

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 843
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.

1781S.03C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal sections 50.622 and 50.740, RSMo, and to enact in lieu thereof two new sections relating to county budgets.

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

Section A. Sections 50.622 and 50.740, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 50.622 and 50.740, to
3 read as follows:

50.622. 1. Any county may amend the annual budget during any fiscal
2 year in which the county receives additional funds, and such amount or source,
3 including, but not limited to, federal or state grants or private donations, could
4 not be estimated when the budget was adopted. The county shall follow the same
5 procedures as required in sections 50.525 to 50.745 for adoption of the annual
6 budget to amend its budget during a fiscal year.

7 2. Any county may decrease the annual budget twice during any fiscal
8 year in which the county experiences a verifiable decline in funds of two percent
9 or more, and such amount could not be estimated or anticipated when the budget
10 was adopted, provided that any decrease in appropriations shall not unduly affect
11 any one officeholder. Before any reduction affecting an independently elected
12 officeholder can occur, negotiations shall take place with all officeholders who
13 receive funds from the affected category of funds in an attempt to cover the
14 shortfall. The county shall follow the same procedures as required in sections
15 50.525 to 50.745 to decrease the annual budget, except that the notice provided
16 for in section 50.600 shall be extended to thirty days for purposes of this
17 subsection. Such notice shall include a published summary of the proposed

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

18 reductions and an explanation of the shortfall.

19 3. Any decrease in an appropriation authorized under subsection 2 of this
20 section shall not impact any dedicated fund otherwise provided by law.

21 4. County commissioners may reduce budgets of departments under their
22 direct supervision and responsibility at any time without the restrictions imposed
23 by this section.

24 5. Subsections 2, 3, and 4 of this section shall expire on July 1, [2016]
25 **2027**.

26 6. Notwithstanding the provisions of this section, no charter county shall
27 be restricted from amending its budget under and pursuant to the terms of its
28 charter.

50.740. 1. It is hereby made the first duty of the county commission in
2 counties of classes three and four at its regular January term to go over the
3 estimates and revise and amend the same in such way as to promote efficiency
4 and economy in county government. The commission may alter or change any
5 estimate as public interest may require and to balance the budget, first giving the
6 person preparing supporting data an opportunity to be heard. After the county
7 commission shall have revised the estimate it shall be the duty of the clerk of
8 said commission forthwith to enter such revised estimate on the record of the said
9 commission and the commission shall forthwith enter thereon its approval.

10 2. The county clerk shall within five days after the date of approval of
11 such budget estimate file a certified copy thereof with the county treasurer,
12 taking a receipt therefor, and he shall also forward a certified copy thereof to the
13 state auditor by registered mail **or by electronic means under subsection**
14 **4 of this section**. The county treasurer shall not pay nor enter protest on any
15 warrant except payroll for the current year until such budget estimate shall have
16 been so filed. If any county treasurer shall pay or enter for protest any warrant
17 except payroll before the budget estimate shall have been filed, as by sections
18 50.525 to 50.745 provided, the county treasurer shall be liable on the official bond
19 for such act. Immediately upon receipt of the estimated budget the state auditor
20 shall send to the county clerk the receipt therefor by registered mail **or by**
21 **electronic means under subsection 4 of this section**.

22 3. Any order of the county commission of any county authorizing or
23 directing the issuance of any warrant contrary to any provision of this law shall
24 be void and of no binding force or effect; and any county clerk, county treasurer,
25 or other officer participating in the issuance or payment of any such warrant

26 shall be liable therefor upon the official bond.

27 **4. For the purposes of fulfilling their respective requirements**
28 **under subsection 2 of this section, the county clerk and state auditor**
29 **may correspond with the other by email or other electronic system**
30 **established by the state auditor for that purpose.**

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Bill

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