

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 676
98TH GENERAL ASSEMBLY

4550H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 1.100, 50.622, 67.281, 192.300, 304.022, 307.175, 347.048, and 478.705, RSMo, and to enact in lieu thereof fourteen new sections relating to political subdivisions.

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

Section A. Sections 1.100, 50.622, 67.281, 192.300, 304.022, 307.175, 347.048, and 478.705, RSMo, are repealed and fourteen new sections enacted in lieu thereof, to be known as sections 1.100, 50.622, 67.281, 67.5300, 67.5305, 67.5310, 67.5315, 67.5320, 84.514, 192.300, 304.022, 307.175, 347.048, and 478.705, to read as follows:

1.100. 1. The population of any political subdivision of the state for the purpose of representation or other matters including the ascertainment of the salary of any county officer for any year or for the amount of fees he may retain or the amount he is allowed to pay for deputies and assistants is determined on the basis of the last previous decennial census of the United States. For the purposes of this section the effective date of the 1960 decennial census of the United States is July 1, 1961, and the effective date of each succeeding decennial census of the United States is July first of each tenth year after 1961; except that for the purposes of ascertaining the salary of any county officer for any year or for the amount of fees he may retain or the amount he is allowed to pay for deputies and assistants the effective date of the 1960 decennial census of the United States is January 1, 1961, and the effective date of each succeeding decennial census is January first of each tenth year after 1961.

2. Any law which is limited in its operation to counties, cities, or other political subdivisions having a specified population or a specified assessed valuation shall be deemed to include all counties, cities, or political subdivisions which thereafter acquire such population or assessed valuation as well as those in that category at the time the law passed. Once a city, [not

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 located in a] county, **or political subdivision** has come under the operation of such a law a
17 subsequent loss of population shall not remove that city, **county, or political subdivision** from
18 the operation of that law. No person whose compensation is set by a statutory formula, which
19 is based in part on a population factor, shall have his **or her** compensation reduced due solely
20 to an increase in the population factor.

50.622. 1. Any county may amend the annual budget during any fiscal year in which the
2 county receives additional funds, and such amount or source, including, but not limited to,
3 federal or state grants or private donations, could not be estimated when the budget was adopted.
4 The county shall follow the same procedures as required in sections 50.525 to 50.745 for
5 adoption of the annual budget to amend its budget during a fiscal year.

6 2. Any county may decrease the annual budget twice during any fiscal year in which the
7 county experiences a verifiable decline in funds of two percent or more, and such amount could
8 not be estimated or anticipated when the budget was adopted, provided that any decrease in
9 appropriations shall not unduly affect any one officeholder. Before any reduction affecting an
10 independently elected officeholder can occur, negotiations shall take place with all officeholders
11 who receive funds from the affected category of funds in an attempt to cover the shortfall. The
12 county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the
13 annual budget, except that the notice provided for in section 50.600 shall be extended to thirty
14 days for purposes of this subsection. Such notice shall include a published summary of the
15 proposed reductions and an explanation of the shortfall.

16 3. Any decrease in an appropriation authorized under subsection 2 of this section shall
17 not impact any dedicated fund otherwise provided by law.

18 4. County commissioners may reduce budgets of departments under their direct
19 supervision and responsibility at any time without the restrictions imposed by this section.

20 5. Subsections 2, 3, and 4 of this section shall expire on July 1, [2016] **2026**.

21 6. Notwithstanding the provisions of this section, no charter county shall be restricted
22 from amending its budget under and pursuant to the terms of its charter.

67.281. 1. A builder of one- or two-family dwellings or townhouses shall offer to any
2 purchaser on or before the time of entering into the purchase contract the option, at the
3 purchaser's cost, to install or equip fire sprinklers in the dwelling or townhouse. Notwithstanding
4 any other provision of law to the contrary, no purchaser of such a one- or two-family dwelling
5 or townhouse shall be denied the right to choose or decline to install a fire sprinkler system in
6 such dwelling or townhouse being purchased by any code, ordinance, rule, regulation, order, or
7 resolution by any county or other political subdivision. Any county or other political subdivision
8 shall provide in any such code, ordinance, rule, regulation, order, or resolution the mandatory
9 option for purchasers to have the right to choose and the requirement that builders offer to

10 purchasers the option to purchase fire sprinklers in connection with the purchase of any one- or
11 two-family dwelling or townhouse. [The provisions of this section shall expire on December 31,
12 2024.]

