



HB 1917

Sponsor: David Casteel

Path to full text:

<https://documents.house.mo.gov/billtracking/bills261/hlrbillspdf/4940H.01I.pdf>

PART 1 – QUICK SNAPSHOT

1.1 One-Paragraph Overview

HB 1917 adds two new sections to chapter 247 for public water supply districts. It (1) creates an “expedited detachment” process so landowners can pull unserved, uninhabited land out of certain districts through the courts, and (2) forces those same districts to accept gifts and donations that must be applied first to pay off federal debt, with public record-keeping.

Both ideas, in isolation, have some merit—property-owner relief and paying down federal debt. But the bill is drafted as a narrow, frozen-in-time carve-out for a single, specially described county, and it bundles two distinct policy schemes under one broad, catch-all title. That combination creates a serious **special-law** concern and brushes right up against Missouri’s single-subject protections—enough that, under Act for Missouri’s criteria, the bill fails the “no major red flags” test.

1.2 Triage Table

- **Single-subject (Art. III, §23):**
 - **Unclear / Dangerously close to violation.**
 - Title (“relating to public water supply districts”) is extremely broad, and the bill marries two distinct policies—territory detachment and federal-debt gift rules—into one package. They share the same *topic*, but function as separate subjects that could easily have been separate bills.
- **Special-law / classification:**
 - **Likely violates Missouri’s prohibition on special laws.**
 - Both sections are limited to districts in any county with (a) a charter form of government, (b) at least two water districts “in existence on August 28, 2026,” and (c) adjacency to a county that adjoins an independent city—

this is classic geocoding with a **frozen class**, designed to capture one county and lock everyone else out.

- **Does it grow government?**
 - **No / Slight shrink.**
 - No new agencies; some additional court process, but also more property-owner exit options and a push to pay off federal debt.
- **Overall impact on Missouri families:**
 - **Mixed.**
 - Substantively, it probably helps affected landowners and promotes transparency and debt reduction. But structurally, it normalizes special, one-off deals in statute—favoring one area over others—undermining the constitutional protections that ultimately safeguard *all* Missouri families.
- **Alignment with Act for Missouri core beliefs:**
 - **Mixed / Ultimately undermines.**
 - Some elements support property rights, transparency, and paying down federal debt; at the same time, the special-law structure and subject-bundling work around, rather than honor, the plain constitutional protections for equal treatment and general laws.
- **Recommended stance:**
 - **OPPOSE.**
 - Even with some good policy pieces, the bill appears to violate the special-law prohibition and skirts dangerously close to the single-subject line. Act for Missouri's standard is that a bill must be clearly constitutional and clearly in the public interest; if there is a serious structural or constitutional “bad,” we do **not** trade that away for a few “good” provisions.

PART 2 – PURPOSE & PROVISION MAP

2.1 Stated Purpose & Title

- **Apparent purpose (plain language):**
 - To give certain landowners in a particular charter county an expedited way to detach unserved, uninhabited tracts from a public water supply district, and to require those same districts to accept and use private funds to pay down federal debt first, with records open to the public.
- **Title:**
 - “An act … relating to public water supply districts.”
- **Assessment:**
 - The title is so broad it can cover almost anything in chapter 247. That makes it easy to pack multiple distinct policies (detachment + federal-debt gifts) into one bill without the average citizen realizing they’re being bound together in the same vote. This is *technically* defensible but **functionally undermines** the purpose of Art. III, §23’s “one subject clearly expressed” rule.

2.2 Provision-by-Provision Map

Provision 1 – New “expedited detachment” process

- **Location:** §247.181.1–3.
- **What it does (plain English):**
 - Lets owners of record of $\geq 50\%$ of the area of a tract inside a public water supply district petition circuit court to detach that tract if:
 1. The land is within a district organized under §§247.010–247.220 and not receiving water service;
 2. No voters reside there (per election authority);
 3. No district water lines or facilities are on or under the land;
 4. The land sits in a narrowly defined charter county (see Provision 2).
- **Tag: [Good idea, bad vehicle]**
- **Why:** In principle, it’s reasonable to let owners leave a district that doesn’t serve them and isn’t tied to GO bonds. But because it’s written as an ultra-narrow carve-out instead of a general rule for all similarly situated Missourians, it becomes part of the special-law problem.

