

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2179
97TH GENERAL ASSEMBLY

6454H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to audits of public water supply districts.

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

Section A. Section 29.230, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 29.230, to read as follows:

29.230. 1. In every county which does not elect a county auditor, the state auditor shall audit, without cost to the county, at least once during the term for which any county officer is chosen, the accounts of the various county officers supported in whole or in part by public moneys.

2. The state auditor shall audit any political subdivision of the state, including counties having a county auditor, if requested to do so by a petition signed by the requisite percent of the qualified voters of the political subdivision. The requisite percent of qualified voters to cause such an audit to be conducted shall be determined as follows:

(1) If the number of qualified voters of the political subdivision determined on the basis of the votes cast in the last gubernatorial election held prior to the filing of the petition is less than one thousand, twenty-five percent of the qualified voters of the political subdivision determined on the basis of the registered voters eligible to vote at the last gubernatorial election held prior to the filing of the petition;

(2) If the number of qualified voters of the political subdivision determined on the basis of the votes cast in the last gubernatorial election held prior to the filing of the petition is one thousand or more but less than five thousand, fifteen percent of the qualified voters of the political subdivision determined on the basis of the votes cast in the last gubernatorial election

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.

18 held prior to the filing of the petition, provided that the number of qualified voters signing such
19 petition is not less than two hundred;

20 (3) If the number of qualified voters of the political subdivision determined on the basis
21 of the votes cast in the last gubernatorial election held prior to the filing of the petition is five
22 thousand or more but less than fifty thousand, ten percent of the qualified voters of the political
23 subdivision determined on the basis of the votes cast in the last gubernatorial election held prior
24 to the filing of the petition, provided that the number of qualified voters signing such petition is
25 not less than seven hundred fifty;

26 (4) If the number of qualified voters of the political subdivision determined on the basis
27 of the votes cast in the last gubernatorial election held prior to the filing of the petition is fifty
28 thousand or more, five percent of the qualified voters of the political subdivision determined on
29 the basis of the votes cast in the last gubernatorial election held prior to the filing of the petition,
30 provided that the number of qualified voters signing such petition is not less than five thousand.

31

32 The political subdivision shall pay the actual cost of audit. The petition that requests an audit
33 of a political subdivision shall state on its face the estimated cost of the audit and that it will be
34 paid by the political subdivision being audited. The estimated cost of the audit shall be provided
35 by the state auditor within sixty days of such request. The costs of the audit may be billed and
36 paid on an interim basis with individual billing periods to be set at the state auditor's discretion.
37 Moneys held by the state on behalf of a political subdivision may be used to offset unpaid
38 billings for audit costs of the political subdivision. All moneys received by the state in payment
39 of the costs of petition audits shall be deposited in the state treasury and credited to the "Petition
40 Audit Revolving Trust Fund" which is hereby created with the state treasurer as custodian. The
41 general assembly may appropriate additional moneys to the fund as it deems necessary. The state
42 auditor shall administer the fund and approve all disbursements, upon appropriation, from the
43 fund to apply to the costs of performing petition audits. The provisions of section 33.080 to the
44 contrary notwithstanding, money in the fund shall not be transferred and placed to the credit of
45 general revenue until the amount in the fund at the end of any biennium exceeds one million
46 dollars. The amount in the fund which shall lapse is the amount which exceeds one million
47 dollars. No political subdivision shall be audited by petition more than once in any three
48 calendar or fiscal years.

49 **3. (1) Notwithstanding any other provision of law to the contrary, the state auditor**
50 **shall have the authority to audit any public water supply district located within any county**
51 **with a charter form of government and with more than three hundred thousand but fewer**
52 **than four hundred fifty thousand inhabitants whose public water supply district does not**

53 **actually process or treat sewage or wastewater but pays a premium or fee to another entity**
54 **for such service.**

55 **(2) The audit shall be:**

56 **(a) Conducted as if requested by a petition;**

57 **(b) Paid for by the public water supply district with moneys deposited into the**
58 **petition audit revolving trust fund established in this section; and**

59 **(c) Completed by December 31, 2015.**

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