

SENATE BILL NO. 1144

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHNELTING.

4641S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 182.291, RSMo, and to enact in lieu thereof one new section relating to city-county library boards of trustees.

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

Section A. Section 182.291, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 182.291,
3 to read as follows:

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

12 2. After the county library board has been appointed
13 as provided in section 182.050, the county library board may
14 petition the county governing body to permit the
15 organization of a city-county library which shall provide
16 library service to the residents of the county by
17 appropriate means from the city library. Within thirty days

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

18 after receiving the petition the county governing body shall
19 notify the county library board and the city library board
20 of its decision by order of record. If the petition is
21 approved, the city-county library shall be deemed
22 established; but if the petition is denied, the parties may
23 proceed as provided in sections 182.010 to 182.120.

24 3. (1) The city-county library shall be under the
25 control and supervision of a board of trustees of nine
26 members[.] **appointed as follows:**

27 (a) If the population of the county is larger than
28 that of the city, the county governing body shall appoint
29 five members of the library board[.];

30 (b) If the population of the county is less than that
31 of the city, the county governing body shall appoint four
32 members of the library board[.];

33 (c) If the population of the city is larger than that
34 of the county, the mayor of the city shall appoint five
35 members to the library board[.];

36 (d) If the population of the city is less than that of
37 the county[,]:

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

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

46 (i) **The member's term that expires first after January**
47 **1, 2027, shall be filled by an appointment by the mayor of**
48 **the most populous city in the county;**

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

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

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

58 (2) (a) After the initial appointments made by
59 following the order of appointments described in
60 subparagraph b. of paragraph (d) of subdivision (1) of this
61 subsection, subsequent appointments shall be made by
62 following the same order.

63 (b) The population of the cities described in
64 subparagraph b. of paragraph (d) of subdivision (1) of this
65 subsection shall be determined on the basis of the last
66 previous decennial census of the United States as provided
67 in section 1.100.

68 (3) The members shall serve a term of three years and
69 until their successors are appointed and qualified in the
70 same manner as their predecessors; except that, the original
71 members shall serve terms ranging from one to three years to
72 be determined by the board at its first meeting.

73 Immediately upon their appointment, the board shall organize
74 as provided in section 182.060; and thereupon the city board
75 shall cease to exist and shall turn over all property, books
76 and records to the city-county board.

77 4. All unexpended funds of the preexisting separate
78 city and county library districts shall be deposited by the
79 custodians thereof with the city treasurer immediately upon

80 the issuance of the county governing body's approval of the
81 petition.

82 5. For all tax purposes, including levies and
83 adjustments thereof, the city library district shall become
84 a part of the county library district at the beginning of
85 the next fiscal year after the merger and the property
86 within the city library district shall be treated as within
87 the county library district for all such purposes; except,
88 until the city library district shall become a part of the
89 county library district the levy and collection of taxes
90 shall be made as though no merger had taken place, so that
91 the levy and collection of taxes shall be without
92 interruption, and during that period no change in the levy
93 shall take place. The funds collected shall be turned over
94 to the city treasurer immediately upon collection.

95 6. All of the real and personal property and all of
96 the obligations of the preexisting separate city and county
97 library districts shall, without further action, become the
98 property and obligations of the merged city-county library
99 district, which shall have an official name composed of the
100 name of the city, followed by the name of the county and
101 followed by the words "County Library District".

102 7. The merged district, and the librarian, officials
103 and board thereof, shall have all of the rights, powers,
104 responsibilities, and privileges granted county library
105 districts by the laws of the state of Missouri and shall be
106 governed by such laws, as though the merged districts were a
107 county library district, except:

- 108 (1) Where such laws are inconsistent with this section;
109 (2) The treasurer of the board of trustees of the
110 library district shall receive and be the custodian of all
111 moneys, belonging to the district from whatever source

derived. Such funds shall be audited annually. At least once in every month the proper finance officer shall pay over to the treasurer of the library district all moneys received and collected for the fund, including interest on such moneys, and take duplicate receipts from the treasurer, one of which he shall file with the secretary of the library district and the other of which he shall file in his settlement with the proper governing body;

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

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