

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 539
98TH GENERAL ASSEMBLY

2372H.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 49.060, 51.090, 53.010, 54.033, 55.050, 58.040, 59.022, 72.418, 105.030, 321.322, 473.730, and 483.020, RSMo, and to enact in lieu thereof fourteen new sections relating to political subdivisions, with an emergency clause for certain sections.

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

Section A. Sections 49.060, 51.090, 53.010, 54.033, 55.050, 58.040, 59.022, 72.418, 105.030, 321.322, 473.730, and 483.020, RSMo, are repealed and fourteen new sections enacted in lieu thereof, to be known as sections 49.060, 49.130, 51.090, 52.145, 53.010, 54.033, 55.050, 58.040, 59.022, 72.418, 105.030, 321.322, 473.730, and 483.020, to read as follows:

49.060. **1.** When a vacancy shall occur in the office of a county commissioner, the vacancy shall at once be certified by the clerk of the commission to the governor[, who shall fill such vacancy with a person who resides in the district at the time the vacancy occurs, as provided by law].

2. It shall be the duty of the governor to fill such vacancy no later than sixty days after certification by appointing, by and with the advice and consent of the senate subject to the provisions of article IV, section 51 of the Constitution of Missouri, some eligible person to said office who shall discharge the duties thereof until the next general election, at which time a commissioner shall be chosen for the remainder of the term, who shall hold such office until a successor is duly elected and qualified, unless sooner removed.

3. This section shall not apply to any county that has adopted a charter for its own government under article VI, section 18 of the Constitution of Missouri.

49.130. If the clerk of the court in the circuit in which the county is located does not offer passport service as provided under section 483.537, the county commission may take

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.

3 or process applications for passports or their renewal or may designate by order or
4 ordinance any county officer to provide the service. Fees charged for the service shall be
5 retained by the county office that provides the service.

51.090. 1. When any vacancy shall occur in the office of clerk of the county commission
2 by death, resignation, removal, refusal to act, or otherwise, it shall be the duty of the governor
3 to fill such vacancy by appointing, **no later than sixty days after the vacancy occurs and by**
4 **and with the advice and consent of the senate subject to the provisions of article IV, section**
5 **51 of the Constitution of Missouri**, some eligible person to said office, who shall discharge the
6 duties thereof until the next general election, at which time a clerk shall be chosen for the
7 remainder of the term, who shall hold [his] **such** office until [his] a successor is duly elected or
8 appointed and qualified, unless sooner removed.

9 2. **This section shall not apply to any county that has adopted a charter for its own**
10 **government under article VI, section 18 of the Constitution of Missouri.**

52.145. 1. If any vacancy shall occur in the office of county collector of revenue by
2 death, resignation, removal, refusal to act, or otherwise, it shall be the duty of the governor
3 to fill such vacancy by appointing, **no later than sixty days after the vacancy occurs and by**
4 **and with the advice and consent of the senate subject to the provisions of article IV, section**
5 **51 of the Constitution of Missouri**, some eligible person to said office, who shall discharge
6 the duties thereof until the next general election, at which time a collector shall be chosen
7 for the remainder of the term, who shall hold such office until a successor is duly elected
8 and qualified, unless sooner removed.

9 2. **This section shall not apply to any county that has adopted a charter for its own**
10 **government under article VI, section 18 of the Constitution of Missouri.**

53.010. 1. At the general election in the year 1948 and every four years thereafter the
2 qualified voters in each county in this state shall elect a county assessor. Such county assessors
3 shall enter upon the discharge of their duties on the first day of September next after their
4 election, and shall hold office for a term of four years, and until their successors are elected and
5 qualified, unless sooner removed from office; provided, that this section shall not apply to the
6 city of St. Louis. The assessor shall be a resident of the county from which such person was
7 elected.

8 2. **If any vacancy shall occur in the office of county assessor by death, resignation,**
9 **removal, refusal to act, or otherwise, it shall be the duty of the governor to fill such vacancy**
10 **by appointing, no later than sixty days after the vacancy occurs and by and with the advice**
11 **and consent of the senate subject to the provisions of article IV, section 51 of the**
12 **Constitution of Missouri, some eligible person to said office, who shall discharge the duties**
13 **thereof until the next general election, at which time an assessor shall be chosen for the**

14 **remainder of the term, who shall hold such office until a successor is duly elected and**
15 **qualified, unless sooner removed. This subsection shall not apply to any county that has**
16 **adopted a charter for its own government under article VI, section 18 of the Constitution**
17 **of Missouri.**

