

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1806
95TH GENERAL ASSEMBLY

4433S.07T

2010

AN ACT

To repeal sections 48.020 and 48.030, RSMo, and to enact in lieu thereof four new sections relating to county classification, with an emergency clause.

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

Section A. Sections 48.020 and 48.030, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 48.020, 48.030, 71.275, and 79.025, to read as follows:

48.020. **1.** All counties of this state are hereby classified, for the purpose of establishing organization and powers in accordance with the provisions of section 8, article VI, Constitution of Missouri, into four classifications determined as follows:

Classification 1. All counties having an assessed valuation of [six] **nine** hundred million dollars and over shall automatically be in the first classification after that county has maintained such valuation for the time period required by section 48.030; however, any county of the second classification which, on August [13, 1988] **28, 2010**, has had an assessed valuation of at least [four] **six** hundred million dollars for at least one year may, by resolution of the governing body of the county, elect to be classified as a county of the first classification after it has maintained such valuation for the period of time required by the provisions of section 48.030.

Classification 2. All counties having an assessed valuation of [four] **six** hundred [fifty] million dollars and less than the assessed valuation necessary for that county to be in the first classification shall automatically be in the second classification after that county has maintained such valuation for the time period required by section 48.030.

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.

15 Classification 3. All counties having an assessed valuation of less than the assessed
16 valuation necessary for that county to be in the second classification shall automatically be in the
17 third classification.

18 Classification 4. All counties which have attained the second classification prior to
19 August 13, 1988, and which would otherwise return to the third classification after August 13,
20 1988, because of changes in assessed valuation shall remain a county in the second classification
21 and shall operate under the laws of this state applying to the second classification.

22 **2. The required assessed valuation for each classification under subsection 1 of this**
23 **section shall be increased annually by an amount equal to the percentage change in the**
24 **annual average of the Consumer Price Index for all urban consumers (CPI-U) or zero,**
25 **whichever is greater. The state tax commission shall calculate and publish this amount so**
26 **that it is available to all counties.**

48.030. 1. [Other than as otherwise provided for in this section, after September 28,
2 1979,] No county shall move from a lower class to a higher class or from a higher class to a
3 lower class until the assessed valuation of the county is such as to place it in the other class for
4 five successive years **and until the change has become effective as provided for in this**
5 **section.**

6 2. No second class county shall become a third class county until the assessed valuation
7 of the county is such as to place it in the third class for at least five successive years.

8 3. Notwithstanding the provisions of subsection 1 of this section, a county may become
9 a first class county at any time after the assessed valuation of the county is such as to be a first
10 class county and the governing body of the county elects to change classifications. The effective
11 date of such change of classification shall be in accordance with the provisions of this section.

12 4. Notwithstanding the provisions of subsection 1 of this section, any county of the third
13 classification without a township form of government and with more than thirty-eight thousand
14 nine hundred but fewer than thirty-nine thousand inhabitants may become a second class county
15 at any time after the assessed valuation of the county is such as to be a second class county and
16 the governing body of the county elects to change classifications. The effective date of such
17 change of classification shall be at the beginning of the county fiscal year following the election
18 by the governing body of the county.

19 5. Except as provided in subsection 4 of this section, the change from one classification
20 to another shall become effective at the beginning of the county fiscal year following the next
21 general election after the certification by the state equalizing agency for the required number of
22 successive years that the county possesses an assessed valuation placing it in another class. If
23 a general election is held between the date of the certification and the end of the current fiscal

24 year, the change of classification shall not become effective until the beginning of the county
25 fiscal year following the next succeeding general election.

**71.275. Notwithstanding any other provision of this chapter to the contrary, if the
2 governing body of any municipality finds it in the public interest that a parcel of land
3 within a research, development, or office park project established under section 172.273,
4 that is contiguous and compact to the existing corporate limits of the municipality and
5 located in an unincorporated area of the county, should be located in the municipality,
6 such municipality may annex such parcel, provided that the municipality obtains written
7 consent of all the property owners located within the unincorporated area of such parcel.**

**79.025. No city of the fourth classification with more than two thousand three
2 hundred but fewer than two thousand four hundred inhabitants and located in any county
3 with a charter form of government and with more than one hundred ninety-eight thousand
4 but fewer than one hundred ninety-nine thousand two hundred inhabitants shall annex
5 any territory adjacent to the city if such adjacent territory proposed for annexation does
6 not contain any registered voters unless the city has obtained the written consent of all the
7 owners of real property within such adjacent territory.**

Section B. To ensure the continuation of efficient and proper administration of county
2 government, the repeal and reenactment of section A of this act is deemed necessary for the
3 immediate preservation of the public health, welfare, peace and safety, and is hereby declared
4 to be an emergency act within the meaning of the constitution, and the repeal and reenactment
5 of section A of this act shall be in full force and effect upon its passage and approval.

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