

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 27
101ST GENERAL ASSEMBLY

0469H.05C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 27.010, 49.310, 50.166, 50.327, 50.530, 50.800, 50.810, 50.815, 50.820, 51.050, 55.060, 58.030, 59.021, 59.100, 59.310, 59.313, 60.010, 64.805, 64.870, 67.1153, 67.1158, 77.230, 79.080, 91.025, 105.030, 115.075, 115.127, 130.011, 130.021, 130.031, 130.036, 130.041, 162.291, 190.050, 196.298, 204.610, 221.105, 230.205, 247.060, 249.140, 321.130, 386.800, 393.106, 394.020, 394.315, 442.403, 447.541, 451.040, 475.120, 476.083, 478.240, 478.600, 483.010, 483.240, 483.241, and 483.245, RSMo, and section 49.266 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular session, and to enact in lieu thereof sixty-four new sections relating to political subdivisions, with an emergency clause for certain sections.

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

Section A. Sections 27.010, 49.310, 50.166, 50.327, 50.530, 50.800, 50.810, 50.815,
2 50.820, 51.050, 55.060, 58.030, 59.021, 59.100, 59.310, 59.313, 60.010, 64.805, 64.870,
3 67.1153, 67.1158, 77.230, 79.080, 91.025, 105.030, 115.075, 115.127, 130.011, 130.021,
4 130.031, 130.036, 130.041, 162.291, 190.050, 196.298, 204.610, 221.105, 230.205, 247.060,
5 249.140, 321.130, 386.800, 393.106, 394.020, 394.315, 442.403, 447.541, 451.040, 475.120,
6 476.083, 478.240, 478.600, 483.010, 483.240, 483.241, and 483.245, RSMo, and section 49.266
7 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and
8 section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular

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.

9 session, are repealed and sixty-four new sections enacted in lieu thereof, to be known as sections
10 27.010, 49.266, 49.310, 50.166, 50.327, 50.530, 50.815, 50.820, 51.050, 55.060, 58.030, 59.021,
11 59.100, 59.310, 59.313, 60.010, 64.805, 64.870, 67.405, 67.1153, 67.1158, 67.2680, 70.631,
12 77.230, 77.680, 79.080, 91.025, 105.030, 105.035, 115.044, 115.075, 115.127, 115.1070,
13 130.011, 130.021, 130.031, 130.036, 130.041, 140.981, 162.291, 190.050, 192.027, 196.298,
14 204.610, 221.105, 230.205, 247.060, 249.140, 321.130, 386.800, 393.106, 394.020, 394.315,
15 442.403, 447.541, 451.040, 475.120, 476.083, 478.240, 478.600, 483.010, 483.240, 483.241, and
16 483.245, to read as follows:

27.010. The attorney general for the state of Missouri shall be elected at each general
2 election at which a governor and other state officers are elected, and his **or her** term shall begin
3 at 12:00 noon on the second Monday in January next succeeding his **or her** election, and shall
4 continue for four years, or until his **or her** successor is elected and qualified. The attorney
5 general shall ~~[reside at the seat of government and]~~ keep his **or her** office in the supreme court
6 building, and receive an annual salary of sixty-five thousand dollars plus any salary adjustment
7 provided pursuant to section 105.005, payable out of the state treasury. The salary shall
8 constitute the total compensation for all duties to be performed by him **or her** and there shall be
9 no further payments made to or accepted by him **or her** for the performance of any duty now
10 required of him **or her** under any existing law. The attorney general shall devote his **or her** full
11 time to ~~[his]~~ the office, and, except in the performance of his **or her** official duties, shall not
12 engage in the practice of law.

~~[49.266. 1. The county commission in all noncharter counties may by
2 order or ordinance promulgate reasonable regulations concerning the use of
3 county property, the hours, conditions, methods and manner of such use and the
4 regulation of pedestrian and vehicular traffic and parking thereon:~~

~~5 ————— 2. Violation of any regulation so adopted under subsection 1 of this
6 section is an infraction:~~

~~7 ————— 3. Upon a determination by the state fire marshal that a burn ban order
8 is appropriate for a county because:~~

~~9 ————— (1) An actual or impending occurrence of a natural disaster of major
10 proportions within the county jeopardizes the safety and welfare of the
11 inhabitants of such county; and~~

~~12 ————— (2) The U.S. Drought Monitor has designated the county as an area of
13 severe, extreme, or exceptional drought, the county commission may adopt an
14 order or ordinance issuing a burn ban, which may carry a penalty of up to a class
15 A misdemeanor. State agencies responsible for fire management or suppression
16 activities and persons conducting agricultural burning using best management
17 practices shall not be subject to the provisions of this subsection. The ability of
18 an individual, organization, or corporation to sell fireworks shall not be affected
19 by the issuance of a burn ban. The county burn ban may prohibit the explosion~~

20 ~~or ignition of any missile or skyrocket as the terms "missile" and "skyrocket" are~~
21 ~~defined by the 2012 edition of the American Fireworks Standards Laboratory, but~~
22 ~~shall not ban the explosion or ignition of any other consumer fireworks as the~~
23 ~~term "consumer fireworks" is defined under section 320.106.~~

24 ~~4. The regulations so adopted shall be codified, printed and made~~
25 ~~available for public use and adequate signs concerning smoking, traffic and~~
26 ~~parking regulations shall be posted.]~~
27

49.266. 1. The county commission in all **noncharter** counties ~~[of the first, second or~~
2 ~~fourth classification]~~ may by order or ordinance promulgate reasonable regulations concerning
3 the use of county property, the hours, conditions, methods and manner of such use and the
4 regulation of pedestrian and vehicular traffic and parking thereon.

5 2. Violation of any regulation so adopted under subsection 1 of this section is an
6 infraction.

7 3. Upon a determination by the state fire marshal that a burn ban order is appropriate for
8 a county because:

9 (1) An actual or impending occurrence of a natural disaster of major proportions within
10 the county jeopardizes the safety and welfare of the inhabitants of such county; and

11 (2) The U.S. Drought Monitor has designated the county as an area of severe, extreme,
12 or exceptional drought, the county commission may adopt an order or ordinance issuing a burn
13 ban, which may carry a penalty of up to a class A misdemeanor. State agencies responsible for
14 fire management or suppression activities and persons conducting agricultural burning using best
15 management practices shall not be subject to the provisions of this subsection. The ability of an
16 individual, organization, or corporation to sell fireworks shall not be affected by the issuance of
17 a burn ban. The county burn ban may prohibit the explosion or ignition of any missile or
18 skyrocket as the terms "missile" and "skyrocket" are defined by the 2012 edition of the American
19 Fireworks Standards Laboratory, but shall not ban the explosion or ignition of any other
20 consumer fireworks as the term "consumer fireworks" is defined under section 320.106.

21 4. The regulations so adopted shall be codified, printed and made available for public
22 use and adequate signs concerning smoking, traffic and parking regulations shall be posted.

49.310. 1. Except as provided in sections 221.400 to 221.420 and subsection 2 of this
2 section, the county commission in each county in this state shall erect and maintain at the
3 established seat of justice a good and sufficient courthouse, jail and necessary fireproof buildings
4 for the preservation of the records of the county; except that in counties having a special charter,
5 the jail or workhouse may be located at any place within the county. In pursuance of the
6 authority herein delegated to the county commission, the county commission may acquire a site,
7 construct, reconstruct, remodel, repair, maintain and equip the courthouse and jail, and in
8 counties wherein more than one place is provided by law for holding of court, the county

9 commission may buy and equip or acquire a site and construct a building or buildings to be used
10 as a courthouse and jail, and may remodel, repair, maintain and equip buildings in both places.
11 The county commission may issue bonds as provided by the general law covering the issuance
12 of bonds by counties for the purposes set forth in this section. In bond elections for these
13 purposes in counties wherein more than one place is provided by law for holding of court, a
14 separate ballot question may be submitted covering proposed expenditures in each separate site
15 described therein, or a single ballot question may be submitted covering proposed expenditures
16 at more than one site, if the amount of the proposed expenditures at each of the sites is
17 specifically set out therein.

18 2. The county commission in all counties of the fourth classification and any county of
19 the third, second, or first classification may provide for the erection and maintenance of a good
20 and sufficient jail or holding cell facility at a site in the county other than at the established seat
21 of justice.

22 **3. In the absence of a local agreement otherwise, for any courthouse that contains**
23 **both county offices and court facilities, the presiding judge of the circuit may establish**
24 **rules and procedures for court facilities and areas necessary for court-related ingress,**
25 **court-related egress and other reasonable court-related usage, but the county commission**
26 **shall have authority over all other areas of the courthouse.**

50.166. 1. In all cases of claims allowed against the county, and in all cases of grants,
2 salaries, pay and expenses allowed by law, the county clerk may fill in on a form of warrant the
3 amount due as approved by the county commission and other necessary information. The form
4 of the warrant thus filled in by the county clerk may be transmitted to the county treasurer. The
5 warrant may be in such form that a single instrument may serve as the warrant and the county
6 treasurer's draft or check, and may be so designed that it is a nonnegotiable warrant when signed
7 by the county clerk and becomes a negotiable check or draft after it has been signed by the
8 county treasurer.

9 **2. Upon request, the county treasurer shall have access to any financially relevant**
10 **document in the possession of any county official for the purposes of processing a warrant,**
11 **unless such warrant is received in the absence of a check, in which case the county**
12 **treasurer shall have access to the information necessary to process the warrant.**

13 **3. No county official shall refuse a request from the county treasurer for access to,**
14 **or a copy of, any document in the possession of a county official that is financially relevant**
15 **to the county treasurer's duties under section 50.330, except that any county official may**
16 **redact, remove, or delete any personal identifying information, including a Social Security**
17 **number, financial account numbers, medical information, or any other personal**
18 **identifying information, before submission to the county treasurer.**

19 **4. No county treasurer shall refuse to release funds for the payment of any properly**
20 **approved expenditure.**

2 50.327. 1. Notwithstanding any other provisions of law to the contrary, the salary
3 schedules contained in sections 49.082, 50.334, 50.343, 51.281, 51.282, 52.269, 53.082, 53.083,
4 54.261, 54.320, 55.091, 56.265, 57.317, 58.095, and 473.742 shall be set as a base schedule for
5 those county officials. Except when it is necessary to increase newly elected or reelected county
6 officials' salaries, in accordance with Section 13, Article VII, Constitution of Missouri, to comply
7 with the requirements of this section, the salary commission in all counties except charter
8 counties in this state shall be responsible for the computation of salaries of all county officials;
9 provided, however, that any percentage salary adjustments in a county shall be equal for all such
10 officials in that county.

11 2. Upon majority approval of the salary commission, the annual compensation of part-
12 time prosecutors contained in section 56.265 and the county offices contained in sections 49.082,
13 50.334, 50.343, 51.281, 51.282, 52.269, 53.082, 53.083, 54.261, 54.320, 55.091, 58.095, and
14 473.742 may be increased by up to two thousand dollars greater than the compensation provided
15 by the salary schedules; provided, however, that any vote to increase compensation be effective
16 for all county offices in that county.

17 3. Upon majority approval of the salary commission, the annual compensation of a
18 county sheriff as provided in section 57.317 may be increased by up to six thousand dollars
19 greater than the compensation provided by the salary schedule of such section.

20 4. The salary commission of any county of the third classification may amend the base
21 schedules for the computation of salaries for county officials referenced in subsection 1 of this
22 section to include assessed valuation factors in excess of three hundred million dollars; provided
23 that the percentage of any adjustments in assessed valuation factors shall be equal for all such
24 officials in that county.

25 **5. Upon the majority approval of the salary commission, the annual compensation**
26 **of a county coroner of any county of the second classification as provided in section 58.095**
27 **may be increased up to fourteen thousand dollars greater than the compensation provided**
by the salary schedule of such section.

 50.530. As used in sections 50.530 to 50.745:

2 (1) "Accounting officer" means county auditor in counties of the first and second
3 classifications and the county clerks in counties of the third and fourth classifications;

4 (2) "Budget officer" means such person, as may, from time to time, be appointed by the
5 county commission of counties of the first classification except in counties of the first
6 classification with a population of less than one hundred thousand inhabitants according to the
7 official United States Census of 1970 the county auditor shall be the chief budget officer, the

8 presiding commissioner of the county commission in counties of the second classification, unless
9 the county commission designates the county clerk as budget officer, and the county clerk in
10 counties of the third and fourth classification. ~~[Notwithstanding the provisions of this~~
11 ~~subdivision to the contrary, in any county of the first classification with more than eighty-two~~
12 ~~thousand but fewer than eighty-two thousand one hundred inhabitants, the presiding~~
13 ~~commissioner shall be the budget officer unless the county commission designates the county~~
14 ~~clerk as the budget officer.]~~

50.815. 1. On or before the first Monday in March of each year, the county commission
2 of each county of the first ~~[class not having a charter form of government]~~ , **second, third, or**
3 **fourth classification** shall, with the assistance of the county clerk **or other officer responsible**
4 **for the preparation of the financial statement**, prepare and publish in some newspaper of
5 general circulation published in the county, **as provided under section 493.050**, a financial
6 statement of the county for the year ending the preceding December thirty-first.

7 2. The financial statement shall show at least the following:

8 (1) A summary of the receipts of each fund of the county for the year;

9 (2) A summary of the disbursements and transfers of each fund of the county for the
10 year;

11 (3) A statement of the cash balance at the beginning and at the end of the year for each
12 fund of the county;

13 (4) A summary of delinquent taxes and other due bills for each fund of the county;

14 (5) A summary of warrants of each fund of the county outstanding at the end of the year;

15 (6) A statement of bonded indebtedness, if any, at the beginning and at the end of the
16 year for each fund of the county; ~~and]~~

17 (7) A statement of the tax levies of each fund of the county for the year; **and**

18 **(8) The name, office, and current gross annual salary of each elected or appointed**
19 **county official whose salary is set by the county salary commission.**

20 3. The financial statement need not show specific disbursements, warrants issued, or the
21 names of specific payees **except to comply with subdivision (8) of subsection 2 of this section**,
22 but every individual warrant, voucher, receipt, court order and all other items, records,
23 documents and other information which are not specifically required to be retained by the officer
24 having initial charge thereof ~~[and which would be required to be included in or to construct a~~
25 ~~financial statement in the form prescribed for other counties by section 50.800]~~ shall be filed on
26 or before the date of publication of the financial statement prescribed by subsection 1 **of this**
27 **section** in the office of the county clerk~~[and]~~ . The county clerk **or other officer responsible**
28 **for the preparation of the financial statement** shall preserve the same, **shall provide an**
29 **electronic copy of the data used to create the financial statement without charge to any**

30 **newspaper requesting a copy of such data**, and shall cause the same to be available for
31 inspection during normal business hours on the request of any person, for a period of five years
32 following the date of filing in his **or her** office, after which five-year period these records may
33 be disposed of according to law unless they are the subject of a legal suit pending at the
34 expiration of that period.

35 4. At the end of the financial statement, each commissioner of the county commission
36 and the county clerk shall sign and append the following certificate:

37 We, _____, _____, and _____, duly elected commissioners of the county
38 commission of _____ County, Missouri, and I, _____, county clerk of
39 that county, certify that the above and foregoing is a complete and correct
40 statement of every item of information required in section 50.815 for the year
41 ending December 31, ~~[19]~~ **20**_____, and we have checked every receipt
42 from every source and every disbursement of every kind and to whom and for
43 what each disbursement was made, and each receipt and disbursement is
44 accurately included in the above and foregoing totals. (If for any reason complete
45 and accurate information is not given the following shall be added to the
46 certificate.) Exceptions: the above report is incomplete because proper
47 information was not available in the following records _____ which are in the
48 keeping of the following officer or officers _____.

49 Date _____

50 _____
51 _____
52 _____
53 Commissioners, County Commission

54 _____
55 County Clerk

56 5. Any person falsely certifying to any fact covered by the certificate is liable on his **or**
57 **her** bond and is guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine
58 of not less than two hundred dollars or more than one thousand dollars, or by confinement in the
59 county jail for a period of not less than thirty days nor more than six months, or by both such fine
60 and confinement. Any person charged with preparing the financial report who willfully or
61 knowingly makes a false report of any record is, in addition to the penalties otherwise provided
62 for in this section, guilty of a felony, and upon conviction thereof shall be sentenced to
63 imprisonment by the division of corrections for a term of not less than two years nor more than
64 five years.

65 ~~[6. The provisions of sections 50.800 and 50.810 do not apply to counties of the first~~
66 ~~class not having a charter form of government, except as provided in subsection 3 of this~~
67 ~~section.]~~

50.820. 1. The statement required by section 50.815 shall be set in the standard column
2 width measure which will take the least space and the publisher shall file two proofs of
3 publication with the county commission and the commission shall forward one proof to the state
4 auditor and shall file the other in the office of the commission. **As required under section**
5 **493.025, a newspaper publishing the statement shall charge and receive no more than its**
6 **regular local classified advertising rate, which shall be the rate on the newspaper's rate**
7 **schedule that was offered to the public thirty days before the publication of the statement.**
8 The county commission shall ~~not~~ pay the publisher ~~until~~ **upon the filing of** proof of
9 publication ~~is filed~~ with the commission ~~and~~ . **After verification,** the state auditor ~~notifies~~
10 **shall notify** the commission that proof of publication has been received and that it complies with
11 the requirements of this section.

12 2. The statement shall be spread on the record of the commission and for this purpose
13 the publisher shall be required to furnish the commission with at least two copies of the
14 statement which may be ~~pasted on~~ **placed in** the record.

15 3. The state auditor shall notify the county treasurer immediately of the receipt of the
16 proof of publication of the statement. After the first day of April of each year the county
17 treasurer shall not pay or enter for protest any warrant for the pay of any of the county
18 commission until notice is received from the state auditor that the required proof of publication
19 has been filed. ~~[Any county treasurer paying or entering for protest any warrant for any~~
20 ~~commissioner of the county commission prior to the receipt of such notice from the state auditor~~
21 ~~shall be liable therefor on his official bond.]~~

22 4. The state auditor shall prepare sample forms for financial statements required by
23 section 50.815 and shall ~~mail~~ **provide** the same to the county clerk of each county of the first
24 ~~[class not having a charter form of government]~~ , **second, third, or fourth classification** in this
25 state, but failure of the auditor to supply such forms shall not in any way excuse any person from
26 the performance of any duty imposed by this section or by section 50.815. If any county officer
27 fails, neglects, or refuses to comply with the provisions of this section or section 50.815 ~~he~~ ,
28 **the county officer** shall, in addition to other penalties provided by law, be liable on his **or her**
29 official bond for dereliction of duty.

51.050. No person shall be elected or appointed clerk of the county commission unless
2 such person be a citizen of the United States, ~~[over the age of twenty-one years]~~ **twenty-one**
3 **years of age or older**, and shall have resided within the state one whole year, and within the

4 county for which the person is elected one year just prior to such person's election; and every
5 clerk shall after the election continue to reside within the county for which such person is clerk.

55.060. No person shall be elected or appointed county auditor of a county of the first
2 class not having a charter form of government or of a county of the second class unless he **or she**
3 is a citizen of the United States [~~above the age of twenty-one years~~] , **twenty-one years of age**
4 **or older**, and has resided within the state for one whole year and within the county for which he
5 **or she** is elected or appointed for three months immediately preceding the election or his **or her**
6 appointment. He **or she** shall also be a person familiar with the theory and practice of
7 accounting by education, training, and experience and able to perform the duties imposed upon
8 the county auditor by the provisions of this chapter. The county auditor shall, after his **or her**
9 appointment or election, reside in the county for which he **or she** is auditor.

58.030. No person shall be elected or appointed to the office of coroner unless he **or she**
2 be a citizen of the United States, [~~over the age of twenty-one years~~] **twenty-one years of age or**
3 **older**, and shall have resided within the state one whole year, and within the county for which
4 he **or she** is elected, six months next preceding the election.

59.021. A candidate for county recorder where the offices of the clerk of the court and
2 recorder of deeds are separate, except in any city not within a county or any county having a
3 charter form of government, shall be at least twenty-one years of age, a registered voter, and a
4 resident of the state of Missouri as well as the county in which he or she is a candidate for at least
5 one year prior to the date of the general election. Upon election to office, the person shall
6 continue to reside in that county during his or her tenure in office. **Each candidate for county**
7 **recorder shall provide to the election authority a copy of an affidavit from a surety**
8 **company authorized to do business in this state that indicates the candidate is able to**
9 **satisfy the bond requirements under section 59.100.**

59.100. 1. Every recorder elected as provided in section 59.020, before entering upon
2 the duties of the office as recorder, shall enter into bond to the state, in a sum set by the county
3 commission [~~of not less than one thousand dollars~~], with sufficient sureties, not less than two,
4 to be approved by the commission, conditioned for the faithful performance of the duties
5 enjoined on such person by law as recorder, and for the delivering up of the records, books,
6 papers, writings, seals, furniture and apparatus belonging to the office, whole, safe and
7 undefaced, to such officer's successor.

8 **2. For a recorder elected after December 31, 2021, the bond shall be no less than**
9 **five thousand dollars. For a recorder elected before January 1, 2022, the bond shall be no**
10 **less than one thousand dollars.**

59.310. 1. The county recorder of deeds may refuse any document presented for
2 recording that does not meet the following requirements:

3 (1) The document shall consist of one or more individual pages printed only on one side
4 and not permanently bound nor in a continuous form. The document shall not have any
5 attachment stapled or otherwise affixed to any page except as necessary to comply with statutory
6 requirements, provided that a document may be stapled together for presentation for recording;
7 a label that is firmly attached with a bar code or return address may be accepted for recording;

8 (2) The size of print or type shall not be smaller than eight-point type and shall be in
9 black or dark ink. Should any document presented for recording contain type smaller than eight-
10 point type, such document shall be accompanied by an exact typewritten copy not smaller than
11 eight-point type to be recorded contemporaneously as additional pages of the document;

12 (3) The document must be of sufficient legibility to produce a clear and legible
13 reproduction thereof. Should any document not be of sufficient legibility to produce a clear and
14 legible reproduction, such document shall be accompanied by an exact typewritten copy not
15 smaller than eight-point type to be recorded contemporaneously as additional pages of the
16 document;

17 (4) The document shall be on white paper or light-colored of not less than twenty-pound
18 weight without watermarks or other visible inclusions, except for plats and surveys, which may
19 be on materials such as Mylar or velum. All text within the document shall be of sufficient color
20 and clarity to ensure that when the text is reproduced from record, it shall be readable;

21 (5) All signatures on a document shall be in black or dark ink, such that such signatures
22 shall be of sufficient color and clarity to ensure that when the text is reproduced from record, it
23 shall be readable, and shall have the corresponding name typed, printed or stamped underneath
24 said signature. The typing or printing of any name or the applying of an embossed or inked
25 stamp shall not cover or otherwise materially interfere with any part of the document except
26 where provided for by law;

27 (6) The documents shall have a top margin of at least three inches of vertical space from
28 left to right, to be reserved for the recorder of deeds' certification and use. All other margins on
29 the document shall be a minimum of three-fourths of one inch on all sides. Nonessential
30 information such as form numbers, page numbers or customer notations may be placed in the
31 margin. A document may be recorded if a minor portion of a seal or incidental writing extends
32 beyond the margins. The recorder of deeds will not incur any liability for not showing any seal
33 or information that extends beyond the margins of the permanent archival record.

