

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 865
96TH GENERAL ASSEMBLY

Reported from the Committee on Agriculture, Food Production and Outdoor Resources, April 12, 2012, with recommendation that the Senate Committee Substitute do pass.

5797S.04C

TERRY L. SPIELER, Secretary.

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", a 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

21 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 name of
57 county) be authorized to levy an annual tax of (insert amount not

58 to exceed thirty) cents per one hundred dollars of assessed valuation
59 for the purpose of funding the University of Missouri Extension District
60 programs, equipment, and services in the district?"

61 In a single-council district, if a majority of the voters in the county
62 approve the question, then the district shall impose the tax. In a
63 consolidated district, if a majority of voters in each county in the
64 district approve the tax, then the district shall impose the tax. In a
65 consolidated district, if a majority of voters in a county do not approve
66 the tax, the council in the county that did not approve the tax may
67 withdraw from the district. Upon such withdrawal, the district shall be
68 made up of the remaining counties and the tax shall be imposed in
69 those counties. However, if the county that did not approve the tax
70 does not withdraw from the district, the tax shall not be
71 imposed. Revenues collected from the imposition of a tax authorized
72 under this section shall be deposited into a special fund dedicated only
73 for use by the local district for programming purposes. If a majority of
74 the voters in a single-council district do not approve the question, then
75 no tax shall be imposed. If a majority of the voters in a consolidated
76 district do not approve the question, then no tax shall be imposed in
77 any county of the district.

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

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

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

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

95 **9. In any county in which a single-council district is established,**
96 **and for which a tax has not been levied, the district may be dissolved**
97 **in the same manner in which it was formed.**

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

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

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

129 **11. The governing body of any district may seek voter approval**
130 **to increase its current tax rate authorized under this section, provided**
131 **such increase shall not cause the total tax to exceed thirty cents per**

132 one hundred dollars of assessed valuation. To propose such an
133 increase, the governing body shall submit the question to the voters at
134 the general municipal election in the county in which the district is
135 located. The question shall be submitted in substantially the following
136 form:

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