

FIRST REGULAR SESSION

HOUSE BILL NO. 249

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE REEDY.

0415H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 140.190, RSMo, and section 50.327 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, section 50.327 as enacted by house bill no. 271 merged with senate bills nos. 53 & 60, one hundred first general assembly, first regular session, section 55.160 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, section 55.160 as enacted by house bill no. 58 merged with senate bill no. 210 merged with senate bill no. 507, ninety-third general assembly, first regular session, section 57.317 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, section 57.317 as enacted by senate bills nos. 53 & 60, one hundred first general assembly, first regular session, section 58.095 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, section 58.095 as enacted by house bill no. 2046, one hundredth general assembly, second regular session, section 58.200 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, section 58.200 as codified as section 13145 in the 1939 revised statutes of Missouri, section 140.170 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, section 140.170 as enacted by house bill no. 613, ninety-eighth general assembly, first regular session, section 473.742 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, and section 473.742 as enacted by senate bill no. 808, ninety-fifth general assembly, second regular session, and to enact in lieu thereof eight new sections relating to county officials.

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

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.

Section A. Section 140.190, RSMo, and section 50.327 as enacted by house bill no. 2 1606, one hundred first general assembly, second regular session, section 50.327 as enacted 3 by house bill no. 271 merged with senate bills nos. 53 & 60, one hundred first general 4 assembly, first regular session, section 55.160 as enacted by house bill no. 1606, one hundred 5 first general assembly, second regular session, section 55.160 as enacted by house bill no. 58 6 merged with senate bill no. 210 merged with senate bill no. 507, ninety-third general 7 assembly, first regular session, section 57.317 as enacted by house bill no. 1606, one hundred 8 first general assembly, second regular session, section 57.317 as enacted by senate bills nos. 9 53 & 60, one hundred first general assembly, first regular session, section 58.095 as enacted 10 by house bill no. 1606, one hundred first general assembly, second regular session, section 11 58.095 as enacted by house bill no. 2046, one hundredth general assembly, second regular 12 session, section 58.200 as enacted by house bill no. 1606, one hundred first general assembly, 13 second regular session, section 58.200 as codified as section 13145 in the 1939 revised 14 statutes of Missouri, section 140.170 as enacted by house bill no. 1606, one hundred first 15 general assembly, second regular session, section 140.170 as enacted by house bill no. 613, 16 ninety-eighth general assembly, first regular session, section 473.742 as enacted by house bill 17 no. 1606, one hundred first general assembly, second regular session, and section 473.742 as 18 enacted by senate bill no. 808, ninety-fifth general assembly, second regular session, are 19 repealed and eight new sections enacted in lieu thereof, to be known as sections 50.327, 20 55.160, 57.317, 58.095, 58.200, 140.170, 140.190, and 473.742, to read as follows:

~~50.327. 1. Notwithstanding any other provisions of law to the 2 contrary, the salary schedules contained in sections 49.082, 50.334, 50.343, 3 51.281, 51.282, 52.269, 53.082, 53.083, 54.261, 54.320, 55.091, 56.265, 4 58.095, and 473.742 shall be set as a base schedule for those county officials. 5 Except when it is necessary to increase newly elected or reelected county 6 officials' salaries, in accordance with Section 13, Article VII, Constitution of 7 Missouri, to comply with the requirements of this section, the salary 8 commission in all counties except charter counties in this state shall be 9 responsible for the computation of salaries of all county officials; provided, 10 however, that any percentage salary adjustments in a county shall be equal for 11 all such officials in that county.~~

~~2. Upon majority approval of the salary commission, the annual 12 compensation of part time prosecutors contained in section 56.265 and the 13 county offices contained in sections 49.082, 50.334, 50.343, 51.281, 51.282, 14 52.269, 53.082, 53.083, 54.261, 54.320, 55.091, 58.095, and 473.742 may be 15 increased by up to two thousand dollars greater than the compensation 16 provided by the salary schedules; provided, however, that any vote to increase 17 compensation be effective for all county offices in that county subject to the 18 salary commission.~~

~~3. Upon the majority approval of the salary commission, the annual 20 compensation of a county coroner of any county not having a charter form of 21~~

22 ~~government as provided in section 58.095 may be increased up to fourteen~~
 23 ~~thousand dollars greater than the compensation provided by the salary~~
 24 ~~schedule of such section.~~

25 ~~4. The salary commission of any county of the third classification may~~
 26 ~~amend the base schedules for the computation of salaries for county officials~~
 27 ~~referenced in subsection 1 of this section to include assessed valuation factors~~
 28 ~~in excess of three hundred million dollars; provided that the percentage of any~~
 29 ~~adjustments in assessed valuation factors shall be equal for all such officials in~~
 30 ~~that county.]~~

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

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

17 3. Upon the majority approval of the salary commission, the annual compensation of
 18 a county coroner of any county ~~[of the second classification]~~ **not having a charter form of**
 19 **government** as provided in section 58.095 may be increased up to fourteen thousand dollars
 20 greater than the compensation provided by the salary schedule of such section.

