

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1023
103RD GENERAL ASSEMBLY

5365H.09C

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 50.333, 115.127, 182.291, 182.711, 182.802, and 247.220, RSMo, and to enact in lieu thereof seven new sections relating to political subdivisions, with an emergency clause for a certain section.

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

- Section A. Sections 50.333, 115.127, 182.291, 182.711, 182.802, and 247.220, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as sections 50.333, 115.127, 182.291, 182.711, 182.802, 247.220, and 311.038, to read as follows:
- 50.333. 1. There shall be a salary commission in every nonchartered county.
2. The clerk or court administrator of the circuit court of the judicial circuit in which such county is located shall set a date, time and place for the salary commission meeting and serve as temporary ~~chairman~~ **chair** of the salary commission until the members of the commission elect a ~~chairman~~ **chair** from their number. Upon written request of a majority of the salary commission members the clerk or court administrator of the circuit court shall forthwith set the earliest date possible for a meeting of the salary commission. The circuit clerk or court administrator shall give notice of the time and place of any meeting of the salary commission. Such notice shall be published in a newspaper of general circulation in such county at least five days prior to such meeting. Such notice shall contain a general description of the business to be discussed at such meeting.
3. The members of the salary commission shall be:
- (1) The recorder of deeds if the recorder's office is separate from that of the circuit clerk;

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 15 (2) The county clerk;
 16 (3) ~~[(The prosecuting attorney];~~
 17 ~~(4) The sheriff;~~
 18 ~~(5)]~~ The county commissioners;
 19 ~~[(6)]~~ (4) The collector or treasurer ex officio collector;
 20 ~~[(7)]~~ (5) The treasurer or treasurer ex officio collector;
 21 ~~[(8)]~~ (6) The assessor;
 22 ~~[(9)]~~ (7) The auditor;
 23 ~~[(10)]~~ (8) The public administrator; and
 24 ~~[(11)]~~ (9) The coroner.

25

26 **In a county with more than one hundred fifty thousand but fewer than two hundred**
 27 **thousand inhabitants, the prosecuting attorney and the sheriff shall be members of the**
 28 **salary commission. In any county that utilizes assistant prosecuting attorneys, such**
 29 **assistant prosecuting attorneys shall be members of the salary commission.**

30 4. Members of the salary commission shall receive no additional compensation for
 31 their services as members of the salary commission. A majority of members shall constitute a
 32 quorum.

33 ~~[(4)]~~ 5. Notwithstanding the provisions of sections 610.021 and 610.022, all meetings
 34 of a county salary commission shall be open meetings and all votes taken at such meetings
 35 shall be open records. Any vote taken at any meeting of the salary commission shall be taken
 36 by recorded yeas and nays.

37 ~~[(5-)]~~ 6. In every county, the salary commission shall meet at least once before
 38 November thirtieth of each odd-numbered year and may meet in any even-numbered year.
 39 The salary commission may meet as many times as it deems necessary and may meet after
 40 November thirtieth and prior to December fifteenth of any odd-numbered year if the
 41 commission has met at least once prior to November thirtieth of that year. At any meeting of
 42 the salary commission, the members shall elect a ~~[chairman]~~ **chair** from their number. The
 43 county clerk shall present a report on the financial condition of the county to the commission
 44 once the ~~[chairman]~~ **chair** is elected, and shall keep the minutes of the meeting.

45 ~~[(6-)]~~ 7. For purposes of this section, the 1988 base compensation is the compensation
 46 paid on September 1, 1987, plus the same percentage increase paid or allowed, whichever is
 47 greater, to the presiding commissioner or the sheriff, whichever is greater, of that county for
 48 the year beginning January 1, 1988. Such increase shall be expressed as a percentage of the
 49 difference between the maximum allowable compensation and the compensation paid on
 50 September 1, 1987. ~~[At its meeting in 1987 and at any meeting held in 1988, the salary~~
 51 ~~commission shall determine the compensation to be paid to every county officer holding~~

52 ~~office on January 1, 1988.]~~ The salary commission shall establish the compensation for each
53 office at an amount not greater than that set by law as the maximum compensation. If the
54 salary commission votes to increase compensation, but not to pay the maximum amount
55 authorized by law for any officer or office, then the increase in compensation shall be the
56 same percentage increase for all officers and offices and shall be expressed as a percentage of
57 the difference between the maximum allowable compensation and the compensation being
58 received at the time of the vote. If two-thirds of the members of the salary commission vote
59 to decrease the compensation being received at the time of the vote below that compensation,
60 all officers shall receive the same percentage decrease. The commission may vote not to
61 increase or decrease the compensation and that compensation shall continue to be the salary
62 of such offices and officers during the subsequent term of office.