18 [2.] 3. The office of county assessor is created in each county having township
19 organization and a county assessor shall be elected for each township organization county at the
20 next general election, or at a special election called for that purpose by the governing body of
21 such county. If a special election is called, the state and each political subdivision or special
22 district submitting a candidate or question at such election shall pay its proportional share of the
23 costs of the election, as provided by section 115.065. Such assessor shall assume office
24 immediately upon his election and qualification, and shall serve until his successor is elected and
25 qualified under the provisions of subsection 1 of this section. Laws generally applicable to
26 county assessors, their offices, clerks, and deputies shall apply to and govern county assessors
27 in township organization counties, and laws applicable to county assessors, their offices, clerks,
28 and deputies in third class counties and laws applicable to county assessors, their offices, clerks,
29 and deputies in fourth class counties shall apply to and govern county assessors, their offices,
30 clerks, and deputies in township organization counties of the respective classes, except that when
31 such general laws and such laws applicable to third and fourth class counties conflict with the
32 laws specially applicable to county assessors, their offices, clerks, and deputies in township
33 organization counties, the laws specially applicable to county assessors, their offices, clerks, and
34 deputies in township organization counties shall govern.

54.033. In the event of a vacancy caused by death, resignation, or otherwise, in the office
2 of county treasurer in any county except a county having a township form of government with
3 an office of collector-treasurer and any county with a charter form of government, the county
4 commission shall appoint a deputy treasurer or a qualified person to serve as an interim treasurer
5 until said treasurer returns or the unexpired term is filled under section 105.030. **The governor**
6 **shall fill a vacancy under this section no later than sixty days after such vacancy occurs by**
7 **appointing, by and with the advice and consent of the senate subject to the provisions of**
8 **article IV, section 51 of the Constitution of Missouri, some eligible person to said office who**
9 **shall discharge the duties thereof until the next general election, at which time a treasurer**
10 **shall be chosen for the remainder of the term, who shall hold such office until a successor**
11 **is duly elected and qualified, unless sooner removed.** Such individual must be eligible to
12 serve as a county treasurer under section 54.040, and must comply with section 54.090. **This**
13 **section shall not apply to any county that has adopted a charter for its own government**
14 **under article VI, section 18 of the Constitution of Missouri.**

55.050. 1. At the general election in the year 1946, and every four years thereafter, a
2 county auditor shall be elected in each county of the first class not having a charter form of
3 government and in each county of the second class. He **or she** shall be commissioned by the
4 governor and shall enter upon the discharge of his **or her** duties on the first Monday in January
5 next ensuing his **or her** election. He **or she** shall hold his **or her** office for the term of four years
6 and until his **or her** successor is duly elected and qualified, unless he **or she** is sooner removed
7 from office.

8 2. If a vacancy occurs in the office by death, resignation, removal, refusal to act, or
9 otherwise, the governor shall fill the vacancy, **no later than sixty days after it occurs**, by
10 appointing some eligible person to the office, **by and with the advice and consent of the senate**
11 **subject to the provisions of article IV, section 51 of the Constitution of Missouri**, who shall
12 discharge the duties thereof until the next general election, at which time an auditor shall be
13 chosen for the remainder of the term, who shall hold [his] **such** office until [his] a successor is
14 duly elected and qualified, unless sooner removed. **This subsection shall not apply to any**
15 **county that has adopted a charter for its own government under article VI, section 18 of**
16 **the Constitution of Missouri.**

58.040. When any vacancy shall occur in the office of coroner by death, resignation,
2 removal, refusal to act, or in any other manner, it shall be the duty of the governor to fill such
3 vacancy, **no later than sixty days after its occurrence**, by appointing some eligible person to
4 such office **by and with the advice and consent of the senate subject to the provisions of**
5 **article IV, section 51 of the Constitution of Missouri.** The person so appointed shall take the
6 oath, give bond and otherwise qualify for the office as required of coroners regularly elected, and
7 shall discharge the duties of such office for the remainder of the term for which he is appointed.
8 **This section shall not apply to any county that has adopted a charter for its own**
9 **government under article VI, section 18 of the Constitution of Missouri.**