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

2 ~~[55.160. The auditor of each county of the first classification not~~
 3 ~~having a charter form of government and of each county of the second~~
 4 ~~classification shall keep an inventory of all county property under the control~~
 5 ~~and management of the various officers and departments and shall annually~~
 take an inventory of such property at an original value of one thousand dollars

6 or more showing the amount, location and estimated value thereof. The
7 auditor shall keep accounts of all appropriations and expenditures made by the
8 county commission, and no warrant shall be drawn or obligation incurred
9 without the auditor's certification that an unencumbered balance, sufficient to
10 pay the same, remain in the appropriate account or in the anticipated revenue
11 fund against which such warrant or obligation is to be charged. The auditor
12 shall audit the accounts of all officers of the county annually or upon their
13 retirement from office. The auditor shall audit, examine and adjust all
14 accounts, demands, and claims of every kind and character presented for
15 payment against the county, and shall in the auditor's discretion approve to the
16 county commission of the county all lawful, true, just and legal accounts,
17 demands and claims of every kind and character payable out of the county
18 revenue or out of any county funds before the same shall be allowed and a
19 warrant issued therefor by the commission. Whenever the auditor thinks it
20 necessary to the proper examination of any account, demand or claim, the
21 auditor may examine the parties, witnesses, and others on oath or affirmation
22 touching any matter or circumstance in the examination of such account,
23 demand or claim before the auditor allows same. The auditor shall not be
24 personally liable for any cost for any proceeding instituted against the auditor
25 in the auditor's official capacity. The auditor shall keep a correct account
26 between the county and all county and township officers, and shall examine all
27 records and settlements made by them for and with the county commission or
28 with each other, and the auditor shall, whenever the auditor desires, have
29 access to all books, county records or papers kept by any county or township
30 officer or road overseer. The auditor shall, during the first four days of each
31 month, strike a balance in the case of each county and township officer,
32 showing the amount of money collected by each, the amount of money due
33 from each to the county, and the amount of money due from any source
34 whatever to such office, and the auditor shall include in such balance any fees
35 that have been returned to the county commission or to the auditor as unpaid
36 and which since having been returned have been collected. Upon request, the
37 auditor shall have access to and the ability to audit and examine claims of
38 every kind and character for which a county officer has a fiduciary duty.]

55.160. The auditor of each county of the first classification not having a charter form
2 of government and of each county of the second classification shall keep an inventory of all
3 county property under the control and management of the various officers and departments
4 and shall annually take an inventory of such property at an original value of one thousand
5 dollars or more showing the amount, location and estimated value thereof. The auditor shall
6 keep accounts of all appropriations and expenditures made by the county commission, and no
7 warrant shall be drawn or obligation incurred without the auditor's certification that an
8 unencumbered balance, sufficient to pay the same, remain in the appropriate account or in the
9 anticipated revenue fund against which such warrant or obligation is to be charged. The
10 auditor shall audit the accounts of all officers of the county annually or upon their retirement
11 from office. The auditor shall audit, examine and adjust all accounts, demands, and claims of

12 every kind and character presented for payment against the county, and shall in the auditor's
 13 discretion approve to the county commission of the county all lawful, true, just and legal
 14 accounts, demands and claims of every kind and character payable out of the county revenue
 15 or out of any county funds before the same shall be allowed and a warrant issued therefor by
 16 the commission. Whenever the auditor thinks it necessary to the proper examination of any
 17 account, demand or claim, the auditor may examine the parties, witnesses, and others on oath
 18 or affirmation touching any matter or circumstance in the examination of such account,
 19 demand or claim before the auditor allows same. The auditor shall not be personally liable
 20 for any cost for any proceeding instituted against the auditor in the auditor's official capacity.
 21 The auditor shall keep a correct account between the county and all county and township
 22 officers, and shall examine all records and settlements made by them for and with the county
 23 commission or with each other, and the auditor shall, whenever the auditor desires, have
 24 access to all books, county records or papers kept by any county or township officer or road
 25 overseer. The auditor shall, during the first four days of each month, strike a balance in the
 26 case of each county and township officer, showing the amount of money collected by each,
 27 the amount of money due from each to the county, and the amount of money due from any
 28 source whatever to such office, and the auditor shall include in such balance any fees that
 29 have been returned to the county commission or to the auditor as unpaid and which since
 30 having been returned have been collected. **Upon request, the auditor shall have access to**
 31 **and the ability to audit and examine claims of every kind and character for which a**
 32 **county officer has a fiduciary duty.**

2 ~~[57.317. 1. (1) Except in a noncharter county of the first classification~~
 3 ~~with more than one hundred fifty thousand and less than two hundred thousand~~
 4 ~~inhabitants, the county sheriff in any county of the first or second classification~~
 5 ~~shall receive an annual salary equal to eighty percent of the compensation of~~
 6 ~~an associate circuit judge of the county.~~

7 ~~(2) The county sheriff in any county of the third or fourth~~
 8 ~~classification shall receive an annual salary computed as the following~~
 9 ~~percentages of the compensation of an associate circuit judge of the county. If~~
 10 ~~there is an increase in salary of less than ten thousand dollars, the increase~~
 11 ~~shall take effect on January 1, 2022. If there is an increase of ten thousand~~
 12 ~~dollars or more, the increase shall be paid over a period of five years in twenty~~
 13 ~~percent increments per year. The assessed valuation factor shall be the amount~~
 14 ~~thereof as shown for the year next preceding the computation. The provisions~~
 15 ~~of this section shall not permit or require a reduction in the amount of~~
 16 ~~compensation being paid for the office of sheriff from the prior year.~~

| Assessed Valuation | Percentage |
|----------------------------|------------|
| \$18,000,000 to 99,999,999 | 45% |
| 100,000,000 to 249,999,999 | 50% |

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| 250,000,000 to 449,999,999 | 55% |
| 450,000,000 to 899,999,999 | 60% |
| 900,000,000 and over | 65% |

~~2. Two thousand dollars of the salary authorized in this section shall be payable to the sheriff only if the sheriff has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the sheriff's office when approved by a professional association of the county sheriffs of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each sheriff who completes the training program and shall send a list of certified sheriffs to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the county sheriff in the same manner as other expenses as may be appropriated for that purpose.~~

~~3. The county sheriff in any county other than a charter county shall not receive an annual compensation less than the compensation described under this section.]~~

57.317. 1. (1) **Except in a noncharter county of the first classification with more than one hundred fifty thousand and fewer than two hundred thousand inhabitants**, the county sheriff in any county of the first or second classification shall receive an annual salary equal to eighty percent of the compensation of an associate circuit judge of the county.

