

FIRST REGULAR SESSION

# SENATE BILL NO. 186

92ND GENERAL ASSEMBLY

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INTRODUCED BY SENATOR CAUTHORN.

Pre-filed December 9, 2002, and 1,000 copies ordered printed.

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TERRY L. SPIELER, Secretary.

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## AN ACT

To repeal section 59.041, RSMo, relating to recorders of deeds, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 59.041, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 59.041, to read as follows:

59.041. [1.] Notwithstanding the provisions of this chapter or chapter 478, RSMo, or any other provision of law in conflict with the provisions of this section, in any county which becomes a county of the second class after September 28, 1987, and wherein the offices of circuit clerk and recorder of deeds are combined, such combination shall continue until the governing body of the county authorizes the separation of the offices as provided in section 59.042.

[2. Notwithstanding the provisions of this chapter or chapter 478, RSMo, or any other provision of law in conflict with the provisions of this section, in any county of the third classification without a township form of government and having a population of more than twenty-seven thousand six hundred but less than twenty-eight thousand six hundred and wherein the offices of the district I circuit clerk and recorder of deeds are combined, the circuit court shall appoint such circuit clerk ex officio recorder of deeds. The circuit court may recommend to the governing body of such county whether the combined offices of the district I circuit clerk and recorder of deeds should be separated pursuant to subsection 1 of section 59.042; provided however, that if the governing body of such county authorizes the separation of offices

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

and notwithstanding the provisions of subsection 2 of section 59.042, the office of district I clerk of the circuit court shall remain appointed by the circuit court.]

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