63 [7-] **8.** For the year 1989 and every second year thereafter, the salary commission
64 shall meet in every county as many times as it deems necessary on or prior to November
65 thirtieth of any such year for the purpose of determining the amount of compensation to be
66 paid to county officials. For each year in which the commission meets, the members shall
67 elect a ~~[chairman]~~ **chair** from their number. The county clerk shall present a report on the
68 financial condition of the county to the commission once the ~~[chairman]~~ **chair** is elected, and
69 shall keep minutes of the meeting. The salary commission shall then consider the
70 compensation to be paid for the next term of office for each county officer to be elected at
71 their next general election. If the commission votes not to increase or decrease the
72 compensation, the salary being paid during the term in which the vote was taken shall
73 continue as the salary of such offices and officers during the subsequent term of office. If the
74 salary commission votes to increase the compensation, all officers or offices whose
75 compensation is being considered by the commission at that time shall receive the same
76 percentage of the maximum allowable compensation. However, for any county in which all
77 offices' and officers' salaries have been set at one hundred percent of the maximum allowable
78 compensation, the commission may vote to increase the compensation of all offices except
79 that of full-time prosecuting attorneys at that or any subsequent meeting of the salary
80 commission without regard to any law or maximum limitation established by law. Such
81 increase shall be expressed as a percentage of the compensation being paid during the term of
82 office when the vote is taken, and each officer or office whose compensation is being
83 established by the salary commission at that time shall receive the same percentage increase
84 over the compensation being paid for that office during the term when the vote is taken. This
85 increase shall be in addition to any increase mandated by an official's salary schedule because
86 of changes in assessed valuation during the current term. If the salary commission votes to
87 decrease the compensation, a vote of two-thirds or more of all the members of the salary
88 commission shall be required before the salary or other compensation of any county office

89 shall be decreased below the compensation being paid for the particular office on the date the
90 salary commission votes, and all officers and offices shall receive the same percentage
91 decrease.

92 ~~[8-]~~ **9.** The salary commission shall issue, not later than December fifteenth of any
93 year in which it meets, a report of compensation to be paid to each officer and the
94 compensation so set shall be paid beginning with the start of the subsequent term of office of
95 each officer. The report of compensation shall be certified to the clerk of the county
96 commission for the county and shall be in substantially the following form:

97 The salary commission for _____ County hereby certifies that it has met pursuant to
98 law to establish compensation for county officers to be paid to such officers during the next
99 term of office for the officers affected. The salary commission reports that there shall be (no
100 increase in compensation) (an increase of _____ percent) (a decrease of _____ percent)
101 (county officer's salaries set at _____ percent of the maximum allowable compensation).

102

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

106 ~~[9-]~~ **10.** For the meeting in 1989 and every meeting thereafter, in the event a salary
107 commission in any county fails, neglects or refuses to meet as provided in this section, or in
108 the event a majority of the salary commission is unable to reach an agreement and so reports
109 or fails to certify a salary report to the clerk of the county commission by December fifteenth
110 of any year in which a report is required to be certified by this section, then the compensation
111 being paid to each affected office or officer on such date shall continue to be the
112 compensation paid to the affected office or officer during the succeeding term of office.

113 ~~[10-]~~ **11.** Other provisions of law notwithstanding, in every instance where an officer
114 or employee of any county is paid a mileage allowance or reimbursement, the county
115 commission shall allow or reimburse such officers or employees out of the county treasury at
116 the highest rate paid to any county officer for each mile actually and necessarily traveled in
117 the performance of their official duties. The county commission of any county may elect to
118 pay a mileage allowance for any county commissioner for travel going to and returning from
119 the place of holding commission meetings and for all other necessary travel on official county
120 business in the personal motor vehicle of the commissioner presenting the claim. The
121 governing body of any county of the first classification ~~[not having a charter form of~~
122 ~~government]~~ may provide by order for the payment of mileage expenses of elected and
123 appointed county officials by payment of a certain amount monthly which would reflect the
124 average monthly mileage expenses of such officer based on the amount allowed pursuant to

125 state law for the payment of mileage for state employees. Any order entered for such purpose
126 shall not be construed as salary, wages or other compensation for services rendered.

127 ~~[11.]~~ **12.** The term "maximum allowable compensation" as used in this section means
128 the highest compensation which may be paid to the specified officer or office in the particular
129 county based on the salary schedule established by law for the specified officer or office. If
130 the salary commission at its meeting in 1987 voted for one hundred percent of the maximum
131 allowable compensation and does not change such vote at its meeting held within thirty days
132 after May 13, 1988, as provided in subsection 6 of this section, the one hundred percent shall
133 be calculated on the basis of the total allowable compensation permitted after May 13, 1988.

