

FIRST REGULAR SESSION

HOUSE BILL NO. 1117

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ENGLER.

2466H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 50.622 and 349.045, RSMo, and to enact in lieu thereof two new sections relating to political subdivisions.

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

Section A. Sections 50.622 and 349.045, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 50.622 and 349.045, to read as follows:

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

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

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

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 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.

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.

349.045. 1. Except as provided in subsection 2 of this section, the corporation shall have
2 a board of directors in which all the powers of the corporation shall be vested and which shall
3 consist of any number of directors, not less than five, all of whom shall be duly qualified electors
4 of and taxpayers in the county or municipality; except that, for any industrial development
5 corporation formed by any municipality located wholly within any county of the second, third,
6 or fourth classification **or any county of the first classification with more than sixty-five**
7 **thousand but fewer than seventy-five thousand inhabitants**, directors may be qualified
8 taxpayers in and registered voters of such county. The directors shall serve as such without
9 compensation except that they shall be reimbursed for their actual expenses incurred in and about
10 the performance of their duties hereunder. The directors shall be resident taxpayers for at least
11 one year immediately prior to their appointment. No director shall be an officer or employee of
12 the county or municipality. All directors shall be appointed by the chief executive officer of the
13 county or municipality with the advice and consent of a majority of the governing body of the
14 county or municipality, and in all counties, other than a city not within a county and counties
15 with a charter form of government, the appointments shall be made by the county commission
16 and they shall be so appointed that they shall hold office for staggered terms. At the time of the
17 appointment of the first board of directors the governing body of the municipality or county shall
18 divide the directors into three groups containing as nearly equal whole numbers as may be
19 possible. The first term of the directors included in the first group shall be two years, the first
20 term of the directors included in the second group shall be four years, the first term of the
21 directors in the third group shall be six years; provided, that if at the expiration of any term of
22 office of any director a successor thereto shall not have been appointed, then the director whose
23 term of office shall have expired shall continue to hold office until a successor shall be appointed
24 by the chief executive officer of the county or municipality with the advice and consent of a
25 majority of the governing body of the county or municipality. The successors shall be resident
26 taxpayers for at least one year immediately prior to their appointment.

27 2. A corporation in a county of the third classification without a township form of
28 government and with more than ten thousand four hundred but fewer than ten thousand five
29 hundred inhabitants shall have a board of directors in which all the powers of the corporation
30 shall be vested and which shall consist of a number of directors not less than the number of
31 townships in such county. All directors shall be duly qualified electors of and taxpayers in the

32 county. Each township within the county shall elect one director to the board. Additional
33 directors may be elected to the board to succeed directors appointed to the board as of the
34 effective date of this section if the number of directors on the effective date of this section
35 exceeds the number of townships in the county. The directors shall serve as such without
36 compensation except that they shall be reimbursed for their actual expenses incurred in the
37 performance of their duties. The directors shall be resident taxpayers for at least one year
38 immediately prior to their election. No director shall be an officer or employee of the county.
39 Upon the expiration of the term of office of any director appointed to the board prior to the
40 effective date of this section, a director shall be elected to succeed him or her; provided that if
41 at the expiration of any term of office of any director a successor thereto shall not have been
42 elected, then the director whose term of office shall have expired shall continue to hold office
43 until a successor shall be elected. The successors shall be resident taxpayers for at least one year
44 immediately prior to their election.

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