

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 568

AN ACT

To repeal sections 50.327 and 50.333, RSMo, and to enact in lieu thereof two new sections relating to salaries of county officials.

---

---

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

1           Section A. Sections 50.327 and 50.333, RSMo, are repealed  
2 and two new sections enacted in lieu thereof, to be known as  
3 sections 50.327 and 50.333, to read as follows:

4           50.327. 1. Notwithstanding any other provisions of law to  
5 the contrary, the salary schedules contained in section 49.082,  
6 sections 50.334 and 50.343, 51.281, 51.282, 52.269, 53.082,  
7 53.083, 54.261, 54.320, 55.091, 56.265, 57.317, 58.095, and  
8 473.742 shall be set as a base schedule for those county  
9 officials. Except when it is necessary to increase newly elected  
10 or reelected county officials' salaries, in accordance with  
11 Section 13, Article VII, Constitution of Missouri, to comply with  
12 the requirements of this section, the salary commission in all  
13 counties except charter counties in this state shall be  
14 responsible for the computation of salaries of all county  
15 officials; provided, however, that any percentage salary  
16 adjustments in a county shall be equal for all such officials in

1 that county.

2 2. Upon majority approval of the salary commission, the  
3 annual compensation of part-time prosecutors contained in section  
4 56.265 and the county offices contained in sections 49.082,  
5 50.334, 50.343, 51.281, 51.282, 52.269, 53.082, 53.083, 54.261,  
6 54.320, 55.091, 58.095, and 473.742 may be increased by up to two  
7 thousand dollars greater than the compensation provided by the  
8 salary schedules; provided, however, that any vote to increase  
9 compensation be effective for all county offices in that county.

10 3. Upon majority approval of the salary commission, the  
11 annual compensation of a county sheriff as provided in section  
12 57.317 may be increased by up to six thousand dollars greater  
13 than the compensation provided by the salary schedule of such  
14 section.

15 4. The salary commission of any county of the third  
16 classification may amend the base schedules for the computation  
17 of salaries for county officials referenced in subsection 1 of  
18 this section to include assessed valuation factors in excess of  
19 three hundred million dollars; provided that the percentage of  
20 any adjustments in assessed valuation factors shall be equal for  
21 all such officials in that county.

22 50.333. 1. There shall be a salary commission in every  
23 nonchartered county.

24 2. The clerk or court administrator of the circuit court of  
25 the judicial circuit in which such county is located shall set a  
26 date, time and place for the salary commission meeting and serve  
27 as temporary chairman of the salary commission until the members  
28 of the commission elect a chairman from their number. Upon

1 written request of a majority of the salary commission members  
2 the clerk or court administrator of the circuit court shall  
3 forthwith set the earliest date possible for a meeting of the  
4 salary commission. The circuit clerk or court administrator  
5 shall give notice of the time and place of any meeting of the  
6 salary commission. Such notice shall be published in a newspaper  
7 of general circulation in such county at least five days prior to  
8 such meeting. Such notice shall contain a general description of  
9 the business to be discussed at such meeting.

10 3. The members of the salary commission shall be:

11 (1) The recorder of deeds if the recorder's office is  
12 separate from that of the circuit clerk;

13 (2) The county clerk;

14 (3) The prosecuting attorney;

15 (4) The sheriff;

16 (5) The county commissioners;

17 (6) The collector or treasurer ex officio collector;

18 (7) The treasurer or treasurer ex officio collector;

19 (8) The assessor;

20 (9) The auditor;

21 (10) The public administrator; and

22 (11) The coroner.

23  
24 Members of the salary commission shall receive no additional  
25 compensation for their services as members of the salary  
26 commission. A majority of members shall constitute a quorum.

27 4. Notwithstanding the provisions of sections 610.021 and  
28 610.022, all meetings of a county salary commission shall be open

1 meetings and all votes taken at such meetings shall be open  
2 records. Any vote taken at any meeting of the salary commission  
3 shall be taken by recorded yeas and nays.

