SECOND REGULAR SESSION

HOUSE BILL NO. 3000

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PERKINS.

6765H.01I   JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to
audits of political subdivisions.

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

Section A. Section 29.230, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 29.230, to read as follows:

29.230. 1. In every county which does not elect a county auditor, the state auditor
2 shall audit, without cost to the county, at least once during the term for which any county
3 officer is chosen, the accounts of the various county officers supported in whole or in part by
4 public moneys.
5   2. The state auditor shall audit any political subdivision of the state, including
6 counties having a county auditor, if requested to do so by a petition submitted by a person
7 who resides or owns real property within the boundaries or area of service of the political
8 subdivision and such petition is submitted to the state auditor within one year from requesting
9 the petition from the state auditor and is signed by the requisite percent of the qualified voters
10 of the political subdivision. The requisite percent of qualified voters to cause such an audit to
11 be conducted shall be determined as follows:
12   (1) If the number of qualified voters of the political subdivision determined on the
13 basis of the votes cast in the last gubernatorial election held prior to the [filing] **requesting** of
14 the petition **from the state auditor** is less than one thousand, twenty-five percent of the
15 qualified voters of the political subdivision determined on the basis of the registered voters
16 eligible to vote at the last gubernatorial election held prior to the [filing] **requesting** of the
17 petition;

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   (2) If the number of qualified voters of the political subdivision determined on the
19 basis of the votes cast in the last gubernatorial election held prior to the [filing] **requesting** of
20 the petition **from the state auditor** is one thousand or more but less than five thousand,
21 fifteen percent of the qualified voters of the political subdivision determined on the basis of
22 the votes cast in the last gubernatorial election held prior to the [filing] **requesting** of the
23 petition, provided that the number of qualified voters signing such petition is not less than two
24 hundred;
25   (3) If the number of qualified voters of the political subdivision determined on the
26 basis of the votes cast in the last gubernatorial election held prior to the [filing] **requesting** of
27 the petition **from the state auditor** is five thousand or more but less than fifty thousand, ten
28 percent of the qualified voters of the political subdivision determined on the basis of the votes
29 cast in the last gubernatorial election held prior to the [filing] **requesting** of the petition,
30 provided that the number of qualified voters signing such petition is not less than seven
31 hundred fifty;
32   (4) If the number of qualified voters of the political subdivision determined on the
33 basis of the votes cast in the last gubernatorial election held prior to the [filing] **requesting** of
34 the petition **from the state auditor** is fifty thousand or more, five percent of the qualified
35 voters of the political subdivision determined on the basis of the votes cast in the last
36 gubernatorial election held prior to the [filing] **requesting** of the petition, provided that the
37 number of qualified voters signing such petition is not less than five thousand.
38   3. The political subdivision shall pay the actual cost of audit. The petition that
39 requests an audit of a political subdivision shall state on its face the estimated cost of the audit
40 and that it will be paid by the political subdivision being audited. The estimated cost of the
41 audit shall be provided by the state auditor within sixty days of such request. The costs of the
42 audit may be billed and paid on an interim basis with individual billing periods to be set at the
43 state auditor's discretion. Moneys held by the state on behalf of a political subdivision may be
44 used to offset unpaid billings for audit costs of the political subdivision. All moneys received
45 by the state in payment of the costs of petition audits shall be deposited in the state treasury
46 and credited to the "Petition Audit Revolving Trust Fund" which is hereby created with the
47 state treasurer as custodian. The general assembly may appropriate additional moneys to the
48 fund as it deems necessary. The state auditor shall administer the fund and approve all
49 disbursements, upon appropriation, from the fund to apply to the costs of performing petition
50 audits. The provisions of section 33.080 to the contrary notwithstanding, money in the fund
51 shall not be transferred and placed to the credit of general revenue until the amount in the
52 fund at the end of any biennium exceeds one million dollars. The amount in the fund which
53 shall lapse is the amount which exceeds one million dollars. No political subdivision shall be
54 audited by petition more than once in any three calendar or fiscal years.

55   4. Any person who allegedly signed or has signed the original petition may submit a
56   sworn statement to the state auditor that the person did not sign such petition or that the
57   person wishes to rescind such signature. Such statement shall be required to be made within
58   ten days from submission of the petition to the state auditor. If such statement is timely filed,
59   such signature shall be withdrawn and shall not count in the determination of the number of
60   qualified voters necessary to compel an audit under subsection 2 of this section.

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