Provision 2 – Ultra-narrow geographic restrictions (frozen class)

- **Location:** §247.181.1(4); §247.229.7.
- **What it does:**
 - Limits **both** the expedited detachment process and the debt-payment rules to districts in a county that:
 1. Has a **charter form of government**;
 2. Has **two or more** public water supply districts “in existence on August 28, 2026” organized under §§247.010–247.220;
 3. Is adjacent to a county that adjoins “a city not located within a county” (i.e., an independent city).
- **Tag: [Red Flag – Likely special law]**
- **Why:**
 - The “in existence on August 28, 2026” language **freezes the class in time**, so other counties that might later meet the general traits are excluded forever.
 - The geographic riddle clearly aims at one particular county rather than a genuine open class. That’s exactly the kind of disguised special law Missouri’s constitution is supposed to prevent.

Provision 3 – Notice, “silence means yes,” and public hearing

- **Location:** §247.181.3–10.
- **What it does:**

- Petitioner must send the petition by certified mail to the district, county election authority, county clerk, and secretary of state.
- Election authority has 30 days to certify whether there are any voters in the territory; if it does **not** respond, the court must treat that non-response as proof there are **no** voters.
- The district's board has 30 days to certify whether facilities are located in the territory and whether any general obligation bonds exist; again, silence is treated as proof there are none.
- The court holds a public hearing after newspaper notice; interested persons may object.
- If the conditions are met, the court **must** order detachment within 120 days; if the petition is defective, it is dismissed without prejudice, and petitioners cover the costs.
- **Tag: [Mixed]**
- **Why:**
 - The notice + hearing structure is good. But the “administrative silence automatically becomes legal proof” creates due-process risk—especially when the class of districts is already artificially narrow. Mistakes or foot-dragging by public offices could wrongly strip territory from a district.

Provision 4 – Gifts, donations, and mandatory payoff of federal debt

- **Location:** §247.229.1–6.
- **What it does:**
 - Requires qualifying districts (in the same specially defined county class) to accept lawful monetary gifts, donations, or bequests.
 - Unless the donor **expressly** directs a different use in writing, the money must be applied first to pay or prepay any outstanding federal debt (or debt guaranteed by the U.S.) until it's fully satisfied.
 - Excess funds can be used as otherwise allowed by law; if no federal debt exists, funds can go to other lawful purposes or donor-specified uses.
 - District must maintain records of gifts and their application and make them available for public inspection.
 - Any person or entity may pay all or part of the federal debt on behalf of the district; the board **must** facilitate that and **may not** reverse or interfere with the payment.
- **Tag: [Substantively Good, Structurally Problematic]**
- **Why:**
 - Paying down federal debt and increasing transparency are positive. But again, these benefits are locked behind a narrow, special-law style gate—only certain districts, in one carefully coded county, get this framework. That's unequal treatment by design.

2.3 Changes to Existing Law

- **What current law looks like:**
 - Chapter 247 already provides general rules for formation, governance, indebtedness, and detachment of public water supply districts. Detachment has established, generic procedures; handling gifts and debt is already governed by broader public-entity principles.
- **What changes if HB 1917 passes:**
 - Adds §247.181 as an “alternative” detachment path—but only in one specially described county class.
 - Adds §247.229 to require acceptance and specific application of gifts to pay federal debt, with public records—but again, only in that same narrow county class.
 - Other Missouri counties and districts that are similarly situated get none of these tools or protections.

PART 3 – CONSTITUTIONAL & PROCESS CHECKS

3.1 Missouri Single-Subject & Original-Purpose Tests

- **Main subject (as written):**
 - Governance of certain public water supply districts—specifically, detachment of territory and application of gifts to district debt.
- **Additional subject(s):**
 - **Subject A:** Territorial boundaries and property-owner exit rules (detachment).
 - **Subject B:** Debt-management and financial gifts, specifically vis-à-vis federal obligations.
- **Why this is concerning:**
 - These are conceptually different policy arenas: one is about **who is inside the district**, the other about **how the district handles federal debt and private gifts**.
 - The only real connection is “they both involve water districts in the same county.” That kind of broad topical umbrella is exactly how multi-subject bills sneak through under a vague “relating to” title.
- **Title vs content:**
 - The title (“relating to public water supply districts”) is so broad that it does not meaningfully warn citizens or legislators that they’re voting on **two distinct schemes**—a boundary-change mechanism and a federal-debt payoff regime—tied together and limited to one special county class.
- **Conclusion on Art. III, §23:**
 - **We judge this as: “May technically pass, but dangerously close to a multi-subject / vague-title violation.”**
 - For Act for Missouri’s purposes, that is enough to treat this as a **constitutional red flag**—especially when combined with the special-law problems below.

