

[CORRECTED]

SECOND REGULAR SESSION

HOUSE BILL NO. 795

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JOHNSON (47).

Pre-filed December 2, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2494L.011

AN ACT

To repeal sections 138.010, 138.085, and 138.140, RSMo, and to enact in lieu thereof four new sections relating to county boards of equalization membership.

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

Section A. Sections 138.010, 138.085, and 138.140, RSMo, are repealed and four new
2 sections enacted in lieu thereof, to be known as sections 138.010, 138.011, 138.085, and
3 138.140, to read as follows:

138.010. 1. Except as otherwise provided by law, in every county in this state there shall
2 be a county board of equalization consisting of the commissioners of the county commission, the
3 county assessor, the county surveyor, and the county clerk who shall be secretary of the board
4 without a vote. The county commissioners shall also have the option to appoint two additional
5 members to the board who shall be citizens of the county, but not officers of the county. **No**
6 **member of any board of equalization shall be an official of any city, town, or village in the**
7 **county, a member of any school board in the county, or an employee of any school district**
8 **within the county. Each member shall have some level of experience as determined by the**
9 **governing authority of the county as a real estate broker, real estate appraiser, home**
10 **builder, property developer, lending officer, or investor in real estate before their**
11 **appointment to the board.**

12 2. Except as provided in subsection 3 of this section, this board shall meet at the office
13 of the county clerk on the second Monday of July of each year.

14 3. Upon a finding by the board that it is necessary in order to fairly hear all cases arising
15 from a general reassessment, the board may begin meeting after May thirty-first in any applicable
16 year to timely consider any appeal or complaint resulting from an evaluation made during a

17 general reassessment of all taxable real property and possessory interests in the county.

138.011. No member of any board of equalization in any county with a charter form of government shall be an official of any city, town, or village in the county, a member of any school board in the county, or an employee of any school district within the county. Each member shall have some level of experience as determined by the governing authority of the county as a real estate broker, real estate appraiser, home builder, property developer, lending officer, or investor in real estate before their appointment to the board.

138.085. 1. In all first class counties not having a charter form of government and in each second class county which contains a portion of a city having a population of at least three hundred thousand and which adjoins a first class county which does not have a charter form of government, there may be a board of equalization consisting of three taxpaying property-owning citizen, residents of such county for five years next before their appointment, who shall be appointed by the county commission for three-year terms with one member being appointed annually on the second Monday in January of each year; after the county commission makes the first appointments on the full three-member board on the second Monday in January, 1981. The initial appointments shall be for one-, two- and three-year terms, respectively. **No member of any board of equalization shall be an official of any city, town, or village in the county, a member of any school board in the county, or an employee of any school district within the county. Each member shall have some level of experience as determined by the governing authority of the county as a real estate broker, real estate appraiser, home builder, property developer, lending officer, or investor in real estate before their appointment to the board.**

2. Each member shall take an oath similar to that required by law of members of other county boards of equalization.

3. Compensation shall be fixed by order of the county commission.

4. Vacancies or absences on the board of equalization caused by death, incapacity to perform duties, failure to attend three consecutive meetings, or resignation shall be filled forthwith by appointment by the county commission.

138.140. 1. In all constitutional charter cities not situated within any county there shall be a board of equalization consisting of the assessor, who shall be its president, and four taxpaying, property-owning citizens resident in the city for five years next before their appointment, who shall be appointed annually by the mayor on or before the second Monday in May of each year. **No member of any board of equalization shall be an official of the city, a member of any school board in the county, or an employee of any school district within the city. Each member shall have some level of experience as determined by the mayor as a real estate broker, real estate appraiser, home builder, property developer, lending**

9 **officer, or investor in real estate before their appointment to the board.**

10 2. Each member shall take an oath similar to that required by law of members of county
11 boards of equalization.

12 3. Their compensation shall be fixed by ordinance.

13 4. Vacancies or absences on the board of equalization caused by death, incapacity to
14 perform duties, failure to attend three consecutive meetings, or resignation shall be filled
15 forthwith by appointment by the mayor.