59.022. In the event of a vacancy caused by death or resignation in the office of county
2 recorder where the offices of the clerk of the court and recorder of deeds are separate, except in
3 any city not within a county or any county with a charter form of government, the county
4 commission shall appoint a deputy recorder or a qualified person to serve as an interim recorder
5 of deeds until the unexpired term is filled under section 105.030. **It shall be the duty of the**
6 **governor to fill such vacancy, no later than sixty days after its occurrence, by appointing,**
7 **by and with the advice and consent of the senate subject to the provisions of article IV,**
8 **section 51 of the Constitution of Missouri, some eligible person to said office who shall**
9 **discharge the duties thereof until the next general election, at which time a recorder shall**
10 **be chosen for the remainder of the term, who shall hold such office until a successor is duly**
11 **elected and qualified, unless sooner removed. This section shall not apply to any county**

12 **that has adopted a charter for its own government under article VI, section 18 of the**
13 **Constitution of Missouri.**

72.418. 1. Notwithstanding any other provision of law to the contrary, no new city
2 created pursuant to sections 72.400 to 72.423 shall establish a municipal fire department to
3 provide fire protection services, including emergency medical services, if such city formerly
4 consisted of unincorporated areas in the county or municipalities in the county, or both, which
5 are provided fire protection services and emergency medical services by one or more fire
6 protection districts. Such fire protection districts shall continue to provide services to the area
7 comprising the new city and may levy and collect taxes the same as such districts had prior to
8 the creation of such new city.

9 2. Fire protection districts serving the area included within any annexation by a city
10 having a fire department, including simplified boundary changes, shall continue to provide fire
11 protection services, including emergency medical services to such area.

12 **3. Notwithstanding any other provision of law to the contrary, beginning January**
13 **1, 2016, any fire protection districts serving the area included within any annexation by a**
14 **city having a fire department, including simplified boundary changes, which annexation**
15 **is not completed by August 28, 2015, shall continue to levy and collect taxes the same as**
16 **such districts had prior to the annexation. The annexing city shall not levy or collect any**
17 **property taxes on the annexed property relating to fire protection and emergency medical**
18 **services.**

19 **4. Notwithstanding any other provision of law to the contrary, for any fire**
20 **protection districts serving the area included within any annexation by a city having a fire**
21 **department, including simplified boundary changes, which annexation has been completed**
22 **by August 28, 2015:**

23 **(1) Beginning January 1, 2016:**

24 **(a)** The annexing city shall pay annually to the fire protection district an amount equal
25 to **eighty percent of** that which the fire protection district would have levied on all taxable
26 property within the annexed area. [Such annexed area shall not be subject to taxation for any
27 purpose thereafter by the fire protection district except for bonded indebtedness by the fire
28 protection district which existed prior to the annexation.] The amount to be paid annually by the
29 municipality to the fire protection district pursuant hereto shall be **eighty percent of [a] the** sum
30 equal to the annual assessed value multiplied by the annual tax rate as certified by the fire
31 protection district to the municipality, including any portion of the tax created for emergency
32 medical service provided by the district, per one hundred dollars of assessed value in such area.
33 The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to
34 such annexation, but shall not include any portion of the tax rate for bonded indebtedness

35 incurred prior to such annexation. **The annexing city shall not levy or collect any property**
36 **taxes on the annexed property relating to fire protection and emergency medical services.**

37 **(b) The annexed area shall be subject to taxation by the fire protection district for**
38 **twenty percent of the sum equal to the annual assessed value multiplied by the annual tax**
39 **rate as certified by the fire protection district to the municipality, including any portion**
40 **of the tax created for emergency medical service provided by the district, per one hundred**
41 **dollars of assessed value in such area. The tax rate so computed shall include any tax on**
42 **bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed**
43 **area shall be subject to taxation by the fire protection district for bonded indebtedness by**
44 **the fire protection district which existed prior to the annexation.**

45 **(2) Beginning January 1, 2017:**

46 **(a) The annexing city shall pay annually to the fire protection district an amount**
47 **equal to sixty percent of that which the fire protection district would have levied on all**
48 **taxable property within the annexed area. The amount to be paid annually by the**
49 **municipality to the fire protection district pursuant hereto shall be sixty percent of the sum**
50 **equal to the annual assessed value multiplied by the annual tax rate as certified by the fire**
51 **protection district to the municipality, including any portion of the tax created for**
52 **emergency medical service provided by the district, per one hundred dollars of assessed**
53 **value in such area. The tax rate so computed shall include any tax on bonded indebtedness**
54 **incurred subsequent to such annexation, but shall not include any portion of the tax rate**
55 **for bonded indebtedness incurred prior to such annexation. The annexing city shall not**
56 **levy or collect any property taxes on the annexed property relating to fire protection and**
57 **emergency medical services.**

