

SECOND REGULAR SESSION

SENATE BILL NO. 739

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEMBKE.

Read 1st time January 11, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

4274S.011

AN ACT

To repeal section 320.097, RSMo, and to enact in lieu thereof one new section relating to fire department employee residency requirements.

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

Section A. Section 320.097, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 320.097, to read as follows:

320.097. 1. As used in this section, "fire department" means any agency
2 or organization that provides fire suppression and related activities, including but
3 not limited to fire prevention, rescue, emergency medical services, hazardous
4 material response, dispatching, or special operations to a population within a
5 fixed and legally recorded geographical area.

6 2. [Upon approval of the board of aldermen,] No employee of a fire
7 department shall, as a condition of employment, be required to reside within a
8 fixed and legally recorded geographical area of the fire department if the only
9 public school district available to the employee within such fire department's
10 geographical area is a public school district that is or has been unaccredited or
11 provisionally accredited in the last five years of such employee's employment. No
12 charter school shall be deemed a public school for purposes of this section.

13 3. No employee of a fire department who has not resided in such fire
14 department's fixed and legally recorded geographical area, or who has changed
15 such employee's residency because of conditions described in subsection 2 of this
16 section, shall as a condition of employment be required to reside within the fixed
17 and legally recorded geographical area of the fire department if such school
18 district subsequently becomes fully accredited.

19 [4. Unless the voters of a city not within a county vote to supersede this

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

20 section by the same majority needed to change the charter of said city by
 21 September 1, 2008, this section shall be in force for the city not within a county.
 22 In addition, any employee who resides outside the city will forfeit one percent of
 23 his or her salary for the time the employee is not living in the city to offset any
 24 lost revenue to the city.

25 5. The ballot of submission for this authorization shall be in substantially
 26 the following form:

27 Shall (insert name of city) be allowed to
 28 prevent fire department employees from paying one percent of their salaries to
 29 the city in order to reside outside the city limits when the public school system
 30 is or has been unaccredited or provisionally accredited?

31 YES NO

32 If you are in favor of the question, place an "X" in the box opposite "YES". If you
 33 are opposed to the question, place an "X" in the box opposite "NO".]



Bill

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