

SECOND REGULAR SESSION

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NOS. 1728, 2161 & 1830

103RD GENERAL ASSEMBLY

4110H.02C

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 182.291, RSMo, and to enact in lieu thereof one new section relating to city-county library boards of trustees.

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

Section A. Section 182.291, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 182.291, to read as follows:

182.291. 1. After the establishment of a county library district as provided in section 182.010, the board of trustees of any city library within the county, which city has a library tax levy equal to that levied for the county library district, and which county library district has a population of under two hundred and fifty thousand, with the prior approval of the governing body of the city, may petition the county governing body to permit the organization of a city-county library to provide library service to the residents of the county by appropriate means from the city library.

2. After the county library board has been appointed as provided in section 182.050, the county library board may petition the county governing body to permit the organization of a city-county library which shall provide library service to the residents of the county by appropriate means from the city library. Within thirty days after receiving the petition the county governing body shall notify the county library board and the city library board of its decision by order of record. If the petition is approved, the city-county library shall be deemed established; but if the petition is denied, the parties may proceed as provided in sections 182.010 to 182.120.

3. **(1)** The city-county library shall be under the control and supervision of a board of trustees of nine members~~[-]~~ **appointed 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.

18 **(a)** If the population of the county is larger than that of the city, the county governing
19 body shall appoint five members of the library board[-];

20 **(b)** If the population of the county is less than that of the city, the county governing
21 body shall appoint four members of the library board[-];

22 **(c)** If the population of the city is larger than that of the county, the mayor of the city
23 shall appoint five members to the library board[-]; **and**

24 **(d)** If the population of the city is less than that of the county[-]:

25 **a.** **Except as otherwise provided in subparagraph b. of this paragraph,** the mayor
26 shall appoint four members to the library board; **and**

27 **b.** **In any county with more than four hundred thousand but fewer than five**
28 **hundred thousand inhabitants, for members appointed on or after January 1, 2027, the**
29 **mayors of the four most populous cities in the county shall appoint four members to the**
30 **library board as follows:**

31 **(i)** **The member's term that expires first after January 1, 2027, shall be filled by**
32 **an appointment by the mayor of the most populous city in the county;**

33 **(ii)** **The member's term that expires second after January 1, 2027, shall be filled**
34 **by an appointment by the mayor of the second-most populous city in the county;**

35 **(iii)** **The member's term that expires third after January 1, 2027, shall be filled**
36 **by an appointment by the mayor of the third-most populous city in the county; and**

37 **(iv)** **The member's term that expires fourth after January 1, 2027, shall be filled**
38 **by an appointment by the mayor of the fourth-most populous city in the county.**

39 **(2) (a)** **After the initial appointments made by following the order of**
40 **appointments described in subparagraph b. of paragraph (d) of subdivision (1) of this**
41 **subsection, subsequent appointments shall be made by following the same order.**

42 **(b)** **The population of the cities described in subparagraph b. of paragraph (d) of**
43 **subdivision (1) of this subsection shall be determined on the basis of the last previous**
44 **decennial census of the United States as provided in section 1.100.**

45 **(3)** The members shall serve a term of three years and until their successors are
46 appointed and qualified in the same manner as their predecessors; except that, the original
47 members shall serve terms ranging from one to three years to be determined by the board at
48 its first meeting. Immediately upon their appointment, the board shall organize as provided in
49 section 182.060; and thereupon the city board shall cease to exist and shall turn over all
50 property, books and records to the city-county board.

51 **4.** All unexpended funds of the preexisting separate city and county library districts
52 shall be deposited by the custodians thereof with the city treasurer immediately upon the
53 issuance of the county governing body's approval of the petition.

54 5. For all tax purposes, including levies and adjustments thereof, the city library
55 district shall become a part of the county library district at the beginning of the next fiscal
56 year after the merger and the property within the city library district shall be treated as within
57 the county library district for all such purposes; except, until the city library district shall
58 become a part of the county library district the levy and collection of taxes shall be made as
59 though no merger had taken place, so that the levy and collection of taxes shall be without
60 interruption, and during that period no change in the levy shall take place. The funds
61 collected shall be turned over to the city treasurer immediately upon collection.

62 6. All of the real and personal property and all of the obligations of the preexisting
63 separate city and county library districts shall, without further action, become the property
64 and obligations of the merged city-county library district, which shall have an official name
65 composed of the name of the city, followed by the name of the county and followed by the
66 words "County Library District".

67 7. The merged district, and the librarian, officials and board thereof, shall have all of
68 the rights, powers, responsibilities, and privileges granted county library districts by the laws
69 of the state of Missouri and shall be governed by such laws, as though the merged districts
70 were a county library district, except:

71 (1) Where such laws are inconsistent with this section;

72 (2) The treasurer of the board of trustees of the library district shall receive and be the
73 custodian of all moneys, belonging to the district from whatever source derived. Such funds
74 shall be audited annually. At least once in every month the proper finance officer shall pay
75 over to the treasurer of the library district all moneys received and collected for the fund,
76 including interest on such moneys, and take duplicate receipts from the treasurer, one of
77 which he shall file with the secretary of the library district and the other of which he shall file
78 in his settlement with the proper governing body;

79 (3) The library board shall prepare a budget for each fiscal year and all expenditures
80 shall conform to such budget. The budget shall be prepared and approved by the library
81 board and made available to the members of the governing body of the city and the members
82 of the county governing body sixty days before the beginning of each fiscal year, except the
83 first budget of the merged district shall be prepared forthwith and so delivered after the
84 merger.

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