

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 349

AN ACT

To repeal section 205.375, RSMo, and to enact in lieu thereof two new sections relating to county or township-owned nursing homes.

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

Section A. Section 205.375, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 205.375 and 205.377, to read as follows:

205.375. 1. For the purposes of this section "nursing home" means a residential care facility, an assisted living facility, an intermediate care facility, or a skilled nursing facility as defined in section 198.006:

(1) Which is operated in connection with a hospital, or

(2) In which such nursing care and medical services are prescribed by, or are performed under the general direction of, persons licensed to practice medicine or surgery in the state.

2. The county commission of any county or the township board of any township may acquire land to be used as sites for, construct and equip nursing homes and may contract for materials, supplies, and services necessary to carry out such purposes.

3. For the purpose of providing funds for the construction and equipment of nursing homes the county commissions or township boards may issue bonds as authorized by the general law governing the incurring of indebtedness by counties; provided, however, that no such tax shall be levied upon property which is within a nursing home district as provided in chapter 198 and is taxed for nursing home

purposes under the provisions of that chapter, or may provide for the issuance and payment of revenue bonds in the manner provided by and in all respects subject to chapter 176 which provides for the issuance of revenue bonds of state educational institutions.

4. The county commissions or township boards may provide for the leasing and renting of the nursing homes and equipment on the terms and conditions that are necessary and proper to any person, firm, corporation or to any nonprofit organizations for the purpose of operation in the manner provided in subsection 1 of this section or for the purpose of operating any other health care facility located within the county or township providing nursing care or other medical services to patients, including, but not limited to, residents of the county or township.

205.377. 1. The county commission of any county having a nursing home erected under the provisions of section 205.375 may, upon a determination by the county commissioners that the sale of such nursing home is desirable, appoint an agent, by order, to sell and dispose of the nursing home and appurtenant property, both real and personal, in the manner provided for sale of other county property. The deed of the agent, under the agent's proper hand and seal, for and on behalf of the county, duly acknowledged and recorded, shall be sufficient to convey to the purchaser all the right, title, interest, and estate which the county has in property.

2. The proceeds from the sale of the property shall be applied to the payment of any interest and principal of any outstanding valid indebtedness of the county incurred for purchase of the site or construction of the nursing home, or for any repairs, alterations, improvements, or additions thereto, or for the operation of the nursing home. If the

proceeds from the sale of the nursing home property, and any interest thereon, are, or will be insufficient to pay the interest and principal of any valid outstanding bonded indebtedness as they fall due, the county commission shall continue to provide for the collection of an annual tax on all taxable personal property in the county sufficient to pay the interest and principal of the indebtedness as it falls due and to retire the bonds within the time required therein.

3. Any balance of the proceeds received by the county for the sale of the nursing home remaining after all indebtedness incurred in connection with the nursing home is paid shall be placed to the credit of the general fund of the county to be used to provide health care services in the county.

4. The sale of a nursing home under this section shall be limited to purchasers who plan to operate a similar facility or otherwise provide medical services to patients, including, but not limited to, residents of the county, for a period of not less than ten years.