34 2. Every document containing any of the items listed in this subsection that is presented
35 for recording, except plats and surveys, shall have such information on the first page below the
36 three-inch horizontal margin:

37 (1) The title of the document;

38 (2) The date of the document;

- 39 (3) All grantors' names;
- 40 (4) All grantees' names;
- 41 (5) Any statutory addresses;
- 42 (6) The legal description of the property; and
- 43 (7) Reference book and pages for statutory requirements, if applicable.

44

45 If there is not sufficient room on the first page for all of the information required by this
46 subsection, the page reference within the document where the information is set out shall be
47 stated on the first page.

48 3. From January 1, 2002, documents which do not meet the requirements set forth in this
49 section may be recorded for an additional fee of twenty-five dollars, which shall be deposited in
50 the recorders' fund established pursuant to subsection 1 of section 59.319.

51 4. Documents which are exempt from format requirements and which the recorder of
52 deeds may record include the following:

- 53 (1) Documents which were signed prior to January 1, 2002;
- 54 (2) Military separation papers;
- 55 (3) Documents executed outside the United States;
- 56 (4) Certified copies of documents, including birth and death certificates;
- 57 (5) Any document where one of the original parties is deceased or otherwise
58 incapacitated; ~~and~~
- 59 (6) Judgments or other documents formatted to meet court requirements; **and**
- 60 **(7) Any certificate of release of prohibited covenants.**

61 5. Any document rejected by a recorder of deeds shall be returned to the preparer or
62 presenter accompanied by an explanation of the reason it could not be recorded.

63 6. Recordors of deeds shall be allowed fees for their services as follows:

- 64 (1) For recording every deed or instrument: five dollars for the first page and three
65 dollars for each page thereafter except for plats and surveys;
- 66 (2) For copying or reproducing any recorded instrument, except surveys and plats: a fee
67 not to exceed two dollars for the first page and one dollar for each page thereafter;
- 68 (3) For every certificate and seal, except when recording an instrument: one dollar;
- 69 (4) For recording a plat or survey of a subdivision, outlets or condominiums: twenty-five
70 dollars for each sheet of drawings or calculations based on a size not to exceed twenty-four
71 inches in width by eighteen inches in height. For recording a survey of one or more tracts: five
72 dollars for each sheet of drawings or calculations based on a size not to exceed twenty-four
73 inches in width by eighteen inches in height. Any plat or survey larger than eighteen inches by

74 twenty-four inches shall be counted as an additional sheet for each additional eighteen inches by
75 twenty-four inches, or fraction thereof, plus five dollars per page of other material;

76 (5) For copying a plat or survey of one or more tracts: a fee not to exceed five dollars for
77 each sheet of drawings and calculations not larger than twenty-four inches in width and eighteen
78 inches in height and one dollar for each page of other material;

79 (6) For a document which releases or assigns more than one item: five dollars for each
80 item beyond one released or assigned in addition to any other charges which may apply;
81 **however, for recording a document that releases prohibited covenants: no fee;**

82 (7) For every certified copy of a marriage license or application for a marriage license:
83 two dollars;

84 (8) For duplicate copies of the records in a medium other than paper, the recorder of
85 deeds shall set a reasonable fee not to exceed the costs associated with document search and
86 duplication; and

87 (9) For all other use of equipment, personnel services and office facilities, the recorder
88 of deeds may set a reasonable fee.

59.313. 1. The recorder of deeds in a city not within a county may refuse any document
2 presented for recording that does not meet the following requirements:

3 (1) The document shall consist of one or more individual pages not permanently bound
4 nor in a continuous form. The document shall not have any attachment stapled or otherwise
5 affixed to any page except as necessary to comply with statutory requirements, provided that a
6 document may be stapled together for presentation for recording; a label that is firmly attached
7 with a bar code or return address may be accepted for recording;

8 (2) The size of print or type shall not be smaller than eight-point type and shall be in
9 black or dark ink. Should any document presented for recording contain type smaller than eight-
10 point type, such document shall be accompanied by an exact typewritten copy not smaller than
11 eight-point type to be recorded contemporaneously as additional pages of the document;

12 (3) The document must be of sufficient legibility to produce a clear and legible
13 reproduction thereof. Should any document not be of sufficient legibility to produce a clear and
14 legible reproduction, such document shall be accompanied by an exact typewritten copy not
15 smaller than eight-point type to be recorded contemporaneously as additional pages of the
16 document;

17 (4) The document shall be on white or light-colored paper of not less than twenty-pound
18 weight without watermarks or other visible inclusions, except for plats and surveys, which may
19 be on materials such as Mylar or velum. All text within the document shall be of sufficient color
20 and clarity to ensure that when the text is reproduced from record, it shall be readable;

21 (5) All signatures on a document shall be in black or dark ink, such that such signatures
22 shall be of sufficient color and clarity to ensure that when the text is reproduced from record, it
23 shall be readable, and shall have the corresponding name typed, printed or stamped underneath
24 said signature. The typing or printing of any name or the applying of an embossed or inked
25 stamp shall not cover or otherwise materially interfere with any part of the document, except
26 where provided for by law;

27 (6) Every document, except plats and surveys, shall have a top margin of at least three
28 inches of vertical space from left to right, to be reserved for the recorder of deeds' certification
29 and use. All other margins on the document shall be a minimum of three-fourths of one inch on
30 all sides. Nonessential information such as form numbers, page numbers or customer notations
31 may be placed in the margin. A document may be recorded if a minor portion of a seal or
32 incidental writing extends beyond the margins. The recorder of deeds will not incur any liability
33 for not showing any seal or information that extends beyond the margins of the permanent
34 archival record.

35 2. Every document containing any of the items listed in this subsection that is presented
36 for recording, except plats and surveys, shall have such information on the first page below the
37 three-inch horizontal line:

- 38 (1) The title of the document;
- 39 (2) The date of the document;
- 40 (3) All grantors' names;
- 41 (4) All grantees' names;
- 42 (5) Any statutory addresses;
- 43 (6) The legal description or descriptions of the property; and
- 44 (7) Reference book and page for statutory requirements, if applicable.

45

46 If there is not sufficient room on the first page for all the required information, the page reference
47 within the document where the information is set out shall be placed on the first page.

48 3. From January 1, 2002, documents which do not meet the requirements set forth in this
49 section may be recorded for an additional fee of twenty-five dollars, which shall be deposited in
50 the recorders' fund established pursuant to subsection 1 of section 59.319.

51 4. Documents which are exempt from format requirements and which the recorder of
52 deeds may record include the following:

- 53 (1) Documents which were signed prior to January 1, 2002;
- 54 (2) Military separation papers;
- 55 (3) Documents executed outside the United States;
- 56 (4) Certified copies of documents, including birth and death certificates;

57 (5) Any document where one of the original parties is deceased or otherwise
58 incapacitated; ~~and~~

59 (6) Judgments or other documents formatted to meet court requirements; **and**

60 **(7) Any certificate of release of prohibited covenants.**

61 5. Any document rejected by a recorder of deeds shall be returned to the preparer or
62 presenter accompanied by an explanation of the reason it could not be recorded.

63 6. Recorders of deeds shall be allowed fees for their services as follows:

64 (1) For recording every deed or instrument: ten dollars for the first page and five dollars
65 for each page thereafter;

66 (2) For copying or reproducing any recorded instrument, except surveys and plats: three
67 dollars for the first page and two dollars for each page thereafter;

68 (3) For every certificate and seal, except when recording an instrument: two dollars;

69 (4) For recording a plat or survey of a subdivision, outlots or condominiums: forty-four
70 dollars for each sheet of drawings and calculations based on a size of not to exceed twenty-four
71 inches in width by eighteen inches in height, plus ten dollars for each page of other materials;

72 (5) For recording a survey of one tract of land, in the form of one sheet not to exceed
73 twenty-four inches in width by eighteen inches in height: eight dollars;

74 (6) For copying a plat or survey: eight dollars for each page;

75 (7) For every certified copy of a marriage license or application for a marriage license:
76 five dollars;

77 (8) For releasing on the margin: eight dollars for each item released;

78 (9) For a document which releases or assigns more than one item: seven dollars and fifty
79 cents for each item beyond one released or assigned in addition to any other charges which may
80 apply; **however, for recording a document that releases a prohibited covenant: no fee;** and

81 (10) For duplicate reels of microfilm: thirty dollars each.

82

83 For all other use of equipment, personnel services and office space the recorder of deeds shall
84 set attendant fees.

60.010. 1. At the regular general election in the year 1948, and every four years
2 thereafter, the voters of each county of this state in counties of the second, third, and fourth
3 classification shall elect a registered land surveyor as county surveyor, who shall hold office for
4 four years and until a successor is duly elected, commissioned and qualified. The person elected
5 shall be commissioned by the governor.

6 2. No person shall be elected or appointed surveyor unless such person is a citizen of the
7 United States, ~~[over the age of twenty-one years]~~ **twenty-one years of age or older**, a registered
8 land surveyor, and shall have resided within the state one whole year. An elected surveyor shall

9 have resided within the county for which the person is elected six months immediately prior to
10 election and shall after election continue to reside within the county for which the person is
11 surveyor. An appointed surveyor need not reside within the county for which the person is
12 surveyor.

13 3. Notwithstanding the provisions of subsection 1 of this section, or any other law to the
14 contrary, the county commission of any county of the third or fourth classification may appoint
15 a surveyor following the deadline for filing for the office of surveyor, if no qualified candidate
16 files for the office in the general election in which the office would have been on the ballot,
17 provided that the notice required by section 115.345 has been published in at least one newspaper
18 of general circulation in the county. The appointed surveyor shall serve at the pleasure of the
19 county commission, however, an appointed surveyor shall forfeit said office once a qualified
20 individual, who has been duly elected at a regularly scheduled general election where the office
21 of surveyor is on the ballot and who has been commissioned by the governor, takes office. The
22 county commission shall fix appropriate compensation, which need not be equal to that of an
23 elected surveyor.

64.805. The county planning commission shall consist of the county highway engineer,
2 and one resident of the county appointed by the county commission, from the unincorporated part
3 of each township in the county, except that no such person shall be appointed from a township
4 in which there is no unincorporated area. The township representatives are hereinafter referred
5 to as appointed members. The term of each appointed member shall be four years or until a
6 successor takes office, except that the terms shall be overlapping and that the respective terms
7 of the members first appointed may be less than four years. The term of the county highway
8 engineer shall be only for the duration of the engineer's tenure of official position. All members
9 of the county planning commission shall serve as such without compensation, except that an
10 attendance fee as reimbursement for expenses may be paid to the appointed members of the
11 county planning commission in an amount, as set by the county commission, not to exceed
12 ~~twenty-five~~ **seventy-five** dollars per meeting. The planning commission shall elect its
13 chairman, who shall serve for one year.

64.870. 1. **(1)** Any county commission which appointed a county zoning commission
2 and which has adopted a zoning plan, as provided in sections 64.800 to 64.905, shall appoint a
3 county board of zoning adjustment.

4 **(2)** The board shall consist of five residents of the county, but not more than two shall
5 be residents of the incorporated area of the county and not more than one may be a member of
6 the county zoning commission. The membership of the first board appointed shall serve
7 respectively: one for one year, one for two years, one for three years, **and** two for four years.
8 Thereafter members shall be appointed for terms of four years each. Members shall be

9 removable for cause by the county commission upon written charges and after public hearings.
10 Vacancies shall be filled by the county commission for the unexpired term of any member whose
11 term becomes vacant. The board of zoning adjustment shall elect its own chairman and shall
12 adopt rules of procedure consistent with the provisions of the zoning regulations and the
13 provisions of sections 64.845 to 64.880. The chairman, or in his absence the acting chairman,
14 may administer oaths and compel the attendance of witnesses.

15 **(3) All members of the county board of zoning adjustment shall serve as such**
16 **without compensation, except that an attendance fee as reimbursement for expenses may**
17 **be paid to the appointed members of the county planning commission in an amount set by**
18 **the county commission, not to exceed seventy-five dollars per meeting. For any member**
19 **of the county planning commission who is also a member of the board of zoning**
20 **adjustment, only one attendance fee shall be paid if the board and commission meet on the**
21 **same day.**

22 **(4)** All meetings of the board of zoning adjustment shall be open to the public, and
23 minutes shall be kept of all proceedings and official actions, which minutes shall be filed in the
24 office of the board and shall be a public record.

25 **(5)** Appeals to the board of zoning adjustment may be taken by any owner, lessee or
26 tenant of land, or by a public officer, department, board or bureau, affected by any decision of
27 the administrative officer in administering a county zoning ordinance. The appeals shall be taken
28 within a period of not more than three months, and in the manner provided by the rules of the
29 board. An appeal shall stay all proceedings in furtherance of the action appealed from, unless
30 the officer from whom the appeal is taken shall certify to the board that by reason of facts stated
31 in the certificate a stay would, in his opinion, cause imminent peril to life or property. The board
32 of adjustment shall have the following powers and it shall be its duty:

33 ~~[(1)]~~ **(a)** To hear and decide appeals where it is alleged there is error of law in any order,
34 requirement, decision or determination made by an administrative official in the enforcement of
35 the county zoning regulations;

36 ~~[(2)]~~ **(b)** To hear and decide all matters referred to it or which it is required to determine
37 under the zoning regulations adopted by the county commission as herein provided;

38 ~~[(3)]~~ **(c)** Where, by reason of exceptional narrowness, shallowness, shape or topography,
39 or other extraordinary or exceptional situation or condition of a specific piece of property, the
40 strict application of any regulation adopted under sections 64.845 to 64.880 would result in
41 peculiar and exceptional difficulties to or exceptional and demonstrable undue hardship upon
42 the owner of the property as an unreasonable deprivation of use as distinguished from the mere
43 grant of a privilege, to authorize, upon an appeal relating to the property, a variance from the
44 strict application so as to relieve the demonstrable difficulties or hardships, provided the relief

45 can be granted without substantial detriment to the public good and without substantially
46 impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning
47 regulations and map.

48 2. In exercising the above powers, the board may reverse or affirm wholly or partly, or
49 may modify the order, requirement, decision or determination appealed from and may take such
50 order, requirement, decision or determination as ought to be made, and to that end shall have all
51 the powers of the officer from whom the appeal is taken. Any owners, lessees or tenants of
52 buildings, structures or land jointly or severally aggrieved by any decision of the board of
53 adjustment or of the county commission, respectively, under the provisions of sections 64.845
54 to 64.880, or board, commission or other public official, may present to the circuit court of the
55 county in which the property affected is located, a petition, duly verified, stating that the decision
56 is illegal in whole or in part, specifying the grounds of the illegality and asking for relief
57 therefrom. Upon the presentation of the petition the court shall allow a writ of certiorari directed
58 to the board of adjustment or the county commission, respectively, of the action taken and data
59 and records acted upon, and may appoint a referee to take additional evidence in the case. The
60 court may reverse or affirm or may modify the decision brought up for review. After entry of
61 judgment in the circuit court in the action in review, any party to the cause may prosecute an
62 appeal to the appellate court having jurisdiction in the same manner now or hereafter provided
63 by law for appeals from other judgments of the circuit court in civil cases.

**67.405. 1. Notwithstanding any other provision of law, neither the state nor any
2 political subdivision thereof shall enact or enforce any statute, ordinance, or rule regarding
3 the parking of an unlicensed motor vehicle on private property if:**

4 **(1) The motor vehicle is parked wholly within the boundaries of private property;**
5 **(2) The motor vehicle is parked on a surface generally considered to be suitable for
6 a driveway or parking area, such as concrete, asphalt, or crushed stone; and**

7 **(3) The motor vehicle is not supported by any device other than its own wheels and
8 tires. However, a motor vehicle may be supported by a device for the limited purpose of
9 repairing the vehicle for up to seventy-two hours.**

10 **2. Notwithstanding any other provision of law and except for a statute, ordinance,
11 or rule restricting air pollution or noise pollution, neither the state nor any political
12 subdivision thereof shall enact or enforce any statute, ordinance, or rule:**

13 **(1) That would prohibit or penalize a noncorporate owner or renter of a privately-
14 owned, single family residence from using the residence in any way that does not pose a
15 clear and present danger to the health or safety of the residence's neighbors or other
16 passersby; or**

17 **(2) That would require a noncorporate owner or renter of a privately-owned, single**
18 **family residence to use any part of the residence in a way contrary to the wishes of the**
19 **owner or renter unless an easement or right of way exists on that part of the residence.**

67.1153. 1. The authority shall consist of five commissioners, who shall be qualified
2 voters of the state of Missouri and residents of the county in which the authority is created. The
3 commissioners shall be appointed by the ~~[governor with the advice and consent of the senate]~~
4 **county executive of the county in which the authority is created with the advice and**
5 **consent of the county legislative body or, if there is no county executive, by the governing**
6 **body of the county.** No more than three of the commissioners appointed shall be of any one
7 political party, and no elective ~~[or appointed]~~ official of any political subdivision of this state
8 shall be a member of the authority.

9 2. The authority shall elect from its number a chairman, and may appoint such officers
10 and employees as it may require for the performance of its duties and fix and determine their
11 qualifications, duties and compensation. No action of the authority shall be binding unless taken
12 at a meeting at which at least three members are present and unless a majority of the members
13 present at such meeting shall vote in favor thereof.

14 3. Of the commissioners initially appointed to the authority, one shall serve for two
15 years, one shall serve for three years, one shall serve for four years, one shall serve for five years,
16 and one shall serve for six years. Thereafter, successors shall hold office for terms of five years,
17 or for the unexpired terms of their predecessors. Each commissioner shall hold office until his
18 successor has been appointed and qualified.

19 4. The commissioners shall receive no salary for the performance of their duties, but
20 shall be reimbursed for the actual and necessary expenses incurred in the performance of their
21 duties, to be paid by the authority.

67.1158. 1. The governing body of a county which has established an authority under
2 the provisions of sections 67.1150 to 67.1158 may impose a tax on the charges for all sleeping
3 rooms paid by the transient guests of hotels or motels situated in the county, which shall be more
4 than two percent but not more than five percent per occupied room per night, except that such
5 tax shall not become effective unless the governing body of the county submits to the voters of
6 the county at a state general, primary, or special election, a proposal to authorize the governing
7 body of the county to impose a tax under the provisions of this section. The tax authorized by
8 this section shall be in addition to the charge for the sleeping room and shall be in addition to any
9 and all taxes imposed by law, and the proceeds of such tax shall be used by the authority solely
10 for funding the construction and operation of convention, visitor and sports facilities, other
11 incidental facilities, and operation of the authority consistent with the provisions of sections
12 67.1150 to 67.1158. Such tax shall be stated separately from all other charges and taxes.

13 2. The question shall be submitted in substantially the following form:
14 Shall the _____ (County) levy a tax of _____ percent on each sleeping room
15 occupied and rented by transient guests of hotels and motels located in the
16 county, the proceeds of which shall be expended for the funding of convention,
17 visitor and sports facilities, other incidental facilities, and the county convention
18 and sports facilities authority?
19 ☐ YES ☐ NO

20

21 If a majority of the votes cast on the question by the qualified voters voting thereon are in favor
22 of the question, then the tax shall become effective on the first day of the calendar quarter
23 following the calendar quarter in which the election was held. If a majority of the votes cast on
24 the question by the qualified voters voting thereon are opposed to the question, then the
25 governing body for the county shall have no power to impose the tax authorized by this section
26 unless and until the governing body of the county resubmits the question and such question is
27 approved by a majority of the qualified voters voting thereon.

28 3. After the effective date of any tax authorized under the provisions of this section, the
29 county ~~[which]~~ **that** levied the tax may adopt one of the ~~[two]~~ following provisions for the
30 collection and administration of the tax:

31 (1) The county ~~[which levied the tax]~~ may adopt rules and regulations for the internal
32 collection of such tax by the county officers usually responsible for collection and administration
33 of county taxes; ~~[or]~~

34 (2) **The county may enter into an agreement with the authority for the authority**
35 **to collect such tax and perform all functions incident to the administration, collection,**
36 **enforcement, and operation of such tax. The tax authorized by this section shall be**
37 **collected and reported upon such forms and under such administrative rules and**
38 **regulations as may be prescribed by the authority; or**

39 (3) The county may enter into an agreement with the director of revenue of the state of
40 Missouri for the purpose of collecting the tax authorized in this section. In the event any county
41 enters into an agreement with the director of revenue of the state of Missouri for the collection
42 of the tax authorized in this section, the director of revenue shall perform all functions incident
43 to the administration, collection, enforcement and operation of such tax, and shall collect the
44 additional tax authorized under the provisions of this section. The tax authorized by this section
45 shall be collected and reported upon such forms and under such administrative rules and
46 regulations as may be prescribed by the director of revenue, and the director of revenue shall
47 retain not less than one percent nor more than three percent for cost of collection.

48 4. If a tax is imposed by a county under this section, the ~~[county may collect a penalty~~
49 ~~of one percent and interest not to exceed two percent per month on unpaid taxes which shall be~~
50 ~~considered delinquent thirty days after the last day of each quarter.] tax for each calendar~~
51 **quarter shall be due on the first day of the next calendar quarter. If any taxes are not paid**
52 **within thirty days after the due date, the authority collecting the tax may collect, in**
53 **addition to the amount of the tax due, one percent interest per month on the unpaid taxes**
54 **and a penalty of two percent per month on the unpaid tax. Any penalty or interest shall**
55 **be calculated beginning on the original due date. The authority, in its discretion, may**
56 **abate a portion of the penalty to facilitate the voluntary payment of the tax.**

57 5. If a tax is imposed by a county under this section, either the county or the authority
58 shall have the power to audit the taxed facilities to ensure compliance with the tax by the facility.
59 During such audit, the taxed facilities shall give access to examine necessary records to ensure
60 compliance.

