

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 114

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHATZ.

Pre-filed December 1, 2016, and ordered printed.

Read 2nd time January 10, 2017, and referred to the Committee on Local Government and Elections.

Reported from the Committee February 16, 2017, with recommendation that the bill do pass.

Taken up for Perfection March 29, 2017. Bill declared Perfected and Ordered Printed.

ADRIANE D. CROUSE, Secretary.

0148S.01P

AN ACT

To repeal section 49.060, RSMo, and to enact in lieu thereof one new section relating to vacancies in the office of county commissioner, with an emergency clause.

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

Section A. Section 49.060, RSMo, is repealed and one new section enacted
2 in lieu thereof, to be known as section 49.060, to read as follows:

49.060. 1. When a vacancy shall occur in the office of a county
2 commissioner, the vacancy shall at once be certified by the clerk of the
3 commission to the governor[, who shall fill such vacancy with a person who
4 resides in the district at the time the vacancy occurs, as provided by law].

5 **2. If at the time the vacancy occurs there is less than one year**
6 **remaining in the unexpired term, the vacancy shall be filled as**
7 **provided in section 105.030.**

8 **3. If at the time the vacancy occurs there is one year or more**
9 **remaining in the unexpired term, it shall be the duty of the governor**
10 **to fill such vacancy by appointing, by and with the advice and consent**
11 **of the senate subject to the provisions of article IV, section 51 of the**
12 **Missouri constitution, some eligible person to said office who shall**
13 **discharge the duties thereof until the next general election, at which**
14 **time a commissioner shall be chosen for the remainder of the term, who**
15 **shall hold such office until a successor is duly elected and qualified,**
16 **unless sooner removed.**

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

17 **4. This section shall not apply to any county which has adopted**
18 **a charter for its own government under article VI, section 18 of the**
19 **Missouri constitution.**

 Section B. Because immediate action is necessary to ensure that all
2 vacant public offices are filled in a timely manner, the enactment of section A of
3 this act is deemed necessary for the immediate preservation of the public health,
4 welfare, peace, and safety, and is hereby declared to be an emergency act within
5 the meaning of the constitution, and the enactment of section A of this act shall
6 be in full force and effect upon its passage and approval.

Unofficial ✓

Bill

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