134 ~~[12.]~~ **13.** At the salary commission meeting which establishes the percentage rate to
135 be applied to county officers during the next term of office, the salary commission may
136 authorize the further adjustment of such officers' compensation as a cost-of-living component
137 and effective January first of each year, the compensation for county officers may be adjusted
138 by the county commission, and if the adjustment of compensation is authorized, the
139 percentage increase shall be the same for all county officers, not to exceed the percentage
140 increase given to the other county employees. The compensation for all county officers may
141 be set as a group, although the change in compensation will not become effective until the
142 next term of office for each officer.

143 ~~[13.—At the salary commission meeting in 1997 which establishes the salaries for~~
144 ~~those officers to be elected at the general election in 1998, the salary commission of each~~
145 ~~noncharter county may provide salary increases for associate county commissioners elected in~~
146 ~~1996. This one time increase is necessitated by the change from two to four year terms for~~
147 ~~associate commissioners pursuant to house bill 256, passed by the first regular session of the~~
148 ~~eighty eighth general assembly in 1995.]~~

115.127. 1. Except as provided in subsection 4 of this section, upon receipt of notice
2 of a special election to fill a vacancy submitted pursuant to subsection 2 of section 115.125,
3 the election authority shall cause legal notice of the special election to be published in a
4 newspaper of general circulation in its jurisdiction. The notice shall include the name of the
5 officer or agency calling the election, the date and time of the election, the name of the office
6 to be filled and the date by which candidates must be selected or filed for the office. Within
7 one week prior to each special election to fill a vacancy held in its jurisdiction, the election
8 authority shall cause legal notice of the election to be published in two newspapers of
9 different political faith and general circulation in the jurisdiction. The legal notice shall
10 include the date and time of the election, the name of the officer or agency calling the election
11 and a sample ballot. If there is only one newspaper of general circulation in the jurisdiction,
12 the notice shall be published in the newspaper within one week prior to the election. If there
13 are two or more newspapers of general circulation in the jurisdiction, but no two of opposite

14 political faith, the notice shall be published in any two of the newspapers within one week
15 prior to the election.

16 2. Except as provided in subsections 1 and 4 of this section and in sections 115.521,
17 115.549 and 115.593, the election authority shall cause legal notice of each election held in its
18 jurisdiction to be published. The notice shall be published in two newspapers of different
19 political faith and qualified pursuant to chapter 493 which are published within the bounds of
20 the area holding the election. If there is only one so-qualified newspaper, then notice shall be
21 published in only one newspaper. If there is no newspaper published within the bounds of the
22 election area, then the notice shall be published in two qualified newspapers of different
23 political faith serving the area. Notice shall be published twice, the first publication occurring
24 in the second week prior to the election, and the second publication occurring within one
25 week prior to the election. Each such legal notice shall include the date and time of the
26 election, the name of the officer or agency calling the election and a sample ballot; and, unless
27 notice has been given as provided by section 115.129, the second publication of notice of the
28 election shall include the location of polling places. The election authority may provide any
29 additional notice of the election it deems desirable.

30 3. The election authority shall print the official ballot as the same appears on the
31 sample ballot, and no candidate's name or ballot issue which appears on the sample ballot or
32 official printed ballot shall be stricken or removed from the ballot except on death of a
33 candidate or by court order, but in no event shall a candidate or issue be stricken or removed
34 from the ballot less than eight weeks before the date of the election.

35 4. In lieu of causing legal notice to be published in accordance with any of the
36 provisions of this chapter, the election authority in jurisdictions which have less than seven
37 hundred fifty registered voters and in which no newspaper qualified pursuant to chapter 493 is
38 published, may cause legal notice to be mailed during the second week prior to the election,
39 by first class mail, to each registered voter at the voter's voting address. All such legal notices
40 shall include the date and time of the election, the location of the polling place, the name of
41 the officer or agency calling the election and a sample ballot.

42 5. If the opening date for filing a declaration of candidacy for any office in a political
43 subdivision or special district is not required by law or charter, the opening filing date shall be
44 8:00 a.m., the ~~[seventeenth]~~ **sixteenth** Tuesday prior to the election. If the closing date for
45 filing a declaration of candidacy for any office in a political subdivision or special district is
46 not required by law or charter, the closing filing date shall be 5:00 p.m., the ~~[fourteenth]~~
47 **thirteenth** Tuesday prior to the election **or, if the thirteenth Tuesday prior to the election is**
48 **a state or federal holiday, the closing filing date shall be 5:00 p.m. on the next day that is**
49 **not a state or federal holiday.** The political subdivision or special district calling an election
50 shall, before the ~~[seventeenth]~~ **sixteenth** Tuesday^[5] prior to any election at which offices are

51 to be filled, notify the general public of the opening filing date, the office or offices to be
52 filled, the proper place for filing and the closing filing date of the election. Such notification
53 may be accomplished by legal notice published in at least one newspaper of general
54 circulation in the political subdivision or special district.

