such
24 employment is Missouri income, and the employee is paid at or above the [state]
25 **county average wage.**

26 3. Any port authority located in this state may establish an AIM
27 zone. Such zone may only include the area within the port authority's
28 jurisdiction, **ownership, or control**, and may include any such area. The port
29 authority shall determine the boundaries for each AIM zone, and more than one
30 AIM zone may exist within the port authority's jurisdiction **or under the port**
31 **authority's ownership or control, and may be expanded or contracted**
32 **by resolution of the port authority board of commissioners.**

33 4. Fifty percent of the state tax withholdings imposed by sections 143.191
34 to 143.265 on new jobs within such zone after development or redevelopment has
35 commenced shall not be remitted to the general **revenue** fund of the state of
36 Missouri. Such moneys shall be deposited into the port authority AIM zone fund
37 established under subsection 5 of this section for the purpose of continuing to
38 expand, develop, and redevelop AIM zones identified by the port authority board

39 of commissioners and may be used for managerial, engineering, legal, research,
40 promotion, planning, satisfaction of bonds issued under section 68.040, and any
41 other expenses.

42 5. There is hereby created in the state treasury the "Port Authority AIM
43 Zone Fund", which shall consist of money collected under this section. The state
44 treasurer shall be custodian of the fund and shall approve disbursements from
45 the fund in accordance with sections 30.170 and 30.180 to the port authorities
46 from which the funds were collected, less the pro-rata portion appropriated by the
47 general assembly to be used solely for the administration of this section which
48 shall not exceed ten percent of the total amount collected within the zones of a
49 port authority. Notwithstanding the provisions of section 33.080 to the contrary,
50 any moneys remaining in the fund at the end of the biennium shall not revert to
51 the credit of the general revenue fund. The state treasurer shall invest moneys
52 in the fund in the same manner as other funds are invested. Any interest and
53 moneys earned on such investments shall be credited to the fund.

54 6. The port authority shall approve any projects that begin construction
55 and disperse any money collected under this section. The port authority shall
56 submit an annual budget for the funds to the department of economic
57 development explaining how and when such money will be spent.

58 7. The provision of section 23.253 notwithstanding, no AIM zone may be
59 established after August 28, 2023. Any AIM zone created prior to that date shall
60 continue to exist and be coterminous with the retirement of all debts incurred
61 under subsection 4 of this section. No debts may be incurred or reauthorized
62 using AIM zone revenue after August 28, 2023.

94.510. 1. Any city may, by a majority vote of its council or governing
2 body, impose a city sales tax for the benefit of such city in accordance with the
3 provisions of sections 94.500 to 94.550; provided, however, that no ordinance
4 enacted pursuant to the authority granted by the provisions of sections 94.500 to
5 94.550 shall be effective unless the legislative body of the city submits to the
6 voters of the city, at a public election, a proposal to authorize the legislative body
7 of the city to impose a tax under the provisions of sections 94.500 to 94.550. The
8 ballot of submission shall be in substantially the following form:

9 Shall the city of _____ (insert name of city) impose a city sales tax
10 of _____ (insert rate of percent) percent?

11 ☐ YES ☐ NO

12 If a majority of the votes cast on the proposal by the qualified voters voting

13 thereon are in favor of the proposal, then the ordinance and any amendments
14 thereto shall be in effect. If a majority of the votes cast by the qualified voters
15 voting are opposed to the proposal, then the legislative body of the city shall have
16 no power to impose the tax herein authorized unless and until the legislative
17 body of the city shall again have submitted another proposal to authorize the
18 legislative body of the city to impose the tax under the provisions of sections
19 94.500 to 94.550, and such proposal is approved by a majority of the qualified
20 voters voting thereon.

