

HCS HB 161 -- POLITICAL SUBDIVISIONS

SPONSOR: Gatschenberger

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Local Government by a vote of 18 to 0.

This substitute changes laws regarding political subdivisions. In its main provisions, the substitute:

(1) Authorizes a county to amend its budget twice during any fiscal year when there is a verifiable decline in funds of at least 2% that could not have been estimated or anticipated when the budget was adopted. Currently, a county is only authorized to amend its annual budget when it receives additional funds that could not be estimated. Any decrease in appropriations cannot unduly affect any one officeholder and cannot impact any dedicated fund authorized by law. The county must provide 30 days' notice of a public hearing regarding any amendment to the county budget, including a published summary of the proposed reductions and an explanation of the shortfall. Before any reduction affecting an elected officeholder can occur, negotiations must take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. County commissioners can reduce budgets of departments under their direct supervision and responsibility at any time without these restrictions. These provisions cannot restrict a charter county from amending its budget pursuant to the terms of its charter. These provisions will expire July 1, 2016;

(2) Authorizes the county commission of any county to adopt regulations regarding building codes, including permit, license, and inspection fees, and to establish a building commission to prepare the regulations as specified under Sections 64.170 to 64.200, RSMo. Currently, only the county commission of a county of the first or second classification has this authority. A structure used solely for certain specified agricultural purposes is exempted from the building code regulations;

(3) Specifies that a petition requesting a voluntary annexation only needs to be notarized instead of verified. Any action seeking to reverse, invalidate, set aside, or challenge a previous annexation must be brought within three years of the date of the adoption of the annexation ordinance except for an action to deannex an area or challenge an annexation for failure of the annexing municipality to provide required services to the area within three years which must be brought within four years from the adoption of the annexation ordinance. The fact that a petition requesting annexation is not or was not verified or notarized will not affect the validity of the annexation;

(4) Exempts certain voluntary annexations from boundary commission review in St. Louis County. The annexation is not prohibited by the existence of an established unincorporated area;

(5) Authorizes the city council of the City of Farmington, in addition to adopting and repealing ordinances by council vote, to adopt or repeal any ordinance by submitting the proposed ordinance to the registered voters of the city at the next municipal election; and

(6) Removes the provision that requires fire protection districts located in Greene County to have an audit performed every two years in conformance with rules established by the State Auditor.

PROPONENTS: Supporters say that it is difficult for a judge to determine which signatures or part of a petition were verified, but notarization is more easily discernable.

Testifying for the bill were Representative Gatschenberger; and Kevin O'Keefe.

OPPONENTS: There was no opposition voiced to the committee.