13 2. Any governing body of any political subdivision that adopts the 2009 International
14 Residential Code for One- and Two-Family Dwellings or a subsequent edition of such code
15 without mandated automatic fire sprinkler systems in Section R313 of such code shall retain the
16 language in section R317 of the 2006 International Residential Code for two-family dwellings
17 (R317.1) and townhouses (R317.2).

2 **67.5300. Sections 67.5300 to 67.5320 shall be known and may be cited as the "Small
Wireless Facilities Deployment Act".**

67.5305. For purposes of sections 67.5300 to 67.5320, the following terms mean:

2 (1) "Antenna", communications equipment that transmits or receives
3 electromagnetic radio signals used in the provision of wireless service;

4 (2) "Applicant", a wireless provider or communications facilities provider that
5 submits an application to collocate small wireless facilities under section 67.5310;

6 (3) "Application", a request submitted by an applicant to an authority for the
7 collocation of small wireless facilities or small wireless facility networks under section
8 67.5310;

9 (4) "Authority", each state, county, and municipal governing body, board, agency,
10 office, or commission authorized by law and acting in its capacity to make legislative,
11 quasi-judicial, or administrative decisions relative to zoning or building permit review of
12 an application. The term "authority" shall not include state courts having jurisdiction
13 over land use, planning, or zoning decisions made by an authority;

14 (5) "Authority structure", an existing tower, building, water tower, or other
15 structure owned or controlled by an authority. The term "authority structure" shall not
16 include an authority utility pole;

17 (6) "Authority utility pole", a utility pole or similar structure that is owned or
18 controlled by an authority and that is used, in whole or in part, for communications
19 service, electric service, lighting, traffic control, signage, or similar functions;

20 (7) "Collocate" or "collocation", installing, mounting, maintaining, modifying,
21 operating, or replacing wireless facilities on:

22 (a) An existing private or public tower, building, water tower, private utility pole,
23 authority utility pole, or other structure; or

24 (b) A replacement private utility pole or authority utility pole of a similar height,
25 location, and appearance as an existing structure;

26 **(8) "Communications facilities provider", a person or entity that installs or**
27 **constructs facilities or structures used to provide communications services;**

28 **(9) "Communications service", an information service, as defined in 47 U.S.C.**
29 **Section 153(24), as amended from time to time; a telecommunications service, as defined**
30 **in 47 U.S.C. Section 153(53), as amended from time to time; a mobile service, as defined**
31 **in 47 U.S.C. Section 153(33), as amended from time to time; or a wireless service other than**
32 **a mobile service;**

33 **(10) "Communications service provider", a cable operator, a provider of an**
34 **information service, a wireless provider, or a telecommunications carrier, as defined in 47**
35 **U.S.C. Section 153(51), as amended from time to time;**

36 **(11) "Private utility pole", a utility pole or similar structure that is not owned or**
37 **controlled by an authority and that is used, in whole or in part, for communications**
38 **service, electric service, or similar functions;**

39 **(12) "Small wireless facility", a wireless facility that meets the following**
40 **qualifications:**

41 **(a) Each antenna is located inside an enclosure of no more than six cubic feet in**
42 **volume or, in the case of an antenna that has exposed elements, the antenna and all of its**
43 **exposed elements could fit within an imaginary enclosure of no more than six cubic feet;**
44 **and**

45 **(b) All other wireless equipment associated with the structure is cumulatively no**
46 **more than twenty-eight cubic feet in volume; except that, the following types of associated**
47 **ancillary equipment shall not be included in the calculation of equipment volume:**

48 **a. Electric meter;**

49 **b. Any equipment used for concealment;**

50 **c. Telecommunications demarcation box;**

51 **d. Ground-based enclosures;**

52 **e. Grounding equipment;**

53 **f. Power transfer switch;**

54 **g. Cut-off switch; and**

55 **h. Vertical cable runs for the connection of power and other services;**

56 **(13) "Small wireless facility network", a collection of interrelated small wireless**
57 **facilities designed to deliver wireless service;**