(2) The county sheriff in any county of the third or fourth classification shall receive an annual salary computed as the following percentages of the compensation of an associate circuit judge of the county. If there is an increase in salary of less than ten thousand dollars, the increase shall take effect on January 1, 2022. If there is an increase of ten thousand dollars or more, the increase shall be paid over a period of five years in twenty percent increments per year. The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of sheriff from the prior year.

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| Assessed Valuation | Percentage |
|----------------------------|------------|
| \$18,000,000 to 99,999,999 | 45% |
| 100,000,000 to 249,999,999 | 50% |
| 250,000,000 to 449,999,999 | 55% |
| 450,000,000 to 899,999,999 | 60% |
| 900,000,000 and over | 65% |

20 2. Two thousand dollars of the salary authorized in this section shall be payable to the
21 sheriff only if the sheriff has completed at least twenty hours of classroom instruction each

22 calendar year relating to the operations of the sheriff's office when approved by a professional
 23 association of the county sheriffs of Missouri unless exempted from the training by the
 24 professional association. The professional association approving the program shall provide a
 25 certificate of completion to each sheriff who completes the training program and shall send a
 26 list of certified sheriffs to the treasurer of each county. Expenses incurred for attending the
 27 training session may be reimbursed to the county sheriff in the same manner as other
 28 expenses as may be appropriated for that purpose.

29 3. The county sheriff in any county other than a charter county shall not receive an
 30 annual compensation less than the compensation described under this section.

~~58.095. 1. The county coroner in any county not having a charter form of government shall receive an annual salary computed on a basis as set forth in the following schedule as well as any adjustment authorized under subsection 3 of section 50.327. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of coroner on January 1, 1997:~~

| Assessed Valuation | Salary |
|----------------------------|---------|
| \$18,000,000 to 40,999,999 | \$8,000 |
| 41,000,000 to 53,999,999 | 8,500 |
| 54,000,000 to 65,999,999 | 9,000 |
| 66,000,000 to 85,999,999 | 9,500 |
| 86,000,000 to 99,999,999 | 10,000 |
| 100,000,000 to 130,999,999 | 11,000 |
| 131,000,000 to 159,999,999 | 12,000 |
| 160,000,000 to 189,999,999 | 13,000 |
| 190,000,000 to 249,999,999 | 14,000 |
| 250,000,000 to 299,999,999 | 15,000 |
| 300,000,000 or more | 16,000 |

~~2. One thousand dollars of the salary authorized in this section shall be payable to the coroner only if the coroner has completed at least twenty hours of classroom instruction each calendar year as established by the Coroner Standards and Training Commission unless exempted from the training by the Missouri Coroners' and Medical Examiners' Association for good cause. The Missouri Coroners' and Medical Examiners' Association shall provide a certificate of completion to each coroner who completes the training program and shall send a list of certified coroners to the treasurer of each county and the department of health and senior services. The Coroner Standards and Training Commission may certify training programs that satisfy the requirements of this section in lieu of the training provided by the Missouri Coroners' and Medical Examiners' Association. Certified training completion shall be submitted to~~

31 ~~the Missouri Coroners' and Medical Examiners' Association which, upon~~
 32 ~~validating the certified training, shall submit the individual's name to the~~
 33 ~~county treasurer and department of health and senior services indicating the~~
 34 ~~individual is compliant with the training requirements. Expenses incurred for~~
 35 ~~attending the training session may be reimbursed to the county coroner in the~~
 36 ~~same manner as other expenses as may be appropriated for that purpose. All~~
 37 ~~elected or appointed coroners, deputy coroners, and assistants to the coroner~~
 38 ~~shall complete the annual training described in this subsection within six~~
 39 ~~months of election or appointment.~~

40 ~~3. The county coroner in any county not having a charter form of~~
 41 ~~government shall not, except upon two thirds vote of all the members of the~~
 42 ~~salary commission, receive an annual compensation in an amount less than the~~
 43 ~~total compensation being received for the office of county coroner in the~~
 44 ~~particular county for services rendered or performed on the date the salary~~
 45 ~~commission votes.~~

46 ~~4. For the term beginning in 1997, the compensation of the coroner, in~~
 47 ~~counties in which the salary commission has not voted to pay one hundred~~
 48 ~~percent of the maximum allowable salary, shall be a percentage of the~~
 49 ~~maximum allowable salary established by this section. The percentage applied~~
 50 ~~shall be the same percentage of the maximum allowable salary received or~~
 51 ~~allowed, whichever is greater, to the presiding commissioner or sheriff,~~
 52 ~~whichever is greater, of that county for the year beginning January 1, 1997. In~~
 53 ~~those counties in which the salary commission has voted to pay one hundred~~
 54 ~~percent of the maximum allowable salary, the compensation of the coroner~~
 55 ~~shall be based on the maximum allowable salary in effect at each time a~~
 56 ~~coroner's term of office commences following the vote to pay one hundred~~
 57 ~~percent of the maximum allowable compensation. Subsequent compensation~~
 58 ~~shall be determined as provided in section 50.333.~~

