

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 57
96TH GENERAL ASSEMBLY
2011

0115L.05T

AN ACT

To repeal sections 475.115 and 537.620, RSMo, and to enact in lieu thereof two new sections relating to public administrators.

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

Section A. Sections 475.115 and 537.620, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 475.115 and 537.620, to
3 read as follows:

475.115. 1. When a guardian or conservator dies, is removed by order of
2 the court, or resigns and his **or her** resignation is accepted by the court, the
3 court shall have the same authority as it has in like cases over personal
4 representatives and their sureties and may appoint another guardian or
5 conservator in the same manner and subject to the same requirements as are
6 herein provided for an original appointment of a guardian or conservator.

7 **2. A public administrator may request transfer of any case to the**
8 **jurisdiction of another county by filing a petition for transfer. If the**
9 **receiving county meets the venue requirements of section 475.035 and**
10 **the public administrator of the receiving county consents to the**
11 **transfer, the court shall transfer the case. The court with jurisdiction**
12 **over the receiving county shall, without the necessity of any hearing**
13 **required by section 475.075, appoint the public administrator of the**
14 **receiving county as successor guardian and/or successor conservator**
15 **and issue letters therein. In the case of a conservatorship, the final**
16 **settlement of the public administrator's conservatorship shall be filed**
17 **within thirty days of the court's transfer of the case, in the court with**
18 **jurisdiction over the original conservatorship, and forwarded to the**
19 **receiving county upon audit and approval.**

537.620. Notwithstanding any direct or implied prohibitions in chapter
2 375, 377, or 379, any three or more political subdivisions of this state may form
3 a business entity for the purpose of providing liability and all other insurance,
4 including insurance for elderly or low-income housing in which the political
5 subdivision has an insurable interest, for any of the subdivisions upon the
6 assessment plan as provided in sections 537.600 to 537.650. Any public
7 governmental body or quasi-public governmental body, as defined in section
8 610.010, and any political subdivision of this state or any other state may join
9 this entity and use public funds to pay any necessary assessments. Except for
10 being subject to the regulation of the director of the department of insurance,
11 financial institutions and professional registration under sections 375.930 to
12 375.948, sections 375.1000 to 375.1018, and sections 537.600 to 537.650, any such
13 business entity shall not be deemed to be an insurance company or insurer under
14 the laws of this state, and the coverage provided by such entity and the
15 administration of such entity shall not be deemed to constitute the transaction
16 of an insurance business. **Risk coverages procured under this section shall**
17 **not be deemed to constitute a contract, purchase, or expenditure of**
18 **public funds for which a public governmental body, quasi-public**
19 **governmental body, or political subdivision is required to solicit**
20 **competitive bids.**

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