21 2. The sales tax may be imposed at a rate of one-half of one percent,
22 seven-eighths of one percent or one percent on the receipts from the sale at retail
23 of all tangible personal property or taxable services at retail within any city
24 adopting such tax, if such property and services are subject to taxation by the
25 state of Missouri under the provisions of sections 144.010 to 144.525; except that,
26 each city not within a county may impose such tax at a rate not to exceed one and
27 three-eighths percent. **Beginning August 28, 2017, no city shall submit to**
28 **the voters any proposal that results in a combined rate of sales taxes**
29 **adopted under this section in excess of two percent.**

30 3. If any city in which a city tax has been imposed in the manner provided
31 for in sections 94.500 to 94.550 shall thereafter change or alter its boundaries,
32 the city clerk of the city shall forward to the director of revenue by United States
33 registered mail or certified mail a certified copy of the ordinance adding or
34 detaching territory from the city. The ordinance shall reflect the effective date
35 thereof, and shall be accompanied by a map of the city clearly showing the
36 territory added thereto or detached therefrom. Upon receipt of the ordinance and
37 map, the tax imposed by the act shall be effective in the added territory or
38 abolished in the detached territory on the effective date of the change of the city
39 boundary.

40 4. If any city abolishes the tax authorized under this section, the repeal
41 of such tax shall become effective December thirty-first of the calendar year in
42 which such abolishment was approved. Each city shall notify the director of
43 revenue at least ninety days prior to the effective date of the expiration of the
44 sales tax authorized by this section and the director of revenue may order
45 retention in the trust fund, for a period of one year, of two percent of the amount
46 collected after receipt of such notice to cover possible refunds or overpayment of
47 such tax and to redeem dishonored checks and drafts deposited to the credit of
48 such accounts. After one year has elapsed after the date of expiration of the tax

49 authorized by this section in such city, the director of revenue shall remit the
50 balance in the account to the city and close the account of that city. The director
51 of revenue shall notify each city of each instance of any amount refunded or any
52 check redeemed from receipts due the city.

137.565. Whenever ten or more voters residing in **or owners of land in**
2 any general or special road district in any county in this state shall petition the
3 county commission of the county in which such district is located, asking that
4 such commission submit the question in such district for the purpose of voting for
5 or against the levy of the tax provided for in [the second sentence of the first
6 paragraph of] Section 12(a) of Article X of the Constitution of Missouri, it shall
7 be the duty of the county commission, upon the filing of such petition, to submit
8 the question. The petition so filed shall set out the duration of the tax to be
9 levied in a period of one, two, three, or four years and the ballot to be used for
10 voting shall specify the number of years duration of the tax levy, but in no event
11 shall the duration of the tax levy be for a period of more than four years. Such
12 submission shall be made by an order entered of record setting forth the date and
13 the rate of tax the commission will levy, which rate shall not exceed thirty-five
14 cents on the hundred dollars assessed valuation on all taxable real and tangible
15 personal property in the district.

162.492. 1. In all urban districts containing the greater part of the
2 population of a city which has more than three hundred thousand inhabitants,
3 the election authority of the city in which the greater portion of the school district
4 lies, and of the county if the district includes territory not within the city limits,
5 shall serve ex officio as a redistricting commission. The commission shall on or
6 before November 1, 2018, divide the school district into five subdistricts, all
7 subdistricts being of compact and contiguous territory and as nearly equal in the
8 number of inhabitants as practicable and thereafter the board shall redistrict the
9 district into subdivisions as soon as practicable after each United States
10 decennial census. In establishing the subdistricts each member shall have one
11 vote and a majority vote of the total membership of the commission is required
12 to make effective any action of the commission.

13 2. School elections for the election of directors shall be held on municipal
14 election days in 2014 and 2016. At the election in 2014, directors shall be elected
15 to hold office until 2019 and until their successors are elected and qualified. At
16 the election in 2016, directors shall be elected until 2019 and until their
17 successors are elected and qualified. Beginning in 2019, school elections for the

