

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 199
99TH GENERAL ASSEMBLY

Reported from the Committee on Local Government and Elections, April 13, 2017, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

0614S.03C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal sections 54.040 and 473.730, RSMo, and to enact in lieu thereof two new sections relating to qualifications for county officials.

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

Section A. Sections 54.040 and 473.730, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 54.040 and 473.730, to
3 read as follows:

54.040. [1.] Except in a county with a charter form of government, a
2 candidate for county treasurer shall be at least twenty-one years of age and a
3 resident of the state of Missouri and the county in which he or she is a candidate
4 for at least one year prior to the date of the general election for such office. The
5 candidate shall also be a registered voter and shall be current in the payment of
6 all personal and real estate taxes. Upon election to such office, the person shall
7 continue to reside in that county during his or her tenure in office. Each
8 candidate for county treasurer shall also provide to the election authority a copy
9 of a signed affidavit from a surety company authorized to do business in this
10 state indicating that the candidate meets the bond requirements for the office of
11 county treasurer under this chapter.

12 [2. No sheriff, marshal, clerk or collector, or the deputy of any such
13 officer, shall be eligible to the office of treasurer of any county.]

473.730. 1. Every county in this state, except the City of St. Louis, shall
2 elect a public administrator at the general election in the year 1880, and every
3 four years thereafter, who shall be ex officio public guardian and conservator in

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

4 and for the public administrator's county. A candidate for public administrator
5 shall be at least twenty-one years of age and a resident of the state of Missouri
6 and the county in which he or she is a candidate for at least one year prior to the
7 date of the general election for such office. The candidate shall also be a
8 registered voter and shall be current in the payment of all personal and business
9 taxes. **Each candidate for public administrator shall provide to the**
10 **election authority a copy of a signed affidavit from a surety company,**
11 **indicating that the candidate meets the bond requirements for the**
12 **office of public administrator under this section.**

13 2. Before entering on the duties of the public administrator's office, the
14 public administrator shall take the oath required by the constitution, and enter
15 into bond to the state of Missouri in a sum not less than ten thousand dollars,
16 with [two] one or more securities, approved by the court and conditioned that the
17 public administrator will faithfully discharge all the duties of the public
18 administrator's office, which bond shall be given and oath of office taken on or
19 before the first day of January following the public administrator's election, and
20 it shall be the duty of the judge of the court to require the public administrator
21 to make a statement annually, under oath, of the amount of property in the public
22 administrator's hands or under the public administrator's control as such
23 administrator, for the purpose of ascertaining the amount of bond necessary to
24 secure such property; and such court may from time to time, as occasion shall
25 require, demand additional security of such administrator, and, in default of
26 giving the same within twenty days after such demand, may remove the
27 administrator and appoint another.

28 [2.] 3. The public administrator in all counties, in the performance of the
29 duties required by chapters 473, 474, and 475, is a public officer. The duties
30 specified by section 475.120 are discretionary. The county shall defend and
31 indemnify the public administrator against any alleged breach of duty, provided
32 that any such alleged breach of duty arose out of an act or omission occurring
33 within the scope of duty or employment.

34 [3.] 4. After January 1, 2001, all salaried public administrators shall be
35 considered county officials for purposes of section 50.333, subject to the minimum
36 salary requirements set forth in section 473.742.

37 [4.] 5. The public administrator for the city of St. Louis shall be
38 appointed by a majority of the circuit judges and associate circuit judges of the
39 twenty-second judicial circuit, en banc. Such public administrator shall meet the

40 same qualifications and requirements specified in subsection 1 of this section for
41 elected public administrators. The elected public administrator holding office on
42 August 28, 2013, shall continue to hold such office for the remainder of his or her
43 term.

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