

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 87

AN ACT

To repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to audits of political subdivisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Section 29.230, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 29.230,
3 to read as follows:

4 29.230. 1. In every county which does not elect a county
5 auditor, the state auditor shall audit, without cost to the
6 county, at least once during the term for which any county
7 officer is chosen, the accounts of the various county officers
8 supported in whole or in part by public moneys.

9 2. The state auditor shall audit any political subdivision
10 of the state, including counties having a county auditor, if
11 requested to do so by a petition submitted by a person who
12 resides or owns real property within the boundaries or area of
13 service of the political subdivision and such petition is
14 submitted to the state auditor within one year from requesting
15 the petition from the state auditor and is signed by the
16 requisite percent of the qualified voters of the political
17 subdivision. The requisite percent of qualified voters to cause

1 such an audit to be conducted shall be determined as follows:

2 (1) If the number of qualified voters of the political
3 subdivision determined on the basis of the votes cast in the last
4 gubernatorial election held prior to the filing of the petition
5 is less than one thousand, twenty-five percent of the qualified
6 voters of the political subdivision determined on the basis of
7 the registered voters eligible to vote at the last gubernatorial
8 election held prior to the filing of the petition;

9 (2) If the number of qualified voters of the political
10 subdivision determined on the basis of the votes cast in the last
11 gubernatorial election held prior to the filing of the petition
12 is one thousand or more but less than five thousand, fifteen
13 percent of the qualified voters of the political subdivision
14 determined on the basis of the votes cast in the last
15 gubernatorial election held prior to the filing of the petition,
16 provided that the number of qualified voters signing such
17 petition is not less than two hundred;

18 (3) If the number of qualified voters of the political
19 subdivision determined on the basis of the votes cast in the last
20 gubernatorial election held prior to the filing of the petition
21 is five thousand or more but less than fifty thousand, ten
22 percent of the qualified voters of the political subdivision
23 determined on the basis of the votes cast in the last
24 gubernatorial election held prior to the filing of the petition,
25 provided that the number of qualified voters signing such
26 petition is not less than seven hundred fifty;

27 (4) If the number of qualified voters of the political
28 subdivision determined on the basis of the votes cast in the last

gubernatorial election held prior to the filing of the petition is fifty thousand or more, five percent of the qualified voters of the political subdivision determined on the basis of the votes cast in the last gubernatorial election held prior to the filing of the petition, provided that the number of qualified voters signing such petition is not less than five thousand.

3. The political subdivision shall pay the actual cost of audit. The petition that requests an audit of a political subdivision shall state on its face the estimated cost of the audit and that it will be paid by the political subdivision being audited. The estimated cost of the audit shall be provided by the state auditor within sixty days of such request. The costs of the audit may be billed and paid on an interim basis with individual billing periods to be set at the state auditor's discretion. Moneys held by the state on behalf of a political subdivision may be used to offset unpaid billings for audit costs of the political subdivision. All moneys received by the state in payment of the costs of petition audits shall be deposited in the state treasury and credited to the "Petition Audit Revolving Trust Fund" which is hereby created with the state treasurer as custodian. The general assembly may appropriate additional moneys to the fund as it deems necessary. The state auditor shall administer the fund and approve all disbursements, upon appropriation, from the fund to apply to the costs of performing petition audits. The provisions of section 33.080 to the contrary notwithstanding, money in the fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of any biennium exceeds one million

1 dollars. The amount in the fund which shall lapse is the amount
2 which exceeds one million dollars. No political subdivision
3 shall be audited by petition more than once in any three calendar
4 or fiscal years.

5 4. Any person who allegedly signed or has signed the
6 original petition may submit a sworn statement to the state
7 auditor that the person did not sign such petition or that the
8 person wishes to rescind such signature. Such statement shall be
9 required to be made within ten days from submission of the
10 petition to the state auditor. If such statement is timely
11 filed, such signature shall be withdrawn and shall not count in
12 the determination of the number of qualified voters necessary to
13 compel an audit under subsection 2 of this section.