18 election of directors shall be held on the local election date as specified in the
19 charter of a home rule city with more than four hundred thousand inhabitants
20 and located in more than one county. Beginning at the election for school
21 directors in 2019, the number of directors on the board shall be reduced from nine
22 to seven. Two directors shall be at-large directors and five directors shall
23 represent the subdistricts, with one director from each of the
24 subdistricts. [Directors shall serve a four-year term] **At the 2019 election, one**
25 **of the at-large directors and the directors from subdistricts one, three,**
26 **and five shall be elected for a two-year term, and the other at-large**
27 **director and the directors from subdistricts two and four shall be**
28 **elected for a four-year term. Thereafter, all seven directors shall serve**
29 **a four-year term.** Directors shall serve until the next election and until their
30 successors, then elected, are duly qualified as provided in this section. In
31 addition to other qualifications prescribed by law, each member elected from a
32 subdistrict shall be a resident of the subdistrict from which he or she is
33 elected. The subdistricts shall be numbered from one to five. [Each voter may
34 vote for two candidates for at-large director and the two receiving the largest
35 number of votes cast shall be elected.]

36 3. The five candidates, one from each of the subdistricts, who receive a
37 plurality of the votes cast by the voters of that subdistrict and the at-large
38 candidates receiving a plurality of the at-large votes shall be elected. The name
39 of no candidate for nomination shall be printed on the ballot unless the candidate
40 has at least sixty days prior to the election filed a declaration of candidacy with
41 the secretary of the board of directors containing the signatures of at least two
42 hundred fifty registered voters who are residents of the subdistrict within which
43 the candidate for nomination to a subdistrict office resides, and in case of at-large
44 candidates the signatures of at least five hundred registered voters. The election
45 authority shall determine the validity of all signatures on declarations of
46 candidacy.

47 4. In any election either for at-large candidates or candidates elected by
48 the voters of subdistricts, if there are more than two candidates, a majority of the
49 votes are not required to elect but the candidate having a plurality of the votes
50 [if there is only one office to be filled and the candidates having the highest
51 number of votes, if more than one office is to be filled,] shall be elected.

52 5. The names of all candidates shall appear upon the ballot without party
53 designation and in the order of the priority of the times of filing their petitions

54 of nomination. No candidate may file both at large and from a subdistrict and
55 the names of all candidates shall appear only once on the ballot, nor may any
56 candidate file more than one declaration of candidacy. All declarations shall
57 designate the candidate's residence and whether the candidate is filing at large
58 or from a subdistrict and the numerical designation of the subdistrict or at-large
59 area.

60 6. The provisions of all sections relating to seven-director school districts
61 shall also apply to and govern urban districts in cities of more than three
62 hundred thousand inhabitants, to the extent applicable and not in conflict with
63 the provisions of those sections specifically relating to such urban districts.

64 7. Vacancies which occur on the school board between the dates of election
65 shall be filled by special election if such vacancy happens more than six months
66 prior to the time of holding an election as provided in subsection 2 of this
67 section. The state board of education shall order a special election to fill such a
68 vacancy. A letter from the commissioner of education, delivered by certified mail
69 to the election authority or authorities that would normally conduct an election
70 for school board members shall be the authority for the election authority or
71 authorities to proceed with election procedures. If a vacancy occurs less than six
72 months prior to the time of holding an election as provided in subsection 2 of this
73 section, no special election shall occur and the vacancy shall be filled at the next
74 election day on which local elections are held as specified in the charter of any
75 home rule city with more than four hundred thousand inhabitants and located in
76 more than one county.

229.150. 1. All driveways or crossings over ditches connecting highways
2 with the private property shall be made under the supervision of the **road**
3 overseer or commissioners of the road districts.

4 2. [Any] **No** person or persons [who] shall willfully [or] **and** knowingly
5 obstruct or damage any public road by obstructing the side or cross drainage or
6 ditches thereof, or by turning water upon such road or right-of-way, or by
7 throwing or depositing brush, trees, stumps, logs, or any refuse or debris
8 whatsoever, in said road, or on the sides or in the ditches thereof, or by fencing
9 across or upon the right-of-way of the same, or by planting any hedge or erecting
10 any advertising sign within the lines established for such road, or by changing
11 the location thereof, or shall obstruct **or damage** said road, highway, or drains
12 in any other manner whatsoever[, shall be deemed guilty of a misdemeanor, and,
13 upon conviction, shall be fined not less than five dollars nor more than two

14 hundred dollars, or by imprisonment in the county jail for not exceeding six
15 months, or by both such fine and imprisonment].

