

HCS HB 2348 -- POLITICAL SUBDIVISIONS

SPONSOR: Hovis

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Local Government by a vote of 10 to 0.

The following is a summary of the House Committee Substitute for HB 2348.

This bill makes changes to laws regarding political subdivisions.

COUNTY CORONERS (Sections 50.327, 58.095, and 58.200)

Currently, a raise is authorized for county coroners in counties of the second classification. The bill changes the authorization to apply to all non-charter counties. This bill provides that the salary commission of any third class county may amend the base salary schedules as provided by law for the computation of salaries for county officials to include assessed valuation factors in excess of \$300 million dollars, provided that the percentage of any adjustments must be equal for all county officials in that county. The bill also authorizes a coroner who is acting as sheriff under the law, to receive a salary equivalent to the sheriff's salary while acting as such.

COUNTY AUDITORS (Section 55.160)

In counties of the first and second classification, the county auditor is authorized to have access to and the ability to audit and examine claims of every kind and character for which a county officer has a fiduciary duty.

BOONE COUNTY SHERIFF (Section 57.317)

Excludes the sheriff of Boone County from the requirement that sheriffs in counties of the first and second classification receive an annual salary equal to 80% of the compensation of an associate circuit judge of the county.

COUNTY RECREATIONAL DISTRICTS (Sections 67.782, 67.683, 67.785)

Currently, certain adjoining counties may jointly impose a sales tax throughout each of their respective counties for public recreational purposes including the financing, acquisition, construction, operation and maintenance of recreational projects

and programs. The sales taxes will not become effective unless it is approved by a majority of the voters in each county.

This bill changes the authorization language so that the counties do not have to act jointly. Each county is individually authorized to impose, upon voter approval, its own tax for public recreational purposes.

If enacted, this bill will initially only apply to Bollinger and Cape Girardeau counties.

THEATER, CULTURAL ARTS, AND ENTERTAINMENT DISTRICT (Sections 67.2500 and 311.087)

This bill authorizes certain counties, and cities within those counties, to establish a theater, cultural arts, and entertainment district.

Upon enactment, this authorization will apply to any county bordering the Lake of the Ozarks. The bill also authorizes portable bars within common areas of the entertainment district, located in Lake Ozark.

RESIDENCY REQUIREMENTS FOR FOURTH CLASS CITY BOARDS & COMMISSIONS (Section 79.235)

The bill specifies that, for a city of the fourth classification with no more than 2,000 inhabitants, if a statute or ordinance authorizes the mayor to appoint a member of a local board or commission, any requirement that the appointed person be a resident of the city will be deemed satisfied if the person owns real property or a business in the city, regardless of whether the position to which the appointment is made is considered an officer of the city.

The bill also specifies that, for a city of the fourth classification with no more than 2,000 inhabitants, if a statute or ordinance authorizes the mayor to appoint a member of a board that manages a municipal utility, any requirement that the appointed person be a resident of the city will be deemed satisfied only if the following conditions are met:

- (1) The board has no authority to set utility rates or to issue bonds;
- (2) The person resides within five miles of the city limits;

(3) The person owns real property or a business in the city;

(4) The person or the person's business is a customer of a public utility, as described under Section 91.450, RSMo managed by the board; and

(5) The person has no pecuniary interest in, and is not a board member of, any utility company that offers the same type of service as a utility managed by the board.

COUNTY COLLECTOR AUCTIONS (Sections 140.170 and 140.190)

This bill allows a county collector to hold an auction of lands with delinquent property taxes through electronic media, including the Internet, at the same time as the auction is held in person.

REGIONAL JAIL DISTRICTS (Sections 221.400, 221.402, 221.405, 221.407, and 221.410)

This bill requires that a county wanting to join an existing jail district that levies a sales tax, first must obtain voter approval for the levy of the sales tax in the joining county.

The bill also adds equipping and maintaining jail facilities and leasing jail properties to the powers authorized to a jail district.

Commissioners must serve until their successors in their county offices have assumed office.

The bill also repeals the 12-month required interval between votes for voting on the jail district levy and joining the jail district.

Expenditures from the tax levy of the regional jail district are expanded to include any of the district's authorized purposes.

The expiration date of September 30, 2028, for regional jail districts is repealed.

Regional jail districts are authorized to contract with governmental entities including departments and their instrumentalities and private entities.

This section contains an emergency clause.

REGIONAL PLANNING COMMISSIONS FUNDING (Section 251.034)

Currently, State funds for the East-West Gateway Coordinating Council and for the Mid-America Regional Council are not to exceed \$65,000 and State funds for other regional planning commissions shall not exceed \$25,000. This bill changes the caps to \$130,000 and \$50,000, respectively.

Additionally, the bill removes the regional planning commissions of Show-Me, Missouri Valley, Ozark Gateway, ABCD, and Lakes County and adds Harry S Truman, MO-Kan, Pioneer Trails, and Southwest Missouri.

Beginning July 1, 2026, the maximum grant amount for each regional planning commission must be adjusted with the consumer price index.

PUBLIC ADMINISTRATORS (Section 473.742)

The bill specifies that if a public administrator is appointed by the court as both a guardian and a conservator to the same ward or protectee, it will be considered two letters. Upon majority approval of the county salary commission, a public administrator may be paid according to the assessed valuation schedule set forth in the bill. If the salary commission elects to pay a public administrator according to the salary schedule it cannot thereafter change to paying the public administrator according to the average number of open letters. Beginning January 1, 2024, public administrators whose terms start on or after that date shall be deemed to have elected to receive a salary as provided in the bill.

This bill contains provisions from HB 1612, HB 2068, HB 2074, HB 2237 and HB 1588 (2024).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that each county should be able to join the county recreational lake authority.

Testifying in person for the bill were Representative Hovis; and Arnie C. Dienoff.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.