

SECOND REGULAR SESSION

# SENATE BILL NO. 855

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAEFER.

Read 1st time February 11, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

5969S.011

## AN ACT

To repeal section 321.200, RSMo, and to enact in lieu thereof one new section relating to fire protection district board meetings.

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

Section A. Section 321.200, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 321.200, to read as follows:

321.200. 1. **Except as otherwise provided in subsection 3 of this**  
2 **section**, the board shall meet regularly, not less than once each month, at a time  
3 and at some building in the district to be designated by the board. Notice of the  
4 time and place of future regular meetings shall be posted continuously at the  
5 firehouse or firehouses of the district. Additional meetings may be held, when the  
6 needs of the district so require, at a place regular meetings are held, and notice  
7 of the time and place shall be given to each member of the board. Meetings of the  
8 board shall be held and conducted in the manner required by the provisions of  
9 chapter 610. All minutes of meetings of the board and all other records of the fire  
10 protection district shall be available for public inspection at the main firehouse  
11 within the district by appointment with the secretary of the board within one  
12 week after a written request is made between the hours of 8:00 a.m. and 5:00 p.m.  
13 every day except Sunday. A majority of the members of the board shall constitute  
14 a quorum at any meeting and no business shall be transacted unless a quorum  
15 is present. The board, acting as a board, shall exercise all powers of the board,  
16 without delegation thereof to any other governmental or other body or entity or  
17 association, and without delegation thereof to less than a quorum of the  
18 board. Agents, employees, engineers, auditors, attorneys, firemen and any other  
19 member of the staff of the district may be employed or discharged only by a board  
20 which includes at least two directors; but any board of directors may suspend

21 from duty any such person or staff member who willfully and deliberately  
22 neglects or refuses to perform his or her regular functions.

23       2. Any vacancy on the board shall be filled by the remaining elected  
24 members of the board, except when less than two elected members remain on the  
25 board any vacancy shall be filled by the circuit court of the county in which all  
26 or a majority of the district lies. The appointee or appointees shall act until the  
27 next biennial election at which a director or directors are elected to serve the  
28 remainder of the unexpired term.

29       **3. Notwithstanding any provision of sections 610.015 and 610.020**  
30 **to the contrary, when Missouri task force one or any urban search and**  
31 **rescue task force is activated for deployment by the Federal Emergency**  
32 **Management Agency, state emergency management agency, or**  
33 **statewide mutual aid system, a quorum of the board of directors of the**  
34 **affiliated fire protection district may meet in person, via telephone,**  
35 **facsimile, internet, or any other voice or electronic means, without**  
36 **public notice, in order to authorize by roll call vote the disbursement**  
37 **of funds necessary for the deployment.**

38       4. In the event action is necessary under subsection 3 of this  
39 section, the board of directors of the affiliated fire protection district  
40 shall keep minutes of the emergency meeting and disclose during the  
41 next regularly scheduled meeting of the board that the emergency  
42 meeting was held, the action that precipitated calling the emergency  
43 meeting without notice, and that the minutes of the emergency meeting  
44 are available as a public record of the board.

Copy ✓