

CCS SS SCS HCS HB 795, 972, 1128 & 1161 -- COUNTY GOVERNMENT

This bill changes the laws regarding county government. In its main provisions, the bill:

(1) Authorizes the commissions in Cass and Greene counties to impose a civil fine of not more than \$1,000 for misdemeanor county ordinance violations;

(2) Authorizes noncharter counties to adopt ordinances related to their property, affairs, and local government, including protection of the environment from the risks of methamphetamine production but excluding regulation of the sale or display of drugs with certain active ingredients. No third classification county may enact an ordinance with regard to agricultural operations, but any zoning adopted by a county prior to the bill's effective date is exempt from this provision;

(3) Allows the salary commission of Cape Girardeau County to meet and determine in 2004 whether to equalize the base salary of the county treasurer;

(4) Allows county collectors to employ at least one full-time deputy and as many as necessary to perform the duties of the office;

(5) Increases the maximum reimbursement rate for members of county planning commissions in second and third classification counties and counties with alternative county planning and zoning;

(6) Allows county planning commissions to accept other forms of security besides surety bonds in lieu of the full completion of required infrastructure improvements in subdivisions;

(7) States that if a county commission has not submitted a panel of three names to the Governor within 30 days of the expiration of the county sports complex authority commissioner's term, the Governor will immediately make an appointment with the advice and consent of the Senate. If the Governor does not appoint a replacement, no commissioner will serve beyond the continuation of his or her term;

(8) Allows Jefferson County to establish county municipal courts and adopt orders with penal provisions in the areas of traffic violations, solid waste management, and animal control;

(9) Enables Dent County and the City of Hermann to enact a transient guest tax;

(10) Allows property owners in Buchanan, Newton, Jasper, Wright, Camden, Miller, Jefferson, Morgan, Greene, and Cole counties to petition to create an exhibition center and recreation facility district. The district may submit to its voters a sales tax of one-quarter of 1% to fund the district;

(11) Allows St. Charles County to establish a theater, cultural arts, and entertainment district and assess a sales tax of up to one-half of 1% to fund the district;

(12) Provides that a centralized emergency dispatching system created by a joint municipal agreement within St. Louis County may be considered a political subdivision as it relates to Sections 70.600 - 70.755, RSMo, regarding the retirement of officers and employees of political subdivisions;

(13) Requires political subdivisions to accept a cash escrow or letter of credit from a developer as security for the completion of infrastructure improvements in subdivisions. The bill exempts Kansas City from this provision;

(14) Exempts transfers of certain property by the Bi-State Metropolitan Development District and the Kansas City Area Transportation District Authority from real and personal property taxes and state and local sales and use taxes. The bill adds to the exemptions all sales made by or to an organization that has been granted tax exempt status under federal law. These sections contain an emergency clause;

(15) Allows, through intergovernmental agreements, the collection of traffic fines, parking fines, towing and vehicle immobilization fees, and the penalties and court costs associated with those fines and fees at the same time as the collection of a taxpayer's personal property taxes;

(16) Increases the percentage of property tax collections that are deposited in the county assessment fund under certain conditions. An additional one-eighth of 1%, not to exceed \$100,000 in any year, will be deducted in charter and first classification counties and the City of St. Louis, and an additional one-quarter of 1%, not to exceed \$50,000 in any year, in all other counties. This section expires on December 31, 2009;

(17) Prohibits any municipal official, member of a school board, or an employee of a school district from serving on a county board of equalization in counties with a charter form of government;

(18) Repeals the Community Comeback Act. The local use tax in

St. Louis County, which is used to fund the program, will be used for economic development and enhancing local government in St. Louis County;

(19) Clarifies that a municipality in Christian County may continue to operate an emergency telephone service in the event the county also establishes a service or has been reclassified into a higher classification;

(20) Revises provisions pertaining to vital records. The bill:

(a) Increases from \$10 to \$13 the fees charged for the issuance of a certification or copy of a death record by a state or local registrar and increases from \$10 to \$15 the fees charged for the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record;

(b) Requires the Director of the Department of Revenue to credit \$4 to the General Revenue Fund; \$5 to the Children's Trust Fund; \$3-\$5 to the Missouri Public Health Services Fund; and \$1 to the Endowed Care Cemetery Audit Fund from each vital record fee collected, effective August 28, 2004; and

(c) Requires that moneys in the Missouri Public Health Services Fund be used to automate and improve the vital records system by December 31, 2009;

(21) Increases the cap from \$3 to \$7 for special use permits in certain counties;

(22) Allows the formation of a levee district in any city, town, or village that is not located in St. Charles County. However, third and fourth class cities in St. Charles County are allowed to form levee districts. Certain levee districts in St. Louis County are authorized to construct and maintain waterlines. Under current law, levee districts located within St. Louis County are allowed an alternative procedure with respect to the apportionment of installment taxes. The bill extends this procedure to all levee districts;

(23) Allows county commissions and industrial development authorities to use landfill fees for economic development within the county;

(24) Allows any second, third, or fourth classification county to set by ordinance countywide speed limits on roads within unincorporated areas of the county, with the maximum speed limit of 55 miles per hour if there are signs posted and 50 miles per hour if there are no signs;

(25) Exempts Greene, Platte, Clay, St. Louis, and St. Charles counties from the requirements providing for an adjustment in the total operating levy of the district based on the sales tax revenue and, upon voter petition, repealing a sales tax for those purposes;

(26) Requires the Highways and Transportation Commission to issue an order authorizing removal of a railroad crossing within 30 days whenever an authority legally closes or vacates a road which has a crossing;

(27) Provides an alternative method for issuing certain utilities revenue bonds;

(28) Requires the Jackson County public administrator, when serving as conservator and using pooled accounts for conservatorship funds, to have the pooled accounts audited at least annually by an independent certified public accountant to be paid by the county. When the accountant's audit report is filed with the court, the written certification by a depository officer will not be required;

(29) Subjects Kansas City municipal judges and court personnel to court management and case docketing by the presiding judge and the rules of the circuit court;

(30) Allows Franklin County to impose an additional fee of \$10 when filing a civil case unless it concerns adoption or is in small claims court and allows any county other than a county on the nonpartisan court plan to use money collected for the maintenance and upkeep of a law library to pay for courtroom renovation and technology as well as for debt service on bonds issued by the county for the projects;

(31) Allows required legal publications in a newspaper that has only been published for two years if it is the only newspaper serving a county. This section contains an emergency clause;

(32) Relieves counties, cities, and villages with fewer than 10,000 inhabitants of liability for the injury or death of any person attending any fair, festival, or similar gathering organized or sponsored by the political subdivision;

(33) Prohibits the sales tax authorized for funding storm water control or local parks from being collected on food in St. Louis County; and

(34) Provides that the Board of Fund Commissioners determine whether any governmental entity has sufficient fund balances to redeem leasehold revenue bonds obligated pursuant to a federal

court desegregation action. If sufficient fund balances exist, the State Board of Education will certify that no amount is needed by the entity to repay the bonds.