16 3. **Road damage or obstruction shall not constitute violations**
17 **under this section when farming or ranching lands have been improved**
18 **either using soil and water conservation practices implemented in**
19 **conformance with the Missouri soil and water conservation program or**
20 **natural resources conservation service technical standards or using**
21 **precision level grading practices.**

22 4. The road overseer of any district, or county highway engineer, who
23 finds any road **damaged or** obstructed as above specified, [shall] **may** notify the
24 [person] **landowner** violating the provisions of this section, [verbally or] in
25 writing, **using any mail service with delivery tracking**, to remove such
26 obstruction, **to repair such damage in a manner approved by the road**
27 **overseer or county highway engineer making the request, or to pay the**
28 **reasonable cost of such removal or repair.** [Within ten days after being
29 notified, he shall pay the sum of five dollars for each and every day after the
30 tenth day if such obstruction is maintained or permitted to remain; such fine to
31 be recovered by suit brought by the road overseer, in the name of the road
32 district, in any court of competent jurisdiction] **If the landowner fails to**
33 **remove any obstruction, make any repairs, or remit any payment of**
34 **costs as requested within thirty days of the tracked delivery date, the**
35 **road overseer or county highway engineer may petition the associate**
36 **circuit court of the county in which the land is located to authorize the**
37 **overseer or engineer or an agent or employee thereof, to enter the**
38 **landowner's land to remove the obstruction or to repair the damage, in**
39 **order to restore the roadway or drainage ditch to a condition**
40 **substantially the same as the adjacent roadways and drainage**
41 **ditches. Such entry on the landowner's lands shall be limited to the**
42 **extent necessary to repair the roadway or drainage ditch, and shall**
43 **constitute no cause of action for trespass. Such authorization and**
44 **entry shall not be granted until the opportunity for a hearing has been**
45 **completed and the petition has been granted. The petition shall**
46 **include an estimate of the costs.**

47 5. If the court enters a judgment granting the petition and
48 authorizing the actions requested therein, the judgment shall include
49 an award for the reasonable cost of removal or repair, court costs, and

50 reasonable attorney's fees, and shall become a lien on such lands, and
51 shall be collected as state and county taxes are collected by law. If the
52 court denies the petition, the county shall be responsible for the
53 landowner's court costs and reasonable attorney's fees.

54 **6. The provisions of this section shall not apply to any county**
55 **with a charter form of government or any city not within a county.**

233.180. 1. At the term of the county commission in which such order is
2 made, or at any subsequent term thereafter, the county commission shall appoint
3 three commissioners of the special road district, who shall be voters of the district
4 and owners of land within the district, who shall hold their office until the second
5 Tuesday in April thereafter. The voters of the district shall elect three
6 commissioners of the special road district, one of whom shall serve one year, one
7 for two years and one for three years, and on municipal election days each year
8 thereafter they shall elect a commissioner of the special road district to take the
9 place of the one whose term is about to expire, who shall serve three years.

10 2. No person shall be elected or appointed commissioner of the special
11 road district who is not a voter of **the district or a registered voter from the**
12 **county in which the district is located and an owner of land in the**
13 district. Any vacancy caused by resignation, death, removal from the district of
14 a commissioner of the special road district or sale of all land owned by [him] **the**
15 **commissioner** in the district shall be filled for the unexpired term by
16 appointment by the remaining commissioners of the special road district. All
17 commissioners of the special road district shall qualify by taking, subscribing and
18 filing with the county clerk the oath prescribed by the constitution of this state,
19 and that they will faithfully, honestly and impartially discharge their duties as
20 commissioners of the special road district according to law.