55 6. Except as provided for in sections 115.247 and 115.359, if there is no additional
56 cost for the printing or reprinting of ballots or if the candidate agrees to pay any printing or
57 reprinting costs, a candidate who has filed for an office or who has been duly nominated for
58 an office may, at any time after the certification of the notice of election required in
59 subsection 1 of section 115.125 but no later than 5:00 p.m. on the eighth Tuesday before the
60 election, withdraw as a candidate pursuant to a court order, which, except for good cause
61 shown by the election authority in opposition thereto, shall be freely given upon application
62 by the candidate to the circuit court of the area of such candidate's residence.

182.291. 1. After the establishment of a county library district as provided in section
2 182.010, the board of trustees of any city library within the county, which city has a library
3 tax levy equal to that levied for the county library district, and which county library district
4 has a population of under two hundred and fifty thousand, with the prior approval of the
5 governing body of the city, may petition the county governing body to permit the organization
6 of a city-county library to provide library service to the residents of the county by appropriate
7 means from the city library.

8 2. After the county library board has been appointed as provided in section 182.050,
9 the county library board may petition the county governing body to permit the organization of
10 a city-county library which shall provide library service to the residents of the county by
11 appropriate means from the city library. Within thirty days after receiving the petition the
12 county governing body shall notify the county library board and the city library board of its
13 decision by order of record. If the petition is approved, the city-county library shall be
14 deemed established; but if the petition is denied, the parties may proceed as provided in
15 sections 182.010 to 182.120.

16 3. **(1)** The city-county library shall be under the control and supervision of a board of
17 trustees of nine members[-] **appointed as follows:**

18 **(a)** If the population of the county is larger than that of the city, the county governing
19 body shall appoint five members of the library board[-];

20 **(b)** If the population of the county is less than that of the city, the county governing
21 body shall appoint four members of the library board[-];

22 **(c)** If the population of the city is larger than that of the county, the mayor of the city
23 shall appoint five members to the library board[-]; **and**

24 **(d)** If the population of the city is less than that of the county[-]:

25 **a. Except as otherwise provided in subparagraph b. of this paragraph,** the mayor
26 shall appoint four members to the library board; **and**

27 **b. In any county with more than four hundred thousand but fewer than five**
28 **hundred thousand inhabitants, for members appointed on or after January 1, 2027, the**
29 **mayors of the four most populous cities in the county shall appoint four members to the**
30 **library board as follows:**

31 **(i) The member's term that expires first after January 1, 2027, shall be filled by**
32 **an appointment by the mayor of the most populous city in the county;**

33 **(ii) The member's term that expires second after January 1, 2027, shall be filled**
34 **by an appointment by the mayor of the second-most populous city in the county;**

35 **(iii) The member's term that expires third after January 1, 2027, shall be filled**
36 **by an appointment by the mayor of the third-most populous city in the county; and**

37 **(iv) The member's term that expires fourth after January 1, 2027, shall be filled**
38 **by an appointment by the mayor of the fourth-most populous city in the county.**

39 **(2) (a) After the initial appointments made by following the order of**
40 **appointments described in subparagraph b. of paragraph (d) of subdivision (1) of this**
41 **subsection, subsequent appointments shall be made by following the same order.**

42 **(b) The population of the cities described in subparagraph b. of paragraph (d) of**
43 **subdivision (1) of this subsection shall be determined on the basis of the last previous**
44 **decennial census of the United States as provided in section 1.100.**

45 **(3) The members shall serve a term of three years and until their successors are**
46 **appointed and qualified in the same manner as their predecessors; except that, the original**
47 **members shall serve terms ranging from one to three years to be determined by the board at**
48 **its first meeting. Immediately upon their appointment, the board shall organize as provided in**
49 **section 182.060; and thereupon the city board shall cease to exist and shall turn over all**
50 **property, books and records to the city-county board.**

51 **4. All unexpended funds of the preexisting separate city and county library districts**
52 **shall be deposited by the custodians thereof with the city treasurer immediately upon the**
53 **issuance of the county governing body's approval of the petition.**

54 **5. For all tax purposes, including levies and adjustments thereof, the city library**
55 **district shall become a part of the county library district at the beginning of the next fiscal**
56 **year after the merger and the property within the city library district shall be treated as within**
57 **the county library district for all such purposes; except, until the city library district shall**
58 **become a part of the county library district the levy and collection of taxes shall be made as**
59 **though no merger had taken place, so that the levy and collection of taxes shall be without**
60 **interruption, and during that period no change in the levy shall take place. The funds**
61 **collected shall be turned over to the city treasurer immediately upon collection.**

62 6. All of the real and personal property and all of the obligations of the preexisting
63 separate city and county library districts shall, without further action, become the property
64 and obligations of the merged city-county library district, which shall have an official name
65 composed of the name of the city, followed by the name of the county and followed by the
66 words "County Library District".

