

SECOND REGULAR SESSION

# SENATE BILL NO. 865

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PEARCE.

Read 1st time February 29, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

5797S.03I

## AN ACT

To amend chapter 262, RSMo, by adding thereto one new section relating to University of Missouri extension districts.

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

Section A. Chapter 262, RSMo, is amended by adding thereto one new section, to be known as section 262.598, to read as follows:

**262.598. 1. As used in this section, the following terms shall mean:**

(1) "Consolidated district", a district formed jointly by two or more councils;

(2) "Council", a University of Missouri extension council authorized under section 262.563;

(3) "District" or "extension district", a political subdivision formed by one or more councils;

(4) "Single-council district", a district formed by one council;

(5) "Governing body", the group of individuals who govern a district.

2. University of Missouri extension councils are hereby authorized to form extension districts made up of cooperating counties for the purpose of funding extension programming. An extension district may be a single-council district or a consolidated district. A single-council district shall be formed upon a majority vote of the full council. A consolidated district shall be formed upon a majority vote of each participating council.

3. In a single-council district, the council shall serve as the district's governing body. In addition to any other powers and duties granted to the council under sections 262.550 to 262.620, the council

22 shall also have the powers and duties provided under subsection 5 of  
23 this section.

24 4. In a consolidated district, the governing body of the district  
25 shall consist of at least three, but no more than five, representatives  
26 appointed by each participating council. The term of office shall be  
27 two years. Representatives may be reappointed. This governing body  
28 shall elect officers, who shall serve as officers for two years, and  
29 establish a regular meeting schedule which shall be not less than once  
30 every three months.

31 5. The governing body of a district shall have the following  
32 powers and duties:

33 (1) Review the activities and annual budgets of each  
34 participating council;

35 (2) Determine, by September first of each year, the tax rate  
36 necessary to generate sufficient revenue to fund the extension  
37 programming in the district, which includes annual funding for each  
38 participating council for the costs of personnel and the acquisition,  
39 supply, and maintenance of each council's property, work, and  
40 equipment;

41 (3) Oversee the collection of any tax authorized under this  
42 section by ensuring the revenue is deposited into a special fund and  
43 monitoring the use of the funds to ensure they are used solely for  
44 extension programming in the district;

45 (4) Approve payments from the special fund in which the tax  
46 revenue is deposited; and

47 (5) Work cooperatively with each participating council to plan  
48 and facilitate the programs, equipment, and activities in the district.

49 6. The governing body of a district may submit a question to the  
50 voters of the district to institute a property tax levy in the county or  
51 counties that compose the district. Questions may be submitted to the  
52 voters of the district at any general municipal election. Any such  
53 proposed tax shall not exceed thirty cents per one hundred dollars of  
54 assessed valuation. Such question shall be submitted in substantially  
55 the following form:

56 "Shall the Extension District in ..... County (insert  
57 name of county) be authorized to levy an annual tax of  
58 ..... (insert amount not to exceed thirty) cents per one

59           **hundred dollars of assessed valuation for the purpose of**  
60           **funding the University of Missouri Extension District**  
61           **programs, equipment, and services in the district?"**

62 **In a single-council district, if a majority of the voters in the county**  
63 **approve the question, then the district shall impose the tax. In a**  
64 **consolidated district, if a majority of voters in the district approve the**  
65 **tax, then the district shall impose the tax. If voters in a consolidated**  
66 **district approve the tax but the measure does not receive a majority of**  
67 **the votes cast in a particular county, that county's council may**  
68 **withdraw from the district by a majority vote of the council. The**  
69 **district shall be made up of the remaining counties and the tax shall be**  
70 **imposed in those counties. Revenues collected from the imposition of**  
71 **a tax authorized under this section shall be deposited into a special**  
72 **fund dedicated only for use by the local district for programming**  
73 **purposes. If a majority of the voters in a single-council district do not**  
74 **approve the question, then no tax shall be imposed. If a majority of the**  
75 **voters in a consolidated district do not approve the question, then no**  
76 **tax shall be imposed in any county of the district.**