3.2 Special-Law / Classification Concerns

- **Location of the problem language:**
 - §247.181.1(4) and §247.229.7—the county definition with charter form, “two or more” districts “in existence on August 28, 2026,” and adjacency to a county adjoining an independent city.
- **Why this is likely a special law:**
 - The class is not genuinely open: tying it to numbers of districts “in existence” on a fixed date **locks out future counties** that might later be in the same practical situation.
 - The geographic puzzle plainly aims at a very specific county rather than any county that meets a real, ongoing policy condition.
 - Missouri’s Constitution disfavors exactly this kind of disguised one-off deal, where the legislature writes what is effectively a local bill under the guise of a “general” classification.
- **Act for Missouri’s standard:**
 - A bill must respect constitutional limits “according to their original, plain meaning,” and efforts to work around them via clever drafting are a red flag.
 - HB 1917 looks like a textbook attempt to do with clever drafting what should not be done at all: carve a special regime for one favored area.

3.3 U.S. & Missouri Bill of Rights / Due Process

- **Due process & equal protection (Mo. Const. Art. I, §2 & §10):**
 - The detachment process includes notice, public hearing, and court review—which is positive—but the “silence equals certification” rule for election authorities and district boards risks detachment based on administrative error or neglect.
 - The frozen, special classification means similarly situated landowners and districts elsewhere are denied the same tools solely because they live in the “wrong” county. That’s a substantive equal-treatment concern.
- **Other rights (speech, religion, arms, searches, etc.):**
 - Not directly implicated.

Bottom line:

- The most serious constitutional problems are **structural**: special-law style classification and bundled subjects under a vague title. From Act for Missouri’s perspective, those are enough to warrant opposition.

PART 4 – IMPACT ON MISSOURI FAMILIES

4.1 Economic, Tax, and Utility Impacts

- **Property owners in the affected county class:**

- Benefit from a clearer, faster way to detach unserved, uninhabited land from a water district, potentially avoiding future taxes/fees for services they don't receive.
- **Remaining district customers:**
 - Criteria (no voters, no facilities, no GO bonds) limit harmful impacts, but detaching potentially developable land could reduce the future revenue base. The bill doesn't include explicit protections for remaining ratepayers or taxpayers.
- **Federal debt payout:**
 - Encouraging payoff of federal loans and increasing transparency is economically sound and reduces federal leverage—a plus from a sovereignty and stewardship standpoint.

However:

- All those concrete benefits are gated behind a special-law framework: only one narrowly defined county gets them. That sets a bad precedent—future bills can copy this pattern to cut special deals on much more controversial subjects.

4.2 Family, Education, and Culture

- No direct impact on schools, DESE, parental rights, or cultural hot-button issues.
- Indirectly, any erosion of constitutional protections against special laws **weakens** the guardrails that protect families from targeted legislation in other areas (education, speech, etc.).

Net impact on Missouri families:

- **Mixed in the short term, negative in the long term.**
 - Some landowners and one district benefit now. But the structural precedent—special laws for favored localities, bundled under broad titles—harms the rule-of-law environment that Missouri families depend on.

PART 5 – ACT FOR MISSOURI CORE PRINCIPLES CHECK

Act for Missouri 2026 Legislati...

- **100% Pro-Life:**
 - **Not implicated.** No abortion or bioethics provisions.
- **Christian & Biblical Values:**
 - **Mixed.**
 - Positive: Paying down debt and keeping clear public records align with biblical stewardship and honesty.

