

HOUSE BILL NO. 2038

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRAKER.

5467H.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 49.082 and 57.317, RSMo, and to enact in lieu thereof two new sections relating to the salaries of elected county officers.

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

Section A. Sections 49.082 and 57.317, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 49.082 and 57.317, to read as follows:

49.082. 1. A county commissioner in any county, other than in a first classification chartered county or a first classification county not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, shall, subject to any other adjustment otherwise provided in this section, receive an annual salary computed as set forth in the following schedule. The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of commissioner on January 1, 1997.

	Assessed Valuation	Salary
10	\$ 18,000,000 to 40,999,999	\$ 19,140
11	41,000,000 to 53,999,999	19,800
12	54,000,000 to 65,999,999	21,120
13	66,000,000 to 85,999,999	22,440

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.

14	86,000,000 to 99,999,999	23,760
15	100,000,000 to 130,999,999	25,080
16	131,000,000 to 159,999,999	26,400
17	160,000,000 to 189,999,999	27,060
18	190,000,000 to 249,999,999	27,390
19	250,000,000 to 299,999,999	28,380
20	300,000,000 or more	29,700

21 2. In addition to any compensation provided pursuant to subsection 1 of this section, the
 22 presiding commissioner of any county not having a charter form of government shall receive two
 23 thousand dollars annual salary. **Upon majority approval of the salary commission, the**
 24 **annual compensation of the presiding commissioner may be increased by fifty percent of**
 25 **the compensation provided by this subsection and subsection 1 of this section.**

26 3. Two thousand dollars of the salary authorized in this section shall be payable to a
 27 commissioner only if the commissioner has completed at least twenty hours of classroom
 28 instruction each calendar year relating to the operations of the commissioner's office when
 29 approved by a professional association of the county commissioners of Missouri unless exempted
 30 from the training by the professional association. The professional association approving the
 31 program shall provide a certificate of completion to each commissioner who completes the
 32 training program and shall send a list of certified commissioners to the treasurer of each county.
 33 Expenses incurred for attending the training session may be reimbursed to a county
 34 commissioner in the same manner as other expenses as may be appropriated for that purpose.

35 4. A county commissioner in any county, other than a first classification charter county
 36 or a first classification county not having a charter form of government and not containing any
 37 part of a city with a population of three hundred thousand or more, shall not, except upon a
 38 two-thirds vote of all the members of the salary commission, receive an annual compensation
 39 in an amount less than the total compensation being received for the office of county
 40 commissioner or presiding commissioner respectively for the particular county for services
 41 rendered or performed on the date the salary commission votes.

57.317. 1. The county sheriff in any county, other than in a first classification chartered county, shall receive an annual salary computed as set forth in the following schedule. The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of sheriff on January 1, 1997.

	Assessed Valuation	Salary
8	\$18,000,000 to 40,999,999	\$36,000
9	41,000,000 to 53,999,999	37,000
10	54,000,000 to 65,999,999	38,000
11	66,000,000 to 85,999,999	39,000
12	86,000,000 to 99,999,999	40,000
13	100,000,000 to 130,999,999	42,000
14	131,000,000 to 159,999,999	44,000
15	160,000,000 to 189,999,999	45,000
16	190,000,000 to 249,999,999	46,000
17	250,000,000 to 299,999,999	48,000
18	300,000,000 to 449,999,999	50,000
19	450,000,000 to 599,999,999	52,000
20	600,000,000 to 749,999,999	54,000
21	750,000,000 to 899,999,999	56,000

22	900,000,000 to 1,049,999,999	58,000
23	1,050,000,000 to 1,199,999,999	60,000
24	1,200,000,000 to 1,349,999,999	62,000
25	1,350,000,000 and over	64,000

26 2. Two thousand dollars of the salary authorized in this section shall be payable to the
 27 sheriff only if the sheriff has completed at least twenty hours of classroom instruction each
 28 calendar year relating to the operations of the sheriff's office when approved by a professional
 29 association of the county sheriffs of Missouri unless exempted from the training by the
 30 professional association. The professional association approving the program shall provide a
 31 certificate of completion to each sheriff who completes the training program and shall send a list
 32 of certified sheriffs to the treasurer of each county. Expenses incurred for attending the training
 33 session may be reimbursed to the county sheriff in the same manner as other expenses as may
 34 be appropriated for that purpose.

35 3. The county sheriff in any county, other than a first classification charter county, shall
 36 not, except upon two-thirds vote of all the members of the salary commission, receive an annual
 37 compensation less than the total compensation being received for the office of county sheriff in
 38 the particular county for services rendered or performed on the date the salary commission votes.

39 **4. (1) Notwithstanding subsection 1 of this section to the contrary, the annual**
 40 **compensation paid to a county sheriff may be increased either upon petition of the county**
 41 **sheriff made to the salary commission and with majority approval of the salary commission**
 42 **or on the initiative of a member of the salary commission and majority approval of the**
 43 **salary commission.**

44 **(2) If a petition by a county sheriff does not receive majority approval from the**
 45 **salary commission, the county sheriff may appeal such decision to the circuit court. The**
 46 **circuit court may, in its discretion, approve an increase in annual compensation for the**
 47 **county sheriff.**

48 **(3) Any increase in annual compensation for a county sheriff under this section**
 49 **shall not exceed the pay plan offered to the highest paid lieutenant of the Missouri state**
 50 **highway patrol provided under section 43.030.**

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