

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 405
99TH GENERAL ASSEMBLY

Reported from the Committee on Commerce, Consumer Protection, Energy and the Environment, March 9, 2017, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1807S.02C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal section 190.327, RSMo, and to enact in lieu thereof one new section relating to emergency dispatch service boards in certain counties.

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

Section A. Section 190.327, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 190.327, to read as follows:

190.327. 1. Immediately upon the decision by the commission to utilize
2 a portion of the emergency telephone tax for central dispatching and an
3 affirmative vote of the telephone tax, the commission shall appoint the initial
4 members of a board which shall administer the funds and oversee the provision
5 of central dispatching for emergency services in the county and in municipalities
6 and other political subdivisions which have contracted for such
7 service. Beginning with the general election in 1992, all board members shall be
8 elected according to this section and other applicable laws of this state. At the
9 time of the appointment of the initial members of the board, the commission shall
10 relinquish to the board and no longer exercise the duties prescribed in this
11 chapter with regard to the provision of emergency telephone service and in
12 chapter 321, with regard to the provision of central dispatching service, and such
13 duties shall be exercised by the board.

14 2. Elections for board members may be held on general municipal election
15 day, as defined in subsection 3 of section 115.121, after approval by a simple
16 majority of the county commission.

17 3. For the purpose of providing the services described in this section, the
18 board shall have the following powers, authority and privileges:

- 19 (1) To have and use a corporate seal;
20 (2) To sue and be sued, and be a party to suits, actions and proceedings;

21 (3) To enter into contracts, franchises and agreements with any person,
22 partnership, association or corporation, public or private, affecting the affairs of
23 the board;

24 (4) To acquire, construct, purchase, maintain, dispose of and encumber
25 real and personal property, including leases and easements;

26 (5) To have the management, control and supervision of all the business
27 affairs of the board and the construction, installation, operation and maintenance
28 of any improvements;

29 (6) To hire and retain agents and employees and to provide for their
30 compensation including health and pension benefits;

31 (7) To adopt and amend bylaws and any other rules and regulations;

32 (8) To fix, charge and collect the taxes and fees authorized by law for the
33 purpose of implementing and operating the services described in this section;

34 (9) To pay all expenses connected with the first election and all
35 subsequent elections; and

36 (10) To have and exercise all rights and powers necessary or incidental
37 to or implied from the specific powers granted in this subsection. Such specific
38 powers shall not be considered as a limitation upon any power necessary or
39 appropriate to carry out the purposes and intent of sections 190.300 to 190.329.

40 **4. (1) If such county commission of any county of the first**
41 **classification with more than two hundred thousand but fewer than two**
42 **hundred sixty thousand inhabitants does not seek to impose or collect**
43 **an emergency telephone tax authorized under section 190.305, but still**
44 **seeks to provide for the central dispatching of fire protection,**
45 **emergency ambulance service, or any other emergency services, which**
46 **may include the purchase and maintenance of communications and**
47 **emergency equipment, the commission may establish a board to oversee**
48 **the provision of central dispatching for emergency services in the**
49 **county and in municipalities and other political subdivisions which**
50 **have contracted for such service upon the request of said**
51 **municipalities and other political subdivisions.**

52 **(2) The board shall consist of seven members appointed without**
53 **regard to political affiliation. The members shall include:**

54 **(a) Five members who shall serve for so long as they remain in**
55 **their respective county or municipal positions as follows:**

56 **a. The county sheriff, or a designee;**

57 **b. The heads of the municipal police departments in the two**
58 **largest municipalities wholly contained within the county which have**
59 **contracted for central dispatching service, or their designees; and**

60 **c. The heads of the municipal fire departments or fire divisions**
61 **in the two largest municipalities wholly contained within the county**
62 **which have contracted for central dispatching service, or their**
63 **designees;**

64 **(b) Two members who shall serve two year terms appointed from**
65 **among the following:**

66 **a. The head of any of the county's fire protection districts which**
67 **have contracted for central dispatching service, or a designee;**

68 **b. The head of any of the county's ambulance districts which**
69 **have contracted for central dispatching service, or a designee;**

70 **c. The head of any of the municipal police departments in the**
71 **county, excluding those in subparagraph b of paragraph (a) of this**
72 **subdivision, which have contracted for central dispatching service, or**
73 **a designee; and**

74 **d. The head of any of the municipal fire departments in the**
75 **county, excluding those in subparagraph c of paragraph (a) of this**
76 **subdivision, which have contracted for central dispatching service, or**
77 **a designee.**

78 **(3) Beginning with the general election in 2020, all board**
79 **members shall be elected according to this section and other applicable**
80 **laws of this state. Upon the appointment of the board under this**
81 **subsection, the board shall have the powers provided in subsection 3**
82 **of this section and the commission shall relinquish all powers and**
83 **duties relating to the provision of central dispatching service under**
84 **this chapter to the board.**

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