77           **7. The county commission of any county in which the tax**  
78 **authorized under this section is levied and collected:**

79           **(1) Shall be exempt from the funding requirements under section**  
80 **262.597 if revenue derived from the tax authorized under this section**  
81 **is in excess of an amount equal to two hundred percent of the average**  
82 **funding received under section 262.597 for the immediately preceding**  
83 **three years; or**

84           **(2) May reduce the current year's funding amount under section**  
85 **262.597 by thirty-three percent of the amount of tax revenues derived**  
86 **from the tax authorized under this section which exceed the average**  
87 **amount of funding received under section 262.597 for the immediately**  
88 **preceding three years.**

89           **8. Any county that collects tax revenues authorized under this**  
90 **section shall transfer all attributable revenue plus monthly interest for**  
91 **deposit into the district's special fund. The governing body of the**  
92 **district shall comply with the prudent investor standard for investment**  
93 **fiduciaries as provided in section 105.688.**

94           **9. In any county in which a single-council district is established,**  
95 **and for which a tax has not been levied, the district may be dissolved**

96 in the same manner in which it was formed.

97           10. A county may withdraw from a consolidated district at any  
98 time by the filing of a petition with the circuit court having jurisdiction  
99 over the district. The petition shall be signed by not fewer than ten  
100 percent of those who voted in the most recent presidential election in  
101 the county seeking to withdraw that is part of a consolidated district  
102 stating that further operation of the district is contrary to the best  
103 interests of the inhabitants of county in which the district is located  
104 and that the county seeks to withdraw from the district. The circuit  
105 court shall hear evidence on the petition. If the court finds that it is in  
106 the best interest of the inhabitants of the county in which the district  
107 is located for the county to withdraw from the district, the court shall  
108 make an order reciting the same and submit the question to the  
109 voters. The question shall be submitted in substantially the following  
110 format:

111           "Shall the County of ..... (insert name of county) being part of  
112 ..... (insert name of district) Extension District withdraw from the  
113 district?"

114 The question shall be submitted at the next general municipal election  
115 date. The election returns shall be certified to the court. If the court  
116 finds that two-thirds of the voters voting on the question voted in favor  
117 of withdrawing from the district, the court shall issue an order  
118 withdrawing the county from the district, which shall contain a proviso  
119 that the district shall remain intact for the sole purposes of paying all  
120 outstanding and lawful obligations and disposing of the district's  
121 property. No additional costs or obligations for the withdrawing  
122 county shall be created except as necessary. The withdrawal shall  
123 occur on the first day of the following January after the vote. If the  
124 court finds that two-thirds of the voters voting on the question shall  
125 not have voted favorably on the question to withdraw from the district,  
126 the court shall issue an order dismissing the petition and the district  
127 shall continue to operate.

128           11. The governing body of any district may seek voter approval  
129 to increase its current tax rate authorized under this section, provided  
130 such increase shall not cause the total tax to exceed thirty cents per  
131 one hundred dollars of assessed valuation. To propose such an  
132 increase, the governing body shall submit the question to the voters at

133 the general municipal election in the county in which the district is  
134 located. The question shall be submitted in substantially the following  
135 form:

136                   "Shall the Extension District in ..... (insert name of  
137                   county or counties) be authorized to increase the tax rate  
138                   from ..... (insert current amount of tax) cents to .....  
139                   (insert proposed amount of tax not to exceed thirty) cents  
140                   per one hundred dollars of assessed valuation for the  
141                   purpose of funding the University of Missouri Extension  
142                   District programs, equipment, and services in the district?"

143 In a single-council district, if a majority of the voters in the county  
144 approve the question, then the district shall impose the tax. In a  
145 consolidated district, if a majority of voters in the district approve the  
146 tax rate, then the district shall impose the new tax rate. Revenues  
147 collected from the imposition of the tax authorized under this section  
148 shall be deposited into the special fund dedicated only for use by the  
149 district. If a majority of the voters in a single-council district do not  
150 approve the question, then the tax shall not be imposed. If a majority  
151 of the voters in a consolidated district do not approve the question,  
152 then the tax shall not be imposed in any county of the district.

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