58 **(b) The annexed area shall be subject to taxation by the fire protection district for**
59 **forty percent of the sum equal to the annual assessed value multiplied by the annual tax**
60 **rate as certified by the fire protection district to the municipality, including any portion**
61 **of the tax created for emergency medical service provided by the district, per one hundred**
62 **dollars of assessed value in such area. The tax rate so computed shall include any tax on**
63 **bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed**
64 **area shall be subject to taxation by the fire protection district for bonded indebtedness by**
65 **the fire protection district which existed prior to the annexation.**

66 **(3) Beginning January 1, 2018:**

67 **(a) The annexing city shall pay annually to the fire protection district an amount**
68 **equal to forty percent of that which the fire protection district would have levied on all**
69 **taxable property within the annexed area. The amount to be paid annually by the**
70 **municipality to the fire protection district pursuant hereto shall be forty percent of the sum**

71 equal to the annual assessed value multiplied by the annual tax rate as certified by the fire
72 protection district to the municipality, including any portion of the tax created for
73 emergency medical service provided by the district, per one hundred dollars of assessed
74 value in such area. The tax rate so computed shall include any tax on bonded indebtedness
75 incurred subsequent to such annexation, but shall not include any portion of the tax rate
76 for bonded indebtedness incurred prior to such annexation. The annexing city shall not
77 levy or collect any property taxes on the annexed property relating to fire protection and
78 emergency medical services.

79 (b) The annexed area shall be subject to taxation by the fire protection district for
80 sixty percent of the sum equal to the annual assessed value multiplied by the annual tax
81 rate as certified by the fire protection district to the municipality, including any portion
82 of the tax created for emergency medical service provided by the district, per one hundred
83 dollars of assessed value in such area. The tax rate so computed shall include any tax on
84 bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed
85 area shall be subject to taxation by the fire protection district for bonded indebtedness by
86 the fire protection district which existed prior to the annexation.

87 (4) Beginning January 1, 2019:

88 (a) The annexing city shall pay annually to the fire protection district an amount
89 equal to twenty percent of that which the fire protection district would have levied on all
90 taxable property within the annexed area. The amount to be paid annually by the
91 municipality to the fire protection district pursuant hereto shall be twenty percent of the
92 sum equal to the annual assessed value multiplied by the annual tax rate as certified by the
93 fire protection district to the municipality, including any portion of the tax created for
94 emergency medical service provided by the district, per one hundred dollars of assessed
95 value in such area. The tax rate so computed shall include any tax on bonded indebtedness
96 incurred subsequent to such annexation, but shall not include any portion of the tax rate
97 for bonded indebtedness incurred prior to such annexation. The annexing city shall not
98 levy or collect any property taxes on the annexed property relating to fire protection and
99 emergency medical services.

100 (b) The annexed area shall be subject to taxation by the fire protection district for
101 eighty percent of the sum equal to the annual assessed value multiplied by the annual tax
102 rate as certified by the fire protection district to the municipality, including any portion
103 of the tax created for emergency medical service provided by the district, per one hundred
104 dollars of assessed value in such area. The tax rate so computed shall include any tax on
105 bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed

106 **area shall be subject to taxation by the fire protection district for bonded indebtedness by**
107 **the fire protection district which existed prior to the annexation.**

108 **(5) Beginning January 1, 2020, and thereafter, the annexed area shall be subject to**
109 **taxation by the fire protection district for all taxes levied, including bonded indebtedness**
110 **prior to and after annexation. The annexing city shall not levy or collect any property**
111 **taxes on the annexed property relating to fire protection and emergency medical services.**

112 **5.** Notwithstanding any other provision of law to the contrary, the residents of an area
113 annexed on or after May 26, 1994, may vote in all fire protection district elections and may be
114 elected to the fire protection district board of directors.

115 **[3.] 6.** The fire protection district may approve or reject any proposal for the provision
116 of fire protection and emergency medical services by a city.