67 7. The merged district, and the librarian, officials and board thereof, shall have all of
68 the rights, powers, responsibilities, and privileges granted county library districts by the laws
69 of the state of Missouri and shall be governed by such laws, as though the merged districts
70 were a county library district, except:

71 (1) Where such laws are inconsistent with this section;

72 (2) The treasurer of the board of trustees of the library district shall receive and be the
73 custodian of all moneys, belonging to the district from whatever source derived. Such funds
74 shall be audited annually. At least once in every month the proper finance officer shall pay
75 over to the treasurer of the library district all moneys received and collected for the fund,
76 including interest on such moneys, and take duplicate receipts from the treasurer, one of
77 which he shall file with the secretary of the library district and the other of which he shall file
78 in his settlement with the proper governing body;

79 (3) The library board shall prepare a budget for each fiscal year and all expenditures
80 shall conform to such budget. The budget shall be prepared and approved by the library
81 board and made available to the members of the governing body of the city and the members
82 of the county governing body sixty days before the beginning of each fiscal year, except the
83 first budget of the merged district shall be prepared forthwith and so delivered after the
84 merger.

182.711. 1. The fiscal year for each urban public library district shall be July first to
2 June thirtieth, **unless otherwise set by the board of trustees**, and each year the librarian shall
3 submit to the board of trustees a budget for the forthcoming fiscal year. The board of trustees
4 shall approve the budget after making any changes therein that it deems necessary. The
5 budget shall be approved on or before ~~June thirtieth~~ **the last day of the fiscal year**
6 preceding the fiscal year for which the budget was prepared. The board of trustees on its own
7 motion or at the request of the librarian, from time to time, may amend or modify the
8 approved budget. A copy of the approved budget shall be filed with the state auditor.

9 2. The treasurer of the board of trustees of an urban public library district shall
10 receive and be the custodian of all money belonging to the district from whatever source
11 derived. All funds of the urban public library district derived from local taxation to be used
12 for normal operations of the district shall be kept in a library operating fund. All funds
13 belonging to the district which are to be used for building purposes shall be kept in a library
14 building fund; all funds derived from state aid or federal grants, other than land, building and

15 furnishing grants, shall be kept in the library operating fund; and the board of trustees may
 16 establish any other funds that it deems necessary. The treasurer shall deposit all moneys
 17 belonging to the urban public library district in the depositories that are selected by the board
 18 of trustees. The treasurer shall also be the custodian of all bonds or other securities belonging
 19 to the urban public library district.

20 3. Urban public library district moneys shall be disbursed by the treasurer by
 21 appropriate instrument of payment only upon due authorization of the board of trustees and
 22 duly certified for payment by the president. The certification shall specify the amount to be
 23 paid, to whom payment is to be made and the purpose for which payment is being made. The
 24 board of trustees by resolution may direct that the signature of the president or treasurer be a
 25 facsimile signature in the manner provided by sections 105.272 to 105.278.

26 4. No authorization or certification shall be made, and no instrument of payment shall
 27 be issued for the payment of any urban public library district indebtedness unless there is
 28 sufficient money in the treasury and the proper fund for the payment of the indebtedness and
 29 the indebtedness is in the proper form.

30 5. The treasurer of the board of trustees shall submit to the board of trustees, at each
 31 regularly scheduled meeting thereof, an accounting reflecting receipt and disbursement of
 32 funds belonging to the urban public library district.

182.802. 1. (1) Any public library district located in any ~~[of the following counties]~~
 2 **county** may impose a tax as provided in this section~~;~~

3 ~~(a) At least partially within any county of the third classification without a township~~
 4 ~~form of government and with more than forty thousand eight hundred but fewer than forty~~
 5 ~~thousand nine hundred inhabitants;~~

6 ~~(b) Any county of the third classification without a township form of government and~~
 7 ~~with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred~~
 8 ~~inhabitants;~~

9 ~~(c) Any county of the third classification without a township form of government and~~
 10 ~~with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred~~
 11 ~~inhabitants;~~

12 ~~(d) Any county of the third classification with a township form of government and~~
 13 ~~with more than twenty nine thousand seven hundred but fewer than twenty nine thousand~~
 14 ~~eight hundred inhabitants;~~

15 ~~(e) Any county of the second classification with more than nineteen thousand seven~~
 16 ~~hundred but fewer than nineteen thousand eight hundred inhabitants;~~

17 ~~(f) Any county of the third classification with a township form of government and~~
 18 ~~with more than thirty three thousand one hundred but fewer than thirty three thousand two~~
 19 ~~hundred inhabitants;~~