61 6. Suits to enforce the collection and payment of the tax against the taxed facilities ~~[may]~~
62 **shall** be filed and prosecuted **only** by the authority. ~~[If suit is filed,]~~ The authority ~~[may]~~ **shall**
63 **be entitled to recover [as damages a reasonable] costs and** attorney's ~~[fee and costs of suit~~
64 ~~against the taxed facility]~~ **fees incurred by the authority in collecting the tax.**

67.2680. The state or any other political subdivision shall not impose any new tax,
2 **license, or fee in addition to any tax, license, or fee already authorized on or before August**
3 **28, 2021, upon the provision of satellite or streaming video service.**

70.631. 1. Each political subdivision may, by majority vote of its governing body, elect
2 to cover emergency telecommunicators, jailors, and emergency medical service personnel as
3 public safety personnel members of the system. The clerk or secretary of the political
4 subdivision shall certify an election concerning the coverage of emergency telecommunicators,
5 jailors, and emergency medical service personnel as public safety personnel members of the
6 system to the board within ten days after such vote. The date in which the political subdivision's
7 election becomes effective shall be the first day of the calendar month specified by such
8 governing body, the first day of the calendar month next following receipt by the board of the
9 certification of the election, or the effective date of the political subdivision's becoming an
10 employer, whichever is the latest date. Such election shall not be changed after the effective
11 date. If the election is made, the coverage provisions shall be applicable to all past and future
12 employment with the employer by present and future employees. If a political subdivision makes
13 no election under this section, no emergency telecommunicator, jailor, or emergency medical
14 service personnel of the political subdivision shall be considered public safety personnel for
15 purposes determining a minimum service retirement age as defined in section 70.600.

16 2. If an employer elects to cover emergency telecommunicators, jailors, and emergency
17 medical service personnel as public safety personnel members of the system, the employer's
18 contributions shall be correspondingly changed effective the same date as the effective date of
19 the political subdivision's election.

20 3. The limitation on increases in an employer's contributions provided by subsection 6
21 of section 70.730 shall not apply to any contribution increase resulting from an employer making
22 an election under the provisions of this section.

23 4. The provisions of this section shall only apply to counties of the **second or third**
24 **classification, any county of the first classification with more than sixty-five thousand but**
25 **fewer than seventy-five thousand inhabitants and with a county seat with more than fifteen**
26 **thousand but fewer than seventeen thousand inhabitants**, and any county of the first
27 classification with more than seventy thousand but fewer than eighty-three thousand inhabitants
28 and with a city of the fourth classification with more than thirteen thousand five hundred but
29 fewer than sixteen thousand inhabitants as the county seat, and any political subdivisions located,
30 in whole or in part, within such counties.

 77.230. No person shall be mayor unless he **or she** be at least ~~[thirty]~~ **twenty-one** years
2 of age, a citizen of the United States and a resident of such city at the time of and for two years
3 next preceding his **or her** election. When two or more persons shall have an equal number of
4 votes for the office of mayor, the matter shall be determined by the council.

77.680. 1. Notwithstanding any law to the contrary but subject to the provisions
2 **of subsection 2 of this section, if a statute or ordinance authorizes the mayor of a city of the**
3 **third classification to appoint a member of a board or commission, any requirement that**
4 **the appointed person be a resident of the city shall be deemed satisfied if the person owns**
5 **real property or a business in the city, regardless of whether the position to which the**
6 **appointment is made is considered an officer of the city.**

7 **2. This subsection applies only to cities of the third classification. If the board to**
8 **which a person is appointed is established under state statute or city ordinance to manage**
9 **a city's municipal utilities, then any requirement that the appointed person be a resident**
10 **of the city shall be deemed satisfied only if all of the following conditions are met:**

11 **(1) The board has no authority to set utility rates or to issue bonds;**

12 **(2) The person resides within a twenty-mile radius of the city limits;**

13 **(3) The person owns real property or a business in the city;**

14 **(4) The person or the person's business is a customer of the public utility as**
15 **described in section 91.450 that is owned and operated by the city; and**

16 **(5) The person has no pecuniary interest in, or is not a member of, any other utility**
17 **of the type managed by the board.**

79.080. No person shall be mayor unless he **or she** be at least ~~[twenty-five]~~ **twenty-one** years of age, a citizen of the United States and a resident of the city at the time of and for at least one year next preceding his **or her** election.

91.025. 1. As used in this section, the following terms mean:

(1) "Municipally owned or operated electric power system", a system for the distribution of electrical power and energy to the inhabitants of a municipality which is owned and operated by the municipality itself, whether operated under authority pursuant to this chapter or under a charter form of government;

(2) "Permanent service", electrical service provided through facilities which have been permanently installed on a structure and which are designed to provide electric service for the structure's anticipated needs for the indefinite future, as contrasted with facilities installed temporarily to provide electrical service during construction. Service provided temporarily shall be at the risk of the electrical supplier and shall not be determinative of the rights of the provider or recipient of permanent service;

(3) "Structure" or "structures", an agricultural, residential, commercial, industrial or other building or a mechanical installation, machinery or apparatus at which retail electric energy is being delivered through a metering device which is located on or adjacent to the structure and connected to the lines of an electrical corporation, rural electric cooperative, municipally owned or operated electric power system, or joint municipal utility commission. Such terms shall include any contiguous or adjacent additions to or expansions of a particular structure. Nothing in this section shall be construed to confer any right on an electric supplier to serve new structures on a particular tract of land because it was serving an existing structure on that tract.

2. Once a municipally owned or operated electrical system, or its predecessor in interest, lawfully commences supplying retail electric energy to a structure through permanent service facilities, it shall have the right to continue serving such structure, and other suppliers of electrical energy shall not have the right to provide service to the structure except as might be otherwise permitted in the context of municipal annexation, pursuant to section 386.800 or pursuant to a territorial agreement approved under section 394.312. The public service commission, upon application made by a customer, may order a change of suppliers on the basis that it is in the public interest for a reason other than a rate differential, and the commission is hereby given jurisdiction over municipally owned or operated electric systems to accomplish the purpose of this section. The commission's jurisdiction under this section is limited to public interest determinations and excludes questions as to the lawfulness of the provision of service, such questions being reserved to courts of competent jurisdiction. Except as provided in this section, nothing in this section shall be construed as otherwise conferring upon the commission jurisdiction over the service, rates, financing, accounting or management of any such municipally

34 owned or operated electrical system, and nothing in this section, section 393.106, and section
35 394.315 shall affect the rights, privileges or duties of any municipality to form or operate
36 municipally owned or operated electrical systems. Nothing in this section shall be construed to
37 make lawful any provision of service which was unlawful prior to July 11, 1991. Nothing in this
38 section shall be construed to make unlawful the continued lawful provision of service to any
39 structure which may have had a different supplier in the past, if such a change in supplier was
40 lawful at the time it occurred.

41 **3. Notwithstanding the provisions of this section, section 393.106, section 394.080,**
42 **and section 394.315 to the contrary, in the event that a retail electric supplier is providing**
43 **service to a structure located within a city, town or village that has ceased to be a rural**
44 **area, and such structure is demolished and replaced by a new structure, such retail electric**
45 **service supplier may provide permanent service to the new structure upon the request of**
46 **the owner of the new structure.**

105.030. 1. Whenever any vacancy, caused in any manner or by any means whatsoever,
2 occurs or exists in any state or county office originally filled by election of the people, other than
3 in the offices of lieutenant governor, state senator or representative, sheriff, or recorder of deeds
4 in the City of St. Louis, the vacancy shall be filled by appointment by the governor except that
5 when a vacancy occurs in the office of county assessor after a general election at which a person
6 other than the incumbent has been elected, the person so elected shall be appointed to fill the
7 remainder of the unexpired term; and the person appointed after duly qualifying and entering
8 upon the discharge of his duties under the appointment shall continue in office until the first
9 Monday in January next following the first ensuing general election, at which general election
10 a person shall be elected to fill the unexpired portion of the term, or for the ensuing regular term,
11 as the case may be, and the person so elected shall enter upon the discharge of the duties of the
12 office the first Monday in January next following his election, except that when the term to be
13 filled begins on any day other than the first Monday in January, the appointee of the governor
14 shall be entitled to hold the office until such other date.

15 2. (1) Notwithstanding subsection 1 of this section or any other provision of law to the
16 contrary, when any vacancy, caused in any manner or by any means whatsoever, occurs or exists
17 in any county office, the county commission of all noncharter counties shall, no later than
18 fourteen days after the occurrence of the vacancy, fill the vacancy by appointment, and the person
19 so appointed by the county commission, after duly qualifying and entering upon the discharge
20 of his or her duties under the appointment, shall continue in office until the governor fills the
21 vacancy by appointment under subsection 1 of this section or until the vacancy is filled by
22 operation of another provision of law.

23 (2) In any county with only two county commissioners, if the commissioners cannot
24 agree upon an appointee, the two remaining county commissioners and the presiding judge of
25 the circuit court shall vote to make the appointment required under subdivision (1) of this
26 subsection.

27 **(3) The term "county office" as it appears in subsection 2 of this section shall not**
28 **include any associate circuit judge or circuit judge.**

29 3. The provisions of this section shall not apply to:

30 (1) Vacancies in county offices in any county which has adopted a charter for its own
31 government under Section 18, Article VI of the Constitution; or

32 (2) Vacancies in the office of any associate circuit judge, circuit judge, circuit clerk,
33 prosecuting attorney, or circuit attorney.

34 4. Any vacancy in the office of recorder of deeds in the City of St. Louis shall be filled
35 by appointment by the mayor of that city.

105.035. No person shall be appointed to an elected public office in the state of
2 **Missouri who is delinquent in the payment of state income tax, personal property tax,**
3 **municipal tax, or real property tax on the person's place of residence. A candidate for such**
4 **appointed public office shall provide the appointing authority thereof with a signed and**
5 **notarized affidavit stating that all state income taxes and property taxes, both personal**
6 **property and real property, have been paid or the fact that no taxes were owed for the two**
7 **fiscal years immediately prior to the filing deadline for the relevant elective public office.**

115.044. 1. No person shall contribute, including in-kind contributions, donate,
2 **pay, or otherwise transfer money or equipment to any election authority, as defined in**
3 **section 115.015, for the purpose of conducting state or local elections in this state.**

4 **2. No person shall contribute, including in-kind contributions, donate, pay, or**
5 **otherwise transfer money or equipment to any state officer, employee, department, board,**
6 **or other state entity for the purpose of conducting state or local elections in this state.**

7 **3. As used in this section, the following terms mean:**

8 **(1) "Election", any primary, general, or special election held to nominate or elect**
9 **an individual to public office, to retain or recall an elected officeholder, or to submit a**
10 **ballot measure to the voters;**

11 **(2) "Person", an individual; group of individuals; corporation, whether or not such**
12 **corporation is operated for profit; partnership; committee; proprietorship; joint venture;**
13 **union; labor organization; trade, professional, or business association; association; political**
14 **party or any executive committee thereof; or any other club or organization however**
15 **constituted or any officer or employee of such entity acting in the person's official capacity.**

115.075. Except as otherwise provided in this subchapter, all costs and expenses relating
2 to the conduct of elections and the registration of voters in each county shall be paid from the
3 general revenue of the county. **Notwithstanding the foregoing, no costs or expenses relating**
4 **to the conduct of elections or the registration of voters may be paid by or derived from**
5 **persons as defined in sections 115.044.**

115.127. 1. Except as provided in subsection 4 of this section, upon receipt of notice of
2 a special election to fill a vacancy submitted pursuant to subsection 2 of section 115.125, the
3 election authority shall cause legal notice of the special election to be published in a newspaper
4 of general circulation in its jurisdiction. The notice shall include the name of the officer or
5 agency calling the election, the date and time of the election, the name of the office to be filled
6 and the date by which candidates must be selected or filed for the office. Within one week prior
7 to each special election to fill a vacancy held in its jurisdiction, the election authority shall cause
8 legal notice of the election to be published in two newspapers of different political faith and
9 general circulation in the jurisdiction. The legal notice shall include the date and time of the
10 election, the name of the officer or agency calling the election and a sample ballot. If there is
11 only one newspaper of general circulation in the jurisdiction, the notice shall be published in the
12 newspaper within one week prior to the election. If there are two or more newspapers of general
13 circulation in the jurisdiction, but no two of opposite political faith, the notice shall be published
14 in any two of the newspapers within one week prior to the election.

15 2. Except as provided in subsections 1 and 4 of this section and in sections 115.521,
16 115.549 and 115.593, the election authority shall cause legal notice of each election held in its
17 jurisdiction to be published. The notice shall be published in two newspapers of different
18 political faith and qualified pursuant to chapter 493 which are published within the bounds of
19 the area holding the election. If there is only one so-qualified newspaper, then notice shall be
20 published in only one newspaper. If there is no newspaper published within the bounds of the
21 election area, then the notice shall be published in two qualified newspapers of different political
22 faith serving the area. Notice shall be published twice, the first publication occurring in the
23 second week prior to the election, and the second publication occurring within one week prior
24 to the election. Each such legal notice shall include the date and time of the election, the name
25 of the officer or agency calling the election and a sample ballot; and, unless notice has been
26 given as provided by section 115.129, the second publication of notice of the election shall
27 include the location of polling places. The election authority may provide any additional notice
28 of the election it deems desirable.

29 3. The election authority shall print the official ballot as the same appears on the sample
30 ballot, and no candidate's name or ballot issue which appears on the sample ballot or official
31 printed ballot shall be stricken or removed from the ballot except on death of a candidate or by

32 court order, but in no event shall a candidate or issue be stricken or removed from the ballot less
33 than eight weeks before the date of the election.

34 4. In lieu of causing legal notice to be published in accordance with any of the provisions
35 of this chapter, the election authority in jurisdictions which have less than seven hundred fifty
36 registered voters and in which no newspaper qualified pursuant to chapter 493 is published, may
37 cause legal notice to be mailed during the second week prior to the election, by first class mail,
38 to each registered voter at the voter's voting address. All such legal notices shall include the date
39 and time of the election, the location of the polling place, the name of the officer or agency
40 calling the election and a sample ballot.

41 5. If the opening date for filing a declaration of candidacy for any office in a political
42 subdivision or special district is not required by law or charter, the opening filing date shall be
43 8:00 a.m., the ~~[sixteenth]~~ **seventeenth** Tuesday prior to the election], ~~except that for any home~~
44 ~~rule city with more than four hundred thousand inhabitants and located in more than one county~~
45 ~~and any political subdivision or special district located in such city, the opening filing date shall~~
46 ~~be 8:00 a.m., the fifteenth Tuesday prior to the election].~~ If the closing date for filing a
47 declaration of candidacy for any office in a political subdivision or special district is not required
48 by law or charter, the closing filing date shall be 5:00 p.m., the ~~[eleventh]~~ **fourteenth** Tuesday
49 prior to the election. The political subdivision or special district calling an election shall, before
50 the ~~[sixteenth]~~ **seventeenth** Tuesday], ~~or the fifteenth Tuesday for any home rule city with more~~
51 ~~than four hundred thousand inhabitants and located in more than one county or any political~~
52 ~~subdivision or special district located in such city,~~ prior to any election at which offices are to
53 be filled, notify the general public of the opening filing date, the office or offices to be filled, the
54 proper place for filing and the closing filing date of the election. Such notification may be
55 accomplished by legal notice published in at least one newspaper of general circulation in the
56 political subdivision or special district.

57 6. Except as provided for in sections 115.247 and 115.359, if there is no additional cost
58 for the printing or reprinting of ballots or if the candidate agrees to pay any printing or reprinting
59 costs, a candidate who has filed for an office or who has been duly nominated for an office may,
60 at any time after the certification of the notice of election required in subsection 1 of section
61 115.125 but no later than 5:00 p.m. on the eighth Tuesday before the election, withdraw as a
62 candidate pursuant to a court order, which, except for good cause shown by the election authority
63 in opposition thereto, shall be freely given upon application by the candidate to the circuit court
64 of the area of such candidate's residence.

115.1070. 1. As used in this section, the following terms mean:

2 (1) "Corresponding source", for a work in object code form, all the source code
3 needed to generate; install; and, for an executable work, run the object code and to modify

4 the work, including scripts to control those activities. "Corresponding source" does not
5 include the work's system libraries, general-purpose tools, or generally available free
6 programs that are used unmodified in performing those activities but are not part of the
7 work. "Corresponding source" includes interface definition files associated with source
8 files for the work, the source code for shared libraries, and dynamically linked
9 subprograms that the work is specifically designed to require, such as by intimate data
10 communication or control flow between those subprograms and other parts of the work;

11 (2) "Object code" any nonsource form of a work;

12 (3) "Source code", the preferred form of the work for making modifications to it;

13 (4) "Standard interface", an interface that either is an official standard defined by
14 a recognized standards body, or, in the case of interfaces specified for a particular
15 programming language, one that is widely used among developers working in that
16 language;

17 (5) "System libraries", a catalog of an executable work, including anything, other
18 than the work as a whole, that is included in the normal form of packaging a major
19 component but is not part of that major component and serves only to enable use of the
20 work with that major component or to implement a standard interface for which an
21 implementation is available to the public in source code form. As used in this subdivision,
22 a "major component" is a major essential component including, but not limited to, a kernel
23 or window system of the specific operating system on which the executable work runs, a
24 compiler used to produce the work, or an object code interpreter used to run it;

25 (6) "Tabulating software", the entire election computer program including, but not
26 limited to, any system software, utility software, or compilers that are used together with
27 application software to tabulate election results;

28 (7) "Work", any tabulating software or other program used by the state to tabulate
29 election results.

30 2. Notwithstanding any other provision of law or rule to the contrary, any election
31 authority who employs computer programs of any type in the casting or tabulating of votes
32 shall use tabulating software developed, owned, and maintained by a business entity
33 registered in the United States and owned by United States citizens. If the business entity
34 is publicly held, the board of directors and the majority stockholders shall be United States
35 citizens. The business entity shall not be a subsidiary of any multinational firm and shall
36 have its principal place of business located within the United States.

37 3. Any software, or hardware containing software or firmware, used for election
38 tabulation purposes by this state or any of its political subdivisions shall have the full
39 corresponding source code of the software or firmware made publicly available by the

secretary of state at no cost upon request of any resident or citizen of this state. The full corresponding source code provided shall exactly match the code necessary to recreate any object code currently being used or deployed by the state or any of its political subdivisions for election tabulation purposes. Additionally, the full corresponding source code for any software or firmware used for election tabulation purposes in prior elections shall be retained by the secretary of state and made available upon request for a period of ten years after the certification of the results of the relevant election.

4. The corresponding source shall not be required to include anything that users can regenerate automatically from other parts of the corresponding source.

5. The corresponding source for a work in source code form is that same work.

130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Appropriate officer" or "appropriate officers", the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) "Candidate", an individual who seeks nomination or election to public office. The term "candidate" includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place

27 within five days after the person's learning of the above-specified activities, the individual shall
28 file the statement disavowing the candidacy within one day; or

29 (c) Announces or files a declaration of candidacy for office;

30 (4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument
31 which can be transferred from one person to another person without the signature or endorsement
32 of the transferor;

33 (5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order
34 of withdrawal account in a savings and loan association or a share draft account in a credit union;

35 (6) "Closing date", the date through which a statement or report is required to be
36 complete;

37 (7) "Committee", a person or any combination of persons, who accepts contributions or
38 makes expenditures for the primary or incidental purpose of influencing or attempting to
39 influence the action of voters for or against the nomination or election to public office of one or
40 more candidates or the qualification, passage or defeat of any ballot measure or for the purpose
41 of paying a previously incurred campaign debt or obligation of a candidate or the debts or
42 obligations of a committee or for the purpose of contributing funds to another committee:

43 (a) "Committee", does not include:

44 a. A person or combination of persons, if neither the aggregate of expenditures made nor
45 the aggregate of contributions received during a calendar year exceeds five hundred dollars and
46 if no single contributor has contributed more than two hundred fifty dollars of such aggregate
47 contributions;

48 b. An individual, other than a candidate, who accepts no contributions and who deals
49 only with the individual's own funds or property;

50 c. A corporation, cooperative association, partnership, proprietorship, or joint venture
51 organized or operated for a primary or principal purpose other than that of influencing or
52 attempting to influence the action of voters for or against the nomination or election to public
53 office of one or more candidates or the qualification, passage or defeat of any ballot measure, and
54 it accepts no contributions, and all expenditures it makes are from its own funds or property
55 obtained in the usual course of business or in any commercial or other transaction and which are
56 not contributions as defined by subdivision (12) of this section;

57 d. A labor organization organized or operated for a primary or principal purpose other
58 than that of influencing or attempting to influence the action of voters for or against the
59 nomination or election to public office of one or more candidates, or the qualification, passage,
60 or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the
61 organization are from its own funds or property received from membership dues or membership
62 fees which were given or solicited for the purpose of supporting the normal and usual activities

63 and functions of the organization and which are not contributions as defined by subdivision (12)
64 of this section;

65 e. A person who acts as an authorized agent for a committee in soliciting or receiving
66 contributions or in making expenditures or incurring indebtedness on behalf of the committee
67 if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable,
68 an accurate account of each receipt or other transaction in the detail required by the treasurer to
69 comply with all record-keeping and reporting requirements of this chapter;

70 f. Any department, agency, board, institution or other entity of the state or any of its
71 subdivisions or any officer or employee thereof, acting in the person's official capacity;

72 (b) The term "committee" includes, but is not limited to, each of the following
73 committees: campaign committee, candidate committee, continuing committee and political
74 party committee;

75 (8) "Campaign committee", a committee, other than a candidate committee, which shall
76 be formed by an individual or group of individuals to receive contributions or make expenditures
77 and whose sole purpose is to support or oppose the qualification and passage of one or more
78 particular ballot measures in an election or the retention of judges under the nonpartisan court
79 plan, such committee shall be formed no later than thirty days prior to the election for which the
80 committee receives contributions or makes expenditures, and which shall terminate the later of
81 either thirty days after the general election or upon the satisfaction of all committee debt after
82 the general election, except that no committee retiring debt shall engage in any other activities
83 in support of a measure for which the committee was formed;

84 (9) "Candidate committee", a committee which shall be formed by a candidate to receive
85 contributions or make expenditures in behalf of the person's candidacy and which shall continue
86 in existence for use by an elected candidate or which shall terminate the later of either thirty days
87 after the general election for a candidate who was not elected or upon the satisfaction of all
88 committee debt after the election, except that no committee retiring debt shall engage in any
89 other activities in support of the candidate for which the committee was formed. Any candidate
90 for elective office shall have only one candidate committee for the elective office sought, which
91 is controlled directly by the candidate for the purpose of making expenditures. A candidate
92 committee is presumed to be under the control and direction of the candidate unless the candidate
93 files an affidavit with the appropriate officer stating that the committee is acting without control
94 or direction on the candidate's part;

95 (10) "Continuing committee", a committee of continuing existence which is not formed,
96 controlled or directed by a candidate, and is a committee other than a candidate committee or
97 campaign committee, whose primary or incidental purpose is to receive contributions or make
98 expenditures to influence or attempt to influence the action of voters whether or not a particular