4 5. In every county, the salary commission shall meet at  
5 least once before November thirtieth of each odd-numbered year  
6 and may meet in any even-numbered year. The salary commission  
7 may meet as many times as it deems necessary and may meet after  
8 November thirtieth and prior to December fifteenth of any  
9 odd-numbered year if the commission has met at least once prior  
10 to November thirtieth of that year. At any meeting of the salary  
11 commission, the members shall elect a chairman from their number.  
12 The county clerk shall present a report on the financial  
13 condition of the county to the commission once the chairman is  
14 elected, and shall keep the minutes of the meeting.

15 6. For purposes of this section, the 1988 base compensation  
16 is the compensation paid on September 1, 1987, plus the same  
17 percentage increase paid or allowed, whichever is greater, to the  
18 presiding commissioner or the sheriff, whichever is greater, of  
19 that county for the year beginning January 1, 1988. Such  
20 increase shall be expressed as a percentage of the difference  
21 between the maximum allowable compensation and the compensation  
22 paid on September 1, 1987. At its meeting in 1987 and at any  
23 meeting held in 1988, the salary commission shall determine the  
24 compensation to be paid to every county officer holding office on  
25 January 1, 1988. The salary commission shall establish the  
26 compensation for each office at an amount not greater than that  
27 set by law as the maximum compensation. If the salary commission  
28 votes to increase compensation, but not to pay the maximum amount

1 authorized by law for any officer or office, then the increase in  
2 compensation shall be the same percentage increase for all  
3 officers and offices and shall be expressed as a percentage of  
4 the difference between the maximum allowable compensation and the  
5 compensation being received at the time of the vote. If  
6 two-thirds of the members of the salary commission vote to  
7 decrease the compensation being received at the time of the vote  
8 below that compensation, all officers shall receive the same  
9 percentage decrease. The commission may vote not to increase or  
10 decrease the compensation and that compensation shall continue to  
11 be the salary of such offices and officers during the subsequent  
12 term of office.

13 7. For the year 1989 and every second year thereafter, the  
14 salary commission shall meet in every county as many times as it  
15 deems necessary on or prior to November thirtieth of any such  
16 year for the purpose of determining the amount of compensation to  
17 be paid to county officials. For each year in which the  
18 commission meets, the members shall elect a chairman from their  
19 number. The county clerk shall present a report on the financial  
20 condition of the county to the commission once the chairman is  
21 elected, and shall keep minutes of the meeting. The salary  
22 commission shall then consider the compensation to be paid for  
23 the next term of office for each county officer to be elected at  
24 their next general election. If the commission votes not to  
25 increase or decrease the compensation, the salary being paid  
26 during the term in which the vote was taken shall continue as the  
27 salary of such offices and officers during the subsequent term of  
28 office. If the salary commission votes to increase the

1 compensation, all officers or offices whose compensation is being  
2 considered by the commission at that time shall receive the same  
3 percentage of the maximum allowable compensation. However, for  
4 any county in which all offices' and officers' salaries have been  
5 set at one hundred percent of the maximum allowable compensation,  
6 the commission may vote to increase the compensation of all  
7 offices except that of full-time prosecuting attorneys at that or  
8 any subsequent meeting of the salary commission without regard to  
9 any law or maximum limitation established by law. Such increase  
10 shall be expressed as a percentage of the compensation being paid  
11 during the term of office when the vote is taken, and each  
12 officer or office whose compensation is being established by the  
13 salary commission at that time shall receive the same percentage  
14 increase over the compensation being paid for that office during  
15 the term when the vote is taken. This increase shall be in  
16 addition to any increase mandated by an official's salary  
17 schedule because of changes in assessed valuation during the  
18 current term. If the salary commission votes to decrease the  
19 compensation, a vote of two-thirds or more of all the members of  
20 the salary commission shall be required before the salary or  
21 other compensation of any county office shall be decreased below  
22 the compensation being paid for the particular office on the date  
23 the salary commission votes, and all officers and offices shall  
24 receive the same percentage decrease.