59 ~~5. Effective January 1, 1997, the county coroner in any county not~~
 60 ~~having a charter form of government may, upon the approval of the county~~
 61 ~~commission, receive additional compensation for any month during which~~
 62 ~~investigations or other services are performed for three or more decedents in~~
 63 ~~the same incident during such month. The additional compensation shall be an~~
 64 ~~amount that when added to the regular compensation the sum shall equal the~~
 65 ~~monthly compensation of the county sheriff.]~~

58.095. 1. The county coroner in any county not having a charter form of
 2 government shall receive an annual salary computed on a basis as set forth in the following
 3 schedule **as well as any adjustment authorized under subsection 3 of section 50.327.** The
 4 provisions of this section shall not permit or require a reduction in the amount of
 5 compensation being paid for the office of coroner on January 1, 1997:

| Assessed Valuation | Salary |
|----------------------------|---------|
| \$18,000,000 to 40,999,999 | \$8,000 |
| 41,000,000 to 53,999,999 | 8,500 |
| 54,000,000 to 65,999,999 | 9,000 |

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| 66,000,000 to 85,999,999 | 9,500 |
| 86,000,000 to 99,999,999 | 10,000 |
| 100,000,000 to 130,999,999 | 11,000 |
| 131,000,000 to 159,999,999 | 12,000 |
| 160,000,000 to 189,999,999 | 13,000 |
| 190,000,000 to 249,999,999 | 14,000 |
| 250,000,000 to 299,999,999 | 15,000 |
| 300,000,000 or more | 16,000 |

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2. One thousand dollars of the salary authorized in this section shall be payable to the coroner only if the coroner has completed at least twenty hours of classroom instruction each calendar year as established by the coroner standards and training commission unless exempted from the training by the Missouri Coroners' and Medical Examiners' Association for good cause. The Missouri Coroners' and Medical Examiners' Association shall provide a certificate of completion to each coroner who completes the training program and shall send a list of certified coroners to the treasurer of each county and the department of health and senior services. The coroner standards and training commission may certify training programs that satisfy the requirements of this section in lieu of the training provided by the Missouri Coroners' and Medical Examiners' Association. Certified training completion shall be submitted to the Missouri Coroners' and Medical Examiners' Association which, upon validating the certified training, shall submit the individual's name to the county treasurer and department of health and senior services indicating the individual is compliant with the training requirements. Expenses incurred for attending the training session may be reimbursed to the county coroner in the same manner as other expenses as may be appropriated for that purpose. All elected or appointed coroners, deputy coroners, and assistants to the coroner shall complete the annual training described in this subsection within six months of election or appointment.

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3. The county coroner in any county not having a charter form of government shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation in an amount less than the total compensation being received for the office of county coroner in the particular county for services rendered or performed on the date the salary commission votes.

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4. For the term beginning in 1997, the compensation of the coroner, in counties in which the salary commission has not voted to pay one hundred percent of the maximum allowable salary, shall be a percentage of the maximum allowable salary established by this section. The percentage applied shall be the same percentage of the maximum allowable salary received or allowed, whichever is greater, to the presiding commissioner or sheriff,

46 whichever is greater, of that county for the year beginning January 1, 1997. In those counties
 47 in which the salary commission has voted to pay one hundred percent of the maximum
 48 allowable salary, the compensation of the coroner shall be based on the maximum allowable
 49 salary in effect at each time a coroner's term of office commences following the vote to pay
 50 one hundred percent of the maximum allowable compensation. Subsequent compensation
 51 shall be determined as provided in section 50.333.

52 5. Effective January 1, 1997, the county coroner in any county not having a charter
 53 form of government may, upon the approval of the county commission, receive additional
 54 compensation for any month during which investigations or other services are performed for
 55 three or more decedents in the same incident during such month. The additional
 56 compensation shall be an amount that when added to the regular compensation the sum shall
 57 equal the monthly compensation of the county sheriff.

2 ~~[58.200. When the office of sheriff shall be vacant, by death or~~
 3 ~~otherwise, the coroner of the county is authorized to perform all the duties~~
 4 ~~which are by law required to be performed by the sheriff, until another sheriff~~
 5 ~~for such county shall be appointed and qualified and such coroner shall have~~
 6 ~~notice thereof. In such case, said coroner may appoint one or more deputies,~~
 7 ~~with the approbation of the judge of the circuit court, and every such~~
 8 ~~appointment, with the oath of office endorsed thereon, shall be filed in the~~
 9 ~~office of the clerk of the circuit court of the county. If the coroner becomes the~~
 10 ~~acting sheriff and the sheriff is no longer receiving the sheriff's salary, the~~
 11 ~~coroner may be paid, in addition to the coroner's salary, the difference between~~
 12 ~~the salaries of sheriff and coroner so that the coroner receives the equivalent of~~
~~the sheriff's salary while serving as acting sheriff.]~~