20 ~~(g) Any county of the third classification without a township form of government and~~
21 ~~with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city~~
22 ~~of the third classification with more than six thousand but fewer than seven thousand~~
23 ~~inhabitants as the county seat;~~

24 ~~(h) Any county of the fourth classification with more than twenty thousand but fewer~~
25 ~~than thirty thousand inhabitants; or~~

26 ~~(i) Any county of the third classification with more than thirteen thousand nine~~
27 ~~hundred but fewer than fourteen thousand inhabitants]. Any county imposing a tax~~
28 **authorized under this section before August 28, 2026, shall not be required to**
29 **reauthorize such tax after August 28, 2026.**

30 (2) Any public library district [~~listed in subdivision (1) of this subsection~~] may, by a
31 majority vote of its board of directors, impose a tax not to exceed one-half of one cent, **or for**
32 **any county with more than one hundred thousand but fewer than one hundred twenty**
33 **thousand inhabitants and with a county seat with more than nine thousand but fewer**
34 **than eleven thousand inhabitants, or any county with more than fifty thousand but**
35 **fewer than sixty thousand inhabitants and with a county seat with more than seventeen**
36 **thousand but fewer than twenty-one thousand inhabitants, not to exceed one-third of**
37 **one cent**, on all retail sales subject to taxation under sections 144.010 to 144.525 for the
38 purpose of funding the operation and maintenance of public libraries within the boundaries of
39 such library district. **If the library board approves placing the sales tax authorized by**
40 **this section on the ballot, then the county commission shall comply and place the**
41 **measure before the voters.** The tax authorized by this subsection shall be in addition to all
42 other taxes allowed by law. No tax under this subsection shall become effective unless the
43 board of directors submits to the voters of the district, at a county or state general, primary or
44 special election, a proposal to authorize the tax, and such tax shall become effective only after
45 the majority of the voters voting on such tax approve such tax.

46 2. (1) In the event the district seeks to impose a sales tax under this subsection, the
47 question shall be submitted in substantially the following form:

48 Shall a _____ cent sales tax be levied on all retail sales within the
49 district for the purpose of providing funding for _____ library
50 district?

51 YES NO

52

53 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in
54 favor of the proposal, then the tax shall become effective. If a majority of the votes cast by
55 the qualified voters voting are opposed to the proposal, then the board of directors shall have
56 no power to impose the tax unless and until another proposal to authorize the tax is submitted

57 to the voters of the district and such proposal is approved by a majority of the qualified voters
58 voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved
59 under this subsection.

60 **(2) (a) Notwithstanding the provisions of subdivision (1) of subsection 1 of this**
61 **section for any district located in a county with more than four hundred thousand but**
62 **fewer than five hundred thousand inhabitants or in a county with more than eighty**
63 **thousand but fewer than one hundred thousand inhabitants and with a county seat with**
64 **more than thirteen thousand but fewer than seventeen thousand inhabitants, any sales**
65 **tax imposed pursuant to this section shall be in conjunction with a real and personal**
66 **property tax reduction for each year in which the sales tax is imposed. The ballot of**
67 **submission for such district shall contain, but need not be limited to, the following**
68 **language:**

69 **Shall the _____ library district impose a district-wide sales tax of __**
70 **_____ (insert amount) and reduce its total real and personal property**
71 **tax levy annually by one hundred percent of the total amount of sales**
72 **tax revenue collected in the same tax year for the purpose of**
73 **providing funding for _____ library district?**

74 **YES NO**

75 **If you are in favor of the question, place an "X" in the box opposite**
76 **"YES". If you are opposed to the question, place an "X" in the box**
77 **opposite "NO".**

78
79 **If a majority of the votes cast on the proposal by the qualified voters voting thereon are**
80 **in favor of the proposal, then the ordinance or order and any amendments thereto shall**
81 **be in effect. If a majority of the votes cast by the qualified voters voting are opposed to**
82 **the proposal, then the board of directors shall have no power to impose the sales tax and**
83 **reduce the property tax as herein authorized unless and until the board of directors**
84 **shall again have submitted another proposal to authorize the board of directors to**
85 **impose the sales tax and reduce the property tax under the provisions of this section and**
86 **such proposal is approved by a majority of the qualified voters voting thereon.**

87 **(b) Each year in which a sales tax is imposed pursuant to this subdivision, the**
88 **board of directors shall, after determining its budget, within the limits set by the**
89 **constitution and laws of this state for the following calendar year and the total property**
90 **tax levy needed to raise the revenues required by such budget, reduce that total real and**
91 **personal property tax levy in an amount sufficient to decrease the total property taxes it**
92 **will collect by an amount equal to one hundred percent of the sales tax revenue collected**
93 **in the tax year for which the property taxes are being levied, provided that for the first**