99 candidate or candidates or a particular ballot measure or measures to be supported or opposed
100 has been determined at the time the committee is required to file any statement or report pursuant
101 to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any
102 committee organized or sponsored by a business entity, a labor organization, a professional
103 association, a trade or business association, a club or other organization and whose primary
104 purpose is to solicit, accept and use contributions from the members, employees or stockholders
105 of such entity and any individual or group of individuals who accept and use contributions to
106 influence or attempt to influence the action of voters. Such committee shall be formed no later
107 than sixty days prior to the election for which the committee receives contributions or makes
108 expenditures;

109 (11) "Connected organization", any organization such as a corporation, a labor
110 organization, a membership organization, a cooperative, or trade or professional association
111 which expends funds or provides services or facilities to establish, administer or maintain a
112 committee or to solicit contributions to a committee from its members, officers, directors,
113 employees or security holders. An organization shall be deemed to be the connected
114 organization if more than fifty percent of the persons making contributions to the committee
115 during the current calendar year are members, officers, directors, employees or security holders
116 of such organization or their spouses;

117 (12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or
118 anything of value for the purpose of supporting or opposing the nomination or election of any
119 candidate for public office or the qualification, passage or defeat of any ballot measure, or for
120 the support of any committee supporting or opposing candidates or ballot measures or for paying
121 debts or obligations of any candidate or committee previously incurred for the above purposes.
122 A contribution of anything of value shall be deemed to have a money value equivalent to the fair
123 market value. "Contribution" includes, but is not limited to:

124 (a) A candidate's own money or property used in support of the person's candidacy other
125 than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the
126 filing for public office;

127 (b) Payment by any person, other than a candidate or committee, to compensate another
128 person for services rendered to that candidate or committee;

129 (c) Receipts from the sale of goods and services, including the sale of advertising space
130 in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets
131 or political merchandise;

132 (d) Receipts from fund-raising events including testimonial affairs;

133 (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other
134 obligation by a third party, or payment of a loan or debt or other obligation by a third party if the

loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision [(4)] (5) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(13) "County", any one of the several counties of this state or the city of St. Louis;

(14) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(15) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party

committee at which that party's candidate or candidates for public office are officially selected.
A primary election and the succeeding general election shall be considered separate elections;

(16) **"Electronic means", any instrument, device, or service that facilitates an electronic withdrawal of funds from a bank account including, but not limited to, credit cards, debit cards, and the presentation of a credit or debit card account number;**

(17) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to

207 its directors, officers, members, employees or security holders, provided that the cost incurred
208 is reported pursuant to subsection 2 of section 130.051;

209 c. Repayment of a loan, but such repayment shall be indicated in required reports;

210 d. The rendering of voluntary personal services by an individual of the sort commonly
211 performed by volunteer campaign workers and the payment by such individual of the individual's
212 necessary and ordinary personal expenses incidental to such volunteer activity, provided no
213 compensation is, directly or indirectly, asked or given;

214 e. The costs incurred by any connected organization listed pursuant to subdivision [(4)]
215 (5) of subsection 5 of section 130.021 for establishing, administering or maintaining a
216 committee, or for the solicitation of contributions to a committee which solicitation is solely
217 directed or related to the members, officers, directors, employees or security holders of the
218 connected organization;

219 f. The use of a candidate's own money or property for expense of the candidate's personal
220 food, lodging, travel, and payment of any fee necessary to the filing for public office, if such
221 expense is not reimbursed to the candidate from any source;

222 [(17)] (18) "Exploratory committees", a committee which shall be formed by an
223 individual to receive contributions and make expenditures on behalf of this individual in
224 determining whether or not the individual seeks elective office. Such committee shall terminate
225 no later than December thirty-first of the year prior to the general election for the possible office;

226 [(18)] (19) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee,
227 testimonial, rally, auction or similar affair through which contributions are solicited or received
228 by such means as the purchase of tickets, payment of attendance fees, donations for prizes or
229 through the purchase of goods, services or political merchandise;

230 [(19)] (20) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure
231 in a form other than money;

232 [(20)] (21) "Labor organization", any organization of any kind, or any agency or
233 employee representation committee or plan, in which employees participate and which exists for
234 the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes,
235 wages, rates of pay, hours of employment, or conditions of work;

236 [(21)] (22) "Loan", a transfer of money, property or anything of ascertainable monetary
237 value in exchange for an obligation, conditional or not, to repay in whole or in part and which
238 was contracted, used, or intended for use in an election campaign, or which was made or
239 received by a committee or which was contracted, used, or intended to pay previously incurred
240 campaign debts or obligations of a candidate or the debts or obligations of a committee;

241 [(22)] (23) "Person", an individual, group of individuals, corporation, partnership,
242 committee, proprietorship, joint venture, any department, agency, board, institution or other

243 entity of the state or any of its political subdivisions, union, labor organization, trade or
244 professional or business association, association, political party or any executive committee
245 thereof, or any other club or organization however constituted or any officer or employee of such
246 entity acting in the person's official capacity;

247 ~~[(23)]~~ **(24)** "Political merchandise", goods such as bumper stickers, pins, hats, ties,
248 jewelry, literature, or other items sold or distributed at a fund-raising event or to the general
249 public for publicity or for the purpose of raising funds to be used in supporting or opposing a
250 candidate for nomination or election or in supporting or opposing the qualification, passage or
251 defeat of a ballot measure;

252 ~~[(24)]~~ **(25)** "Political party", a political party which has the right under law to have the
253 names of its candidates listed on the ballot in a general election;

254 ~~[(25)]~~ **(26)** "Political party committee", a state, district, county, city, or area committee
255 of a political party, as defined in section 115.603, which may be organized as a not-for-profit
256 corporation under Missouri law, and which committee is of continuing existence, and has the
257 primary or incidental purpose of receiving contributions and making expenditures to influence
258 or attempt to influence the action of voters on behalf of the political party;

259 ~~[(26)]~~ **(27)** "Public office" or "office", any state, judicial, county, municipal, school or
260 other district, ward, township, or other political subdivision office or any political party office
261 which is filled by a vote of registered voters;

262 ~~[(27)]~~ **(28)** "Regular session", includes that period beginning on the first Wednesday after
263 the first Monday in January and ending following the first Friday after the second Monday in
264 May;

265 ~~[(28)]~~ **(29)** "Write-in candidate", an individual whose name is not printed on the ballot
266 but who otherwise meets the definition of candidate in subdivision (3) of this section.

130.021. 1. Every committee shall have a treasurer who, except as provided in
2 subsection 10 of this section, shall be a resident of this state and reside in the district or county
3 in which the committee sits. A committee may also have a deputy treasurer who, except as
4 provided in subsection 10 of this section, shall be a resident of this state and reside in the district
5 or county in which the committee sits, to serve in the capacity of committee treasurer in the event
6 the committee treasurer is unable for any reason to perform the treasurer's duties.

7 2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed
8 a statement of exemption pursuant to that subsection and every candidate for offices listed in
9 subsection 6 of section 130.016 who is not excluded from filing a statement of organization and
10 disclosure reports pursuant to subsection 6 of section 130.016 shall form a candidate committee
11 and appoint a treasurer. Thereafter, all contributions on hand and all further contributions
12 received by such candidate and any of the candidate's own funds to be used in support of the

13 person's candidacy shall be deposited in a candidate committee depository account established
14 pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made
15 through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing
16 in this chapter shall prevent a candidate from appointing himself or herself as a committee of one
17 and serving as the person's own treasurer, maintaining the candidate's own records and filing all
18 the reports and statements required to be filed by the treasurer of a candidate committee.

19 3. A candidate who has more than one candidate committee supporting the person's
20 candidacy shall designate one of those candidate committees as the committee responsible for
21 consolidating the aggregate contributions to all such committees under the candidate's control
22 and direction as required by section 130.041.

23 4. (1) Every committee shall have a single official fund depository within this state
24 which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan
25 association, or a federally or state-chartered credit union in which the committee shall open and
26 thereafter maintain at least one official depository account in its own name. An "official
27 depository account" shall be a checking account or some type of negotiable draft or negotiable
28 order of withdrawal account, and the official fund depository shall, regarding an official
29 depository account, be a type of financial institution which provides a record of deposits,
30 cancelled checks or other cancelled instruments of withdrawal evidencing each transaction by
31 maintaining copies within this state of such instruments and other transactions. All contributions
32 which the committee receives in money, checks and other negotiable instruments shall be
33 deposited in a committee's official depository account. Contributions shall not be accepted and
34 expenditures shall not be made by a committee except by or through an official depository
35 account and the committee treasurer, deputy treasurer, or candidate; **however, a committee may**
36 **utilize a credit card or debit card in the name of the committee when authorized by the**
37 **treasurer, deputy treasurer, or candidate provided that, all expenditures made by the**
38 **committee through a credit card are paid through the official depository account.**
39 Contributions received by a committee shall not be commingled with any funds of an agent of
40 the committee, a candidate or any other person, except that contributions from a candidate of the
41 candidate's own funds to the person's candidate committee shall be deposited to an official
42 depository account of the person's candidate committee. No expenditure shall be made by a
43 committee when the office of committee treasurer is vacant except that when the office of a
44 candidate committee treasurer is vacant, the candidate shall be the treasurer until the candidate
45 appoints a new treasurer.

46 (2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a
47 committee's official depository account and deposit such funds in one or more savings accounts
48 in the committee's name in any bank, savings and loan association or credit union within this

49 state, and may also withdraw funds from an official depository account for investment in the
50 committee's name in any certificate of deposit, bond or security. Proceeds from interest or
51 dividends from a savings account or other investment or proceeds from withdrawals from a
52 savings account or from the sale of an investment shall not be expended or reinvested, except
53 in the case of renewals of certificates of deposit, without first redepositing such proceeds in an
54 official depository account. Investments, other than savings accounts, held outside the
55 committee's official depository account at any time during a reporting period shall be disclosed
56 by description, amount, any identifying numbers and the name and address of any institution or
57 person in which or through which it is held in an attachment to disclosure reports the committee
58 is required to file. Proceeds from an investment such as interest or dividends or proceeds from
59 its sale, shall be reported by date and amount. In the case of the sale of an investment, the names
60 and addresses of the persons involved in the transaction shall also be stated. Funds held in
61 savings accounts and investments, including interest earned, shall be included in the report of
62 money on hand as required by section 130.041.

63 (3) Notwithstanding any other provision of law to the contrary, funds held in candidate
64 committees, campaign committees, debt service committees, and exploratory committees shall
65 be liquid such that these funds shall be readily available for the specific and limited purposes
66 allowed by law. These funds may be invested only in short-term treasury instruments or
67 short-term bank certificates with durations of one year or less, or that allow the removal of funds
68 at any time without any additional financial penalty other than the loss of interest income.
69 Continuing committees, political party committees, and other committees such as out-of-state
70 committees not formed for the benefit of any single candidate or ballot issue shall not be subject
71 to the provisions of this subdivision. This subdivision shall not be interpreted to restrict the
72 placement of funds in an interest-bearing checking account.

73 5. The treasurer or deputy treasurer acting on behalf of any person or organization or
74 group of persons which is a committee by virtue of the definitions of committee in section
75 130.011 and any candidate who is not excluded from forming a committee in accordance with
76 the provisions of section 130.016 shall file a statement of organization with the appropriate
77 officer within twenty days after the person or organization becomes a committee but no later than
78 the date for filing the first report required pursuant to the provisions of section 130.046. The
79 statement of organization shall contain the following information:

80 (1) The name, mailing address and telephone number, if any, of the committee filing the
81 statement of organization. If the committee is deemed to be affiliated with a connected
82 organization as provided in subdivision (11) of section 130.011, the name of the connected
83 organization, or a legally registered fictitious name which reasonably identifies the connected

84 organization, shall appear in the name of the committee. If the committee is a candidate
85 committee, the name of the candidate shall be a part of the committee's name;

86 (2) The name, mailing address and telephone number of the candidate;

87 (3) The name, mailing address and telephone number of the committee treasurer, and the
88 name, mailing address and telephone number of its deputy treasurer if the committee has named
89 a deputy treasurer;

90 (4) The names, mailing addresses and titles of its officers, if any;

91 (5) The name and mailing address of any connected organizations with which the
92 committee is affiliated;

93 (6) The name and mailing address of its depository, ~~and~~ the name and account number
94 of each account the committee has in the depository, **and the account number and issuer of**
95 **any credit card in the committee's name**. The account number of each account shall be
96 redacted prior to disclosing the statement to the public;

97 (7) Identification of the major nature of the committee such as a candidate committee,
98 campaign committee, continuing committee, political party committee, incumbent committee,
99 or any other committee according to the definition of committee in section 130.011;

100 (8) In the case of the candidate committee designated in subsection 3 of this section, the
101 full name and address of each other candidate committee which is under the control and direction
102 of the same candidate, together with the name, address and telephone number of the treasurer of
103 each such other committee;

104 (9) The name and office sought of each candidate supported or opposed by the
105 committee;

106 (10) The ballot measure concerned, if any, and whether the committee is in favor of or
107 opposed to such measure.

108 6. A committee may omit the information required in subdivisions (9) and (10) of
109 subsection 5 of this section if, on the date on which it is required to file a statement of
110 organization, the committee has not yet determined the particular candidates or particular ballot
111 measures it will support or oppose.

112 7. A committee which has filed a statement of organization and has not terminated shall
113 not be required to file another statement of organization, except that when there is a change in
114 any of the information previously reported as required by subdivisions (1) to (8) of subsection
115 5 of this section an amended statement of organization shall be filed within twenty days after the
116 change occurs, but no later than the date of the filing of the next report required to be filed by
117 that committee by section 130.046.

118 8. Upon termination of a committee, a termination statement indicating dissolution shall
119 be filed not later than ten days after the date of dissolution with the appropriate officer or officers

with whom the committee's statement of organization was filed. The termination statement shall include: the distribution made of any remaining surplus funds and the disposition of any deficits; and the name, mailing address and telephone number of the individual responsible for preserving the committee's records and accounts as required in section 130.036.

9. Any statement required by this section shall be signed and attested by the committee treasurer or deputy treasurer, and by the candidate in the case of a candidate committee.

10. A committee domiciled outside this state shall be required to file a statement of organization and appoint a treasurer residing in this state and open an account in a depository within this state; provided that either of the following conditions prevails:

(1) The aggregate of all contributions received from persons domiciled in this state exceeds twenty percent in total dollar amount of all funds received by the committee in the preceding twelve months; or

(2) The aggregate of all contributions and expenditures made to support or oppose candidates and ballot measures in this state exceeds one thousand five hundred dollars in the current calendar year.

11. If a committee domiciled in this state receives a contribution of one thousand five hundred dollars or more from any committee domiciled outside of this state, the committee domiciled in this state shall file a disclosure report with the commission. The report shall disclose the full name, mailing address, telephone numbers and domicile of the contributing committee and the date and amount of the contribution. The report shall be filed within forty-eight hours of the receipt of such contribution if the contribution is received after the last reporting date before the election.

12. Each legislative and senatorial district committee shall retain only one address in the district it sits for the purpose of receiving contributions.

130.031. 1. No contribution of cash in an amount of more than one hundred dollars shall be made by or accepted from any single contributor for any election by a continuing committee, a campaign committee, a political party committee, an exploratory committee or a candidate committee.

2. ~~[Except for expenditures from a petty cash fund which is established and maintained by withdrawals of funds from the committee's depository account and with records maintained pursuant to the record-keeping requirements of section 130.036 to account for expenditures made from petty cash,]~~ Each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by check **signed by the committee treasurer, deputy treasurer, or candidate or by other electronic means authorized by the treasurer, deputy treasurer, or candidate** and drawn on the committee's depository ~~[and signed by the committee treasurer, deputy treasurer or candidate]~~ **or credit card in the name of the committee and authorized by the**

13 **treasurer, deputy treasurer, or candidate.** A single expenditure ~~[from a petty]~~ of cash ~~[fund]~~
14 shall not exceed fifty dollars, and the aggregate of all expenditures ~~[from a petty]~~ of cash ~~[fund]~~
15 during a calendar year shall not exceed the lesser of five thousand dollars or ten percent of all
16 expenditures made by the committee during that calendar year. ~~[A check made payable to "cash"~~
17 ~~shall not be made except to replenish a petty cash fund.]~~

18 3. No contribution shall be made or accepted and no expenditure shall be made or
19 incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or
20 through another person in such a manner as to conceal the identity of the actual source of the
21 contribution or the actual recipient and purpose of the expenditure. Any person who receives
22 contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or
23 candidate the recipient's own name and address and the name and address of the actual source
24 of each contribution such person has received for that committee. Any person who makes
25 expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or
26 candidate such person's own name and address, the name and address of each person to whom
27 an expenditure has been made and the amount and purpose of the expenditures the person has
28 made for that committee.

29 4. No anonymous contribution of more than twenty-five dollars shall be made by any
30 person, and no anonymous contribution of more than twenty-five dollars shall be accepted by any
31 candidate or committee. If any anonymous contribution of more than twenty-five dollars is
32 received, it shall be returned immediately to the contributor, if the contributor's identity can be
33 ascertained, and if the contributor's identity cannot be ascertained, the candidate, committee
34 treasurer or deputy treasurer shall immediately transmit that portion of the contribution which
35 exceeds twenty-five dollars to the state treasurer and it shall escheat to the state.

36 5. The maximum aggregate amount of anonymous contributions which shall be accepted
37 in any calendar year by any committee shall be the greater of five hundred dollars or one percent
38 of the aggregate amount of all contributions received by that committee in the same calendar
39 year. If any anonymous contribution is received which causes the aggregate total of anonymous
40 contributions to exceed the foregoing limitation, it shall be returned immediately to the
41 contributor, if the contributor's identity can be ascertained, and, if the contributor's identity
42 cannot be ascertained, the committee treasurer, deputy treasurer or candidate shall immediately
43 transmit the anonymous contribution to the state treasurer to escheat to the state.

44 6. Notwithstanding the provisions of subsection 5 of this section, contributions from
45 individuals whose names and addresses cannot be ascertained which are received from a
46 fund-raising activity or event, such as defined in section 130.011, shall not be deemed
47 anonymous contributions, provided the following conditions are met:

48 (1) There are twenty-five or more contributing participants in the activity or event;

49 (2) The candidate, committee treasurer, deputy treasurer or the person responsible for
50 conducting the activity or event makes an announcement that it is illegal for anyone to make or
51 receive a contribution in excess of one hundred dollars unless the contribution is accompanied
52 by the name and address of the contributor;

53 (3) The person responsible for conducting the activity or event does not knowingly
54 accept payment from any single person of more than one hundred dollars unless the name and
55 address of the person making such payment is obtained and recorded pursuant to the
56 record-keeping requirements of section 130.036;

57 (4) A statement describing the event shall be prepared by the candidate or the treasurer
58 of the committee for whom the funds were raised or by the person responsible for conducting the
59 activity or event and attached to the disclosure report of contributions and expenditures required
60 by section 130.041. The following information to be listed in the statement is in addition to, not
61 in lieu of, the requirements elsewhere in this chapter relating to the recording and reporting of
62 contributions and expenditures:

63 (a) The name and mailing address of the person or persons responsible for conducting
64 the event or activity and the name and address of the candidate or committee for whom the funds
65 were raised;

66 (b) The date on which the event occurred;

67 (c) The name and address of the location where the event occurred and the approximate
68 number of participants in the event;

69 (d) A brief description of the type of event and the fund-raising methods used;

70 (e) The gross receipts from the event and a listing of the expenditures incident to the
71 event;

72 (f) The total dollar amount of contributions received from the event from participants
73 whose names and addresses were not obtained with such contributions and an explanation of
74 why it was not possible to obtain the names and addresses of such participants;

75 (g) The total dollar amount of contributions received from contributing participants in
76 the event who are identified by name and address in the records required to be maintained
77 pursuant to section 130.036.

78 7. No candidate or committee in this state shall accept contributions from any
79 out-of-state committee unless the out-of-state committee from whom the contributions are
80 received has filed a statement of organization pursuant to section 130.021 or has filed the reports
81 required by sections 130.049 and 130.050, whichever is applicable to that committee.

82 8. Any person publishing, circulating, or distributing any printed matter relative to any
83 candidate for public office or any ballot measure shall on the face of the printed matter identify
84 in a clear and conspicuous manner the person who paid for the printed matter with the words

85 "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For
86 the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular,
87 handbill, sample ballot, advertisement, including advertisements in any newspaper or other
88 periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered
89 material; but "printed matter" is defined to exclude materials printed and purchased prior to May
90 20, 1982, if the candidate or committee can document that delivery took place prior to May 20,
91 1982; any sign personally printed and constructed by an individual without compensation from
92 any other person and displayed at that individual's place of residence or on that individual's
93 personal motor vehicle; any items of personal use given away or sold, such as campaign buttons,
94 pins, pens, pencils, book matches, campaign jewelry, or clothing, which is paid for by a
95 candidate or committee which supports a candidate or supports or opposes a ballot measure and
96 which is obvious in its identification with a specific candidate or committee and is reported as
97 required by this chapter; and any news story, commentary, or editorial printed by a regularly
98 published newspaper or other periodical without charge to a candidate, committee or any other
99 person.

100 (1) In regard to any printed matter paid for by a candidate from the candidate's personal
101 funds, it shall be sufficient identification to print the first and last name by which the candidate
102 is known.

103 (2) In regard to any printed matter paid for by a committee, it shall be sufficient
104 identification to print the name of the committee as required to be registered by subsection 5 of
105 section 130.021 and the name and title of the committee treasurer who was serving when the
106 printed matter was paid for.

107 (3) In regard to any printed matter paid for by a corporation or other business entity,
108 labor organization, or any other organization not defined to be a committee by subdivision (7)
109 of section 130.011 and not organized especially for influencing one or more elections, it shall
110 be sufficient identification to print the name of the entity, the name of the principal officer of the
111 entity, by whatever title known, and the mailing address of the entity, or if the entity has no
112 mailing address, the mailing address of the principal officer.

113 (4) In regard to any printed matter paid for by an individual or individuals, it shall be
114 sufficient identification to print the name of the individual or individuals and the respective
115 mailing address or addresses, except that if more than five individuals join in paying for printed
116 matter it shall be sufficient identification to print the words "For a list of other sponsors contact:"
117 followed by the name and address of one such individual responsible for causing the matter to
118 be printed, and the individual identified shall maintain a record of the names and amounts paid
119 by other individuals and shall make such record available for review upon the request of any

120 person. No person shall accept for publication or printing nor shall such work be completed until
121 the printed matter is properly identified as required by this subsection.

122 9. Any broadcast station transmitting any matter relative to any candidate for public
123 office or ballot measure as defined by this chapter shall identify the sponsor of such matter as
124 required by federal law.

125 10. The provisions of subsection 8 or 9 of this section shall not apply to candidates for
126 elective federal office, provided that persons causing matter to be printed or broadcast
127 concerning such candidacies shall comply with the requirements of federal law for identification
128 of the sponsor or sponsors.