2 58.200. When the office of sheriff shall be vacant, by death or otherwise, the coroner
 3 of the county is authorized to perform all the duties which are by law required to be
 4 performed by the sheriff, until another sheriff for such county shall be appointed and qualified
 5 [;] and such coroner shall have notice thereof[; and]. In such case, said coroner may appoint
 6 one or more deputies, with the approbation of the judge of the circuit court; and every such
 7 appointment, with the oath of office endorsed thereon, shall be filed in the office of the clerk
 8 of the circuit court of the county. **If the coroner becomes the acting sheriff and the sheriff**
 9 **is no longer receiving the sheriff's salary, the coroner may be paid, in addition to the**
 10 **coroner's salary, the difference between the salaries of sheriff and coroner so that the**
 11 **coroner receives the equivalent of the sheriff's salary while serving as acting sheriff.**

2 ~~[140.170. 1. Except for lands described in subsection 7 of this section,~~
 3 ~~the county collector shall cause a copy of the list of delinquent lands and lots~~
 4 ~~to be printed in some newspaper of general circulation published in the county~~
 5 ~~for three consecutive weeks, one insertion weekly, before the sale, the last~~
 6 ~~insertion to be at least fifteen days prior to the fourth Monday in August.~~

6 2. ~~In addition to the names of all record owners or the names of all~~
7 ~~owners appearing on the land tax book it is only necessary in the printed and~~
8 ~~published list to state in the aggregate the amount of taxes, penalty, interest~~
9 ~~and cost due thereon, each year separately stated.~~

10 3. ~~To the list shall be attached and in like manner printed and~~
11 ~~published a notice of said lands and lots stating that said land and lots will be~~
12 ~~sold at public auction to discharge the taxes, penalty, interest, and costs due~~
13 ~~thereon at the time of sale in or adjacent to the courthouse of such county, on~~
14 ~~the fourth Monday in August next thereafter, commencing at ten o'clock of~~
15 ~~said day and continuing from day to day thereafter until all are offered. Such~~
16 ~~auction may also be conducted by electronic media, including the internet, at~~
17 ~~the same time and at the discretion of the county collector.~~

18 4. ~~The county collector, on or before the day of sale, shall insert at the~~
19 ~~foot of the list on his or her record a copy of the notice and certify on his or her~~
20 ~~record immediately following the notice the name of the newspaper of the~~
21 ~~county in which the notice was printed and published and the dates of~~
22 ~~insertions thereof in the newspaper.~~

23 5. ~~The expense of such printing shall be paid out of the county treasury~~
24 ~~and shall not exceed the rate provided for in chapter 493, relating to legal~~
25 ~~publications, notices and advertisements, and the cost of printing at the rate~~
26 ~~paid by the county shall be taxed as part of the costs of the sale of any land or~~
27 ~~lot contained in the list.~~

28 6. ~~The county collector shall cause the affidavit of the printer, editor or~~
29 ~~publisher of the newspaper in which the list of delinquent lands and notice of~~
30 ~~sale was published, as provided by section 493.060, with the list and notice~~
31 ~~attached, to be recorded in the office of the recorder of deeds of the county,~~
32 ~~and the recorder shall not charge or receive any fees for recording the same.~~

33 7. ~~The county collector may have a separate list of such lands, without~~
34 ~~legal descriptions or the names of the record owners, printed in a newspaper of~~
35 ~~general circulation published in such county for three consecutive weeks~~
36 ~~before the sale of such lands for a parcel or lot of land that:~~

37 (1) ~~Has an assessed value of one thousand five hundred dollars or less~~
38 ~~and has been advertised previously; or~~

39 (2) ~~Is a lot in a development of twenty or more lots and such lot has an~~
40 ~~assessed value of one thousand five hundred dollars or less.~~

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42 ~~The notice shall state that legal descriptions and the names of the record~~
43 ~~owners of such lands shall be posted at any county courthouse within the~~
44 ~~county and the office of the county collector.~~

45 8. ~~If, in the opinion of the county collector, an adequate legal~~
46 ~~description of the delinquent land and lots cannot be obtained through~~
47 ~~researching the documents available through the recorder of deeds, the~~
48 ~~collector may commission a professional land surveyor to prepare an adequate~~
49 ~~legal description of the delinquent land and lots in question. The costs of any~~
50 ~~commissioned land survey deemed necessary by the county collector shall be~~
51 ~~taxed as part of the costs of the sale of any land or lots contained in the list~~
52 ~~prepared under this section.]~~

140.170. 1. Except for lands described in subsection 7 of this section, the county collector shall cause a copy of the list of delinquent lands and lots to be printed in some newspaper of general circulation published in the county for three consecutive weeks, one insertion weekly, before the sale, the last insertion to be at least fifteen days prior to the fourth Monday in August.

2. In addition to the names of all record owners or the names of all owners appearing on the land tax book it is only necessary in the printed and published list to state in the aggregate the amount of taxes, penalty, interest and cost due thereon, each year separately stated.

3. To the list shall be attached and in like manner printed and published a notice of said lands and lots stating that said land and lots will be sold at public auction to discharge the taxes, penalty, interest, and costs due thereon at the time of sale in or adjacent to the courthouse of such county, on the fourth Monday in August next thereafter, commencing at ten o'clock of said day and continuing from day to day thereafter until all are offered. **Such auction may also be conducted by electronic media, including the internet, at the same time and at the discretion of the county collector.**

4. The county collector, on or before the day of sale, shall insert at the foot of the list on his or her record a copy of the notice and certify on his or her record immediately following the notice the name of the newspaper of the county in which the notice was printed and published and the dates of insertions thereof in the newspaper.

