

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 950 & 948
92ND GENERAL ASSEMBLY

Reported from the Committee on Local Government, January 22, 2004, with recommendation that the House Committee Substitute for House Bill Nos. 950 & 948 Do Pass by Consent.

STEPHEN S. DAVIS, Chief Clerk

2969L.02C

AN ACT

To repeal sections 48.020 and 48.030, RSMo, and to enact in lieu thereof two new sections relating to classifications of counties, with an emergency clause.

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

Section A. Sections 48.020 and 48.030, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 48.020 and 48.030, to read as follows:

48.020. All counties of this state are hereby classified, for the purpose of establishing
2 organization and powers in accordance with the provisions of section 8, article VI, Constitution
3 of Missouri, into four classifications determined as follows:

4 Classification 1. All counties having an assessed valuation of [four hundred fifty] **six**
5 **hundred** million dollars and over shall automatically be in the first classification after that
6 county has maintained such valuation for the time period required by section 48.030; however,
7 any county of the second classification which, on August 13, 1988, has had an assessed valuation
8 of at least four hundred million dollars for at least one year may, by resolution of the governing
9 body of the county, elect to be classified as a county of the first classification after it has
10 maintained such valuation for the period of time required by the provisions of section 48.030.

11 Classification 2. All counties having an assessed valuation of [three] **four** hundred **fifty**
12 million dollars and less than the assessed valuation necessary for that county to be in the first
13 classification shall automatically be in the second classification after that county has maintained
14 such valuation for the time period required by section 48.030.

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

15 Classification 3. All counties having an assessed valuation of less than the assessed
16 valuation necessary for that county to be in the second classification shall automatically be in the
17 third classification.

18 Classification 4. All counties which have attained the second classification prior to
19 August 13, 1988, and which would otherwise return to the third classification after August 13,
20 1988, because of changes in assessed valuation shall remain a county in the second classification
21 and shall operate under the laws of this state applying to the second classification.

48.030. **1. Other than as otherwise provided for in this section,** after September 28,
2 1979, no county shall move from a lower class to a higher class or from a higher class to a lower
3 class until the assessed valuation of the county is such as to place it in the other class for five
4 successive years[; but,].

5 **2.** No second class county shall become a third class county until the assessed valuation
6 of the county is such as to place it in the third class for at least five successive years and until the
7 assessed valuations for calendar year 1985 have been entered on the tax rolls of each county in
8 accordance with subsections 6 and 7 of section 137.115, RSMo.

9 **3. Notwithstanding the provisions of subsection 1 of this section, a county may**
10 **become a first class county at any time after the assessed valuation of the county is such as**
11 **to be a first class county and the governing body of the county elect to change**
12 **classifications. The effective date of such change of classification shall be in accordance**
13 **with the provisions of this section.**

14 **4.** The change from one classification to another shall become effective at the beginning
15 of the county fiscal year following the next general election after the certification by the state
16 equalizing agency for the required number of successive years that the county possesses an
17 assessed valuation placing it in another class. If a general election is held between the date of
18 the certification and the end of the current fiscal year, the change of classification shall not
19 become effective until the beginning of the county fiscal year following the next succeeding
20 general election.

Section B. Because immediate action is necessary to safeguard the finances of certain
2 counties, section A of this act is deemed necessary for the immediate preservation of the public
3 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the
4 meaning of the constitution, and section A of this act shall be in full force and effect upon its
5 passage and approval.