58 **(14) "Utility pole", a pole or similar structure that is used, in whole or in part, for**
59 **communications service, electric service, lighting, traffic control, signage, or similar**
60 **functions;**

61 **(15) "Wireless facility", equipment at a fixed location that enables wireless**
62 **communications between user equipment and a communications network including, but**
63 **not limited to:**

64 **(a) Equipment associated with wireless communications services including, but not**
65 **limited to, private services, broadcast services, public safety services, unlicensed wireless**
66 **services, and fixed wireless services such as microwave backhaul; and**

67 **(b) Radio transceivers, antennas, coaxial, or fiber optic cable; regular and backup**
68 **power supplies; and comparable equipment, regardless of technological configuration;**

69 **(16) "Wireless provider", a provider of wireless service;**

70 **(17) "Wireless service", any fixed or mobile wireless communication services**
71 **provided using wireless facilities.**

67.5310. 1. Except as provided in this section, an authority shall not prohibit,
2 **regulate, or charge for the collocation of small wireless facilities or small wireless facility**
3 **networks.**

4 **2. Small wireless facilities and small wireless facility networks shall be classified as**
5 **permitted uses, and not subject to zoning, land use, or other similar requirements**
6 **including, but not limited to, height, setbacks, or any standards of a special or conditional**
7 **use, in:**

8 **(1) All public rights-of-way and authority property; and**

9 **(2) Other property not zoned exclusively for single-family residential use.**

10 **3. Small wireless facilities and small wireless facility networks may be classified as**
11 **special or conditional uses if such facilities are located on property zoned exclusively for**
12 **single-family residential use and are not located within public rights-of-way or authority**
13 **property.**

14 **4. An authority may require building permits, encroachment permits to work**
15 **within public rights-of-way, and other permits for the collocation of small wireless facilities**
16 **and small wireless facility networks; provided that, such permits are of general**
17 **applicability to all users of any right-of-way. Authorities shall receive applications for and**
18 **process and issue such permits and approvals subject to the following requirements:**

19 **(1) An authority shall not require any applicant to pay an application processing**
20 **fee that is higher than the application processing fee required to be paid by a**
21 **communications service provider that is not a wireless provider;**

22 **(2) Total processing fees, including any fees charged by third parties, for any**
23 **individual permit or approval shall not exceed five hundred dollars;**

24 **(3) An authority shall not require applicants to perform any services, including**
25 **restoration work not directly related to the collocation, to obtain approval for applications;**

26 (4) An authority shall not require applicants to provide more information to obtain
27 a permit than communications service providers that are not wireless providers are
28 required to provide;

29 (5) The provisions of subsection 3 of section 67.1836 shall apply to each application
30 for a permit or approval;

31 (6) An authority shall allow an application for a permit or approval to address
32 multiple small wireless facilities or a small wireless facilities network;

33 (7) (a) An authority may deny an application only if the proposed small wireless
34 facility or small wireless facility network does not meet applicable authority regulations
35 related to construction in public rights-of-way, building codes, electrical codes, or related
36 standards; provided that, such codes and standards are of general applicability.

37 (b) An authority shall document the basis for any denial, including the specific
38 provisions of the regulations, codes, or standards on which the denial was based, and send
39 the documentation to the applicant on or before the day that it denies an application.

40 (c) An applicant may cure any deficiencies identified by an authority and resubmit
41 an application within thirty days of the date of any denial without paying an additional
42 processing fee. An authority shall approve or deny any resubmitted application within
43 thirty days;

44 (8) An authority shall not limit the duration of a permit or approval related to one
45 or more small wireless facilities or a small wireless facility network;

46 (9) Notwithstanding any other provision of law, an authority shall not institute a
47 moratorium on:

48 (a) Filing, receiving, or processing applications; or

49 (b) Issuing permits or approvals

50

51 for the collocation of small wireless facilities or small wireless facility networks; and

52 (10) An authority shall not impose discriminatory licensing standards for persons
53 constructing small wireless facilities or for persons constructing small wireless facility
54 networks. An authority shall receive applications and process and issue licenses for
55 persons constructing small wireless facilities and for persons constructing small wireless
56 facility networks in a manner that is substantially comparable to the licensing of other
57 contractors within the jurisdiction of the authority.