5. The expense of such printing shall be paid out of the county treasury and shall not exceed the rate provided for in chapter 493, relating to legal publications, notices and advertisements, and the cost of printing at the rate paid by the county shall be taxed as part of the costs of the sale of any land or lot contained in the list.

6. The county collector shall cause the affidavit of the printer, editor or publisher of the newspaper in which the list of delinquent lands and notice of sale was published, as provided by section 493.060, with the list and notice attached, to be recorded in the office of the recorder of deeds of the county, and the recorder shall not charge or receive any fees for recording the same.

7. The county collector may have a separate list of such lands, without legal descriptions or the names of the record owners, printed in a newspaper of general circulation published in such county for three consecutive weeks before the sale of such lands for a parcel or lot of land that:

(1) Has an assessed value of one thousand five hundred dollars or less and has been advertised previously; or

(2) Is a lot in a development of twenty or more lots and such lot has an assessed value of one thousand five hundred dollars or less.

38

39 The notice shall state that legal descriptions and the names of the record owners of such lands
40 shall be posted at any county courthouse within the county and the office of the county
41 collector.

42 8. If, in the opinion of the county collector, an adequate legal description of the
43 delinquent land and lots cannot be obtained through researching the documents available
44 through the recorder of deeds, the collector may commission a professional land surveyor to
45 prepare an adequate legal description of the delinquent land and lots in question. The costs of
46 any commissioned land survey deemed necessary by the county collector shall be taxed as
47 part of the costs of the sale of any land or lots contained in the list prepared under this section.

140.190. 1. On the day mentioned in the notice, the county collector shall commence
2 the sale of such lands, and shall continue the same from day to day until each parcel assessed
3 or belonging to each person assessed shall be sold as will pay the taxes, interest and charges
4 thereon, or chargeable to such person in said county.

5 2. (1) The person or land bank agency offering at said sale, **whether in person or by**
6 **electronic media**, to pay the required sum for a tract shall be considered the purchaser of
7 such land; provided, no sale shall be made to any person or designated agent who:

8 (a) Is currently delinquent on any tax payments on any property, other than a
9 delinquency on the property being offered for sale, and who does not sign an affidavit stating
10 such at the time of sale. Failure to sign such affidavit as well as signing a false affidavit may
11 invalidate such sale;

12 (b) Is a member of the governing body of a land bank agency;

13 (c) Is an employee of a land bank agency;

14 (d) Is an elected or appointed official of the governing body, or an employee of such
15 official, of the political subdivision in which a land bank agency is located; or

16 (e) Is related within the second degree of consanguinity to a person described in
17 paragraphs (b) to (d) of this subdivision.

18 (2) No bid shall be received from any person not a resident of the state of Missouri or
19 a foreign corporation or entity all deemed nonresidents. A nonresident shall file with said
20 collector an agreement in writing consenting to the jurisdiction of the circuit court of the
21 county in which such sale shall be made, and also filing with such collector an appointment of
22 some citizen of said county as agent of said nonresident, and consenting that service of
23 process on such agent shall give such court jurisdiction to try and determine any suit growing
24 out of or connected with such sale for taxes. After the delinquent auction sale, any certificate
25 of purchase shall be issued to the agent. After meeting the requirements of section 140.405,
26 the property shall be conveyed to the agent on behalf of the nonresident, and the agent shall
27 thereafter convey the property to the nonresident. A collector may preclude a prospective

28 bidder from participating in a sale for failure to comply with any of the provisions of this
 29 section.

30 3. All such written consents to jurisdiction and selective appointments shall be
 31 preserved by the county collector and shall be binding upon any person or corporation
 32 claiming under the person consenting to jurisdiction and making the appointment herein
 33 referred to; provided further, that in the event of the death, disability or refusal to act of the
 34 person appointed as agent of said nonresident the county clerk shall become the appointee as
 35 agent of said nonresident.

36 4. No person residing in any home rule city with more than seventy-one thousand but
 37 fewer than seventy-nine thousand inhabitants shall be eligible to offer to purchase lands under
 38 this section unless such person has, no later than ten days before the sale date, demonstrated
 39 to the satisfaction of the official charged by law with conducting the sale that the person is not
 40 the owner of any parcel of real property that has two or more violations of the municipality's
 41 building or housing codes. A prospective bidder may make such a demonstration by
 42 presenting statements from the appropriate collection and code enforcement officials of the
 43 municipality. This subsection shall not apply to any taxing authority or land bank agency, and
 44 entities shall be eligible to bid at any sale conducted under this section without making such a
 45 demonstration.

2 ~~[473.742. 1. Each public administrator in counties of the second, third~~
 3 ~~or fourth classification and in the City of St. Louis shall make a determination~~
 4 ~~within thirty days after taking office whether such public administrator shall~~
 5 ~~elect to receive a salary as defined herein or receive fees as may be allowed by~~
 6 ~~law to executors, administrators and personal representatives. The election by~~
 7 ~~the public administrator shall be made in writing to the county clerk. Should~~
 8 ~~the public administrator elect to receive a salary, the public administrator's~~
 9 ~~office may not then elect to change at any future time to receive fees in lieu of~~
 10 ~~salary. Every public administrator who begins his or her first term on or after~~
 11 ~~January 1, 2023, shall be deemed to have elected to receive a salary as~~
 12 ~~provided in this section.~~

