

HS HCS SB 1363 -- COUNTY OFFICIALS

SPONSOR: Crawford (Reedy)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 11 to 1 and 4 present. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 6 to 0. Voted "Do Pass with HS" by the Standing Committee on Legislative Review by a vote of 9 to 0.

The following is a summary of the House Substitute for SB 1363.

COMPENSATION FOR COUNTY CORONERS (Sections 50.327, 58.095, and 58.200, RSMo)

This bill specifies that the salary of a coroner in a noncharter county may be set as a base schedule as provided by law subject to an increase up to \$14,000 upon the majority approval of the salary commission.

Currently, when the office of the sheriff is vacant, the county coroner is authorized to perform all the duties of the sheriff, until another sheriff is appointed.

The bill specifies that if the coroner becomes acting sheriff and the sheriff is no longer receiving the sheriff's salary, the coroner may be paid, in addition to the coroner's salary, the difference between the salaries of the sheriff and coroner so that the coroner receives the equivalent of the sheriff's salary while serving as acting sheriff.

This bill specifies that the salary commission of any third class county may amend the base salary schedules as provided by law for the computation of salaries for county officials to include assessed valuation factors in excess of \$300 million dollars; provided that the percentage of any adjustments shall be equal for all county officials in that county.

PUBLISHING OF COUNTY FINANCIAL STATEMENTS (Sections 50.815, 50.820, 50.800, & 50.810)

This bill changes the date counties must prepare and publish their financial statements from the first Monday in March to June 30th of each year. Additionally, the county treasurer will not pay the county commission until notice is received from the State Auditor that the county's financial statement has been published in a newspaper after the first day of July.

This bill also requires second, third, and fourth class counties to produce and publish a county annual financial statement in the same

manner as counties of the first classification. The financial statement shall include the name, office, and current gross annual salary of each elected or appointed county official.

The county clerk or other county officer preparing the financial statement will provide an electronic copy of the data used to create the financial statement without charge to the newspaper requesting the data.

Finally, the newspaper publishing the financial statement must charge and receive no more than its regular local classified advertising rate as published 30 days before the publication of the financial statement.

#### COUNTY AUDITORS (Section 55.160)

The bill specifies that, upon request, a county auditor in certain counties will have access to and the ability to audit and examine claims of every kind and character for which a county officer has a fiduciary duty.

#### BOONE COUNTY SHERIFF (Section 57.317)

Currently, first and second class county sheriffs must receive salaries equal to 80% of the compensation of associate circuit judges of the county.

The bill excludes the sheriff of Boone County.

#### NEIGHBORHOOD AND COMMUNITY IMPROVEMENT DISTRICTS (Sections 67.457, 67.461, 67.1421, 67.1471)

The bill requires the governing body of the city or county establishing a neighborhood or community improvement district to, as soon as practicable, submit certain information, specified in the bill, to the State Auditor and the Department of Revenue. The Department of Revenue must publish on its website notices for public hearings related to the establishment of such districts.

The Board of Directors for a district is currently required to submit its proposed budget to the governing body of the city, and this bill requires the Board to also send it to the Department of Revenue and the State Auditor in the timeframe provided in statute.

#### DESIGNATION OF A REDEVELOPMENT AREA (Sections 99.825, 99.830, and 99.865)

A county commission is currently required to hold a public hearing prior to the adoption of an ordinance proposing the designation of a redevelopment area, and the hearing can be continued to another date without notice other than a motion to be entered in the

minutes of the first hearing. This bill requires notice of the subsequent hearing to be provided to the Department of Revenue, which must publish the notice on its website. The bill also specifies what information the governing body of the municipality establishing a redevelopment area must send, as soon as practicable, to the State Auditor and the Department of Revenue.

#### PENALTIES FOR FAILURE TO FILE A FINANCIAL STATEMENT (Section 105.145)

Under current law, any transportation development district having gross revenues of less than \$5,000 in a fiscal year for which an annual financial statement was not timely filed to the State Auditor is not subject to a fine.

This bill provides that any political subdivision that has gross revenues of less than \$5,000 or that has not levied or collected sales or use taxes in the fiscal year for which the annual financial statement was not timely filed will not be subject to a fine.

Additionally, if failure to timely submit the annual financial statement is the result of fraud or other illegal conduct by an employee or officer of the political subdivision, the political subdivision will not be subject to a fine if the statement is filed within 30 days of discovery of the fraud or illegal conduct.

If the political subdivision has an outstanding balance for fines at the time it files its first annual financial statement after August 28, 2024, the Director of Revenue must make a one-time downward adjustment to such outstanding balance in an amount that reduces the outstanding balance by no less than 90%. If the Director of Revenue determines a fine is uncollectable, the Director will have the authority to make a one-time downward adjustment to any outstanding penalty.

#### AUCTIONS FOR LAND WITH DELINQUENT PROPERTY TAXES (Sections 140.170 & 140.190)

This bill allows a county collector to hold an auction of lands with delinquent property taxes through electronic media at the same time as the auction is held in-person.

#### TRANSPORTATION DEVELOPMENT DISTRICTS (Sections 238.212 and 238.222)

The bill requires notice of a public hearing on the question of the creation and funding of a proposed transportation district to be sent to the Department of Revenue, which must publish and maintain the notice of the hearing on its website. The bill also specifies

what the governing body of the local transportation authority establishing a district or the governing body of the district must, as soon as practicable, send to the State Auditor and the Department of Revenue.

#### EMERGENCY VEHICLES (Section 304.022)

This bill designates vehicles operated by county or municipal rangers as emergency vehicles.

#### SALARIES OF COUNTY PUBLIC ADMINISTRATORS (Section 473.742)

Currently, if a public administrator of a second, third, or fourth class county or of the City of St. Louis elects to be placed on salary, the salary is determined by a schedule based on the average number of open letters in the two years preceding the term in which the salary is elected. The bill specifies that every public administrator who begins his or her term on or after January 1, 2024, shall be deemed to have elected to receive such salary. This bill also specifies that a letter of guardianship and a letter of conservatorship shall be counted as separate letters. Additionally, it will be two letters if the public administrator is appointed by the court as both a guardian and a conservator to the same ward or protectee.

The bill specifies that upon majority approval by the salary commission, a public administrator may be paid according to the assessed valuation schedule specified in the bill. If the salary commission elects to pay a public administrator according to the assessed valuation schedule, the salary commission shall not elect to change at any future time to pay the public administrator according to the average number of open letters in lieu of paying them according to the assessed valuation schedule.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

**PROPONENTS:** Supporters say that this legislation updates what is currently in law concerning county officials' salaries. This legislation allows counties to increase county coroners' pay, allows coroners to receive a sheriff's salary if a coroner takes over a sheriff's duties, allows county collectors to collect sales tax electronically or in person, allows county auditors to examine claims in which a county has a fiduciary duty, and sets up a new salary schedule that requires all public administrators to receive a salary. Supporters stated that the changes to current statute proposed in this legislation would ensure fairer pay for county officials.

Testifying in person for the bill were Senator Crawford; Missouri Association of Public Administrators; Missouri County Collectors Association; Arnie Dienoff; Jimmy Laughlin, Missouri Association Of County Auditors; and the Department of Sheriff/City Of St. Louis.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.