58 5. (1) A communications facilities provider, communications service provider, or
59 licensed contractor of any such provider may collocate small wireless facilities and small
60 wireless facility networks on authority utility poles located within public rights-of-way,
61 subject to reasonable rates, terms, and conditions.

62 (2) An authority shall process authority utility pole collocation requests, issue
63 permits, and allow the installation and operation of small wireless facilities and small
64 wireless facility networks on authority utility poles pending negotiation of any agreement.

65 (3) An authority shall process authority utility pole collocation requests in the same
66 manner as permit applications under subsection 4 of this section.

67 (4) An authority may charge a reasonable annual recurring rate to collocate a small
68 wireless facility on an authority utility pole, but such rate shall not exceed the rate
69 calculated by applying the formula in 47 CFR 1.1409(e)(2), as amended.

70 6. An authority shall authorize the collocation of small wireless facilities and small
71 wireless facility networks on authority structures not located within public rights-of-way
72 to the same extent an authority permits access to authority structures for other commercial
73 projects or uses, and may authorize such collocations if the authority has not previously
74 permitted access to an authority structure. Such collocations shall be subject to reasonable
75 rates, terms, and conditions as provided in one or more agreements between the wireless
76 provider and the authority. The rate charged for collocation shall be calculated on an
77 annual basis and shall not exceed the lesser of:

78 (1) The amount charged for similar commercial projects or uses to occupy or use
79 the same amount of space on similarly situated property;

80 (2) The projected cost to the authority resulting from the collocation; or

81 (3) Five hundred dollars annually.

82 7. No authority shall have or exercise zoning or siting jurisdiction, authority, or
83 control over the collocation of a small wireless facility located in an interior structure or
84 upon the site of any campus stadium or athletic facility.

67.5315. 1. Notwithstanding sections 67.1830 to 67.1846, a communications service
2 provider, a communications facilities provider, or a contractor of any such provider shall
3 have, subject to the receipt of all permits and approvals processed in accordance with
4 section 67.5310, the right to construct, maintain, and operate conduits, poles, cables,
5 wireless facilities, and related facilities along, across, upon, under, and over any public
6 street, road, highway, or right-of-way.

7 2. Notwithstanding the provisions of sections 67.5300 to 67.5320, a political
8 subdivision, as defined under section 67.1830, may charge fees to recover its right-of-way
9 management costs in accordance with section 67.1840 and subsection 2 of section 67.1832.
10 Such fees shall be based on the political subdivision's actual costs and not based on criteria
11 such as the applicant's revenues, number of access lines, or number of customers.

67.5320. The authorization to regulate small wireless facilities and small wireless
2 facility networks is hereby declared to be an exclusive power and function of the state and

3 shall not be exercised concurrently by any authority except as permitted in accordance
4 with sections 67.5300 to 67.5320.

84.514. The chief of police, with the approval of the board, may appoint a police
2 officer to serve as lieutenant colonel on matters relating to homeland security.
3 Notwithstanding the provisions of section 84.510 to the contrary, such position shall be a
4 new position and in addition to the number of lieutenant colonels authorized under section
5 84.510. The lieutenant colonel authorized under this section shall be responsible for
6 matters relating to homeland security as determined by the chief and be entitled to the
7 same rank, privileges, and compensation afforded all other lieutenant colonels within the
8 department.