13 ~~2. If a public administrator elects to be placed on salary, the salary~~
 14 ~~shall be based upon the average number of open letters in the two years~~
 15 ~~preceding the term when the salary is elected, based upon the following~~
 16 ~~schedule:~~

17 ~~(1) Zero to five letters: salary shall be a minimum of seven thousand~~
 18 ~~five hundred dollars;~~

19 ~~(2) Six to fifteen letters: salary shall be a minimum of fifteen thousand~~
 20 ~~dollars;~~

21 ~~(3) Sixteen to twenty-five letters: salary shall be a minimum of twenty~~
 22 ~~thousand dollars;~~

23 ~~(4) Twenty-six to thirty-nine letters: salary shall be a minimum of~~
 24 ~~twenty five thousand dollars;~~

24 ~~(5) Public administrators with forty or more letters shall be considered~~
 25 ~~full time county officials and shall be paid according to the assessed valuation~~
 26 ~~schedule set forth below:~~

| | Assessed Valuation | Salary |
|----|-----------------------------------|----------|
| 27 | \$ 8,000,000 to 40,999,999 | \$29,000 |
| 28 | \$ 41,000,000 to 53,999,999 | \$30,000 |
| 29 | \$ 54,000,000 to 65,999,999 | \$32,000 |
| 30 | \$ 66,000,000 to 85,999,999 | \$34,000 |
| 31 | \$ 86,000,000 to 99,999,999 | \$36,000 |
| 32 | \$ 100,000,000 to 130,999,999 | \$38,000 |
| 33 | \$ 131,000,000 to 159,999,999 | \$40,000 |
| 34 | \$ 160,000,000 to 189,999,999 | \$41,000 |
| 35 | \$ 190,000,000 to 249,999,999 | \$41,500 |
| 36 | \$ 250,000,000 to 299,999,999 | \$43,000 |
| 37 | \$ 300,000,000 to 449,999,999 | \$45,000 |
| 38 | \$ 450,000,000 to 599,999,999 | \$47,000 |
| 39 | \$ 600,000,000 to 749,999,999 | \$49,000 |
| 40 | \$ 750,000,000 to 899,999,999 | \$51,000 |
| 41 | \$ 900,000,000 to 1,049,999,999 | \$53,000 |
| 42 | \$ 1,050,000,000 to 1,199,999,999 | \$55,000 |
| 43 | \$ 1,200,000,000 to 1,349,999,999 | \$57,000 |
| 44 | \$ 1,350,000,000 and over | \$59,000 |

45 ;
 46 ~~(6) The public administrator in the City of St. Louis shall receive a~~
 47 ~~salary not less than sixty five thousand dollars;~~

48 ~~(7) Two thousand dollars of the compensation authorized in this~~
 49 ~~section shall be payable to the public administrator only if he or she has~~
 50 ~~completed at least twenty hours of instruction each calendar year relating to~~
 51 ~~the operations of the public administrator's office when approved by a~~
 52 ~~professional association of the county public administrators of Missouri unless~~
 53 ~~exempted from the training by the professional association. The professional~~
 54 ~~association approving the program shall provide a certificate of completion to~~
 55 ~~each public administrator who completes the training program and shall send a~~
 56 ~~list of certified public administrators to the treasurer of each county. Expenses~~
 57 ~~incurred for attending the training session shall be reimbursed to the county~~
 58 ~~public administrator in the same manner as other expenses as may be~~
 59 ~~appropriated for that purpose.~~

60 ~~3. If a public administrator is appointed by the court as both a guardian~~
 61 ~~and a conservator to the same ward or protectee, it shall be considered two~~
 62 ~~letters.~~

63 ~~4. Notwithstanding subsection 2 or 5 of this section, upon majority~~
 64 ~~approval by the salary commission, a public administrator may be paid~~
 65 ~~according to the assessed valuation schedule set forth in subdivision (5) of~~
 66 ~~subsection 2 of this section. If the salary commission elects to pay a public~~
 67 ~~administrator according to the assessed valuation schedule, the salary~~
 68 ~~commission shall not elect to change at any future time to pay the public~~
 69 ~~administrator's office according to the average number of open letters in lieu of~~
 70 ~~paying them according to the assessed valuation schedule.~~

71 ~~5. The initial compensation of the public administrator who elects to~~
 72 ~~be put on salary shall be determined by the average number of letters for the~~
 73 ~~two years preceding the term when the salary is elected. Salary increases or~~
 74 ~~decreases according to the minimum schedule set forth in this section shall be~~
 75 ~~adjusted only after the number of open letters places the workload in a~~
 76 ~~different subdivision for two consecutive years. Minimum salary increases or~~
 77 ~~decreases shall only take effect upon a new term of office of the public~~
 78 ~~administrator. The number of letters each year shall be determined in~~
 79 ~~accordance with the reporting requirements set forth in law.~~

80 ~~6. All fees collected by a public administrator who elects to be salaried~~
 81 ~~shall be deposited in the county treasury or with the treasurer for the City of St.~~
 82 ~~Louis.~~

83 ~~7. Any public administrator in a county of the first classification~~
 84 ~~without a charter form of government with a population of less than one~~
 85 ~~hundred thousand inhabitants who elects to receive fees in lieu of a salary~~
 86 ~~pursuant to this section may elect to join the Missouri local government~~
 87 ~~employees' retirement system created pursuant to sections 70.600 to 70.755.~~

88 ~~8. (1) A letter of guardianship and a letter of conservatorship shall be~~
 89 ~~counted as separate letters.~~