129 11. It shall be a violation of this chapter for any person required to be identified as
130 paying for printed matter pursuant to subsection 8 of this section or paying for broadcast matter
131 pursuant to subsection 9 of this section to refuse to provide the information required or to
132 purposely provide false, misleading, or incomplete information.

133 12. It shall be a violation of this chapter for any committee to offer chances to win prizes
134 or money to persons to encourage such persons to endorse, send election material by mail,
135 deliver election material in person or contact persons at their homes; except that, the provisions
136 of this subsection shall not be construed to prohibit hiring and paying a campaign staff.

130.036. 1. The candidate, treasurer or deputy treasurer of a committee shall maintain
2 accurate records and accounts on a current basis. The records and accounts shall be maintained
3 in accordance with accepted normal bookkeeping procedures and shall contain the bills, receipts,
4 deposit records, cancelled checks, **credit card statements and records**, and other detailed
5 information necessary to prepare and substantiate any statement or report required to be filed
6 pursuant to this chapter. Every person who acts as an agent for a committee in receiving
7 contributions, making expenditures or incurring indebtedness for the committee shall, on request
8 of that committee's treasurer, deputy treasurer or candidate, but in any event within five days
9 after any such action, render to the candidate, committee treasurer or deputy treasurer a detailed
10 account thereof, including names, addresses, dates, exact amounts and any other details required
11 by the candidate, treasurer or deputy treasurer to comply with this chapter. Notwithstanding the
12 provisions of subsection 4 of section 130.021 prohibiting commingling of funds, an individual,
13 trade or professional association, business entity, or labor organization which acts as an agent
14 for a committee in receiving contributions may deposit contributions received on behalf of the
15 committee to the agent's account within a financial institution within this state, for purposes of
16 facilitating transmittal of the contributions to the candidate, committee treasurer or deputy
17 treasurer. Such contributions shall not be held in the agent's account for more than five days
18 after the date the contribution was received by the agent, and shall not be transferred to the
19 account of any other agent or person, other than the committee treasurer.

20 2. Unless a contribution is rejected by the candidate or committee and returned to the
21 donor or transmitted to the state treasurer within ten business days after its receipt, it shall be
22 considered received and accepted on the date received, notwithstanding the fact that it was not
23 deposited by the closing date of a reporting period.

24 3. Notwithstanding the provisions of section 130.041 that only contributors of more than
25 one hundred dollars shall be reported by name and address for all committees, the committee's
26 records shall contain a listing of each contribution received by the committee, including those
27 accepted and those which are rejected and either returned to the donor or transmitted to the state
28 treasurer. Each contribution, regardless of the amount, shall be recorded by date received, name
29 and address of the contributor and the amount of the contribution, except that any contributions
30 from unidentifiable persons which are received through fund-raising activities and events as
31 permitted in subsection 6 of section 130.031 shall be recorded to show the dates and amounts
32 of all such contributions received together with information contained in statements required by
33 subsection 6 of section 130.031. The procedure for recording contributions shall be of a type
34 which enables the candidate, committee treasurer or deputy treasurer to maintain a continuing
35 total of all contributions received from any one contributor.

36 4. ~~[Notwithstanding the provisions of section 130.041 that certain expenditures need not~~
37 ~~be identified in reports by name and address of the payee,]~~ The committee's records shall include
38 a listing of each expenditure made and each contract, promise or agreement to make an
39 expenditure, showing the date and amount of each transaction, the name and address of the
40 person to whom the expenditure was made or promised, and the purpose of each expenditure
41 made or promised.

42 5. In the case of a committee which makes expenditures for both the support or
43 opposition of any candidate and the passage or defeat of a ballot measure, the committee
44 treasurer shall maintain records segregated according to each candidate or measure for which the
45 expenditures were made.

46 6. Records shall indicate which transactions, either contributions received or
47 expenditures made, were cash transactions or in-kind transactions.

48 7. Any candidate who, pursuant to section 130.016, is exempt from the requirements to
49 form a committee shall maintain records of each contribution received or expenditure made in
50 support of his **or her** candidacy. Any other person or combination of persons who, although not
51 deemed to be a committee according to the definition of the term "committee" in section
52 130.011, accepts contributions or makes expenditures, other than direct contributions from the
53 person's own funds, for the purpose of supporting or opposing the election or defeat of any
54 candidate or for the purpose of supporting or opposing the qualifications, passage or defeat of
55 any ballot measure shall maintain records of each contribution received or expenditure made.

56 The records shall include name, address and amount pertaining to each contribution received or
57 expenditure made and any bills, receipts, cancelled checks or other documents relating to each
58 transaction.

59 8. All records and accounts of receipts and expenditures shall be preserved for at least
60 three years after the date of the election to which the records pertain. Records and accounts
61 regarding supplemental disclosure reports or reports not required pursuant to an election shall
62 be preserved for at least three years after the date of the report to which the records pertain. Such
63 records shall be available for inspection by the ~~[campaign finance review board]~~ **Missouri ethics**
64 **commission** and its duly authorized representatives.

130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if
2 applicable, treasurer or deputy treasurer of every committee which is required to file a statement
3 of organization, shall file a legibly printed or typed disclosure report of receipts and
4 expenditures. The reports shall be filed with the appropriate officer designated in section
5 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in
6 sections 130.049 and 130.050, each report shall set forth:

7 (1) The full name, as required in the statement of organization pursuant to subsection 5
8 of section 130.021, and mailing address of the committee filing the report and the full name,
9 mailing address and telephone number of the committee's treasurer and deputy treasurer if the
10 committee has named a deputy treasurer;

11 (2) The amount of money, including cash on hand at the beginning of the reporting
12 period;

13 (3) Receipts for the period, including:

14 (a) Total amount of all monetary contributions received which can be identified in the
15 committee's records by name and address of each contributor. In addition, the candidate
16 committee shall make a reasonable effort to obtain and report the employer, or occupation if
17 self-employed or notation of retirement, of each person from whom the committee received one
18 or more contributions which in the aggregate total in excess of one hundred dollars and shall
19 make a reasonable effort to obtain and report a description of any contractual relationship over
20 five hundred dollars between the contributor and the state if the candidate is seeking election to
21 a state office or between the contributor and any political subdivision of the state if the candidate
22 is seeking election to another political subdivision of the state;

23 (b) Total amount of all anonymous contributions accepted;

24 (c) Total amount of all monetary contributions received through fund-raising events or
25 activities from participants whose names and addresses were not obtained with such
26 contributions, with an attached statement or copy of the statement describing each fund-raising
27 event as required in subsection 6 of section 130.031;

- 28 (d) Total dollar value of all in-kind contributions received;
- 29 (e) A separate listing by name and address and employer, or occupation if self-employed
30 or notation of retirement, of each person from whom the committee received contributions, in
31 money or any other thing of value, aggregating more than one hundred dollars, together with the
32 date and amount of each such contribution;
- 33 (f) A listing of each loan received by name and address of the lender and date and
34 amount of the loan. For each loan of more than one hundred dollars, a separate statement shall
35 be attached setting forth the name and address of the lender and each person liable directly,
36 indirectly or contingently, and the date, amount and terms of the loan;
- 37 (4) Expenditures for the period, including:
- 38 (a) The total dollar amount of expenditures made by check drawn on the committee's
39 depository;
- 40 (b) The total dollar amount of expenditures made in cash;
- 41 (c) The total dollar value of all in-kind expenditures made;
- 42 (d) **The total dollar amount of expenditures made via electronic means;**
- 43 (e) The full name and mailing address of each person to whom an expenditure of money
44 or any other thing of value in the amount of more than one hundred dollars has been made,
45 contracted for or incurred, together with the date, amount and purpose of each expenditure.
46 Expenditures of one hundred dollars or less may be grouped and listed by categories of
47 expenditure showing the total dollar amount of expenditures in each category, except that the
48 report shall contain an itemized listing of each payment made to campaign workers by name,
49 address, date, amount and purpose of each payment and the aggregate amount paid to each such
50 worker; **and**
- 51 ~~[(e)]~~ (f) A list of each loan made, by name and mailing address of the person receiving
52 the loan, together with the amount, terms and date;
- 53 (5) The total amount of cash on hand as of the closing date of the reporting period
54 covered, including amounts in depository accounts and in petty cash fund;
- 55 (6) The total amount of outstanding indebtedness as of the closing date of the reporting
56 period covered;
- 57 (7) The amount of expenditures for or against a candidate or ballot measure during the
58 period covered and the cumulative amount of expenditures for or against that candidate or ballot
59 measure, with each candidate being listed by name, mailing address and office sought. For the
60 purpose of disclosure reports, expenditures made in support of more than one candidate or ballot
61 measure or both shall be apportioned reasonably among the candidates or ballot measure or both.
62 In apportioning expenditures to each candidate or ballot measure, political party committees and
63 continuing committees need not include expenditures for maintaining a permanent office, such

64 as expenditures for salaries of regular staff, office facilities and equipment or other expenditures
65 not designed to support or oppose any particular candidates or ballot measures; however, all such
66 expenditures shall be listed pursuant to subdivision (4) of this subsection;

67 (8) A separate listing by full name and address of any committee including a candidate
68 committee controlled by the same candidate for which a transfer of funds or a contribution in any
69 amount has been made during the reporting period, together with the date and amount of each
70 such transfer or contribution;

71 (9) A separate listing by full name and address of any committee, including a candidate
72 committee controlled by the same candidate from which a transfer of funds or a contribution in
73 any amount has been received during the reporting period, together with the date and amount of
74 each such transfer or contribution;

75 (10) Each committee that receives a contribution which is restricted or designated in
76 whole or in part by the contributor for transfer to a particular candidate, committee or other
77 person shall include a statement of the name and address of that contributor in the next disclosure
78 report required to be filed after receipt of such contribution, together with the date and amount
79 of any such contribution which was so restricted or designated by that contributor, together with
80 the name of the particular candidate or committee to whom such contribution was so designated
81 or restricted by that contributor and the date and amount of such contribution.

82 2. For the purpose of this section and any other section in this chapter except sections
83 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified
84 amount, the aggregate amount shall be computed by adding all contributions received from any
85 one person during the following periods:

86 (1) In the case of a candidate committee, the period shall begin on the date on which the
87 candidate became a candidate according to the definition of the term "candidate" in section
88 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an
89 election or at 11:59 p.m. on the day of the general election. If the candidate has a general
90 election held after a primary election, the next aggregating period shall begin at 12:00 midnight
91 on the day after the primary election day and shall close at 11:59 p.m. on the day of the general
92 election. Except that for contributions received during the thirty-day period immediately
93 following a primary election, the candidate shall designate whether such contribution is received
94 as a primary election contribution or a general election contribution;

95 (2) In the case of a campaign committee, the period shall begin on the date the committee
96 received its first contribution and end on the closing date for the period for which the report or
97 statement is required;

98 (3) In the case of a political party committee or a continuing committee, the period shall
99 begin on the first day of January of the year in which the report or statement is being filed and

100 end on the closing date for the period for which the report or statement is required; except, if the
101 report or statement is required to be filed prior to the first day of July in any given year, the
102 period shall begin on the first day of July of the preceding year.

103 3. The disclosure report shall be signed and attested by the committee treasurer or deputy
104 treasurer and by the candidate in case of a candidate committee.

105 4. The words "consulting or consulting services, fees, or expenses", or similar words,
106 shall not be used to describe the purpose of a payment as required in this section. The reporting
107 of any payment to such an independent contractor shall be on a form supplied by the appropriate
108 officer, established by the ethics commission and shall include identification of the specific
109 service or services provided including, but not limited to, public opinion polling, research on
110 issues or opposition background, print or broadcast media production, print or broadcast media
111 purchase, computer programming or data entry, direct mail production, postage, rent, utilities,
112 phone solicitation, or fund raising, and the dollar amount prorated for each service.

140.981. 1. ~~[Any home rule city with more than seventy-one thousand but fewer than~~
2 ~~seventy-nine thousand inhabitants]~~ **The following cities** may establish a land bank agency for
3 the management, sale, transfer, and other disposition of interests in real estate owned by such
4 land bank agency:

5 **(1) Any home rule city with more than seventy-one thousand but fewer than**
6 **seventy-nine thousand inhabitants; or**

7 **(2) Any home rule city with more than one hundred fifty-five thousand but fewer**
8 **than two hundred thousand inhabitants.**

9
10 Any such land bank agency shall be established to foster the public purpose of returning land,
11 including land that is in a nonrevenue-generating, nontax-producing status, to use in private
12 ownership. A city may establish a land bank agency by ordinance, resolution, or rule, as
13 applicable.

14 2. A land bank agency shall not own any interest in real estate located wholly or partially
15 outside the city that established the land bank.

16 3. The beneficiaries of the land bank agency shall be the taxing authorities that held or
17 owned tax bills against the respective parcels of real estate acquired by such land bank agency
18 pursuant to a sale conducted under section 140.190, 140.240, or 140.250, and their respective
19 interests in each parcel of real estate shall be to the extent and in proportion to the priorities
20 determined by the court on the basis that the principal amount of their respective tax bills bore
21 to the total principal amount of all of the tax bills described in the judgment.

22 4. A land bank agency created under the land bank act shall be a public body corporate
23 and politic and shall have permanent and perpetual duration until terminated and dissolved in
24 accordance with the provisions of section 140.1012.

 162.291. The voters of each seven-director district other than urban districts shall, at
2 municipal elections, elect two directors who are citizens of the United States and resident
3 taxpayers of the district, who have resided in this state for one year next preceding their election
4 or appointment, and who are ~~[at least twenty-four years of age]~~ **twenty-one years of age or**
5 **older.**

 190.050. 1. After the ambulance district has been declared organized, the declaring
2 county commission, except in counties of the second class having more than one hundred five
3 thousand inhabitants located adjacent to a county of the first class having a charter form of
4 government which has a population of over nine hundred thousand inhabitants, shall divide the
5 district into six election districts as equal in population as possible, and shall by lot number the
6 districts from one to six inclusive. The county commission shall cause an election to be held in
7 the ambulance district within ninety days after the order establishing the ambulance district to
8 elect ambulance district directors. Each voter shall vote for one director from the ambulance
9 election district in which the voter resides. The directors elected from districts one and four shall
10 serve for a term of one year, the directors elected from districts two and five shall serve for a
11 term of two years, and the directors from districts three and six shall serve for a term of three
12 years; thereafter, the terms of all directors shall be three years. All directors shall serve the term
13 to which they were elected or appointed, and until their successors are elected and qualified,
14 except in cases of resignation or disqualification. The county commission shall reapportion the
15 ambulance districts within sixty days after the population of the county is reported to the
16 governor for each decennial census of the United States. Notwithstanding any other provision
17 of law, if the number of candidates for the office of director is no greater than the number of
18 directors to be elected, no election shall be held, and the candidates shall assume the
19 responsibilities of their offices at the same time and in the same manner as if they have been
20 elected.

21 2. In all counties of the second class having more than one hundred five thousand
22 inhabitants located adjacent to a county of the first class having a charter form of government
23 which has a population of over nine hundred thousand inhabitants, the voters shall vote for six
24 directors elected at large from within the district for a term of three years. Those directors
25 holding office in any district in such a county on August 13, 1976, shall continue to hold office
26 until the expiration of their terms, and their successors shall be elected from the district at large
27 for a term of three years. In any district formed in such counties after August 13, 1976, the
28 governing body of the county shall cause an election to be held in that district within ninety days

29 after the order establishing the ambulance district to elect ambulance district directors. Each
30 voter shall vote for six directors. The two candidates receiving the highest number of votes at
31 such election shall be elected for a term of three years, the two candidates receiving the third and
32 fourth highest number of votes shall be elected for a term of two years, the two candidates
33 receiving the fifth and sixth highest number of votes shall be elected for a term of one year;
34 thereafter, the term of all directors shall be three years.

35 3. A candidate for director of the ambulance district shall, at the time of filing, be a
36 citizen of the United States, a qualified voter of the election district as provided in subsection 1
37 of this section, a resident of the district for two years next preceding the election, and shall be
38 ~~[at least twenty-four years of age]~~ **twenty-one years of age or older**. In an established district
39 which is located within the jurisdiction of more than one election authority, the candidate shall
40 file his or her declaration of candidacy with the secretary of the board. In all other districts, a
41 candidate shall file a declaration of candidacy with the county clerk of the county in which he
42 or she resides. A candidate shall file a statement under oath that he or she possesses the required
43 qualifications. No candidate's name shall be printed on any official ballot unless the candidate
44 has filed a written declaration of candidacy pursuant to subsection 5 of section 115.127. If the
45 time between the county commission's call for a special election and the date of the election is
46 not sufficient to allow compliance with subsection 5 of section 115.127, the county commission
47 shall, at the time it calls the special election, set the closing date for filing declarations of
48 candidacy.

192.027. 1. The provisions of this section shall be known and may be cited as the
2 "True COVID Liability Act".

3 2. The general assembly finds and declares that:

4 (1) Epidemiology is an inexact science and experts in that field hold a diverse set
5 of opinions about how best to deal with contagious diseases from a public policy
6 perspective;

7 (2) Public policy relating to contagious diseases should take into account numerous
8 aspects of life beyond the scope of epidemiology, such as economic, social, spiritual, and
9 mental well-being;

10 (3) Contagious diseases including, but not limited to, COVID-19 tend to be
11 ubiquitous. Because of the prevalence of contagious diseases, exposure is practically
12 unavoidable for most people and likely to occur from multiple sources. It may be virtually
13 impossible to tell where and when exposure occurs;

14 (4) Susceptibility to contagious diseases depends greatly on personal choices and
15 individual characteristics. Hygiene, diet and nutrition, lifestyle, body condition, and other
16 factors may cause some individuals to succumb to exposure to a contagious disease while

17 the same viral load in another individual would be within his or her immune system's
18 ability to fight off;

19 (5) Personal accountability is central to the American ethos;

20 (6) The 2020 response to the COVID-19 pandemic has resulted in questionable use
21 of power by both state and local governments;

22 (7) There is no single public policy solution suitable to everyone's needs and
23 desires;

24 (8) Fear of legal liability associated with COVID-19 has placed pressures on the
25 private sector, resulting in decisions that are not best for the economy or the physical,
26 emotional, or spiritual well-being of Missourians;

27 (9) Government-mandated responses to contagious diseases always place unequal
28 burdens on people with varying circumstances. An edict may be of no great consequence
29 for some individuals but economically or emotionally devastating for other individuals;
30 and

31 (10) The principal office of government is to secure the individual liberty of the
32 people, including the freedom to make choices about how to personally deal with
33 contagious diseases.

34 3. For purposes of this section, the following terms mean:

35 (1) "Contagious disease", global acute infectious respiratory illness that is
36 transmitted by airborne particles, droplets, or bodily fluids;

37 (2) "Extraordinary prevalence", significantly greater prevalence than is typically
38 found in similar political subdivisions within the same time frame.

39 4. Notwithstanding any other provision of law, neither the state nor any political
40 subdivision of the state shall, as a response to a contagious disease:

41 (1) Quarantine an individual, issue a stay-at-home order for an individual, or
42 otherwise isolate an individual if a contagious disease has not been positively identified in
43 the individual;

44 (2) Limit the use of or otherwise lawful activities in any private property or
45 premises under circumstances in which extraordinary prevalence of a contagious disease
46 has not been proven; or

47 (3) Revoke any business license based on an individual's or entity's decision
48 regarding recommendations from a government or scientific entity.

49 5. Notwithstanding any other provision of law, no individual, owner of premises,
50 or any other entity shall be subject to criminal or civil liability in any action alleging
51 exposure to a contagious disease on premises under the control of the individual, owner,
52 or entity unless:

53 **(1) The individual, owner, or entity knowingly and purposely exposed an individual**
54 **to a contagious disease; and**

55 **(2) Such exposure caused the exposed individual to suffer from a clinical disease.**

196.298. 1. As used in this section, the following terms shall mean:

2 (1) "Baked good", includes cookies, cakes, breads, danish, donuts, pastries, pies, and
3 other items that are prepared by baking the item in an oven. A baked good does not include a
4 potentially hazardous food item as defined by department rule;

5 (2) "Cottage food production operation", an individual operation out of the individual's
6 home who:

7 (a) Produces a baked good, a canned jam or jelly, or a dried herb or herb mix for sale at
8 the individual's home; **and**

9 (b) ~~[Has an annual gross income of fifty thousand dollars or less from the sale of food~~
10 ~~described in paragraph (a) of this subdivision; and~~

11 ~~———(e)]~~ Sells the food produced under paragraph (a) of this subdivision only directly to
12 consumers;

13 (3) "Department", the department of health and senior services;

14 (4) "Home", a primary residence that contains a kitchen and appliances designed for
15 common residential usage.

16 2. A cottage food production operation is not a food service establishment and shall not
17 be subject to any health or food code laws or regulations of the state or department other than this
18 section and rules promulgated thereunder for a cottage food production operation.

19 3. (1) A local health department shall not regulate the production of food at a cottage
20 food production operation.

21 (2) Each local health department and the department shall maintain a record of a
22 complaint made by a person against a cottage food production operation.

23 4. The department shall promulgate rules requiring a cottage food production operation
24 to label all of the foods described in this section which the operation intends to sell to consumers.
25 The label shall include the name and address of the cottage food production operation and a
26 statement that the food is not inspected by the department or local health department.

27 5. A cottage food production operation shall not sell any foods described in this section
28 through the internet **unless both the cottage food production operation and the purchaser**
29 **are located in this state.**

30 6. Nothing in this section shall be construed to prohibit the authority of the department
31 of health and senior services or local health departments to conduct an investigation of a food-
32 borne disease or outbreak.

204.610. 1. There shall be five trustees, appointed or elected as provided for in the circuit court decree or amended decree of incorporation for a reorganized common sewer district, who shall reside within the boundaries of the district. Each trustee shall be a voter of the district and shall have resided in said district for twelve months immediately prior to the trustee's election or appointment. A trustee shall be ~~[at least twenty-five years of age]~~ **twenty-one years of age or older** and shall not be delinquent in the payment of taxes at the time of the trustee's election or appointment. Regardless of whether or not the trustees are elected or appointed, in the event the district extends into any county bordering the county in which the greater portion of the district lies, the presiding commissioner or other chief executive officer of the adjoining county shall be an additional member of the board of trustees, or the governing body of such bordering county may appoint a citizen from such county to serve as an additional member of the board of trustees. Said additional trustee shall meet the qualifications set forth in this section for a trustee.