192.300. 1. The county commissions [and] **with the concurrence** of the county health
2 center boards of the several counties may make and promulgate orders, ordinances, rules or
3 regulations, respectively as will tend to enhance the public health and prevent the entrance of
4 infectious, contagious, communicable or dangerous diseases into such county, but any orders,
5 ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized
6 and made by the department of health and senior services in accordance with this chapter or by
7 the department of social services under chapter 198. The county commissions [and] **with the**
8 **concurrence** of the county health center boards of the several counties may establish reasonable
9 fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations,
10 however, the establishment of such fees shall not deny personal health services to those
11 individuals who are unable to pay such fees or impede the prevention or control of
12 communicable disease. Fees generated shall be deposited in the county treasury. All fees
13 generated under the provisions of this section shall be used to support the public health activities
14 for which they were generated. After the promulgation and adoption of such orders, ordinances,
15 rules or regulations by such county commission [or county health board], such commission [or
16 county health board] shall make and enter an order or record declaring such orders, ordinances,
17 rules or regulations to be printed and available for distribution to the public in the office of the
18 county clerk, and shall require a copy of such order to be published in some newspaper in the
19 county in three successive weeks, not later than thirty days after the entry of such order,
20 ordinance, rule or regulation. Any person, firm, corporation or association which violates any
21 of the orders or ordinances adopted, promulgated and published by such county commission is
22 guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law.
23 The county commission [or county health board] of any such county has full power and authority
24 to initiate the prosecution of any action under this section.

25 **2. Notwithstanding the provisions of subsection 1 of this section, in the event of an**
26 **emergency, a county commission or the county health center board may make and**

27 **promulgate any orders, ordinances, rules, or regulations in order to protect public health,**
28 **safety, or welfare, but the orders, ordinances, rules, or regulations shall not be in conflict**
29 **with any rules or regulations authorized and made by the department of health and senior**
30 **services in accordance with this chapter or by the department of social services under**
31 **chapter 198.**

304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal
2 by siren or while having at least one lighted lamp exhibiting red light visible under normal
3 atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a
4 flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the
5 right-of-way and shall immediately drive to a position parallel to, and as far as possible to the
6 right of, the traveled portion of the highway and thereupon stop and remain in such position until
7 such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

8 2. Upon approaching a stationary emergency vehicle displaying lighted red or red and
9 blue lights, or a stationary vehicle owned by the state highways and transportation commission
10 and operated by an authorized employee of the department of transportation **or a stationary**
11 **vehicle owned by a contractor or subcontractor performing work for the department of**
12 **transportation** displaying lighted amber [or] , amber and white lights, **or red and blue lights,**
13 the driver of every motor vehicle shall:

14 (1) Proceed with caution and yield the right-of-way, if possible with due regard to safety
15 and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary
16 vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the
17 same direction as the approaching vehicle; or

18 (2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe
19 speed for road conditions, if changing lanes would be unsafe or impossible.

20 3. The motorman of every streetcar shall immediately stop such car clear of any
21 intersection and keep it in such position until the emergency vehicle has passed, except as
22 otherwise directed by a police or traffic officer.

23 4. An "emergency vehicle" is a vehicle of any of the following types:

24 (1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri
25 capitol police, a conservation agent, or a state park ranger, those vehicles operated by
26 enforcement personnel of the state highways and transportation commission, police or fire
27 department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to
28 carry firearms and to make arrests for violations of the laws of the United States, traffic officer
29 or coroner or by a privately owned emergency vehicle company;

30 (2) A vehicle operated as an ambulance or operated commercially for the purpose of
31 transporting emergency medical supplies or organs;

- 32 (3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;
- 33 (4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or
34 public service corporation while performing emergency service;
- 35 (5) Any vehicle transporting equipment designed to extricate human beings from the
36 wreckage of a motor vehicle;
- 37 (6) Any vehicle designated to perform emergency functions for a civil defense or
38 emergency management agency established pursuant to the provisions of chapter 44;
- 39 (7) Any vehicle operated by an authorized employee of the department of corrections
40 who, as part of the employee's official duties, is responding to a riot, disturbance, hostage
41 incident, escape or other critical situation where there is the threat of serious physical injury or
42 death, responding to mutual aid call from another criminal justice agency, or in accompanying
43 an ambulance which is transporting an offender to a medical facility;
- 44 (8) Any vehicle designated to perform hazardous substance emergency functions
45 established pursuant to the provisions of sections 260.500 to 260.550; or
- 46 (9) Any vehicle owned by the state highways and transportation commission and
47 operated by an authorized employee of the department of transportation that is marked as a
48 department of transportation emergency response or motorist assistance vehicle.
- 49 5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound
50 the siren thereon or have the front red lights or blue lights on except when such vehicle is
51 responding to an emergency call or when in pursuit of an actual or suspected law violator, or
52 when responding to, but not upon returning from, a fire.
- 53 (2) The driver of an emergency vehicle may:
- 54 (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;
- 55 (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be
56 necessary for safe operation;
- 57 (c) Exceed the prima facie speed limit so long as the driver does not endanger life or
58 property;
- 59 (d) Disregard regulations governing direction of movement or turning in specified
60 directions.
- 61 (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this
62 subsection shall apply only when the driver of any such vehicle while in motion sounds audible
63 signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle
64 is equipped with at least one lighted lamp displaying a red light or blue light visible under normal
65 atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

