

**HOUSE****AMENDMENT NO. \_\_\_\_\_****Offered by****of**

1 AMEND House Committee Substitute for Senate Committee Substitute  
 2 for Senate Bill No. 808, Page 2, Section 48.020, Line 33, by  
 3 inserting after all of said line the following:

4 "55.030. The county auditor of a county [of the first  
 5 class] having a charter form of government shall prescribe, with  
 6 the approval of the governing body of the county and the state  
 7 auditor, the accounting system of the county. He shall keep  
 8 accounts of all appropriations and expenditures made by the  
 9 governing body of the county; and no warrant shall be drawn or  
 10 obligation incurred without his certification that an  
 11 unencumbered balance, sufficient to pay the same, remains in the  
 12 appropriation account against which such warrant or obligation is  
 13 to be charged. He shall audit and examine all accounts, demands,  
 14 and claims of every kind and character presented for payment  
 15 against such county, and shall approve to the governing body of  
 16 the county all lawful, true, and just accounts, demands, and  
 17 claims of every kind and character payable out of the county  
 18 revenue or out of any county funds before the same shall be  
 19 allowed and a warrant issued therefor. Whenever the county  
 20 auditor deems it necessary to the proper examination of any  
 21 account, demand, or claim, he may examine the parties, witnesses,  
 22 and others on oath or affirmation touching any matter or  
 23 circumstance in the examination of such account, demand, or  
 24 claim. At the direction of the governing body of the county, he  
 25 shall audit the accounts of all officers and employees of the  
 26 county and upon their retirement from office and shall keep a  
 27 correct account between the county and all county officers; and  
 28 he shall examine all records and settlements made by them for and  
 29 with the governing body of the county or with each other; and the

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Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 county auditor shall, at all reasonable times, have access to all  
2 books, county records, or papers kept by any county or township  
3 officer, employee, or road overseer. He may keep an inventory of  
4 all county property under the control and management of the  
5 various officers and departments and shall annually take an  
6 inventory of any such property at an original value of [two  
7 hundred fifty] one thousand dollars or more showing the amount,  
8 location and estimated value thereof. He shall perform such  
9 other duties in relation to the fiscal administration of the  
10 county as the governing body of the county shall from time to  
11 time prescribe. The county auditor shall not be personally  
12 liable for any costs for any proceeding instituted against him in  
13 his official capacity."; and

14 Further amend said bill, Page 13, Section 67.2000, Line 237,  
15 by inserting after all of said line the following:

16 "71.275. Notwithstanding any other provision of this  
17 chapter to the contrary, if the governing body of any  
18 municipality finds it in the public interest that a parcel of  
19 land within a research, development, or office park project  
20 established under section 172.273, that is contiguous and compact  
21 to the existing corporate limits of the municipality and located  
22 in an unincorporated area of the county, should be located in the  
23 municipality, such municipality may annex such parcel, provided  
24 that the municipality obtains written consent of all the property  
25 owners located within the unincorporated area of such parcel.";  
26 and

27 Further amend said bill, Page 21, Section 94.832, Line 50,  
28 by inserting after all of said line the following:

29 "138.431. 1. To hear and decide appeals pursuant to  
30 section 138.430, the commission shall appoint one or more hearing  
31 officers. The hearing officers shall be subject to supervision  
32 by the commission. No person shall participate on behalf of the  
33 commission in any case in which such person is an interested  
34 party.

35 2. The commission may assign such appeals as it deems fit  
36 to a hearing officer for disposition.

37 (1) The assignment shall be deemed made when the scheduling

1 order is first issued by the commission and signed by the hearing  
2 officer assigned, unless another hearing officer is assigned to  
3 the case for disposition by other language in said order.

4 (2) A change of hearing officer, or a reservation of the  
5 appeal for disposition as described in subsection 3 of this  
6 section, shall be ordered by the commission in any appeal upon  
7 the timely filing of a written application by a party to  
8 disqualify the hearing officer assigned. The application shall  
9 be filed within thirty days from the assignment of any appeal to  
10 a hearing officer and need not allege or prove any cause for such  
11 change and need not be verified. No more than one change of  
12 hearing officer shall be allowed for each party in any appeal.

13 3. The commission may, in its discretion, reserve such  
14 appeals as it deems fit to be heard and decided by the full  
15 commission, a quorum thereof, or any commissioner, subject to the  
16 provisions of section 138.240, and, in such case, the decision  
17 shall be final, subject to judicial review in the manner provided  
18 in subsection 4 of section 138.470.

19 **[3.] 4.** The manner in which appeals shall be presented and  
20 the conduct of hearings shall be made in accordance with rules  
21 prescribed by the commission for determining the rights of the  
22 parties; provided that, the commission, with the consent of all  
23 the parties, may refer an appeal to mediation. The commission  
24 shall promulgate regulations for mediation pursuant to this  
25 section. No regulation or portion of a regulation promulgated  
26 pursuant to the authority of this section shall become effective  
27 unless it has been promulgated pursuant to the provisions of  
28 chapter 536, RSMo. There shall be no presumption that the  
29 assessor's valuation is correct. A full and complete record  
30 shall be kept of all proceedings. All testimony at any hearing  
31 shall be recorded but need not be transcribed unless the matter  
32 is further appealed.

33 **[4.] 5.** Unless an appeal is voluntarily dismissed, a  
34 hearing officer, after affording the parties reasonable  
35 opportunity for fair hearing, shall issue a decision and order  
36 affirming, modifying, or reversing the determination of the board  
37 of equalization, and correcting any assessment which is unlawful,

1 unfair, improper, arbitrary, or capricious. The commission may,  
2 prior to the decision being rendered, transfer to another hearing  
3 officer the proceedings on an appeal determination before a  
4 hearing officer. The complainant, respondent-assessor, or other  
5 party shall be duly notified of a hearing officer's decision and  
6 order, together with findings of fact and conclusions of law.  
7 Appeals from decisions of hearing officers shall be made pursuant  
8 to section 138.432.

9 [5.] 6. All decisions issued pursuant to this section or  
10 section 138.432 by the commission or any of its duly assigned  
11 hearing officers shall be issued no later than sixty days after  
12 the hearing on the matter to be decided is held or the date on  
13 which the last party involved in such matter files his or her  
14 brief, whichever event later occurs."; and

15 Further amend said title, enacting clause and intersectional  
16 references accordingly.