105.030. **Except as specifically provided otherwise,** whenever any vacancy, caused in
2 any manner or by any means whatsoever, occurs or exists in any state or county office originally
3 filled by election of the people, other than in the offices of lieutenant governor, state senator or
4 representative, sheriff, or recorder of deeds in the city of St. Louis, the vacancy shall be filled by
5 appointment by the governor except that when a vacancy occurs in the office of county assessor
6 after a general election at which a person other than the incumbent has been elected, the person
7 so elected shall be appointed to fill the remainder of the unexpired term; and the person
8 appointed after duly qualifying and entering upon the discharge of his duties under the
9 appointment shall continue in office until the first Monday in January next following the first
10 ensuing general election, at which general election a person shall be elected to fill the unexpired
11 portion of the term, or for the ensuing regular term, as the case may be, and the person so elected
12 shall enter upon the discharge of the duties of the office the first Monday in January next
13 following his election, except that when the term to be filled begins on any day other than the
14 first Monday in January, the appointee of the governor shall be entitled to hold the office until
15 such other date. This section shall not apply to vacancies in county offices in any county which
16 has adopted a charter for its own government under section 18, article VI of the Constitution **of**
17 **Missouri.** Any vacancy in the office of recorder of deeds in the city of St. Louis shall be filled
18 by appointment by the mayor of that city.

321.322. 1. If any property located within the boundaries of a fire protection district
2 shall be included within a city having a population of at least two thousand five hundred but not
3 more than sixty-five thousand which is not wholly within the fire protection district and which
4 maintains a city fire department, then upon the date of actual inclusion of the property within the
5 city, as determined by the annexation process, the city shall within sixty days assume by contract
6 with the fire protection district all responsibility for payment in a lump sum or in installments
7 an amount mutually agreed upon by the fire protection district and the city for the city to cover

8 all obligations of the fire protection district to the area included within the city, and thereupon
9 the fire protection district shall convey to the city the title, free and clear of all liens or
10 encumbrances of any kind or nature, any such tangible real and personal property of the fire
11 protection district as may be agreed upon, which is located within the part of the fire protection
12 district located within the corporate limits of the city with full power in the city to use and
13 dispose of such tangible real and personal property as the city deems best in the public interest,
14 and the fire protection district shall no longer levy and collect any tax upon the property included
15 within the corporate limits of the city; except that, if the city and the fire protection district
16 cannot mutually agree to such an arrangement, then the city shall assume responsibility for fire
17 protection in the annexed area on or before January first of the third calendar year following the
18 actual inclusion of the property within the city, as determined by the annexation process, and
19 furthermore the fire protection district shall not levy and collect any tax upon that property
20 included within the corporate limits of the city after the date of inclusion of that property:

21 (1) On or before January first of the second calendar year occurring after the date on
22 which the property was included within the city, the city shall pay to the fire protection district
23 a fee equal to the amount of revenue which would have been generated during the previous
24 calendar year by the fire protection district tax on the property in the area annexed which was
25 formerly a part of the fire protection district;

26 (2) On or before January first of the third calendar year occurring after the date on which
27 the property was included within the city, the city shall pay to the fire protection district a fee
28 equal to four-fifths of the amount of revenue which would have been generated during the
29 previous calendar year by the fire protection district tax on the property in the area annexed
30 which was formerly a part of the fire protection district;

31 (3) On or before January first of the fourth calendar year occurring after the date on
32 which the property was included within the city, the city shall pay to the fire protection district
33 a fee equal to three-fifths of the amount of revenue which would have been generated during the
34 previous calendar year by the fire protection district tax on the property in the area annexed
35 which was formerly a part of the fire protection district;

36 (4) On or before January first of the fifth calendar year occurring after the date on which
37 the property was included within the city, the city shall pay to the fire protection district a fee
38 equal to two-fifths of the amount of revenue which would have been generated during the
39 previous calendar year by the fire protection district tax on the property in the area annexed
40 which was formerly a part of the fire protection district; and

41 (5) On or before January first of the sixth calendar year occurring after the date on which
42 the property was included within the city, the city shall pay to the fire protection district a fee
43 equal to one-fifth of the amount of revenue which would have been generated during the

44 previous calendar year by the fire protection district tax on the property in the area annexed
45 which was formerly a part of the fire protection district.

46

47 Nothing contained in this section shall prohibit the ability of a city to negotiate contracts with
48 a fire protection district for mutually agreeable services. This section shall also apply to those
49 fire protection districts and cities which have not reached agreement on overlapping boundaries
50 previous to August 28, 1990. Such fire protection districts and cities shall be treated as though
51 inclusion of the annexed area took place on December thirty-first immediately following August
52 28, 1990.

53 2. Any property excluded from a fire protection district by reason of subsection 1 of this
54 section shall be subject to the provisions of section 321.330.

55 3. The provisions of this section shall not apply in any county of the first class having
56 a charter form of government and having a population of over nine hundred thousand inhabitants.