66 6. No person shall purchase an emergency light as described in this section without
67 furnishing the seller of such light an affidavit stating that the light will be used exclusively for
68 emergency vehicle purposes.

69 7. Violation of this section shall be deemed a class A misdemeanor.

 307.175. **1.** Motor vehicles and equipment which are operated by any member of an
2 organized fire department, ambulance association, or rescue squad, whether paid or volunteer,
3 may be operated on streets and highways in this state as an emergency vehicle under the
4 provisions of section 304.022 while responding to a fire call or ambulance call or at the scene
5 of a fire call or ambulance call and while using or sounding a warning siren and using or
6 displaying thereon fixed, flashing or rotating blue lights, but sirens and blue lights shall be used
7 only in bona fide emergencies.

8 **2. Motor vehicles and equipment owned by the state highways and transportation**
9 **commission or contractor or subcontractor performing work for the department of**
10 **transportation may use or display thereon fixed, flashing, or rotating red or blue lights, but**
11 **red or blue lights shall be used only while such vehicle is stationary in a work zone, as**
12 **defined in section 304.580, when highway workers, as defined in section 304.580, are**
13 **present.**

14 **3.** Permits for the operation of such vehicles equipped with sirens or blue lights shall be
15 in writing and shall be issued and may be revoked by the chief of an organized fire department,
16 organized ambulance association, [or] rescue squad, **or the state highways and transportation**
17 **commission** and no person shall use or display a siren or blue lights on a motor vehicle, fire,
18 ambulance, or rescue equipment without a valid permit authorizing the use. A permit to use a
19 siren or lights as heretofore set out does not relieve the operator of the vehicle so equipped with
20 complying with all other traffic laws and regulations. Violation of this section constitutes a class
21 A misdemeanor.

 347.048. **1. (1)** Any limited liability company that owns and rents or leases real
2 property, or owns unoccupied real property, located within any home rule city with a population
3 of more than four hundred thousand inhabitants which is located in more than one county, shall
4 file with that city's clerk an affidavit listing the name and **street** address of at least one **natural**
5 person who has management control and responsibility for the real property owned and leased
6 or rented by the limited liability company, or owned by the limited liability company and
7 unoccupied.

8 **(2) Within thirty days following the cessation of management control and**
9 **responsibility of any natural person named in an affidavit described in this section, the**
10 **limited liability company shall file a successor affidavit listing the name and street address**
11 **of a natural person successor.**

12 **2. No limited liability company shall be charged a fee for filing an affidavit or**
13 **successor affidavit required under this section.**

14 **3. If a limited liability company required by this section to file an affidavit or a**
15 **successor affidavit fails or refuses to file such completed affidavit with the appropriate**
16 **clerk, any person who is adversely affected by the failure or refusal or the home rule city**
17 **may petition the circuit court in the county where the property is located to direct the**
18 **execution and filing of such document.**

 478.705. 1. There shall be [two] **three** circuit judges in the twenty-sixth judicial circuit
2 consisting of the counties of Camden, Laclede, Miller, Moniteau and Morgan. These judges
3 shall sit in divisions numbered one [and] , two, **and three**.

4 2. The circuit judge in division two shall be elected in 1980. The circuit judge in
5 division one shall be elected in 1982. **The governor shall appoint a judge for division three**
6 **and notwithstanding the provisions of section 105.030, that judge shall serve until January**
7 **1, 2021. A judge for division three shall be elected in 2020.**

✓