

FIRST REGULAR SESSION

SENATE BILL NO. 9

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PEARCE.

Pre-filed December 1, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

0234S.01I

AN ACT

To amend chapter 262, RSMo, by adding thereto one new section relating to University of Missouri extension districts.

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

Section A. Chapter 262, RSMo, is amended by adding thereto one new section, to be known as section 262.598, to read as follows:

262.598. 1. As used in this section, the following terms shall mean:

(1) "Consolidated district", a district formed jointly by two or more councils;

(2) "Council", a University of Missouri extension council authorized under section 262.563;

(3) "District" or "extension district", a political subdivision formed by one or more councils;

(4) "Single-council district", a district formed by one council;

(5) "Governing body", the group of individuals who govern a district.

2. University of Missouri extension councils are hereby authorized to form extension districts made up of cooperating counties for the purpose of funding extension programming. An extension district may be a single-council district or a consolidated district. A single-council district shall be formed upon a majority vote of the full council. A consolidated district shall be formed upon a majority vote of each participating council.

3. In a single-council district, the council shall serve as the district's governing body. In addition to any other powers and duties granted to the council under sections 262.550 to 262.620, the council

22 shall also have the powers and duties provided under subsection 5 of
23 this section.

24 4. In a consolidated district, the governing body of the district
25 shall consist of at least three, but no more than five, representatives
26 appointed by each participating council. The term of office shall be
27 two years. Representatives may be reappointed. The governing body
28 shall elect officers, who shall serve as officers for two years, and
29 establish a regular meeting schedule which shall not be less than once
30 every three months.

31 5. The governing body of a district shall have the following
32 powers and duties:

33 (1) Review the activities and annual budgets of each
34 participating council;

35 (2) Determine, by September first of each year, the tax rate
36 necessary to generate sufficient revenue to fund the extension
37 programming in the district, which includes annual funding for each
38 participating council for the costs of personnel and the acquisition,
39 supply, and maintenance of each council's property, work, and
40 equipment;

41 (3) Oversee the collection of any tax authorized under this
42 section by ensuring the revenue is deposited into a special fund and
43 monitoring the use of the funds to ensure they are used solely for
44 extension programming in the district;

45 (4) Approve payments from the special fund in which the tax
46 revenue is deposited; and

47 (5) Work cooperatively with each participating council to plan
48 and facilitate the programs, equipment, and activities in the district.

49 6. The governing body of a district may submit a question to the
50 voters of the district to institute a property tax levy in the county or
51 counties that compose the district. Questions may be submitted to the
52 voters of the district at any general municipal election. Any such
53 proposed tax shall not exceed thirty cents per one hundred dollars of
54 assessed valuation. Such question shall be submitted in substantially
55 the following form:

56 "Shall the Extension District in County (insert name of
57 county) be authorized to levy an annual tax of (insert amount not
58 to exceed thirty) cents per one hundred dollars of assessed valuation

59 for the purpose of funding the University of Missouri Extension District
60 programs, equipment, and services in the district?"

61 In a single-council district, if a majority of the voters in the county
62 approve the question, then the district shall impose the tax. If a
63 majority of the voters in a single-council district do not approve the
64 question, then no tax shall be imposed. In a consolidated district, if a
65 majority of voters in each county in the district approve the question,
66 then the district shall impose the tax. If a majority of the voters in a
67 consolidated district do not approve the question, then no tax shall be
68 imposed in any county of the district. In a consolidated district, if a
69 majority of voters in a county do not approve the question, the council
70 in the county that did not approve the question may withdraw from the
71 district. Upon such withdrawal, the district shall be made up of the
72 remaining counties and the tax shall be imposed in those
73 counties. However, if the county that did not approve the question
74 does not withdraw from the district, the tax shall not be
75 imposed. Revenues collected from the imposition of a tax authorized
76 under this section shall be deposited into a special fund dedicated only
77 for use by the local district for programming purposes.

78 7. The county commission of any county in which the tax
79 authorized under this section is levied and collected:

80 (1) Shall be exempt from the funding requirements under section
81 262.597 if revenue derived from the tax authorized under this section
82 is in excess of an amount equal to two hundred percent of the average
83 funding received under section 262.597 for the immediately preceding
84 three years; or

85 (2) May reduce the current year's funding amount under section
86 262.597 by thirty-three percent of the amount of tax revenues derived
87 from the tax authorized under this section which exceed the average
88 amount of funding received under section 262.597 for the immediately
89 preceding three years.

90 8. Any county that collects tax revenues authorized under this
91 section shall transfer all attributable revenue plus monthly interest for
92 deposit into the district's special fund. The governing body of the
93 district shall comply with the prudent investor standard for investment
94 fiduciaries as provided in section 105.688.

95 9. In any county in which a single-council district is established,

96 and for which a tax has not been levied, the district may be dissolved
97 in the same manner in which it was formed.

98 10. A county may withdraw from a consolidated district at any
99 time by the filing of a petition with the circuit court having jurisdiction
100 over the district. The petition shall be signed by not fewer than ten
101 percent of those who voted in the most recent presidential election in
102 the county seeking to withdraw that is part of a consolidated district
103 stating that further operation of the district is contrary to the best
104 interest of the inhabitants of the county in which the district is located
105 and that the county seeks to withdraw from the district. The circuit
106 court shall hear evidence on the petition. If the court finds that it is in
107 the best interest of the inhabitants of the county in which the district
108 is located for the county to withdraw from the district, the court shall
109 make an order reciting the same and submit the question to the
110 voters. The question shall be submitted in substantially the following
111 format:

112 "Shall the County of (insert name of county) being part of
113 (insert name of district) Extension District withdraw from the
114 district?"

115 The question shall be submitted at the next general municipal election
116 date. The election returns shall be certified to the court. If the court
117 finds that two-thirds of the voters voting on the question voted in favor
118 of withdrawing from the district, the court shall issue an order
119 withdrawing the county from the district, which shall contain a proviso
120 that the district shall remain intact for the sole purposes of paying all
121 outstanding and lawful obligations and disposing of the district's
122 property. No additional costs or obligations for the withdrawing
123 county shall be created except as necessary. The withdrawal shall
124 occur on the first day of the following January after the vote. If the
125 court finds that two-thirds of the voters voting on the question shall
126 not have voted favorably on the question to withdraw from the district,
127 the court shall issue an order dismissing the petition and the district
128 shall continue to operate.

129 11. The governing body of any district may seek voter approval
130 to increase its current tax rate authorized under this section, provided
131 such increase shall not cause the total tax to exceed thirty cents per
132 one hundred dollars of assessed valuation. To propose such an

133 increase, the governing body shall submit the question to the voters at
134 the general municipal election in the county in which the district is
135 located. The question shall be submitted in substantially the following
136 form:

137 "Shall the Extension District in (insert name of county or
138 counties) be authorized to increase the tax rate from (insert
139 current amount of tax) cents to (insert proposed amount of tax not
140 to exceed thirty) cents per one hundred dollars of assessed valuation
141 for the purpose of funding the University of Missouri Extension District
142 programs, equipment, and services in the district?"

143 In a single-council district, if a majority of the voters in the county
144 approve the question, then the district shall impose the tax. If a
145 majority of the voters in a single-council district do not approve the
146 question, then the tax shall not be imposed. In a consolidated district,
147 if a majority of voters in the district approve the question, then the
148 district shall impose the new tax rate. If a majority of the voters in a
149 consolidated district do not approve the question, then the tax shall not
150 be imposed in any county of the district. Revenues collected from the
151 imposition of the tax authorized under this section shall be deposited
152 into the special fund dedicated only for use by the district.

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