

FIRST REGULAR SESSION

HOUSE BILL NO. 899

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WILSON (119) (Sponsor), WILSON (130), WELLS, WOOD,
POLLOCK, FISHER, FRANZ, SCHAD, WHORTON AND McGHEE (Co-sponsors).

Read 1st time February 19, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2240L.01I

AN ACT

To repeal sections 58.500, 58.510, 110.130, 110.140, and 110.150, 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Section A. Sections 58.500, 58.510, 110.130, 110.140, and 110.150, RSMo, are repealed
2 and five new sections enacted in lieu thereof, to be known as sections 58.500, 58.510, 110.130,
3 110.140, and 110.150, to read as follows:

58.500. Upon delivery of any money to the [treasurer] **public administrator**, he **or she**
2 shall place it to the credit of the city or county; if it be other property he **or she** shall, within
3 thirty days, sell it at public auction, upon ten days' public notice, by publication in some
4 newspaper printed in the city or county, if there be any, and if there be none, then by posting not
5 less than six written or printed bills, giving notice of time and place of sale of such other
6 property; and shall, in like manner, place the proceeds to the credit of the city or county.

58.510. If the money [in the treasury] **received by the public administrator** be
2 demanded within five years by the legal representatives of deceased, the [treasurer] **public**
3 **administrator** shall pay it to them, after deducting all fees and expenses.

110.130. 1. Subject to the provisions of section 110.030 the county commission of each
2 county in this state[, at the April term, in April 1997] **on or before the first Monday of July for**
3 **the year in which a bid is requested** and every fourth year thereafter, with an option to rebid
4 in each odd-numbered year, shall receive proposals from banking corporations or associations

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

5 at the county seat of the county which desire to be selected as the depositaries of the funds of the
6 county. [For the purpose of letting the funds the county commission shall, by order of record,
7 divide the funds into not less than two nor more than twelve equal parts, except that in counties
8 of the first classification not having a charter form of government, funds shall be divided in not
9 less than two nor more than twenty equal parts, and the bids provided for in sections 110.140 and
10 110.150 may be for one or more of the parts.]

11 2. Notice that such bids will be received shall be published by the clerk of the
12 commission twenty days before the commencement of the term in some newspaper published
13 in the county, and if no newspaper is published therein, then the notice shall be published at the
14 door of the courthouse of the county. In counties operating under the township organization law
15 of this state, township boards shall exercise the same powers and privileges with reference to
16 township funds as are conferred in sections 110.130 to 110.260 upon county commissions with
17 reference to county funds at the same time and manner, except that township funds shall not be
18 divided but let as an entirety; and except, also, that in all cases of the letting of township funds,
19 three notices, posted in three public places by the township clerk, will be a sufficient notice of
20 such letting.

110.140. 1. Any banking corporation or association in the county desiring to bid shall
2 deliver to the clerk of the commission, on or before the first [day of the term] **Monday of July**
3 at which the selection of depositaries is to be made, a sealed proposal, stating the rate of interest
4 that the banking corporation, or association offers to pay on the funds of the county for the term
5 of two or four years next ensuing the date of the bid, or, if the selection is made for a less term
6 than two or four years, as provided in sections 110.180 and 110.190, then for the time between
7 the date of the bid and the next regular time for the selection of depositaries as fixed by section
8 110.130[, and stating also the number of parts of the funds for which the banking corporation or
9 association desires to bid].

10 2. Each bid shall be accompanied by a certified check for not less than the proportion
11 of one and one-half percent of the county revenue of the preceding year as the sum of the part
12 or parts of funds bid for bears to the whole number of the parts, as a guaranty of good faith on
13 the part of the bidder, that if his **or her** bid should be the highest he **or she** will provide the
14 security required by section 110.010. Upon his **or her** failure to give the security required by
15 law, the amount of the certified check shall go to the county as liquidated damages, and the
16 commission may order the county clerk to readvertise for bids.

17 3. It shall be a misdemeanor, and punishable as such, for the clerk of the commission,
18 or any deputy of the clerk, to directly or indirectly disclose the amount of any bid before the
19 selection of depositaries.

110.150. 1. The county commission, at noon on **or before** the first [day of the April
2 term in 1997] **Monday of July for the year in which a bid is requested** and every second or
3 fourth year thereafter, shall publicly open the bids, and cause each bid to be entered upon the
4 records of the commission, and shall select as the depositaries of all the public funds of every
5 kind and description going into the hands of the county treasurer, and also all the public funds
6 of every kind and description going into the hands of the ex officio collector in counties under
7 township organization, the deposit of which is not otherwise provided for by law, the banking
8 corporations or associations whose bids respectively made for one or more of the parts of the
9 funds shall in the aggregate constitute the largest offer for the payment of interest per annum for
10 the funds; but the commission may reject any and all bids.

11 2. The interest upon each fund shall be computed upon the daily balances with the
12 depositary, and shall be payable to the county treasurer monthly, who shall place the interest [on
13 the school funds to the credit of those funds respectively, the interest on all county hospital funds
14 and hospital district funds to the credit of those funds, the interest on county health center funds
15 to the credit of those funds, the interest on county library funds to the credit of those funds and
16 the interest on all other funds to the credit of the county general fund] **to the credit of each**
17 **individual fund held by the county treasurer**; provided, that the interest on any funds collected
18 by the collector of any county of the first classification not having a charter form of government
19 on behalf of any political subdivision or special district shall be credited to such political
20 subdivision or special district.

21 3. The county clerk shall, in opening the bids, return the certified checks deposited with
22 him to the banks whose bids are rejected, and on approval of the security of the successful
23 bidders return the certified checks to the banks whose bids are accepted.

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