

FIRST REGULAR SESSION

[CORRECTED]

SENATE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 142

96TH GENERAL ASSEMBLY

Reported from the Committee on Jobs, Economic Development and Local Government, April 14, 2011, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

0720S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 55.030 and 475.115, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

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

Section A. Sections 55.030 and 475.115, RSMo, are repealed and three
2 new sections enacted in lieu thereof, to be known as sections 55.030, 475.115, and
3 488.070, to read as follows:

55.030. The county auditor of a county [of the first class] having a charter
2 form of government shall prescribe, with the approval of the governing body of the
3 county and the state auditor, the accounting system of the county. He shall keep
4 accounts of all appropriations and expenditures made by the governing body of
5 the county; and no warrant shall be drawn or obligation incurred without his
6 certification that an unencumbered balance, sufficient to pay the same, remains
7 in the appropriation account against which such warrant or obligation is to be
8 charged. He shall audit and examine all accounts, demands, and claims of every
9 kind and character presented for payment against such county, and shall approve
10 to the governing body of the county all lawful, true, and just accounts, demands,
11 and claims of every kind and character payable out of the county revenue or out
12 of any county funds before the same shall be allowed and a warrant issued
13 therefor. Whenever the county auditor deems it necessary to the proper
14 examination of any account, demand, or claim, he may examine the parties,
15 witnesses, and others on oath or affirmation touching any matter or circumstance
16 in the examination of such account, demand, or claim. At the direction of the

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

17 governing body of the county, he shall audit the accounts of all officers and
18 employees of the county and upon their retirement from office and shall keep a
19 correct account between the county and all county officers; and he shall examine
20 all records and settlements made by them for and with the governing body of the
21 county or with each other; and the county auditor shall, at all reasonable times,
22 have access to all books, county records, or papers kept by any county or township
23 officer, employee, or road overseer. He may keep an inventory of all county
24 property under the control and management of the various officers and
25 departments and shall annually take an inventory of any such property at an
26 original value of [two hundred fifty] **one thousand** dollars or more showing the
27 amount, location and estimated value thereof. He shall perform such other duties
28 in relation to the fiscal administration of the county as the governing body of the
29 county shall from time to time prescribe. The county auditor shall not be
30 personally liable for any costs for any proceeding instituted against him in his
31 official capacity.

475.115. **1.** When a guardian or conservator dies, is removed by order of
2 the court, or resigns and his **or her** resignation is accepted by the court, the
3 court shall have the same authority as it has in like cases over personal
4 representatives and their sureties and may appoint another guardian or
5 conservator in the same manner and subject to the same requirements as are
6 herein provided for an original appointment of a guardian or conservator.

**2. A public administrator may request transfer of any case to the
8 jurisdiction of another county by filing a petition for transfer. If the
9 receiving county meets the venue requirements of section 475.035 and
10 the public administrator of the receiving county consents to the
11 transfer, the court shall transfer the case. The court with jurisdiction
12 over the receiving county shall, without the necessity of any hearing as
13 required by section 475.075, appoint the public administrator of the
14 receiving county as successor guardian and/or successor conservator
15 and issue letters therein. In the case of a conservatorship, the final
16 settlement of the public administrator's conservatorship shall be filed
17 within thirty days of the court's transfer of the case, in the court with
18 jurisdiction over the original conservatorship, and forwarded to the
19 receiving county upon audit and approval.**

**488.070. In addition to any other cost, fee, or surcharge
2 authorized by law, the circuit clerk of any judicial circuit located in**

3 any county with a charter form of government and with more than six
4 hundred thousand but fewer than seven hundred thousand inhabitants
5 may impose and collect any cost, fee, or surcharge that any provision
6 of this chapter authorizes another judicial circuit to collect in any
7 county, or city not within a county, in any civil, criminal, or domestic,
8 action, provided that such cost, fee, or surcharge is authorized by the
9 county's voters at a general, primary, or special election. Such funds
10 shall be retained by the circuit clerk to provide for the needs of the
11 judicial circuit.

Unofficial ✓

Bill

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