94 **three years following the adoption of the sales tax pursuant to this subdivision, the**
 95 **reduction made pursuant to this subdivision shall be equal to thirty-three percent, sixty-**
 96 **six percent, and one hundred percent, respectively, of the sales tax revenue collected.**

97 **(3) Notwithstanding the provisions of subdivision (1) of subsection 1 of this**
 98 **section, for any district located in a county with more than one hundred thousand but**
 99 **fewer than one hundred twenty thousand inhabitants and with a county seat with more**
 100 **than nine thousand but fewer than eleven thousand inhabitants or any county with more**
 101 **than fifty thousand but fewer than sixty thousand inhabitants and with a county seat**
 102 **with more than seventeen thousand but fewer than twenty-one thousand inhabitants,**
 103 **any sales tax imposed pursuant to this section shall be in conjunction with the**
 104 **elimination of all real and personal property tax levies imposed by the district for each**
 105 **year in which the sales tax is imposed. The ballot of submission for such district shall**
 106 **contain, but need not be limited to, the following language:**

107 **Shall the _____ library district impose a district-wide sales tax of ___**
 108 **_____ (insert amount) and eliminate its total real and personal**
 109 **property tax levy for the purpose of providing funding for _____**
 110 **library district?**

111 **YES**

NO

112 **If you are in favor of the question, place an "X" in the box opposite**
 113 **"YES". If you are opposed to the question, place an "X" in the box**
 114 **opposite "NO".**

115

116 **If a majority of the votes cast on the proposal by the qualified voters voting thereon are**
 117 **in favor of the proposal, then the ordinance or order and any amendments thereto shall**
 118 **be in effect. If a majority of the votes cast by the qualified voters voting are opposed to**
 119 **the proposal, then the board of directors shall have no power to impose the sales tax and**
 120 **eliminate the property tax as herein authorized unless and until the board of directors**
 121 **shall again have submitted another proposal to authorize the board of directors to**
 122 **impose the sales tax and eliminate the property tax under the provisions of this section**
 123 **and such proposal is approved by a majority of the qualified voters voting thereon.**

124 **3. As used in this section, "qualified voters" or "voters" means any individuals**
 125 **residing within the district who are eligible to be registered voters and who have registered to**
 126 **vote under chapter 115, or, if no individuals are eligible and registered to vote reside within**
 127 **the proposed district, all of the owners of real property located within the proposed district**
 128 **who have unanimously petitioned for or consented to the adoption of an ordinance by the**
 129 **governing body imposing a tax authorized in this section. If the owner of the property within**
 130 **the proposed district is a political subdivision or corporation of the state, the governing body**

131 of such political subdivision or corporation shall be considered the owner for purposes of this
132 section.

133 4. For purposes of this section the term "public library district" shall mean any city
134 library district, county library district, city-county library district, municipal library district,
135 consolidated library district, or urban library district.

247.220. 1. Proceedings for the dissolution of a public water supply district shall be
2 substantially the same as proceedings for the formation of such a district, as follows: A
3 petition describing the boundaries of the district sought to be dissolved shall be filed with the
4 clerk of the circuit court of the county wherein the subject district is situate, or with the clerk
5 of the circuit court of the county having the largest acreage within the boundaries of the
6 subject district, in the event that the subject district embraces lands in more than one county.
7 Such petition, in addition to such boundary description, shall allege that further operation of
8 the subject district is inimicable to the best interests of the inhabitants of the district, that the
9 district should, in the interest of the public welfare and safety, be dissolved, that an alternative
10 water supplier is available and better able to supply water to the inhabitants of the district,
11 **that an agreement for sale of the district's assets has been entered into by the board of**
12 **directors contingent upon approval of the circuit court and voters**, and such other
13 information as may be useful to the court in determining whether the petition should be
14 granted and a decree of dissolution entered. Such petition shall also include a detailed plan
15 for payment of all debt and obligations of the district at the time of dissolution. Such petition
16 shall be accompanied by a cash deposit of fifty dollars as an advancement of the costs of the
17 proceeding and the petition shall be signed by not less than one-fifth of the registered voters
18 from each subdistrict, or fifty registered voters from each subdistrict, whichever is less, within
19 the subject district. The petition shall be verified by at least one of the signers thereof and
20 shall be served upon the board of directors of the district as provided by law. The district
21 shall be a party, and if the board of directors in its discretion determines that such dissolution
22 is not in the public interest, the district shall oppose such petition and pay all cost and expense
23 thereof.

