

FIRST REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 349

102ND GENERAL ASSEMBLY

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1337S.02C

KRISTINA MARTIN, Secretary

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## 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.

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*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Section A. Section 205.375, RSMo, is repealed and two new  
2 sections enacted in lieu thereof, to be known as sections  
3 205.375 and 205.377, to read as follows:

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

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

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

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

15 3. For the purpose of providing funds for the  
16 construction and equipment of nursing homes the county  
17 commissions or township boards may issue bonds as authorized

18 by the general law governing the incurring of indebtedness  
19 by counties; provided, however, that no such tax shall be  
20 levied upon property which is within a nursing home district  
21 as provided in chapter 198 and is taxed for nursing home  
22 purposes under the provisions of that chapter, or may  
23 provide for the issuance and payment of revenue bonds in the  
24 manner provided by and in all respects subject to chapter  
25 176 which provides for the issuance of revenue bonds of  
26 state educational institutions.

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

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

13           2. The proceeds from the sale of the property shall be  
14 applied to the payment of any interest and principal of any  
15 outstanding valid indebtedness of the county incurred for  
16 purchase of the site or construction of the nursing home, or  
17 for any repairs, alterations, improvements, or additions  
18 thereto, or for the operation of the nursing home. If the  
19 proceeds from the sale of the nursing home property, and any  
20 interest thereon, are, or will be insufficient to pay the  
21 interest and principal of any valid outstanding bonded  
22 indebtedness as they fall due, the county commission shall  
23 continue to provide for the collection of an annual tax on  
24 all taxable personal property in the county sufficient to  
25 pay the interest and principal of the indebtedness as it  
26 falls due and to retire the bonds within the time required  
27 therein.

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

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

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