2. The trustees shall receive no compensation for their services but may be compensated for reasonable expenses normally incurred in the performance of their duties. The board of trustees may employ and fix the compensation of such staff as may be necessary to discharge the business and purposes of the district, including clerks, attorneys, administrative assistants, and any other necessary personnel. The board of trustees may employ and fix the duties and compensation of an administrator for the district. The administrator shall be the chief executive officer of the district subject to the supervision and direction of the board of trustees. The administrator of the district may, with the approval of the board of trustees, retain consulting engineers for the district under such terms and conditions as may be necessary to discharge the business and purposes of the district.

3. Except as provided in subsection 1 of this section, the term of office of a trustee shall be five years. The remaining trustees shall appoint a person qualified under this section to fill any vacancy on the board. The initial trustees appointed by the circuit court shall serve until the first Tuesday after the first Monday in June or until the first Tuesday after the first Monday in April, depending upon the resolution of the trustees. In the event that the trustees are elected, said elections shall be conducted by the appropriate election authority under chapter 115. Otherwise, trustees shall be appointed by the county commission in accordance with the qualifications set forth in subsection 1 of this section.

4. Notwithstanding any other provision of law, if there is only one candidate for the post of trustee, then no election shall be held, and the candidate shall assume the responsibilities of office at the same time and in the same manner as if elected. If there is no candidate for the post of trustee, then no election shall be held for that post and it shall be considered vacant, to be filled under the provisions of subsection 3 of this section.

221.105. 1. The governing body of any county and of any city not within a county shall
2 fix the amount to be expended for the cost of incarceration of prisoners confined in jails or
3 medium security institutions. The per diem cost of incarceration of these prisoners chargeable
4 by the law to the state shall be determined, subject to the review and approval of the department
5 of corrections.

6 2. When the final determination of any criminal prosecution shall be such as to render
7 the state liable for costs under existing laws, it shall be the duty of the sheriff to certify to the
8 clerk of the circuit court or court of common pleas in which the case was determined the total
9 number of days any prisoner who was a party in such case remained in the county jail. It shall
10 be the duty of the county commission to supply the cost per diem for county prisons to the clerk
11 of the circuit court on the first day of each year, and thereafter whenever the amount may be
12 changed. It shall then be the duty of the clerk of the court in which the case was determined to
13 include in the bill of cost against the state all fees which are properly chargeable to the state. In
14 any city not within a county it shall be the duty of the superintendent of any facility boarding
15 prisoners to certify to the chief executive officer of such city not within a county the total number
16 of days any prisoner who was a party in such case remained in such facility. It shall be the duty
17 of the superintendents of such facilities to supply the cost per diem to the chief executive officer
18 on the first day of each year, and thereafter whenever the amount may be changed. It shall be
19 the duty of the chief executive officer to bill the state all fees for boarding such prisoners which
20 are properly chargeable to the state. The chief executive may by notification to the department
21 of corrections delegate such responsibility to another duly sworn official of such city not within
22 a county. The clerk of the court of any city not within a county shall not include such fees in the
23 bill of costs chargeable to the state. The department of corrections shall revise its criminal cost
24 manual in accordance with this provision.

25 3. Except as provided under subsection 6 of section 217.718, the actual costs chargeable
26 to the state, including those incurred for a prisoner who is incarcerated in the county jail because
27 the prisoner's parole or probation has been revoked or because the prisoner has, or allegedly has,
28 violated any condition of the prisoner's parole or probation, and such parole or probation is a
29 consequence of a violation of a state statute, or the prisoner is a fugitive from the Missouri
30 department of corrections or otherwise held at the request of the Missouri department of
31 corrections regardless of whether or not a warrant has been issued shall be the actual cost of
32 incarceration not to exceed:

33 (1) Until July 1, 1996, seventeen dollars per day per prisoner;

34 (2) On and after July 1, 1996, twenty dollars per day per prisoner;

35 (3) On and after July 1, 1997, up to thirty-seven dollars and fifty cents per day per
36 prisoner, subject to appropriations~~[-, but not less than the amount appropriated in the previous~~
37 ~~fiscal year].~~

38 4. The presiding judge of a judicial circuit may propose expenses to be reimbursable by
39 the state on behalf of one or more of the counties in that circuit. Proposed reimbursable expenses
40 may include pretrial assessment and supervision strategies for defendants who are ultimately
41 eligible for state incarceration. A county may not receive more than its share of the amount
42 appropriated in the previous fiscal year, inclusive of expenses proposed by the presiding judge.
43 Any county shall convey such proposal to the department, and any such proposal presented by
44 a presiding judge shall include the documented agreement with the proposal by the county
45 governing body, prosecuting attorney, at least one associate circuit judge, and the officer of the
46 county responsible for custody or incarceration of prisoners of the county represented in the
47 proposal. Any county that declines to convey a proposal to the department, pursuant to the
48 provisions of this subsection, shall receive its per diem cost of incarceration for all prisoners
49 chargeable to the state in accordance with the provisions of subsections 1, 2, and 3 of this
50 section.

230.205. 1. The alternative county highway commission provided by sections 230.200
2 to 230.260 shall not become operative in any county unless adopted by a vote of the majority of
3 the voters of the county voting upon the question at an election. All counties of this state which
4 have adopted the alternative county highway commission may abolish it ~~[and return to the county~~
5 ~~highway commission provided for by sections 230.010 to 230.110]~~ by submitting the question
6 to a vote of the voters of the county in the manner provided by law **or by a vote of the**
7 **governing body.**

8 2. Any county which does not adopt the alternative county highway commission
9 provided by sections 230.200 to 230.260, or any county in which ~~[a majority of the voters of the~~
10 ~~county voting upon the question reject]~~ the alternative county highway commission provided by
11 sections 230.200 to 230.260 **is abolished** shall ~~[retain]~~ **adopt either** the county highway
12 commission provided by sections 230.010 to 230.110 **or the provisions of sections 231.010 to**
13 **231.130.**

247.060. 1. The management of the business and affairs of the district is hereby vested
2 in a board of directors, who shall have all the powers conferred upon the district except as herein
3 otherwise provided. It shall be composed of five members, each of whom shall be a voter of the
4 district and shall have resided in said district one whole year immediately prior to his or her
5 election. A member shall be ~~[at least twenty-five years of age]~~ **twenty-one years of age or older**
6 and shall not be delinquent in the payment of taxes at the time of his **or her** election. Except as
7 provided in subsection 2 of this section, the term of office of a member of the board shall be

8 three years. The remaining members of the board shall appoint a qualified person to fill any
9 vacancy on the board. If no qualified person who lives in the subdistrict for which there is a
10 vacancy is willing to serve on the board, the board may appoint an otherwise qualified person
11 who lives in the district but not in the subdistrict in which the vacancy exists to fill such vacancy.

12 2. After notification by certified mail that he or she has two consecutive unexcused
13 absences, any member of the board failing to attend the meetings of the board for three
14 consecutive regular meetings, unless excused by the board for reasons satisfactory to the board,
15 shall be deemed to have vacated the seat, and the secretary of the board shall certify that fact to
16 the board. The vacancy shall be filled as other vacancies occurring in the board.

17 3. The initial members of the board shall be appointed by the circuit court and one shall
18 serve until the immediately following first Tuesday after the first Monday in April, two shall
19 serve until the first Tuesday after the first Monday in April on the second year following their
20 appointment and the remaining appointees shall serve until the first Tuesday after the first
21 Monday in April on the third year following their appointment. On the expiration of such terms
22 and on the expiration of any subsequent term, elections shall be held as otherwise provided by
23 law, and such elections shall be held in April pursuant to section 247.180.

24 4. In 2008, 2009, and 2010, directors elected in such years shall serve from the first
25 Tuesday after the first Monday in June until the first Tuesday in April of the third year following
26 the year of their election. All directors elected thereafter shall serve from the first Tuesday in
27 April until the first Tuesday in April of the third year following the year of their election.

28 5. Each member of the board may receive an attendance fee not to exceed one hundred
29 dollars for attending each regularly called board meeting, or special meeting, but shall not be
30 paid for attending more than two meetings in any calendar month, except that in a county of the
31 first classification, a member shall not be paid for attending more than four meetings in any
32 calendar month. However, no board member shall be paid more than one attendance fee if such
33 member attends more than one board meeting in a calendar week. In addition, the president of
34 the board of directors may receive fifty dollars for attending each regularly or specially called
35 board meeting, but shall not be paid the additional fee for attending more than two meetings in
36 any calendar month. Each member of the board shall be reimbursed for his or her actual
37 expenditures in the performance of his or her duties on behalf of the district.

38 6. In no event, however, shall a board member receive any attendance fees or additional
39 compensation authorized in subsection 5 of this section until after such board member has
40 completed a minimum of six hours training regarding the responsibilities of the board and its
41 members concerning the basics of water treatment and distribution, budgeting and rates, water
42 utility planning, the funding of capital improvements, the understanding of water utility financial
43 statements, the Missouri sunshine law, and this chapter.

44 7. The circuit court of the county having jurisdiction over the district shall have
45 jurisdiction over the members of the board of directors to suspend any member from exercising
46 his or her office, whensoever it appears that he or she has abused his or her trust or become
47 disqualified; to remove any member upon proof or conviction of gross misconduct or
48 disqualification for his or her office; or to restrain and prevent any alienation of property of the
49 district by members, in cases where it is threatened, or there is good reason to apprehend that it
50 is intended to be made in fraud of the rights and interests of the district.

51 8. The jurisdiction conferred by this section shall be exercised as in ordinary cases upon
52 petition, filed by or at the instance of any member of the board, or at the instance of any ten
53 voters residing in the district who join in the petition, verified by the affidavit of at least one of
54 them. The petition shall be heard in a summary manner after ten days' notice in writing to the
55 member or officer complained of. An appeal shall lie from the judgment of the circuit court as
56 in other causes, and shall be speedily determined; but an appeal does not operate under any
57 condition as a supersedeas of a judgment of suspension or removal from office.

249.140. 1. Any candidate for the office of trustee in the district shall be an American
2 citizen ~~[over the age of twenty-five years]~~ **twenty-one years of age or older** and shall have been
3 a resident within the county within which the district is situated for more than four whole years
4 next before the date of the election at which he **or she** is a candidate and shall be a voter of the
5 district. Any person desiring to become a candidate for the office of trustee at the election held
6 on the original incorporation of the district, as provided in section 249.070, shall file with the
7 county commission or with the election commissioners a statement, under oath, that he **or she**
8 possesses the qualifications required by sections 249.010 to 249.420 for trustee and shall pay a
9 filing fee of five dollars, whereupon his **or her** name shall be placed on the ballot as candidate
10 for trustee. Any person desiring to become a candidate for the office of trustee in any subsequent
11 election shall file such statement, under oath, with and pay such filing fee to the secretary of the
12 board of trustees, whereupon his **or her** name shall be placed on the ballot as candidate for the
13 office of trustee.

14 2. At such initial election the candidate who receives the highest number of votes shall
15 be elected for a six-year term as trustee; the candidate who receives the second highest number
16 of votes shall be elected for a four-year term as trustee; the candidate who receives the third
17 highest number of votes shall be elected for a two-year term as trustee.

18 3. After his **or her** election each trustee shall take and subscribe ~~[his]~~ **an** oath or
19 affirmation before the clerk of the circuit court to the effect that he **or she** is qualified to act as
20 trustee under the provisions of sections 249.010 to 249.420 and that he **or she** will perform his
21 **or her** duties as such trustee to the best of his **or her** ability and impartially in the interest of the
22 whole district.

321.130. A person, to be qualified to serve as a director, shall be a resident and voter of the district for at least one year before the election or appointment and ~~[be over the age of twenty-four years]~~ **shall be twenty-one years of age or older.** In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a filing fee equal to the amount of a candidate for county office as set forth under section 115.357, and filing a statement under oath that such person possesses the required qualifications. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

386.800. 1. No municipally owned electric utility may provide electric energy at retail to any structure located outside the municipality's corporate boundaries after July 11, 1991, unless:

(1) The structure was lawfully receiving permanent service from the municipally owned electric utility prior to July 11, 1991; or

(2) The service is provided pursuant to an approved territorial agreement under section 394.312; **or**

(3) The service is provided pursuant to lawful municipal annexation and subject to the provisions of this section; or

(4) The structure is located in an area which was previously served by an electrical corporation regulated under chapter 386, and chapter 393, and the electrical corporation's authorized service territory was contiguous to or inclusive of the municipality's previous corporate boundaries, and the electrical corporation's ownership or operating rights within the area were acquired in total by the municipally owned electrical system prior to July 11, 1991. In the event that a municipally owned electric utility in a city with a population of more than one hundred twenty-five thousand located in a county of the first class not having a charter form of government and not adjacent to any other county of the first class desires to serve customers beyond the authorized service territory in an area which was previously served by an electrical corporation regulated under the provisions of chapter 386, and chapter 393, as provided in this subdivision, **in the absence of an approved territorial agreement under section 394.312**, the municipally owned utility shall apply to the public service commission for an order assigning nonexclusive service territories **and concurrently shall provide written notice of the application to other electric service suppliers with electric facilities located in or within one mile outside of the boundaries of the proposed expanded service territory.** The proposed service area shall be contiguous to the authorized service territory which was previously served by an electrical corporation regulated under the provisions of chapter 386, and chapter 393, as a condition precedent to the granting of the application. The commission shall have one hundred

28 twenty days from the date of application to grant or deny the requested order. The commission,
29 **after a hearing**, may grant the order upon a finding that granting of the applicant's request is not
30 detrimental to the public interest. In granting the applicant's request the commission shall give
31 due regard to territories previously granted to **or served by** other electric **service** suppliers **and**
32 **the wasteful duplication of electric service facilities.**

33 2. Any municipally owned electric utility may extend, pursuant to lawful annexation, its
34 **electric** service territory to include ~~[any structure located within a newly annexed area which has~~
35 ~~received permanent service from another supplier within ninety days prior to the effective date~~
36 ~~of the annexation]~~ **areas where another electric supplier currently is not providing**
37 **permanent service to a structure. If a rural electric cooperative has existing electric service**
38 **facilities with adequate and necessary service capability located in or within one mile**
39 **outside the boundaries of the area proposed to be annexed, a majority of the existing**
40 **developers, landowners, or prospective electric customers in the area proposed to be**
41 **annexed may, anytime within forty-five days prior to the effective date of the annexation,**
42 **submit a written request to the governing body of the annexing municipality to invoke**
43 **mandatory good faith negotiations under section 394.312 to determine which electric**
44 **service supplier is best suited to serve all or portions of the newly annexed area. In such**
45 **negotiations the following factors shall be considered, at a minimum:**

- 46 (1) The preference of landowners and prospective electric customers;
47 (2) The rates, terms and conditions of service of the electric service suppliers;
48 (3) The economic impact on the electric service suppliers;
49 (4) Each electric service supplier's operational ability to serve all or portions of the
50 annexed area within three years of the date the annexation becomes effective;
51 (5) Avoiding the wasteful duplication of electric facilities;
52 (6) Minimizing unnecessary encumbrances on the property and landscape within
53 the area to be annexed; and
54 (7) Preventing the waste of materials and natural resources.

55
56 If the municipally owned electric utility and rural electric cooperative are unable to
57 negotiate a territorial agreement pursuant to section 394.312 within forty five days, then
58 they may submit proposals to those submitting the original written request, whose
59 preference shall control, section 394.080 to the contrary notwithstanding, and the
60 governing body of the annexing municipality shall not reject the petition requesting
61 annexation based on such preference. This subsection shall not apply to municipally
62 owned property in any newly annexed area.

63 **3. In the event an electrical corporation rather than a municipally owned electric**
64 **utility lawfully is providing electric service in the municipality, all the provisions of**
65 **subsection 2 of this section shall apply equally as if the electrical corporation were a**
66 **municipally owned electric utility, except that if the electrical corporation and the rural**
67 **electric cooperative are unable to negotiate a territorial agreement pursuant to section**
68 **394.312 within forty-five days, then either electric supplier may file an application with the**
69 **commission for an order determining which electric supplier should serve, in whole or in**
70 **part, the area to be annexed. The application shall be made pursuant to the rules and**
71 **regulations of the commission governing applications for certificates of public convenience**
72 **and necessity. The commission after the opportunity for hearing shall make its**
73 **determination after consideration of the factors set forth in subdivisions (1) to (7) of**
74 **subsection 2 of this section, and section 394.080 to the contrary notwithstanding, may grant**
75 **its order upon a finding that granting of the applicant's request is not detrimental to the**
76 **public interest. The commission shall issue its decision by report and order no later than**
77 **one hundred twenty days from the date of the application unless otherwise ordered by the**
78 **commission for good cause shown. Review of such commission decisions shall be governed**
79 **by sections 386.500 to 386.550. If the applicant is a rural electric cooperative, the**
80 **commission shall charge to the rural electric cooperative the appropriate fees as set forth**
81 **in subsection 9 of this section.**

82 ~~[3] 4. [Any municipally owned electric utility may extend, pursuant to lawful~~
83 ~~annexation, its service territory to include any structure located within a newly annexed area~~
84 ~~which has not received permanent service from another supplier within ninety days prior to the~~
85 ~~effective date of the annexation.]~~ When a municipally owned electric utility desires to extend
86 its service territory to include any structure located within a newly annexed area which has
87 received permanent service from another **electric service** supplier within ninety days prior to the
88 effective date of the annexation, it shall:

89 (1) Notify by publication in a newspaper of general circulation the record owner of said
90 structure, and notify in writing any affected electric **service** supplier and the public service
91 commission, within sixty days after the effective date of the annexation its desire to extend its
92 service territory to include said structure; and

93 (2) Within six months after the effective date of the annexation receive the approval of
94 the municipality's governing body to begin negotiations pursuant to section 394.312 with ~~[any]~~
95 **the** affected electric **service** supplier.

96 ~~[4] 5.~~ Upon receiving approval from the municipality's governing body pursuant to
97 subsection 3 of this section, the municipally owned electric utility and the affected electric
98 **service** supplier shall meet and negotiate in good faith the terms of the territorial agreement and

any transfers or acquisitions, including, as an alternative, granting the affected electric **service** supplier a franchise or authority to continue providing service in the annexed area. In the event that the affected electric **service** supplier does not provide wholesale electric power to the municipality, if the affected electric **service** supplier so desires, the parties ~~[shall]~~ **may** also negotiate, consistent with applicable law, regulations and existing power supply agreements, for power contracts which would provide for the purchase of power by the municipality from the affected electric **service** supplier for an amount of power equivalent to the loss of any sales to customers receiving permanent service at structures within the annexed areas which are being sought by the municipally owned electric utility. The parties shall have no more than one hundred eighty days from the date of receiving approval from the municipality's governing body within which to conclude their negotiations and file their territorial agreement with the commission for approval under the provisions of section 394.312. The time period for negotiations allowed under this subsection may be extended for a period not to exceed one hundred eighty days by a mutual agreement of the parties and a written request with the public service commission.

~~[5]~~ **6.** For purposes of this section, the term "fair and reasonable compensation" shall mean the following:

(1) The present-day reproduction cost, new, of the properties and facilities serving the annexed areas, less depreciation computed on a straight-line basis; and

(2) An amount equal to the reasonable and prudent cost of detaching the facilities in the annexed areas and the reasonable and prudent cost of constructing any necessary facilities to reintegrate the system of the affected electric **service** supplier outside the annexed area after detaching the portion to be transferred to the municipally owned electric utility; and

(3) ~~[Four]~~ **Two** hundred percent of gross revenues less gross receipts taxes received by the affected electric **service** supplier from the twelve-month period preceding the approval of the municipality's governing body under the provisions of subdivision (2) of subsection ~~[3]~~ **4** of this section, normalized to produce a representative usage from customers at the subject structures in the annexed area; and

(4) Any federal, state and local taxes which may be incurred as a result of the transaction, including the recapture of any deduction or credit; and

(5) Any other costs reasonably incurred by the affected electric supplier in connection with the transaction.

~~[6]~~ **7.** In the event the parties are unable to reach an agreement under subsection ~~[4]~~ **5** of this section, within sixty days after the expiration of the time specified for negotiations, the municipally owned electric utility **or the affected electric service supplier** may apply to the commission for an order assigning exclusive service territories within the annexed area and a

determination of the fair and reasonable compensation amount to be paid to the affected electric **service** supplier under subsection ~~[5]~~ 6 of this section. Applications shall be made and notice of such filing shall be given to all affected parties pursuant to the rules and regulations of the commission governing applications for certificates of public convenience and necessity. Unless otherwise ordered by the commission for good cause shown, the commission shall rule on such applications not later than one hundred twenty days after the application is properly filed with the secretary of the commission. The commission shall hold evidentiary hearings to assign service territory between ~~the~~ affected electric **service** suppliers inside the annexed area and to determine the amount of compensation due any affected electric **service** supplier for the transfer of plant, facilities or associated lost revenues between electric **service** suppliers in the annexed area. The commission shall make such determinations based on findings of what best serves the public interest and shall issue its decision by report and order. Review of such commission decisions shall be governed by sections 386.500 to 386.550. The payment of compensation and transfer of title and operation of the facilities shall occur within ninety days after the order and any appeal therefrom becomes final unless the order provides otherwise.

~~[7]~~ 8. In reaching its decision under subsection ~~[6]~~ 7 of this section, the commission shall consider the following factors:

(1) Whether the acquisition or transfers sought by the municipally owned electric utility within the annexed area from the affected electric **service** supplier are, in total, in the public interest, including **the preference of the owner of any affected structure**, consideration of rate disparities between the competing electric **service** suppliers, and issues of unjust rate discrimination among customers of a single electric **service** supplier if the rates to be charged in the annexed areas are lower than those charged to other system customers; and

(2) The fair and reasonable compensation to be paid by the municipally owned electric utility, to the affected electric **service** supplier with existing system operations within the annexed area, for any proposed acquisitions or transfers; and

(3) Any effect on system operation, including, but not limited to, loss of load and loss of revenue; and

(4) Any other issues upon which the municipally owned electric utility and the affected electric **service** supplier might otherwise agree, including, but not limited to, the valuation formulas and factors contained in subsections ~~[4,]~~ 5, 6, and ~~[6]~~ 7, of this section, even if the parties could not voluntarily reach an agreement thereon under those subsections.