- Negative: Using clever drafting to evade equal treatment under law conflicts with the biblical idea that rulers should judge with impartiality, not favoritism.
- **Property Taxes & Economic Freedom:**
 - **Mixed.**
 - Helps some landowners escape obligations to a district that doesn't serve them.
 - But only in one specially defined county—others in the same situation get no relief, which undercuts economic fairness across the state.
- **Literal / Original-Intent Constitutionalism:**
 - **Undermines.**
 - Leans on a broad “relating to” title and a contrived frozen class, rather than writing a clean, general law that plainly fits the constitution’s general-law and single-subject expectations.
- **Right to Bear Arms:**
 - **Not implicated.**
- **State Sovereignty & Tenth Amendment:**
 - **Mixed.**
 - Paying off federal debt reduces federal leverage (good).
 - But doing it via a special-law carve-out rather than a general rule undermines the integrity of the state’s own constitutional order.
- **Nuclear Family & Parental Rights; Homeschool Protection:**
 - **Not directly implicated.**
- **Currency & Financial Control:**
 - **Slightly positive on substance.** No CBDC/FedNow features here; instead, it encourages retiring federal debt.
- **Election Integrity:**
 - **Not a direct election bill**, but we flag that treating an election authority’s **non-response** as legal certification sets a bad procedural norm.
- **Government Transparency:**
 - **Supports.**
 - Explicit record-keeping and public access for gifts and their use is a plus for transparency.

PART 6 – SPECIAL TOPIC TESTS (2025 PRIORITIES)

- **6.1 Amendment 3 / Personhood & Equal-Protection:**
 - Not implicated.
- **6.2 Surveillance, Digital-ID, and Data-Hub:**
 - Not implicated. No data hubs, IDs, ALPR, or similar systems.
- **6.3 Utilities, Energy Policy, Data Centers / Big Users:**
 - Touches water utilities but not rate structures for big users or data centers. No cross-subsidy language.
- **6.4 Federal Money & Strings:**

- **Positive direction:** The bill helps districts pay off existing federal debt rather than tying them to new programs.
- **6.5 Model-Legislation / Globalism Indicators:**
 - No obvious globalist / ESG / Agenda 2030 language. This is a localized fight, not a WEF front.

PART 7 – RED FLAGS, AMENDMENT IDEAS, & FINAL RECOMMENDATION

7.1 Red-Flag List (Prioritized)

1. **Red Flag #1 – Likely special law via frozen county class**
 - **Location:** §§247.181.1(4), 247.229.7.
 - Uses charter-county status + “two or more districts in existence on August 28, 2026” + adjacency to an independent-city county to create a closed, hand-picked class—classic disguised local legislation.
2. **Red Flag #2 – Bundled subjects under a vague, broad title**
 - **Location:** New §§247.181 (detachment) and 247.229 (gifts/federal debt) in a single bill “relating to public water supply districts.”
 - Combining a property-detachment regime and a financial-gifts regime into one package under a broad “relating to” title pushes against the single-subject rule’s spirit and makes it harder for citizens to give informed consent.
3. **Red Flag #3 – “Silence means certification” from public officials**
 - **Location:** §247.181.4–5.
 - Treating non-response by election authorities or boards as conclusive proof about voters, facilities, and bonds is a poor due-process model and invites error.

7.2 Possible Fixes / Amendments (If Someone Else Wants to Salvage It)

If others want to “salvage” the policy, the minimum fixes would be:

- **Make the bill truly general:**
 - Remove the frozen geographic riddle and write it so any district that meets genuine, ongoing conditions (no voters, no facilities, no GO bonds) can use the detachment process and debt-payoff rules statewide.
- **Split the subjects:**
 - Detachment (territory/boundaries) and gifts/federal debt (finances) should be **separate bills**. Each could still reference public water supply districts, but they should stand or fall on their own merits.
- **Fix the “silence means yes” provisions:**
 - Require affirmative certifications, or at least allow the court to require additional evidence if an office fails to respond, instead of treating silence as proof.

7.3 Final Recommendation

- **Recommended stance: OPPOSE.**

Even though HB 1917 contains some good policy ideas—relief for unserved landowners, encouragement to pay down federal debt, and stronger transparency—those positives are packaged inside what appears to be a **special-law framework** with a bundled-subject structure that pushes hard against Missouri’s single-subject protections. Under Act for Missouri’s standard, a bill must be clearly constitutional and clearly protective of liberty; if there is a serious structural or constitutional problem, we do **not** trade that away for a handful of benefits. For that reason, **Act for Missouri should oppose HB 1917.**