24 2. Upon the filing of the petition, the same shall be presented to the circuit court, and
25 such court shall fix a date for a hearing on such petition, as provided in this section.
26 Thereupon, the clerk of the court shall give notice of the filing of the petition in some
27 newspaper of general circulation in the county in which the proceedings are pending, and if
28 the district extends into any other county or counties, such notice shall also be published in
29 some newspaper of general circulation in such other county or counties. The notice shall
30 contain a description of the subject boundary lines of the district and the general purposes of
31 the petition, and shall set forth the date fixed for the hearing on the petition, which shall not
32 be less than seven nor more than twenty-one days after the date of the last publication of the

33 notice and shall be on some regular judicial day of the court wherein the petition is pending.
34 Such notice shall be signed by the clerk of the circuit court and shall be published in three
35 successive issues of a weekly newspaper or in twenty successive issues of a daily newspaper.

36 3. The court, for good cause shown, may continue the case or the hearing thereon
37 from time to time until final disposition thereof.

38 4. Exceptions to the dissolution of a district may be made by any voter or landowner
39 of the district, and by the district as herein provided; such exceptions shall be filed not less
40 than five days prior to the date set for the hearing on the petition. Such exceptions shall
41 specify the grounds upon which the exceptions are filed and the court shall take them into
42 consideration in passing upon the petition and shall also consider the evidence in support of
43 the petition and in support of the exceptions made. Unless petitioners prove that **there is an**
44 **agreement for sale of the district's assets entered into by the board of directors that**
45 **would permit** all debts and financial obligations of the district can be paid in full upon
46 dissolution **and provide for the continuation of water supply to the inhabitants of the**
47 **district**, the petition shall be dismissed at the cost of the petitioners.

48 5. Should the court find that it would not be to the public interest to dissolve a district,
49 the petition shall be dismissed at the costs of the petitioners. If, however, the court should
50 find in favor of the petitioners, the court shall enter its interlocutory decree of dissolution
51 which decree shall provide for the submission of the question to the voters of the district in
52 substantially the following form:

53 Shall _____ Public Water Supply District be dissolved **and its assets sold to _____**
54 **_ which shall thereafter be the water supplier?**

55 6. The decree of dissolution shall not become final and conclusive until it shall have
56 been submitted to the voters residing within the boundaries described in such decree and until
57 it shall have been assented to by a majority of two-thirds of the voters of the district voting on
58 the proposition. **At their discretion, the board of directors may approve a change in the**
59 **vote threshold to a majority of four-sevenths of the voters of the district voting on the**
60 **proposition.** The decree shall provide for the submission of the question and shall fix the
61 date thereof. The returns shall be certified by the election authority to the circuit court having
62 jurisdiction in the case and the court shall thereupon enter its order canvassing the returns and
63 declaring the result of such election.

64 7. If, upon canvass and declaration, it is found and determined that the question shall
65 have been assented to by [~~a majority of two-thirds of the voters of the district voting on such~~
66 ~~proposition~~] **the number of voters required under subsection 6 of this section** then the
67 court shall, in such order declaring the result of the election, enter a further order declaring the
68 decree of dissolution to be final and conclusive. In the event, however, that the court should
69 find that the question had not been assented to by the majority required, the court shall enter a

70 further order declaring such decree of dissolution to be void and of no effect. No appeal shall
71 lie from any of the aforesaid orders. In the event that the court declares the decree of
72 dissolution to be final, as provided in this section, the clerk of the circuit court shall file
73 certified copies of such decree of dissolution and of such final order with the secretary of state
74 of the state of Missouri, and with the recorder of deeds of the county or counties in which the
75 district is situate and with the clerk of the county commission of the county or counties in
76 which the district is situate.

77 8. Notwithstanding anything in this section to the contrary, no district shall be
78 dissolved until after all of its debts shall have been paid, and the court, in its decree of
79 dissolution, shall provide for the disposition of the property of the district, **which may direct**
80 **that any excess funds be paid over to the treasurers of the various school districts on a**
81 **pro rata basis equivalent to the ratio of customers of the water supply district in the**
82 **various school districts.**

311.038. 1. The state expressly preempts the field of regulating the sale of
2 **alcoholic beverages specifically as it relates to the size of the container, the volume of**
3 **fluid ounces in the container, the alcohol content of the liquid in the container, and the**
4 **number of containers that can be purchased per transaction.**

5 **2. The state shall supersede and render null and void any local laws, ordinances,**
6 **orders, rules, or regulations enacted by a county, city, municipality, or other political**
7 **subdivision before, on, or after the effective date of this section that attempts to regulate**
8 **the sale of alcoholic beverages as detailed in this section.**

Section B. Because immediate action is necessary to ensure the uniform, consistent,
2 and predictable statewide regulation of a lawful product, and to prevent unlawful
3 discrimination against and irreparable harm to impacted adult consumers and producers,
4 wholesalers, and retailers of alcoholic beverages, section 311.038 of section A of this act is
5 deemed necessary for the immediate preservation of the public health, welfare, peace, and
6 safety, and is hereby declared to be an emergency act within the meaning of the constitution,
7 and section 311.038 of section A of this act shall be in full force and effect upon its passage
8 and approval.

✓