

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 782
92ND GENERAL ASSEMBLY

Reported from the Committee on Local Government, April 22, 2004, with recommendation that the House Committee Substitute for Senate Committee Substitute for Senate Bill No. 782 Do Pass.

STEPHEN S. DAVIS, Chief Clerk

2815L.04C

AN ACT

To repeal sections 50.339, 54.150, 54.170, and 54.261, RSMo, and to enact in lieu thereof five new sections relating to county treasurers.

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

Section A. Sections 50.339, 54.150, 54.170, and 54.261, RSMo, are repealed and five
2 new sections enacted in lieu thereof, to be known as sections 50.339, 54.033, 54.150, 54.170,
3 and 54.261, to read as follows:

50.339. **1.** In any county of the first classification with more than seventy-one thousand
2 three hundred but less than seventy-one thousand four hundred inhabitants, the salary
3 commission at its meeting in 2003 and at any meeting held in 2004 may equalize the base salary
4 for each office to an amount not greater than that set by law as the maximum compensation.
5 Nothing in this section shall be construed to prevent offices which have additional compensation
6 specified in law from receiving such compensation or from having such compensation added to
7 the base compensation in excess of the equalized salary.

8 **2.** **Notwithstanding any provision of section 50.343 to the contrary, in any county**
9 **of the first classification with more than sixty-eight thousand six hundred but less than**
10 **sixty-eight thousand seven hundred inhabitants, the salary commission may meet in the**
11 **year 2004 to determine whether to equalize the base salary for the office of treasurer with**
12 **the base salaries of other county officers at an amount not greater than the amount set as**
13 **the maximum compensation in subdivision (1) of subsection 1 of section 50.343.**

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.

54.033. In the event of a vacancy caused by death, resignation, or otherwise, in the office of county treasurer in any county except a county with a charter form of government, the county commission shall appoint a deputy treasurer or a qualified person to serve as an interim treasurer until said treasurer returns or the unexpired term is filled under section 105.030, RSMo. Such individual must be eligible to serve as a county treasurer under section 54.040, and must comply with section 54.090.

54.150. [He] The county treasurer shall settle his accounts with the commission semiannually, [at its first and third regular terms in each year; and at the end of his term, or if he resign or be removed from office, he, or if he die, his executor or administrator,] **in June and December in each year. In the event of a vacancy caused by death, resignation, or otherwise, in any county except a county with a charter form of government, the county commission shall appoint a deputy treasurer or a qualified person to serve as an interim treasurer until said treasurer returns or the unexpired term is filled under section 105.030, RSMo. The treasurer or interim treasurer** shall immediately make such settlement, and deliver to his successor in office all things pertaining thereto, together with all money belonging to the county; and at each settlement the commission shall immediately proceed to ascertain, by actual examination [and count], the amount of balances and funds in the hands of such treasurer to be accounted for, and to what particular fund or funds it appertains, and cause to be spread on its records, in connection with the entry of such settlement, the result of such examination and count.

54.170. The county or township treasurer shall, semiannually, settle his accounts with the county commission [at its first and third regular terms in each year, being the regular February and August terms of said commission; and at the end of his term, or if he resign or be removed from office, he, or if he die, his executor or administrator, shall within twenty days, settle with the county commission, and if there be no term, or the commission be not in session, the presiding commissioner shall call a special term to make such settlement.] **in June and December. In the event of a vacancy caused by death, resignation, or otherwise, in any county except a county with a charter form of government, the county commission shall appoint a deputy treasurer or a qualified person to serve as the interim treasurer until said treasurer returns or unexpired term is filled pursuant to section 105.030, RSMo. The [said] treasurer or interim treasurer** shall account for all school moneys or funds of any and all kinds received by him, from whom and on what account, and the particular fund to which each of said funds was entered and charged, and the amount paid out for school purposes to the various districts of the county, and for any and all other purposes. The county commission shall [examine the vouchers, receipts, orders and warrants upon which each of such payments was made, and if satisfied that said payments are just and correct, shall] make an order attesting the

17 same, which order shall be entered of record and shall be prima facie a discharge of the liability
18 of said treasurer.

54.261. 1. The county treasurer in counties of the first classification, not having a charter
2 form of government and containing a portion of a city with a population of three hundred
3 thousand or more, and in counties of the second, third and fourth classifications of this state,
4 shall receive as compensation for services performed by the treasurer an annual salary based
5 upon the assessed valuation of the county. The provisions of this section shall not permit or
6 require a reduction, nor shall require an increase, in the amount of compensation being paid for
7 the office of treasurer on January 1, 2002.

8 2. The amount of salary based upon assessed valuation shall be computed according to
9 the following schedule:

Assessed Valuation	Salary
11 \$ 18,000,000 to 40,999,999	\$29,000
12 41,000,000 to 53,999,999	30,000
13 54,000,000 to 65,999,999	32,000
14 66,000,000 to 85,999,999	34,000
15 86,000,000 to 99,999,999	36,000
16 100,000,000 to 130,999,999	38,000
17 131,000,000 to 159,999,999	40,000
18 160,000,000 to 189,999,999	41,000
19 190,000,000 to 249,999,999	41,500
20 250,000,000 to 299,999,999	43,000
21 300,000,000 or more	45,000

22 3. Two thousand dollars of the salary authorized in this section shall be payable to the
23 treasurer only if the treasurer has completed at least twenty hours of classroom instruction each
24 calendar year relating to the operations of the treasurer's office when approved by a professional
25 association of the county treasurers or county collectors of Missouri unless exempted from the
26 training by the professional association. The professional association approving the program
27 shall provide a certificate of completion to each treasurer who completes the training program
28 and shall send a list of certified treasurers to the county commission of each county. Expenses
29 incurred for attending the training session may be reimbursed to the county treasurer in the same
30 manner as other expenses as may be appropriated for that purpose.

31 4. The county treasurer in any county, other than a county of the first classification
32 having a charter form of government or a county of the first classification not having a charter
33 form of government and not containing any part of a city with a population of three hundred
34 thousand or more, shall not, except upon two-thirds vote of all the members of the commission,

35 receive an annual compensation in an amount less than the total compensation being received
36 for the office of county treasurer in the particular county for services rendered or performed on
37 the date the salary commission votes.

38 5. In the event of a vacancy **due to death, resignation, or otherwise** in the office of
39 treasurer in any county except a county [of the first classification] with a charter form of
40 government, **and** when there is no deputy treasurer, the county commission shall appoint a
41 qualified acting treasurer until such time as the vacancy is filled by the governor pursuant to
42 section 105.030, RSMo, **or the elected treasurer returns to work. The county commission**
43 **shall employ and fix the compensation of clerical and other assistants necessary to enable**
44 **the interim treasurer to efficiently perform the duties of the office.**