~~[8]~~ 9. The commission is hereby given all necessary jurisdiction over municipally owned electric utilities and rural electric cooperatives to carry out the purposes of this section consistent with other applicable law; provided, however, the commission shall not have jurisdiction to compel the transfer of customers or structures with a connected load greater than one thousand

171 kilowatts. The commission shall by rule set appropriate fees to be charged on a case-by-case
172 basis to municipally owned electric utilities and rural electric cooperatives to cover all necessary
173 costs incurred by the commission in carrying out its duties under this section. **Nothing in this**
174 **section shall be construed as otherwise conferring upon the public service commission**
175 **jurisdiction over the service, rates, financing, accounting or management of any rural**
176 **electric cooperative or municipally owned electric utility, except as provided in this section.**

177 **10. Notwithstanding section 394.020 and 394.080 to the contrary, a rural electric**
178 **cooperative may provide electric service within the corporate boundaries of a municipality**
179 **if such service is provided:**

180 **(1) Pursuant to subsections 2 to 9 of this section; and**

181 **(2) Such service is conditioned upon the execution of the appropriate territorial and**
182 **municipal franchise agreements, which may include a nondiscriminatory requirement,**
183 **consistent with other applicable law, that the rural electric cooperative collect and remit**
184 **a sales tax based on the amount of electricity sold by the rural electric cooperative within**
185 **the municipality.**

393.106. 1. As used in this section, the following terms mean:

2 (1) "Permanent service", electrical service provided through facilities which have been
3 permanently installed on a structure and which are designed to provide electric service for the
4 structure's anticipated needs for the indefinite future, as contrasted with facilities installed
5 temporarily to provide electrical service during construction. Service provided temporarily shall
6 be at the risk of the electrical supplier and shall not be determinative of the rights of the provider
7 or recipient of permanent service;

8 (2) "Structure" or "structures", an agricultural, residential, commercial, industrial or other
9 building or a mechanical installation, machinery or apparatus at which retail electric energy is
10 being delivered through a metering device which is located on or adjacent to the structure and
11 connected to the lines of an electrical supplier. Such terms shall include any contiguous or
12 adjacent additions to or expansions of a particular structure. Nothing in this section shall be
13 construed to confer any right on an electric supplier to serve new structures on a particular tract
14 of land because it was serving an existing structure on that tract.

15 2. Once an electrical corporation or joint municipal utility commission, or its predecessor
16 in interest, lawfully commences supplying retail electric energy to a structure through permanent
17 service facilities, it shall have the right to continue serving such structure, and other suppliers
18 of electrical energy shall not have the right to provide service to the structure except as might be
19 otherwise permitted in the context of municipal annexation, pursuant to section 386.800 and
20 section 394.080, or pursuant to a territorial agreement approved under section 394.312. The
21 public service commission, upon application made by an affected party, may order a change of

22 suppliers on the basis that it is in the public interest for a reason other than a rate differential.
23 The commission's jurisdiction under this section is limited to public interest determinations and
24 excludes questions as to the lawfulness of the provision of service, such questions being reserved
25 to courts of competent jurisdiction. Except as provided in this section, nothing contained herein
26 shall affect the rights, privileges or duties of existing corporations pursuant to this chapter.
27 Nothing in this section shall be construed to make lawful any provision of service which was
28 unlawful prior to July 11, 1991. Nothing in this section shall be construed to make unlawful the
29 continued lawful provision of service to any structure which may have had a different supplier
30 in the past, if such a change in supplier was lawful at the time it occurred. However, those
31 customers who had cancelled service with their previous supplier or had requested cancellation
32 by May 1, 1991, shall be eligible to change suppliers as per previous procedures. No customer
33 shall be allowed to change electric suppliers by disconnecting service between May 1, 1991, and
34 July 11, 1991.

35 **3. Notwithstanding the provisions of this section, section 91.025, section 394.080,**
36 **and section 394.315 to the contrary, in the event that a retail electric supplier is providing**
37 **service to a structure located within a city, town or village that has ceased to be a rural**
38 **area, and such structure is demolished and replaced by a new structure, such retail electric**
39 **service supplier may provide permanent service to the new structure upon the request of**
40 **the owner of the new structure.**

394.020. In this chapter, unless the context otherwise requires,

2 (1) "Member" means each incorporator of a cooperative and each person admitted to and
3 retaining membership therein, and shall include a husband and wife admitted to joint
4 membership;

5 (2) "Person" includes any natural person, firm, association, corporation, business trust,
6 partnership, federal agency, state or political subdivision or agency thereof, or any body politic;
7 and

8 (3) "Rural area" shall be deemed to mean any area of the United States not included
9 within the boundaries of any city, town or village having a population in excess of [fifteen]
10 **sixteen** hundred inhabitants, and such term shall be deemed to include both the farm and
11 nonfarm population thereof. **The number of inhabitants specified in this subsection shall be**
12 **increased by six percent every ten years after each decennial census beginning in 2030.**

394.315. 1. As used in this section, the following terms mean:

2 (1) "Permanent service", electrical service provided through facilities which have been
3 permanently installed on a structure and which are designed to provide electric service for the
4 structure's anticipated needs for the indefinite future, as contrasted with facilities installed
5 temporarily to provide electrical service during construction. Service provided temporarily shall

6 be at the risk of the electrical supplier and shall not be determinative of the rights of the provider
7 or recipient of permanent service;

8 (2) "Structure" or "structures", an agricultural, residential, commercial, industrial or other
9 building or a mechanical installation, machinery or apparatus at which retail electric energy is
10 being delivered through a metering device which is located on or adjacent to the structure and
11 connected to the lines of an electrical supplier. Such terms shall include any contiguous or
12 adjacent additions to or expansions of a particular structure. Nothing in this section shall be
13 construed to confer any right on ~~[a rural electric cooperative]~~ **an electric supplier** to serve new
14 structures on a particular tract of land because it was serving an existing structure on that tract.

15 2. Once a rural electric cooperative, or its predecessor in interest, lawfully commences
16 supplying retail electric energy to a structure through permanent service facilities, it shall have
17 the right to continue serving such structure, and other suppliers of electrical energy shall not have
18 the right to provide service to the structure except as might be otherwise permitted in the context
19 of municipal annexation, pursuant to section 386.800 and section 394.080, or pursuant to a
20 territorial agreement approved under section 394.312. The public service commission, upon
21 application made by an affected party, may order a change of suppliers on the basis that it is in
22 the public interest for a reason other than a rate differential, and the commission is hereby given
23 jurisdiction over rural electric cooperatives to accomplish the purpose of this section. The
24 commission's jurisdiction under this section is limited to public interest determinations and
25 excludes questions as to the lawfulness of the provision of service, such questions being reserved
26 to courts of competent jurisdiction. Except as provided herein, nothing in this section shall be
27 construed as otherwise conferring upon the commission jurisdiction over the service, rates,
28 financing, accounting or management of any such cooperative, and except as provided in this
29 section, nothing contained herein shall affect the rights, privileges or duties of existing
30 cooperatives pursuant to this chapter. Nothing in this section shall be construed to make lawful
31 any provision of service which was unlawful prior to July 11, 1991. Nothing in this section shall
32 be construed to make unlawful the continued lawful provision of service to any structure which
33 may have had a different supplier in the past, if such a change in supplier was lawful at the time
34 it occurred. However, those customers who had cancelled service with their previous supplier
35 or had requested cancellation by May 1, 1991, shall be eligible to change suppliers as per
36 previous procedures. No customer shall be allowed to change electric suppliers by disconnecting
37 service between May 1, 1991, and July 11, 1991.

38 **3. Notwithstanding the provisions of this section, section 91.025, section 393.106,**
39 **and section 394.080 to the contrary, in the event that a retail electric supplier is providing**
40 **service to a structure located within a city, town or village that has ceased to be a rural**
41 **area, and such structure is demolished and replaced by a new structure, such retail electric**

42 **service supplier may provide permanent service to the new structure upon the request of**
43 **the owner of the new structure.**

2 442.403. 1. Any restrictive covenant recitals on property, real or personal, found in any
3 deeds, plats, restrictions, covenants, or other conveyances of any type or nature, filed for record
4 at any time in the office of the recorder of deeds in any county~~[, which relate]~~ **that relates** to the
5 race, color, religion, or national origin of any person~~;~~ shall be void and unenforceable~~;~~ and
6 shall be ignored, as if the same never existed.

7 2. Any person or legal entity with an interest in real property or any agent of such person
8 or entity, shall not incur any liability by reason of the mere existence of a restrictive covenant
9 described in subsection 1 of this section in any document filed for record before May 3, 1948,
10 in any recorder of deeds' office.

11 **3. No deed recorded on or after August 28, 2021, shall contain a reference to the**
12 **specific portion of a restrictive covenant purporting to restrict the ownership or use of the**
13 **property as prohibited under subsection 1 of this section. A recorder of deeds may refuse**
14 **to accept any deed submitted for recording that references the specific portion of any such**
15 **restrictive covenant. The attorney who prepares or submits a deed for recording has the**
16 **responsibility of ensuring that the specific portion of such a restrictive covenant is not**
17 **specifically referenced in the deed prior to such deed being submitted for recording. A**
18 **deed may include a general provision that states that such deed is subject to any and all**
19 **covenants and restrictions of record; however, such provision shall not apply to the specific**
20 **portion of a restrictive covenant purporting to restrict the ownership or use of the property**
21 **as prohibited under subsection 1 of this section. Any deed that is recorded after August**
22 **27, 2021, that mistakenly contains such a restrictive covenant shall nevertheless constitute**
23 **a valid transfer of real property.**

24 **4. Any restrictive covenant prohibited under subsection 1 of this section may be**
25 **released by the owner of real property subject to such covenant by recording a certificate**
26 **of release of prohibited covenants. The real property owner may record a certificate either**
27 **prior to recording of a deed conveying real property to a purchaser or when such real**
28 **property owner discovers that such prohibited covenant exists and chooses to affirmatively**
29 **release the same. A certificate may be prepared without assistance of an attorney but shall**
30 **conform substantially to the following certificate of release of prohibited covenants form:**

31 **Certificate of Release of Prohibited Covenants**

32 **Place of record: _____**

33 **Date of instrument containing prohibited covenant(s): _____**

34 **Instrument type: _____**

35 **Deed book _____ page _____ or plat book _____ page _____**

36 **Name(s) of grantor(s): _____**

37 **Name(s) of current owner(s): _____**

38 **Real property description: _____**

39 **Brief description of prohibited covenant: _____**

40

41 **The covenant contained in the above-mentioned instrument is released from**
 42 **the above-described real property to the extent that it contains terms**
 43 **purporting to restrict the ownership or use of the property as prohibited by**
 44 **442.403, RSMo.**

45

46 **The undersigned (is/are) the legal owner(s) of the property described herein.**

47

48 **Given under my/our hand(s) this _____ day of _____, 20__.**

49

50 _____

51 **(Current owners)**

52

53 **(County/city) of _____.**

54 **State of Missouri**

55

56 **Subscribed and sworn to before me this _____ day of _____, 20__.**

57

58 **Notary public**

59 **My commission expires: _____**

447.541. 1. Within two hundred forty days from the due date of the report required by
 2 section 447.539, the treasurer shall cause notice to be published at least once each week for two
 3 successive weeks in a newspaper of general circulation as defined in section 493.050 in the
 4 county in this state in which is located the last known address of any person to be named in the
 5 notice, **or by any other method which the treasurer, in his or her discretion, deems**
 6 **appropriate and consistent with the intent of this section to notify the owners of property**
 7 **presumed abandoned and reported under section 447.539.** If no address is listed or if the
 8 address is outside this state and the property may be subject to sale or liquidation, the notice shall
 9 be published in the county in which the holder of the abandoned property has his principal place
 10 of business within this state.

11 2. The published notice **required under subsection 1 of this section** shall be entitled
12 "Notice of Names of Persons Appearing to be Owners of Abandoned Property", and shall
13 contain:

14 (1) The names in alphabetical order and last known addresses, if any, of persons listed
15 in the report and entitled to notice within the county as specified in subsection 1 of this section;

16 (2) A statement that information concerning the amount or description of the property
17 and the name and address of the holder may be obtained by any persons possessing an interest
18 in the property by addressing an inquiry to the treasurer;

19 (3) A statement that if proof of claim is not presented by the owner to the holder and if
20 the owner's right to receive the property is not established to the treasurer's satisfaction within
21 one year from the date of the delivery of the property to the treasurer, the abandoned property
22 will be sold as provided in section 447.558. The treasurer is not required to publish in the notice
23 any items of less than fifty dollars unless, in the aggregate, the items total fifty or more dollars
24 for any one individual. The treasurer shall use reasonable diligence to determine if small items
25 in fact belong to the same individual.

26 3. Within one hundred twenty days from the receipt of the report required by section
27 447.539, the treasurer shall mail a notice, **or provide a notice by any other method which the**
28 **treasurer, in his or her discretion, deems appropriate and consistent with the intent of this**
29 **subsection**, to each person having an address listed therein who appears to be entitled to property
30 of the value of fifty dollars or more presumed abandoned under sections 447.500 to 447.595.

31 4. The ~~mailed~~ notice **required under subsection 3 of this section** shall contain:

32 (1) A statement that, according to a report filed with the treasurer, property is being held
33 by the treasurer to which the addressee appears entitled; and

34 (2) A statement that, if satisfactory proof of claim is not presented by the owner to the
35 treasurer by the date specified in the published notice, the property will be sold as provided in
36 section 447.558.

37 5. Subsections 1 and 4 of this section are not applicable to sums payable on traveler's
38 checks or money orders.

39 6. In addition to the above forms of notice to owners of abandoned property, the treasurer
40 shall work with other state agencies to provide notice to holders of their rights and
41 responsibilities pursuant to sections 447.500 to 447.595 by including information regarding
42 Missouri's unclaimed property laws.

451.040. 1. Previous to any marriage in this state, a license for that purpose shall be
2 obtained from the officer authorized to issue the same, and no marriage contracted shall be
3 recognized as valid unless the license has been previously obtained, and unless the marriage is
4 solemnized by a person authorized by law to solemnize marriages.

5 2. Before applicants for a marriage license shall receive a license, and before the recorder
6 of deeds shall be authorized to issue a license, the parties to the marriage shall present an
7 application for the license, duly executed and signed in the presence of the recorder of deeds or
8 their deputy **or electronically through an online process**. If an applicant is unable to sign the
9 application in the presence of the recorder of deeds as a result of the applicant's incarceration or
10 because the applicant has been called or ordered to active military duty out of the state or
11 country, the recorder of deeds may issue a license if:

12 (1) An affidavit or sworn statement is submitted by the incarcerated or military applicant
13 on a form furnished by the recorder of deeds which includes the necessary information for the
14 recorder of deeds to issue a marriage license under this section. The form shall include, but not
15 be limited to, the following:

16 (a) The names of both applicants for the marriage license;

17 (b) The date of birth of the incarcerated or military applicant;

18 (c) An attestation by the incarcerated or military applicant that both applicants are not
19 related;

20 (d) The date the marriage ended if the incarcerated or military applicant was previously
21 married;

22 (e) An attestation signed by the incarcerated or military applicant stating in substantial
23 part that the applicant is unable to appear in the presence of the recorder of deeds as a result of
24 the applicant's incarceration or because the applicant has been called or ordered to active military
25 duty out of the state or country, which will be verified by the professional or official who directs
26 the operation of the jail or prison or the military applicant's military officer, or such professional's
27 or official's designee, and acknowledged by a notary public commissioned by the state of
28 Missouri at the time of verification. However, in the case of an applicant who is called or
29 ordered to active military duty outside Missouri, ~~[acknowledgement]~~ **acknowledgment** may be
30 obtained by a notary public who is duly commissioned by a state other than Missouri or by
31 notarial services of a military officer in accordance with the Uniform Code of Military Justice
32 at the time of verification;

33 (2) The completed marriage license application of the incarcerated or military applicant
34 is submitted which includes the applicant's Social Security number; except that, in the event the
35 applicant does not have a Social Security number, a sworn statement by the applicant to that
36 effect; and

37 (3) A copy of a government-issued identification for the incarcerated or military
38 applicant which contains the applicant's photograph. However, in such case the incarcerated
39 applicant does not have such an identification because the jail or prison to which he or she is

40 confined does not issue an identification with a photo his or her notarized application shall
41 satisfy this requirement.

42 3. Each application for a license shall contain the Social Security number of the
43 applicant, provided that the applicant in fact has a Social Security number, or the applicant shall
44 sign a statement provided by the recorder that the applicant does not have a Social Security
45 number. The Social Security number contained in an application for a marriage license shall be
46 exempt from examination and copying pursuant to section 610.024. After the receipt of the
47 application the recorder of deeds shall issue the license, unless one of the parties withdraws the
48 application. The license shall be void after thirty days from the date of issuance.

49 4. Any person violating the provisions of this section shall be deemed guilty of a
50 misdemeanor.

51 5. Common-law marriages shall be null and void.

52 6. Provided, however, that no marriage shall be deemed or adjudged invalid, nor shall
53 the validity be in any way affected for want of authority in any person so solemnizing the
54 marriage pursuant to section 451.100, if consummated with the full belief on the part of the
55 persons, so married, or either of them, that they were lawfully joined in marriage.

56 **7. In the event a recorder of deeds utilizes an online process to accept applications**
57 **for a marriage license or to issue a marriage license and the applicants' identity has not**
58 **been verified in person, the recorder shall have a two-step identity verification process or**
59 **a process that independently verifies the identity of such applicants. Such process shall be**
60 **adopted as part of any electronic system for marriage licenses if the applicants do not**
61 **present themselves to the recorder or his or her designee in person. It shall be the**
62 **responsibility of the recorder to ensure any process adopted to allow electronic application**
63 **or issuance of a marriage license verifies the identities of both applicants. The recorder**
64 **shall not accept applications for or issue marriage licenses through the process provided**
65 **in this subsection unless both applicants are at least eighteen years of age and at least one**
66 **of the applicants is a resident of the county or city not within a county in which the**
67 **application was submitted.**

475.120. 1. The guardian of the person of a minor shall be entitled to the custody and
2 control of the ward and shall provide for the ward's education, support, and maintenance.

3 2. A guardian or limited guardian of an incapacitated person shall act in the best interest
4 of the ward. A limited guardian of an incapacitated person shall have the powers and duties
5 enumerated by the court in the adjudication order or any later modifying order.

6 3. ~~[The general powers and duties of a guardian of an incapacitated person shall be to~~
7 ~~take charge of the person of the ward and to provide for the ward's care, treatment, habilitation,~~
8 ~~education, support and maintenance; and the powers and duties]~~ **Except as otherwise limited**

9 by the court, a guardian shall make decisions regarding the adult ward's support, care,
10 education, health, and welfare. A guardian shall exercise authority only as necessitated by
11 the adult ward's limitations and, to the extent possible, shall encourage the adult ward to
12 participate in decisions, act on the adult ward's own behalf, and develop or regain the
13 capacity to manage the adult ward's personal affairs. The general powers and duties of a
14 guardian of an incapacitated person shall include, but not be limited to, the following:

15 (1) Assure that the ward resides in the best and least restrictive setting reasonably
16 available;

17 (2) Assure that the ward receives medical care and other services that are needed;

18 (3) Promote and protect the care, comfort, safety, health, and welfare of the ward;

19 (4) Provide required consents on behalf of the ward;

20 (5) To exercise all powers and discharge all duties necessary or proper to implement the
21 provisions of this section.

22 4. A guardian of an adult or minor ward is not obligated by virtue of such guardian's
23 appointment to use the guardian's own financial resources for the support of the ward. If the
24 ward's estate and available public benefits are inadequate for the proper care of the ward, the
25 guardian or conservator may apply to the county commission pursuant to section 475.370.

26 5. No guardian of the person shall have authority to seek admission of the guardian's
27 ward to a mental health or intellectual disability facility for more than thirty days for any purpose
28 without court order except as otherwise provided by law.

29 6. Only the director or chief administrative officer of a social service agency serving as
30 guardian of an incapacitated person, or such person's designee, is legally authorized to act on
31 behalf of the ward.

32 7. A social service agency serving as guardian of an incapacitated person shall notify the
33 court within fifteen days after any change in the identity of the professional individual who has
34 primary responsibility for providing guardianship services to the incapacitated person.

35 8. Any social service agency serving as guardian may not provide other services to the
36 ward.

37 9. In the absence of any written direction from the ward to the contrary, a guardian may
38 execute a preneed contract for the ward's funeral services, including cremation, or an irrevocable
39 life insurance policy to pay for the ward's funeral services, including cremation, and authorize
40 the payment of such services from the ward's resources. Nothing in this section shall interfere
41 with the rights of next-of-kin to direct the disposition of the body of the ward upon death under
42 section 194.119. If a preneed arrangement such as that authorized by this subsection is in place
43 and no next-of-kin exercises the right of sepulcher within ten days of the death of the ward, the
44 guardian may sign consents for the disposition of the body, including cremation, without any

45 liability therefor. A guardian who exercises the authority granted in this subsection shall not be
46 personally financially responsible for the payment of services.

47 ~~[10. Except as otherwise limited by the court, a guardian shall make decisions regarding~~
48 ~~the adult ward's support, care, education, health, and welfare. A guardian shall exercise authority~~
49 ~~only as necessitated by the adult ward's limitations and, to the extent possible, shall encourage~~
50 ~~the adult ward to participate in decisions, act on the adult ward's own behalf, and develop or~~
51 ~~regain the capacity to manage the adult ward's personal affairs.]~~

476.083. 1. In addition to any appointments made pursuant to section 485.010, the
2 presiding judge of each circuit containing one or more facilities operated by the department of
3 corrections with an average total inmate population in all such facilities in the circuit over the
4 previous two years of more than two thousand five hundred inmates or containing, as of January
5 1, 2016, a diagnostic and reception center operated by the department of corrections and a mental
6 health facility operated by the department of mental health which houses persons found not guilty
7 of a crime by reason of mental disease or defect under chapter 552 and provides sex offender
8 rehabilitation and treatment services (SORTS) may appoint a circuit court marshal to aid the
9 presiding judge in the administration of the judicial business of the circuit by overseeing the
10 physical security of ~~[the courthouse,]~~ **courtrooms, jury rooms, and chambers or offices of the**
11 **court;** serving court-generated papers and orders~~[-];~~ and assisting the judges of the circuit as the
12 presiding judge determines appropriate. Such circuit court marshal appointed pursuant to the
13 provisions of this section shall serve at the pleasure of the presiding judge. The circuit court
14 marshal authorized by this section is in addition to staff support from the circuit clerks, deputy
15 circuit clerks, division clerks, municipal clerks, and any other staff personnel which may
16 otherwise be provided by law.

17 2. The salary of a circuit court marshal shall be established by the presiding judge of the
18 circuit within funds made available for that purpose, but such salary shall not exceed ninety
19 percent of the salary of the highest paid sheriff serving a county wholly or partially within that
20 circuit. Personnel authorized by this section shall be paid from state funds or federal grant
21 moneys which are available for that purpose and not from county funds.

22 3. Any person appointed as a circuit court marshal pursuant to this section shall have at
23 least five years' prior experience as a law enforcement officer. In addition, any such person shall
24 within one year after appointment, or as soon as practicable, attend a court security school or
25 training program operated by the United States Marshal Service. In addition to all other powers
26 and duties prescribed in this section, a circuit court marshal may:

27 (1) Serve process;

28 (2) Wear a concealable firearm; and

29 (3) Make an arrest based upon local court rules and state law, and as directed by the
30 presiding judge of the circuit.