25 8. The salary commission shall issue, not later than  
26 December fifteenth of any year in which it meets, a report of  
27 compensation to be paid to each officer and the compensation so  
28 set shall be paid beginning with the start of the subsequent term

1 of office of each officer. The report of compensation shall be  
2 certified to the clerk of the county commission for the county  
3 and shall be in substantially the following form:

4 The salary commission for \_\_\_\_\_ County hereby certifies  
5 that it has met pursuant to law to establish compensation for  
6 county officers to be paid to such officers during the next term  
7 of office for the officers affected. The salary commission  
8 reports that there shall be (no increase in compensation) (an  
9 increase of \_\_\_\_\_ percent) (a decrease of \_\_\_\_\_ percent)  
10 (county officer's salaries set at \_\_\_\_\_ percent of the maximum  
11 allowable compensation).

12  
13 Salaries shall be adjusted each year on the official's year of  
14 incumbency for any change in the last completed assessment that  
15 would affect the maximum allowable compensation for that office.

16 9. For the meeting in 1989 and every meeting thereafter, in  
17 the event a salary commission in any county fails, neglects or  
18 refuses to meet as provided in this section, or in the event a  
19 majority of the salary commission is unable to reach an agreement  
20 and so reports or fails to certify a salary report to the clerk  
21 of the county commission by December fifteenth of any year in  
22 which a report is required to be certified by this section, then  
23 the compensation being paid to each affected office or officer on  
24 such date shall continue to be the compensation paid to the  
25 affected office or officer during the succeeding term of office.

26 10. Other provisions of law notwithstanding, in every  
27 instance where an officer or employee of any county is paid a  
28 mileage allowance or reimbursement, the county commission shall

1 allow or reimburse such officers or employees out of the county  
2 treasury at the highest rate paid to any county officer for each  
3 mile actually and necessarily traveled in the performance of  
4 their official duties. The county commission of any county may  
5 elect to pay a mileage allowance for any county commissioner for  
6 travel going to and returning from the place of holding  
7 commission meetings and for all other necessary travel on  
8 official county business in the personal motor vehicle of the  
9 commissioner presenting the claim. The governing body of any  
10 county of the first classification not having a charter form of  
11 government may provide by order for the payment of mileage  
12 expenses of elected and appointed county officials by payment of  
13 a certain amount monthly which would reflect the average monthly  
14 mileage expenses of such officer based on the amount allowed  
15 pursuant to state law for the payment of mileage for state  
16 employees. Any order entered for such purpose shall not be  
17 construed as salary, wages or other compensation for services  
18 rendered.

19 11. The term "maximum allowable compensation" as used in  
20 this section means the highest compensation which may be paid to  
21 the specified officer or office in the particular county based on  
22 the salary schedule established by law for the specified officer  
23 or office. If the salary commission at its meeting in 1987 voted  
24 for one hundred percent of the maximum allowable compensation and  
25 does not change such vote at its meeting held within thirty days  
26 after May 13, 1988, as provided in subsection 6 of this section,  
27 the one hundred percent shall be calculated on the basis of the  
28 total allowable compensation permitted after May 13, 1988.



1           12. At the salary commission meeting which establishes the  
2 percentage rate to be applied to county officers during the next  
3 term of office, the salary commission may authorize the further  
4 adjustment of such officers' compensation as a cost-of-living  
5 component and effective January first of each year, the  
6 compensation for county officers may be adjusted by the county  
7 commission, and if the adjustment of compensation is authorized,  
8 the percentage increase shall be the same for all county  
9 officers, not to exceed the percentage increase given to the  
10 other county employees. The compensation for all county officers  
11 may be set as a group, although the change in compensation will  
12 not become effective until the next term of office for each  
13 officer.

14           13. At the salary commission meeting in 1997 which  
15 establishes the salaries for those officers to be elected at the  
16 general election in 1998, the salary commission of each  
17 noncharter county may provide salary increases for associate  
18 county commissioners elected in 1996. This one-time increase is  
19 necessitated by the change from two- to four-year terms for  
20 associate commissioners pursuant to house bill 256, passed by the  
21 first regular session of the eighty-eighth general assembly in  
22 1995.