

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 867, Page 25, Section 233.295, Line 105, by
2 inserting after all of said section and line the following:

3
4 "321.315. 1. Notwithstanding any other provision of this chapter or chapter 72, any owner of real
5 property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts,
6 or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire
7 department, may petition the circuit court in the county in which the real property is located requesting a
8 declaratory judgment under sections 527.010 to 527.130 as to which one fire protection district or fire
9 department has jurisdiction over the property regarding the provision of fire protection and emergency
10 services and the levy of taxes. Two or more owners of real property that is alleged to be subject to the levy
11 of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and
12 the jurisdiction of one fire protection district and one fire department, may jointly petition the circuit court.

13 2. The fire protection district or fire department that is found not to have jurisdiction over the real
14 property that is the subject of the declaratory judgment shall be liable for the costs of the action, including
15 reasonable attorney fees, to the other parties to the action.

16 3. Any person as defined in section 527.130 that is aggrieved by the judgment and decree of the
17 circuit court may appeal in like manner as appeals are taken in other civil cases."; and

18
19 Further amend said bill, Page 27, Section 347.048, Line 18, by inserting after all of said section and line the
20 following:

21
22 "527.130. The word "person", wherever used in sections 527.010 to 527.130, shall be
23 construed to mean any person, including a minor represented by next friend or guardian ad litem and any
24 other person under disability lawfully represented, partnership, joint-stock company, corporation,
25 unincorporated association or society, fire protection district, or municipal or other corporation of any
26 character whatsoever.

27 Section B. Because immediate action is necessary to prevent citizens of this state from double
28 taxation for fire protection services, the enactment of section 321.315 and the repeal and reenactment of
29 section 527.130 of section A of this act is deemed necessary for the immediate preservation of the public
30 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the
31 constitution, and the enactment of section 321.315 and the repeal and reenactment of section 527.130 of
32 section A of this act shall be in full force and effect upon its passage and approval."; and

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34 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____