21 3. If for any reason the board of commissioners of the special road district
22 herein mentioned shall fail to fill a vacancy or vacancies caused by the expiration
23 of the term of any one or more of the commissioners of the special road district,
24 then the county commission is hereby authorized and required to appoint a
25 person to fill the vacancy. **In the event that two consecutive elections pass**
26 **without any candidates for a special road district commissioner in**
27 **municipal elections, then the county commission is hereby authorized**
28 **and required to appoint commissioners of the special road district for**
29 **three-year terms thereafter with no further elections being held.**

304.120. 1. Municipalities, by ordinance, may establish reasonable speed

2 regulations for motor vehicles within the limits of such municipalities. No person
3 who is not a resident of such municipality and who has not been within the limits
4 thereof for a continuous period of more than forty-eight hours shall be convicted
5 of a violation of such ordinances, unless it is shown by competent evidence that
6 there was posted at the place where the boundary of such municipality joins or
7 crosses any highway a sign displaying in black letters not less than four inches
8 high and one inch wide on a white background the speed fixed by such
9 municipality so that such sign may be clearly seen by operators and drivers from
10 their vehicles upon entering such municipality.

11 2. Municipalities, by ordinance, may:

12 (1) Make additional rules of the road or traffic regulations to meet their
13 needs and traffic conditions;

14 (2) Establish one-way streets and provide for the regulation of vehicles
15 thereon;

16 (3) Require vehicles to stop before crossing certain designated streets and
17 boulevards;

18 (4) Limit the use of certain designated streets and boulevards to
19 passenger vehicles, except that each municipality shall allow at least one route,
20 with lawful traffic movement and access from both directions, to be available for
21 use by commercial motor vehicles to access any roads in the state highway
22 system. Under no circumstances shall the provisions of this subdivision be
23 construed to authorize a municipality to limit the use of all routes in the
24 municipality. **The use by commercial motor vehicles of a municipality-**
25 **designated route for such vehicles in compliance with any ordinances**
26 **of the designating municipality shall not be deemed a nuisance or**
27 **evidence of a nuisance. Nothing contained in this subdivision is**
28 **intended to modify or limit recovery for any claim that is independent**
29 **of a nuisance claim;**

30 (5) Prohibit the use of certain designated streets to vehicles with metal
31 tires, or solid rubber tires;

32 (6) Regulate the parking of vehicles on streets by the installation of
33 parking meters for limiting the time of parking and exacting a fee therefor or by
34 the adoption of any other regulatory method that is reasonable and practical, and
35 prohibit or control left-hand turns of vehicles;

36 (7) Require the use of signaling devices on all motor vehicles; and

37 (8) Prohibit sound-producing warning devices, except horns directed

38 forward.

39 3. No ordinance shall be valid which contains provisions contrary to or in
40 conflict with this chapter, except as herein provided.

41 4. No ordinance shall impose liability on the owner-lessor of a motor
42 vehicle when the vehicle is being permissively used by a lessee and is illegally
43 parked or operated if the registered owner-lessor of such vehicle furnishes the
44 name, address and operator's license number of the person renting or leasing the
45 vehicle at the time the violation occurred to the proper municipal authority
46 within three working days from the time of receipt of written request for such
47 information. Any registered owner-lessor who fails or refuses to provide such
48 information within the period required by this subsection shall be liable for the
49 imposition of any fine established by municipal ordinance for the
50 violation. Provided, however, if a leased motor vehicle is illegally parked due to
51 a defect in such vehicle, which renders it inoperable, not caused by the fault or
52 neglect of the lessee, then the lessor shall be liable on any violation for illegal
53 parking of such vehicle.

54 5. No ordinance shall deny the use of commercial motor vehicles on all
55 routes within the municipality. For purposes of this section, the term "route"
56 shall mean any state road, county road, or public street, avenue, boulevard, or
57 parkway.

58 6. No ordinance shall prohibit the operator of a motor vehicle from being
59 in an intersection while a red signal is being displayed if the operator of the
60 motor vehicle entered the intersection during a yellow signal interval. The
61 provisions of this subsection shall supercede any local laws, ordinances, orders,
62 rules, or regulations enacted by a county, municipality, or other political
63 subdivision that are to the contrary.

✓