478.240. 1. The presiding judge of each circuit which is provided by Subsection 3 of
2 Section 15 of Article V of the Constitution shall be selected for a two-year term. The circuit and
3 associate circuit judges in each circuit shall select by secret ballot a circuit judge from their
4 number to serve as presiding judge. Selection and removal procedures, not inconsistent with the
5 rules of the supreme court, may be provided by local court rule. If a presiding judge is
6 disqualified from acting as a judicial officer pursuant to the Constitution, Article V, Section 24,
7 the circuit judges and associate circuit judges of the circuit shall select a circuit judge as
8 presiding judge. If the circuit does not have an eligible judge to be elected presiding judge, then
9 the chief justice of the supreme court may designate an acting presiding judge until a successor
10 is chosen or until the disability of the presiding judge terminates.

11 2. Subject to the authority of the supreme court and the chief justice under Article V of
12 the Constitution, the presiding judge of the circuit shall have general administrative authority
13 over ~~[all judicial personnel and]~~ court officials in the circuit, including the authority to assign
14 ~~[any judicial or court personnel anywhere in the circuit, and shall have the authority to assign]~~
15 judges to hear such cases or classes of cases as the presiding judge may designate, and to assign
16 judges to divisions. Such assignment authority shall include the authority to authorize particular
17 associate circuit judges to hear and determine cases or classes of cases. By this subsection the
18 presiding judge shall not, however, be authorized to make the following assignments:

19 (1) Assignment of a municipal judge to hear any case other than to initially hear a
20 municipal ordinance violation case of the municipality which makes provision for such
21 municipal judge, except that the presiding judge of a circuit may assign a municipal judge of a
22 municipality within the circuit to hear and determine municipal ordinance violations in a court
23 of another municipality within the circuit if the municipality to which the judge is especially
24 assigned by the presiding judge has made provision for the compensation of such judge;

25 (2) Assignment of a judge to hear the trial of a felony case when he or she has previously
26 conducted the preliminary hearing in that case, unless the defendant has signed a written waiver
27 permitting the same judge to hear both the preliminary hearing and the trial, or unless the
28 defendant has indicated on the record that the defendant is permitting the same judge to hear both
29 the preliminary hearing and the trial;

30 (3) Assignment of a case to a judge contrary to provisions of supreme court rules or local
31 circuit court rules; ~~[and]~~

32 (4) Assignment of a case or class of cases not within the class of cases specified in
33 section 472.020 to a circuit judge who is also judge of the probate division and who was on

34 January 1, 1979, a probate judge shall only be with the consent of such judge of the probate
35 division; and

36 **(5) Assignment of any administrative or supervisory role within the elected circuit**
37 **clerk's office. Such assignment shall be the obligation of the elected circuit clerk pursuant**
38 **to the provisions of this section, chapter 483, and the supreme court rules.**

39 3. If any circuit judge or associate circuit judge shall proceed to hear and determine any
40 case or class of cases which has not been assigned to him or her by the presiding judge pursuant
41 to subsection 1 or 2 of this section, or to which he or she had not been transferred by the chief
42 justice of the supreme court, or in the event the purported assignment to him or her shall be
43 determined to be defective or deficient in any manner, any order or judgment he or she may have
44 entered may be set aside, as otherwise provided by rule or by law, and the judge may be subject
45 to discipline under Article V, Section 24 of the Missouri Constitution, but he or she shall not be
46 deemed to have acted other than as a judicial officer because of any such absence, defect or
47 deficiency of assignment under this section, or transfer by the chief justice.

478.600. 1. There shall be four circuit judges in the eleventh judicial circuit. These
2 judges shall sit in divisions numbered one, two, three and four. Beginning on January 1, 2007,
3 there shall be six circuit judges in the eleventh judicial circuit and these judges shall sit in
4 divisions numbered one, two, three, four, five, and seven. The division five associate circuit
5 judge position and the division seven associate circuit judge position shall become circuit judge
6 positions beginning January 1, 2007, and shall be numbered as divisions five and seven.

7 2. The circuit judge in division two shall be elected in 1980. The circuit judge in
8 division four shall be elected in 1982. The circuit judge in division one shall be elected in 1984.
9 The circuit judge in division three shall be elected in 1992. The circuit judges in divisions five
10 and seven shall be elected for a six-year term in 2006.

11 3. Beginning January 1, 2007, the family court commissioner positions in the eleventh
12 judicial circuit appointed under section 487.020 shall become associate circuit judge positions
13 in all respects and shall be designated as divisions nine and ten respectively. These positions
14 may retain the duties and responsibilities with regard to the family court. The associate circuit
15 judges in divisions nine and ten shall be elected in 2006 for full four-year terms.

16 4. Beginning on January 1, 2007, the treatment court commissioner position in the
17 eleventh judicial circuit appointed under section 478.003 shall become an associate circuit judge
18 position in all respects and shall be designated as division eleven. This position [~~retains~~] **may**
19 **retain** the duties and responsibilities with regard to the treatment court. Such associate circuit
20 judge shall be elected in 2006 for a full four-year term. This associate circuit judgeship shall not
21 be included in the statutory formula for authorizing additional associate circuit judgeships per
22 county under section 478.320.

23 5. Beginning in fiscal year 2015, there shall be one additional associate circuit judge
 24 position in the eleventh judicial circuit. The associate circuit judge shall be elected in 2016.
 25 This associate circuit judgeship shall not be included in the statutory formula for authorizing
 26 additional circuit judgeships per county under section 478.320. Beginning in fiscal year 2019,
 27 there shall be one additional associate circuit judge position in the eleventh judicial circuit. The
 28 associate circuit judge shall be elected in 2020. This associate circuit judgeship shall not be
 29 included in the statutory formula for authorizing additional circuit judgeships per county under
 30 section 478.320.

 483.010. No person shall be appointed or elected clerk of any court, unless he ~~[be]~~ **or**
 2 **she is** a citizen of the United States, ~~[above the age of twenty-one years]~~ **twenty-one years of**
 3 **age or older**, and shall have resided within the state one whole year, and within the geographical
 4 area over which the court has jurisdiction or, in the case of circuit clerks, within the county from
 5 which elected, three months before the appointment or election; and every clerk shall, after his
 6 **or her** appointment or election, reside in the geographical area over which the court he **or she**
 7 serves has jurisdiction or, in the case of circuit clerks, in the county for which he **or she** is clerk.

 483.240. ~~[1-]~~ Each **elected** circuit clerk shall have administrative control over, and be
 2 responsible for, the safekeeping of the records of the circuit court of each county or of the city
 3 of St. Louis, except for ~~[the following:~~
 4 ~~——— (1) Records in probate divisions;~~
 5 ~~——— (2) Records in cases while they are pending in divisions presided over by an associate~~
 6 ~~circuit judge; provided, however, this subdivision (2) shall not apply to cases pending before~~
 7 ~~associate circuit judges in the circuit court of the city of St. Louis;~~
 8 ~~——— (3)] records in cases while they are pending in the municipal divisions[; and~~
 9 ~~——— (4) Records of the traffic violation bureaus.~~
 10 ~~2. Associate circuit judges and judges of the probate divisions who are authorized to~~
 11 ~~appoint division clerks shall have administrative control over the division clerks they appoint and~~
 12 ~~the records of their divisions. With respect to divisions which are staffed by division clerks~~
 13 ~~rather than by the circuit clerk or deputy circuit clerks, the judge appointing the division clerks~~
 14 ~~for that division shall designate a chief division clerk who shall be primarily responsible for the~~
 15 ~~safekeeping of the records of that division]. The elected circuit clerk shall have~~
 16 **administrative control over the deputy circuit clerks and division clerks as provided in**
 17 **subsection 1 of section 483.241.**

 483.241. 1. Deputy circuit clerks shall constitute the clerical staff of the **elected** circuit
 2 clerk to perform those duties for which the **elected** circuit clerk has general administrative
 3 control. **Deputy circuit clerks shall be the general staff of the elected circuit clerk.**

4 2. Division clerks shall constitute the clerical staff of the **elected** circuit ~~[court]~~ **clerk** to
5 perform the recordkeeping functions of the circuit court for which the **elected** circuit clerk ~~[does~~
6 ~~not have]~~ **has** general administrative control~~[- except with respect to records in cases while they~~
7 ~~pend in municipal divisions or in a traffic violations bureau maintained by a municipality.~~
8 ~~Division clerks shall be under the administrative control of the judge who appoints them].~~
9 **Division clerks shall be deputy circuit clerks assigned by the elected circuit clerk to a**
10 **specific courtroom or judge to perform the duties and responsibilities for that specific**
11 **division.**

12 3. Municipal clerks shall constitute the clerical staff of the circuit court to perform the
13 recordkeeping functions in the municipal divisions.

14 4. Municipal clerks shall perform the clerical functions in the traffic violation bureaus
15 in those municipalities which have a municipal judge or judges. Clerical personnel of the
16 municipality shall perform the clerical functions of the traffic violation bureaus in those
17 municipalities which have no municipal judges.

483.245. 1. The provisions of this section shall become effective on July 1, 1981.

2 2. The **elected** circuit clerk, or person exercising the authority of the circuit clerk
3 pursuant to county charter, shall **be the appointing authority and** appoint all deputy circuit
4 clerks **and division clerks**, including deputy circuit clerks serving in courtrooms, and shall
5 prescribe and assign the duties of such deputy circuit clerks. The **elected** circuit clerk may
6 remove from office any deputy circuit clerk **or division clerk** whom he **or she** appoints. ~~[All~~
7 ~~division clerks, as defined in section 483.241, shall be appointed by the judge of the division~~
8 ~~such clerks serve, and such judge may remove from office any division clerk whom he appoints.]~~

9 3. Notwithstanding the provisions of subsection 2 of this section, if, on June 30, 1981,
10 in any county or in the city of St. Louis, there exists by reason of local charter, a plan of merit
11 selection and retention or other similar personnel plan, providing for selection, tenure or
12 retention of deputy circuit clerks or division clerks, after July 1, 1981, as to clerical personnel
13 who were, on June 30, 1981, under such a plan, the provisions for merit retention and tenure
14 shall continue to apply as to such persons insofar as is reasonably possible even though they are
15 paid by the state and become state employees, and the circuit ~~[court en banc]~~ **clerk** shall be
16 considered as the commission or ~~[board]~~ **authority** for determining the propriety of any
17 disciplinary or dismissal action.

18 4. ~~[In addition to the authority to remove deputy circuit clerks and division clerks~~
19 ~~hereinabove provided, the circuit court en banc may remove from office a deputy circuit clerk~~
20 ~~or division clerk for cause.~~

21 ~~—————5. The maximum number of deputy circuit clerks for each county and the maximum~~
22 ~~number of division clerks for a particular division shall be determined by order of the circuit~~

23 ~~court en banc. Such order may be modified for cause by order of the supreme court, or if no~~
24 ~~order is entered providing for the number of deputy circuit clerks and division clerks, the~~
25 ~~supreme court may enter such order.~~

26 ~~———6.] The salaries of deputy circuit clerks and division clerks shall be established by the~~
27 ~~elected circuit clerk in the case of deputy circuit clerks[, or the judge appointing the division~~
28 ~~clerk in the case of] and division clerks, within salary ranges and classifications which may from~~
29 ~~time to time be established by administrative rule of the supreme court within the limit of funds~~
30 ~~appropriated for this purpose. The salaries of deputy circuit clerks and division clerks shall be~~
31 ~~paid by the state, and they shall be state employees.~~

32 [7.] 5. Notwithstanding the other provisions of this section providing for the
33 establishment of the number of deputy circuit clerks and division clerks serving the various
34 circuit courts and the determination of their salaries, such determinations shall not be construed
35 as mandating appropriations to fund such positions, and the payment of the salaries and
36 emoluments of deputy circuit clerks and division clerks shall be subject to the availability of
37 moneys appropriated for those purposes by the general assembly or federal grant moneys.

38 [8. For purposes of this section, the circuit court en banc shall be deemed to include all
39 circuit and associate circuit judges of the entire circuit, and determinations or orders of the circuit
40 court en banc shall be by action of a majority of such judges in office.]

2 [50.800. 1. On or before the first Monday in March of each year, the
3 county commission of each county of the second, third, or fourth class shall
4 prepare and publish in some newspaper as provided for in section 493.050, if
5 there is one, and if not by notices posted in at least ten places in the county, a
6 detailed financial statement of the county for the year ending December thirty-
7 first, preceding.

8 2. The statement shall show the bonded debt of the county, if any, kind
9 of bonds, date of maturity, interest rate, rate of taxation levied for interest and
10 sinking fund and authority for the levy, the total amount of interest and sinking
11 fund that has been collected and interest and sinking fund on hand in cash.

12 3. The statement shall also show separately the total amount of the
13 county and township school funds on hand and loaned out, the amount of
14 penalties, fines, levies, utilities, forfeitures, and any other taxes collected and
15 disbursed or expended during the year and turned into the permanent school fund;
16 the name of each person who has a loan from the permanent school fund, whether
17 county or township, the amount of the loan, date loan was made and date of
18 maturity, description of the security for the loan, amount, if any, of delinquent
19 interest on each loan.

20 4. The statement shall show the total valuation of the county for purposes
21 of taxation, the highest rate of taxation the constitution permits the county
22 commission to levy for purposes of county revenue, the rate levied by the county
commission for the year covered by the statement, division of the rate levied

23 ~~among the several funds and total amount of delinquent taxes for all years as of~~
24 ~~December thirty-first.~~

25 ~~5. The statement shall show receipts or revenues into each and every fund~~
26 ~~separately. Each fund shall show the beginning balance of each fund; each~~
27 ~~source of revenue; the total amount received from each source of revenue; the~~
28 ~~total amount available in each fund; the total amount of disbursements or~~
29 ~~expenditures from each fund and the ending balance of each fund as of December~~
30 ~~thirty-first. The total receipts or revenues for the year into all funds shall be~~
31 ~~shown in the recapitulation. In counties with the township form of government;~~
32 ~~each township shall be considered a fund pursuant to this subsection.~~

33 ~~6. Total disbursements or expenditures shall be shown for warrants~~
34 ~~issued in each category contained in the forms developed or approved by the state~~
35 ~~auditor pursuant to section 50.745. Total amount of warrants, person or vendor~~
36 ~~to whom issued and purpose for which issued shall be shown except as herein~~
37 ~~provided. Under a separate heading in each fund the statements shall show what~~
38 ~~warrants are outstanding and unpaid for the lack of funds on that date with~~
39 ~~appropriate balance or overdraft in each fund as the case may be.~~

40 ~~7. Warrants issued to pay for the service of election judges and clerks of~~
41 ~~elections shall be in the following form:~~

42 ~~Names of judges and clerks of elections at \$_____ per day~~
43 ~~(listing the names run in and not listing each name by lines, and~~
44 ~~at the end of the list of names giving the total of the amount of all~~
45 ~~the warrants issued for such election services).~~

46 ~~8. Warrants issued to pay for the service of jurors shall be in the~~
47 ~~following form:~~

48 ~~Names of jurors at \$_____ per day (listing the names run in and~~
49 ~~not listing each name by lines, and at the end of the list of names~~
50 ~~giving the total of the amount of all the warrants issued for such~~
51 ~~election service).~~

52 ~~9. Warrants to Internal Revenue Service for Social Security and~~
53 ~~withholding taxes shall be brought into one call.~~

54 ~~10. Warrants to the director of revenue of Missouri for withholding taxes~~
55 ~~shall be brought into one call.~~

56 ~~11. Warrants to the division of employment security shall be brought into~~
57 ~~one call.~~

58 ~~12. Warrants to Missouri local government employees' retirement system~~
59 ~~or other retirement funds for each office shall be brought into one call.~~

60 ~~13. Warrants for utilities such as gas, water, lights and power shall be~~
61 ~~brought into one call except that the total shall be shown for each vendor.~~

62 ~~14. Warrants issued to each telephone company shall be brought into one~~
63 ~~call for each office in the following form:~~

64 ~~(Name of Telephone Company for _____ office and total~~
65 ~~amount of warrants issued).~~

66 ~~15. Warrants issued to the postmaster for postage shall be brought into~~
67 ~~one call for each office in the following form:~~

68 ~~(Postmaster for _____ office and total amount of warrants~~
69 ~~issued):~~

70 ~~16. Disbursements or expenditures by road districts shall show the~~
71 ~~warrants, if warrants have been issued in the same manner as provided for in~~
72 ~~subsection 5 of this section. If money has been disbursed or expended by~~
73 ~~overseers the financial statement shall show the total paid by the overseer to each~~
74 ~~person for the year, and the purpose of each payment. Receipts or revenues into~~
75 ~~the county distributive school fund shall be listed in detail, disbursements or~~
76 ~~expenditures shall be listed and the amount of each disbursement or expenditure.~~
77 ~~If any taxes have been levied by virtue of Section 12(a) of Article X of the~~
78 ~~Constitution of Missouri the financial statement shall contain the following:~~

79 ~~By virtue and authority of the discretionary power conferred upon~~
80 ~~the county commissions of the several counties of this state to~~
81 ~~levy a tax of not to exceed 35 cents on the \$100 assessed~~
82 ~~valuation the county commission of _____ County did for the~~
83 ~~year covered by this report levy a tax rate of _____ cents on the~~
84 ~~\$100 assessed valuation which said tax amounted to \$_____ and~~
85 ~~was disbursed or expended as follows:-~~

86
87 ~~The statement shall show how the money was disbursed or expended and if any~~
88 ~~part of the sum has not been accounted for in detail under some previous~~
89 ~~appropriate heading the portion not previously accounted for shall be shown in~~
90 ~~detail.~~

91 ~~17. At the end of the statement the person designated by the county~~
92 ~~commission to prepare the financial statement herein required shall append the~~
93 ~~following certificate:~~

94 ~~I, _____, the duly authorized agent appointed by the county~~
95 ~~commission of _____ County, state of Missouri, to prepare for~~
96 ~~publication the financial statement as required by section 50.800,~~
97 ~~RSMo, hereby certify that I have diligently checked the records~~
98 ~~of the county and that the above and foregoing is a complete and~~
99 ~~correct statement of every item of information required in section~~
100 ~~50.800, RSMo, for the year ending December 31, _____, and~~
101 ~~especially have I checked every receipt from every source~~
102 ~~whatsoever and every disbursement or expenditure of every kind~~
103 ~~and to whom and for what each such disbursement or expenditure~~
104 ~~was made and that each receipt or revenue and disbursement or~~
105 ~~expenditure is accurately shown. (If for any reason complete and~~
106 ~~accurate information is not given the following shall be added to~~
107 ~~the certificate.) Exceptions: The above report is incomplete~~
108 ~~because proper information was not available in the following~~

109 records _____ which are in the keeping of the following officer
110 or officers. The person designated to prepare the financial
111 statement shall give in detail any incomplete data called for by
112 this section.

113 _____ Date _____

114 _____ Officer designated by county commission to prepare financial
115 statement required by section 50.800, RSMo.

116
117 _____ Or if no one has been designated said statement having been prepared by the
118 county clerk, signature shall be in the following form:

119 _____ Clerk of the county commission and ex officio officer designated
120 to prepare financial statement required by section 50.800, RSMo.

121 _____ 18. Any person falsely certifying to any fact covered by the certificate is
122 liable on his bond and upon conviction of falsely certifying to any fact covered
123 by the certificate is guilty of a misdemeanor and punishable by a fine of not less
124 than two hundred dollars or more than one thousand dollars or by imprisonment
125 in the county jail for not less than thirty days nor more than six months or by both
126 fine and imprisonment. Any person charged with the responsibility of preparing
127 the financial report who willfully or knowingly makes a false report of any
128 record, is, in addition to the penalty otherwise provided for in this law, deemed
129 guilty of a felony and upon conviction shall be sentenced to the penitentiary for
130 not less than two years nor more than five years.]

131

2 [50.810. 1. The statement shall be printed in not less than 8-point type,
3 but not more than the smallest point type over 8-point type available and in the
4 standard column width measure that will take the least space. The publisher shall
5 file two proofs of publication with the county commission and the commission
6 shall forward one proof to the state auditor and shall file the other in the office
7 of the commission. The county commission shall not pay the publisher until
8 proof of publication is filed with the commission and shall not pay the person
9 designated to prepare the statement for the preparation of the copy for the
10 statement until the state auditor notifies the commission that proof of publication
11 has been received and that it complies with the requirements of this section.

12 _____ 2. The statement shall be spread on the record of the commission and for
13 this purpose the publisher shall be required to furnish the commission with at
14 least two copies of the statement that may be pasted on the record. The publisher
15 shall itemize the cost of publishing said statement by column inch as properly
16 chargeable to the several funds and shall submit such costs for payment to the
17 county commission. The county commission shall pay out of each fund in the
18 proportion that each item bears to the total cost of publishing said statement and
19 shall issue warrants therefor; provided any part not properly chargeable to any
specific fund shall be paid from the county general revenue fund.

20 ~~3. The state auditor shall notify the county treasurer immediately of the~~
21 ~~receipt of the proof of publication of the statement. After the first of April of~~
22 ~~each year the county treasurer shall not pay or enter for protest any warrant for~~
23 ~~the pay of any commissioner of any county commission until notice is received~~
24 ~~from the state auditor that the required proof of publication has been filed. Any~~
25 ~~county treasurer paying or entering for protest any warrant for any commissioner~~
26 ~~of the county commission prior to the receipt of such notice from the state auditor~~
27 ~~shall be liable on his official bond therefor.~~

28 ~~4. The state auditor shall prepare sample forms for financial statements~~
29 ~~and shall mail the same to the county clerks of the several counties in this state.~~
30 ~~If the county commission employs any person other than a bonded county officer~~
31 ~~to prepare the financial statement the county commission shall require such~~
32 ~~person to give bond with good and sufficient sureties in the penal sum of one~~
33 ~~thousand dollars for the faithful performance of his duty. If any county officer~~
34 ~~or other person employed to prepare the financial statement herein provided for~~
35 ~~shall fail, neglect, or refuse to, in any manner, comply with the provisions of this~~
36 ~~law he shall, in addition to other penalties herein provided, be liable on his~~
37 ~~official bond for dereliction of duty.]~~
38

Section B. Because immediate action is necessary to prevent unethical influence on state
2 officials and to uphold the integrity of state and local elections, sections 115.044 and 115.075
3 of Section A of this act are deemed necessary for the immediate preservation of the public
4 welfare, peace, and safety and are hereby declared to be an emergency act within the meaning
5 of the constitution, and sections 115.044 and 115.075 of Section A of this act shall be in full
6 force and effect upon its passage and approval.

Section C. Because of the immediate threat of government overreach to the residents of
2 Missouri, section 192.027 of Section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace, and safety and is hereby declared to be an
4 emergency act within the meaning of the constitution, and section 192.027 of Section A of this
5 act shall be in full force and effect upon its passage and approval.

✓