

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 782
92ND GENERAL ASSEMBLY

Reported from the Committee on Economic Development, Tourism and Local Government, February 2, 2004, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

2815S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 54.150, 54.170, and 54.261, RSMo, and to enact in lieu thereof four new sections relating to county treasurers.

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

Section A. Sections 54.150, 54.170, and 54.261, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 54.033, 54.150, 54.170, and 54.261, to read as follows:

54.033. Each county treasurer shall designate in writing a qualified individual to act temporarily on his or her behalf in the instance when the county treasurer is incapacitated so as to be unable to complete the duties of the office for not more than sixty days. Such individual must not be ineligible to serve as a county treasurer under section 54.040 and must comply with section 54.090. The designee shall only be given authority to perform the duties of the county treasurer until the county treasurer confirms in writing that he or she has the requisite capacity to act again as county treasurer or for not more than sixty days, whichever occurs first. After the designee takes the oath of office pursuant to section 54.090 and performs such duties on behalf of the county treasurer for sixty days, the office shall be considered vacant and filled according to the provisions of section 105.030, RSMo.

54.150. [He] The county treasurer shall settle his accounts with the commission semiannually, [at its first and third regular terms in each year; and at the end of his term, or if he resign or be removed from office, he, or if he die, his executor or administrator,] in June and December in each year. In the event of a vacancy caused by death, resignation, or otherwise, in any county except a county with a charter form of

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

government, the county commission shall appoint a deputy treasurer or a qualified person to serve as an interim treasurer until said treasurer returns or the unexpired term is filled pursuant to chapter 105.030, RSMo. The treasurer or interim treasurer shall immediately make such settlement, and deliver to his successor in office all things pertaining thereto, together with all money belonging to the county; and at each settlement the commission shall immediately proceed to ascertain, by actual examination [and count], the amount of balances and funds in the hands of such treasurer to be accounted for, and to what particular fund or funds it appertains, and cause to be spread on its records, in connection with the entry of such settlement, the result of such examination and count.

54.170. The county or township treasurer shall, semiannually, settle his accounts with the county commission [at its first and third regular terms in each year, being the regular February and August terms of said commission; and at the end of his term, or if he resign or be removed from office, he, or if he die, his executor or administrator, shall within twenty days, settle with the county commission, and if there be no term, or the commission be not in session, the presiding commissioner shall call a special term to make such settlement.] **in June and December. In the event of a vacancy caused by death, resignation, or otherwise, in any county except a county with a charter form of government, the county commission shall appoint a deputy treasurer or a qualified person to serve as the interim treasurer until said treasurer returns or unexpired term is filled pursuant to section 105.030, RSMo.** The [said] treasurer or interim treasurer shall account for all school moneys or funds of any and all kinds received by him, from whom and on what account, and the particular fund to which each of said funds was entered and charged, and the amount paid out for school purposes to the various districts of the county, and for any and all other purposes. The county commission shall [examine the vouchers, receipts, orders and warrants upon which each of such payments was made, and if satisfied that said payments are just and correct, shall] make an order attesting the same, which order shall be entered of record and shall be prima facie a discharge of the liability of said treasurer.

54.261. 1. The county treasurer in counties of the first classification, not having a charter form of government and containing a portion of a city with a population of three hundred thousand or more, and in counties of the second, third and fourth classifications of this state, shall receive as compensation for services performed by the treasurer an annual salary based upon the assessed valuation of the county. The provisions of this section shall not permit or require a reduction, nor shall require an increase, in the amount of compensation being paid for the office of treasurer on January 1, 2002.

2. The amount of salary based upon assessed valuation shall be computed according to the following schedule:

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	\$29,000
41,000,000 to 53,999,999	30,000
54,000,000 to 65,999,999	32,000
66,000,000 to 85,999,999	34,000
86,000,000 to 99,999,999	36,000
100,000,000 to 130,999,999	38,000
131,000,000 to 159,999,999	40,000
160,000,000 to 189,999,999	41,000
190,000,000 to 249,999,999	41,500
250,000,000 to 299,999,999	43,000
300,000,000 or more	45,000

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

4. The county treasurer in any county, other than a county of the first classification having a charter form of government or a county of the first classification 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 not, except upon two-thirds vote of all the members of the commission, receive an annual compensation in an amount less than the total compensation being received for the office of county treasurer in the particular county for services rendered or performed on the date the salary commission votes.

5. In the event of a vacancy **due to death, resignation, or otherwise** in the office of treasurer in any county except a county [of the first classification] with a charter form of government, **and** when there is no deputy treasurer, the county commission shall appoint a qualified acting treasurer until such time as the vacancy is filled by the governor pursuant to section 105.030, RSMo, **or the elected treasurer returns to work. The county commission shall employ and fix the compensation of clerical and other assistants necessary to enable the interim treasurer to efficiently perform the duties of the office.**

Unofficial

Bill

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