90 ~~(2) For purposes of this subsection:~~

91 ~~(a) "Letter of conservatorship" means the appointment of a~~
 92 ~~conservatorship of an estate by the court to a protectee adjudged to be~~
 93 ~~disabled;~~

94 ~~(b) "Letter of guardianship" means the appointment of a guardianship~~
 95 ~~by the court to a ward adjudged to be incapacitated.]~~

473.742. 1. Each public administrator in counties of the second, third or fourth
 2 classification and in the city of St. Louis shall make a determination within thirty days after
 3 taking office whether such public administrator shall elect to receive a salary as defined
 4 herein or receive fees as may be allowed by law to executors, administrators and personal
 5 representatives. The election by the public administrator shall be made in writing to the
 6 county clerk. Should the public administrator elect to receive a salary, the public
 7 administrator's office may not then elect to change at any future time to receive fees in lieu of
 8 salary. **Every public administrator who begins his or her first term on or after January**
 9 **1, 2025, shall be deemed to have elected to receive a salary as provided in this section.**

10 2. If a public administrator elects to be placed on salary, the salary shall be based
 11 upon the average number of open letters in the two years preceding the term when the salary
 12 is elected, based upon the following schedule:

13 (1) Zero to five letters: salary shall be a minimum of seven thousand five hundred
 14 dollars;

15 (2) Six to fifteen letters: salary shall be a minimum of fifteen thousand dollars;

16 (3) Sixteen to twenty-five letters: salary shall be a minimum of twenty thousand
 17 dollars;

18 (4) Twenty-six to thirty-nine letters: salary shall be a minimum of twenty-five
 19 thousand dollars;

20 (5) Public administrators with forty or more letters shall be considered full-time
 21 county officials and shall be paid according to the assessed valuation schedule set forth
 22 below:

| Assessed Valuation | Salary |
|-----------------------------------|----------|
| \$ 8,000,000 to 40,999,999 | \$29,000 |
| \$ 41,000,000 to 53,999,999 | \$30,000 |
| \$ 54,000,000 to 65,999,999 | \$32,000 |
| \$ 66,000,000 to 85,999,999 | \$34,000 |
| \$ 86,000,000 to 99,999,999 | \$36,000 |
| \$ 100,000,000 to 130,999,999 | \$38,000 |
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| \$ 900,000,000 to 1,049,999,999 | \$53,000 |
| \$ 1,050,000,000 to 1,199,999,999 | \$55,000 |
| \$ 1,200,000,000 to 1,349,999,999 | \$57,000 |
| \$ 1,350,000,000 and over | \$59,000 |

42 ;

43 (6) The public administrator in the city of St. Louis shall receive a salary not less than
 44 sixty-five thousand dollars;

45 (7) Two thousand dollars of the compensation authorized in this section shall be
46 payable to the public administrator only if he or she has completed at least twenty hours of
47 instruction each calendar year relating to the operations of the public administrator's office
48 when approved by a professional association of the county public administrators of Missouri
49 unless exempted from the training by the professional association. The professional
50 association approving the program shall provide a certificate of completion to each public
51 administrator who completes the training program and shall send a list of certified public
52 administrators to the treasurer of each county. Expenses incurred for attending the training
53 session shall be reimbursed to the county public administrator in the same manner as other
54 expenses as may be appropriated for that purpose.

55 **3. If a public administrator is appointed by the court as both a guardian and a**
56 **conservator to the same ward or protectee, it shall be considered two letters.**

57 **4. Notwithstanding subsection 2 or 5 of this section, upon majority approval by**
58 **the salary commission, a public administrator may be paid according to the assessed**
59 **valuation schedule set forth in subdivision (5) of subsection 2 of this section. If the**
60 **salary commission elects to pay a public administrator according to the assessed**
61 **valuation schedule, the salary commission shall not elect to change at any future time to**
62 **pay the public administrator's office according to the average number of open letters in**
63 **lieu of paying them according to the assessed valuation schedule.**

64 **5.** The initial compensation of the public administrator who elects to be put on salary
65 shall be determined by the average number of letters for the two years preceding the term
66 when the salary is elected. Salary increases or decreases according to the minimum schedule
67 set forth in ~~[subsection 1 of]~~ this section shall be adjusted only after the number of open
68 letters places the workload in a different subdivision for two consecutive years. Minimum
69 salary increases or decreases shall only take effect upon a new term of office of the public
70 administrator. The number of letters each year shall be determined in accordance with the
71 reporting requirements set forth in law.

72 ~~[4.]~~ **6.** All fees collected by a public administrator who elects to be salaried shall be
73 deposited in the county treasury or with the treasurer for the city of St. Louis.

74 ~~[5.]~~ **7.** Any public administrator in a county of the first classification without a charter
75 form of government with a population of less than one hundred thousand inhabitants who
76 elects to receive fees in lieu of a salary pursuant to this section may elect to join the Missouri
77 local government employees' retirement system created pursuant to sections 70.600 to 70.755.

78 **8. (1) A letter of guardianship and a letter of conservatorship shall be counted as**
79 **separate letters.**

80 **(2) For purposes of this subsection, the following terms mean:**

81 **(a) "Letter of conservatorship", the appointment of a conservatorship of an**
82 **estate by the court to a protectee adjudged to be disabled;**

83 **(b) "Letter of guardianship", the appointment of a guardianship by the court to**
84 **a ward adjudged to be incapacitated.**

✓