57 4. The provisions of this section shall not apply where the annexing city or town operates
58 a city fire department, is any city of the third classification with more than six thousand but fewer
59 than seven thousand inhabitants and located in any county with a charter form of government and
60 with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants,
61 and is entirely surrounded by a single fire protection district. In such cases, the provision of fire
62 and emergency medical services following annexation shall be governed by subsections 2, **4 and**
63 **6** [and 3] of section 72.418.

473.730. 1. Every county in this state, except the City of St. Louis, shall elect a public
2 administrator at the general election in the year 1880, and every four years thereafter, who shall
3 be ex officio public guardian and conservator in and for the public administrator's county. A
4 candidate for public administrator shall be at least twenty-one years of age and a resident of the
5 state of Missouri and the county in which he or she is a candidate for at least one year prior to
6 the date of the general election for such office. The candidate shall also be a registered voter and
7 shall be current in the payment of all personal and business taxes. Before entering on the duties
8 of the public administrator's office, the public administrator shall take the oath required by the
9 constitution, and enter into bond to the state of Missouri in a sum not less than ten thousand
10 dollars, with two or more securities, approved by the court and conditioned that the public
11 administrator will faithfully discharge all the duties of the public administrator's office, which
12 bond shall be given and oath of office taken on or before the first day of January following the
13 public administrator's election, and it shall be the duty of the judge of the court to require the
14 public administrator to make a statement annually, under oath, of the amount of property in the
15 public administrator's hands or under the public administrator's control as such administrator, for
16 the purpose of ascertaining the amount of bond necessary to secure such property; and such court

17 may from time to time, as occasion shall require, demand additional security of such
18 administrator, and, in default of giving the same within twenty days after such demand, may
19 remove the administrator and appoint another.

20 2. The public administrator in all counties, in the performance of the duties required by
21 chapters 473, 474, and 475, is a public officer. The duties specified by section 475.120 are
22 discretionary. The county shall defend and indemnify the public administrator against any
23 alleged breach of duty, provided that any such alleged breach of duty arose out of an act or
24 omission occurring within the scope of duty or employment.

25 3. After January 1, 2001, all salaried public administrators shall be considered county
26 officials for purposes of section 50.333, subject to the minimum salary requirements set forth in
27 section 473.742.

28 **4. If a vacancy shall occur in any county that has not adopted a charter form of**
29 **government and in the office of an elected public administrator, then the governor shall,**
30 **no later than sixty days after the occurrence of such vacancy, appoint a person to fill the**
31 **vacancy subject to the advice and consent of the senate. The process will be subject to the**
32 **procedures for advice and consent under article IV, section 51 of the Constitution of**
33 **Missouri.**

34 [4] 5. The public administrator for the city of St. Louis shall be appointed by a majority
35 of the circuit judges and associate circuit judges of the twenty-second judicial circuit, en banc.
36 Such public administrator shall meet the same qualifications and requirements specified in
37 subsection 1 of this section for elected public administrators. The elected public administrator
38 holding office on August 28, 2013, shall continue to hold such office for the remainder of his or
39 her term.

 483.020. When any vacancy shall occur in the office of any circuit clerk so elected, by
2 death, resignation, removal, refusal to act or otherwise, it shall be the duty of the governor in the
3 case of an elected clerk to fill such vacancy, **no later than sixty days after it occurs**, by
4 appointing some eligible person to said office, **by and with the advice and consent of the**
5 **senate subject to the provisions of article IV, section 51 of the Constitution of Missouri,**
6 who shall discharge the duties thereof until the next general election, at which time a clerk shall
7 be chosen for the remainder of the term, who shall hold [his] **such** office until [his] a successor
8 is duly elected and qualified, unless sooner removed. **This section shall not apply to any**
9 **county that has adopted a charter for its own government under article VI, section 18 of**
10 **the Constitution of Missouri.**

 Section B. Because immediate action is necessary to ensure that all vacant public offices
2 are filled in a timely manner, the enactment of sections 49.060, 51.090, 52.145, 53.010, 54.033,
3 55.050, 58.040, 59.022, 105.030, 473.730, and 483.020 of section A of this act are deemed

4 necessary for the immediate preservation of the public health, welfare, peace, and safety, and are
5 hereby declared to be an emergency act within the meaning of the constitution, and the enactment
6 of sections 49.060, 51.090, 52.145, 53.010, 54.033, 55.050, 58.040, 59.022, 105.030, 473.730,
7 and 483.020 of section A of this act shall be in full force and effect upon its passage and
8 approval.

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