HCS SS#2 SCS SB 1023 -- POLITICAL SUBDIVISIONS

SPONSOR: Brown (16)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Local Government by a vote of 8 to 4. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 8 to 0.

The following is a summary of the House Committee Substitute for SB 1023.

Every noncharter county has a salary commission, the members of which are specified in state statute.

This bill removes the county prosecuting attorney and county sheriff from the list of members of the salary commission, except for in a Boone County, where the prosecuting attorney and sheriff will remain on the salary commission. The bill makes assistant prosecuting attorneys members of the salary commission in any county that utilizes them (Section 50.333).

Currently, the filing time for declarations of candidacy for offices in political subdivisions or special districts not otherwise specified in law or charter is from the 17th Tuesday prior to the election through the 14th Tuesday prior to the election (Section 115.127).

This bill moves the filing time by one week, from the 16th Tuesday prior to the election to the 13th Tuesday prior to the election. The bill provides that if the 13th Tuesday prior to the election is a state or federal holiday, the closing filing date will be the next day that is not a state or federal holiday.

Currently, the makeup of city-county library boards consists of nine members, with the mayor appointing four of those members if the population of the county is greater than the population of the city, and the governing body of the county appointing the other five members.

This bill modifies the board makeup for the city-county library board for St. Charles. For appointments after January 1, 2027, the mayors of the four most populous cities within the county will each appoint one member to the board of trustees (Section 182.291).

Currently, the fiscal years of urban public library districts are July 1st to June 30th. This bill allows the board of trustees of an urban public library district to set the fiscal year for the district (Section 182.711).

Currently, public library districts in several counties are authorized to, upon voter approval, impose a sales tax of up to 0.5%. This bill allows all county to impose such a tax. The bill states that any county imposing a tax authorized under this bill before August 28, 2026, must not be required to reauthorize the tax after August 28, 2026.

For such a tax imposed by St. Charles and Cape Girardeau counties, real and personal property tax levies imposed by the library district must be reduced concurrently to offset 100% of the revenue generated by the sales tax. For such a sales tax imposed by Cass and Johnson counties, the rate cannot exceed 0.33%, and the levy must be imposed concurrently with the elimination of all real and personal property tax levies imposed by the library districts (Section 182.802).

Currently, a decree of dissolution to dissolve a public water supply must be passed by a majority of two-thirds of the voters of the district voting on the proposition. This bill reduces the percentage of voters needed to pass the dissolution decree to a majority of four-sevenths of the voters.

This bill requires that a petition for a dissolution of a public water supply district state that an agreement for sale of the district's assets has been entered into by the board of directors contingent upon approval of the circuit court and voters.

Unless the petitioners for the dissolution of the district prove that there is an agreement for sale of the district's assets entered into by the board of directors that would permit all debts and financial obligations of the district be paid in full upon dissolution and provide for the continuation of water supply to the inhabitants of the district, the petition is to be dismissed at the cost of the petitioners.

At their discretion, the board of directors can approve a change in the vote threshold to a majority of four-sevenths of the voters of the district voting on the proposition for dissolution.

Current law states that no district will be dissolved until after all of its debts have been paid. The court, in its decree of dissolution must provide for the disposition of the property of

the district. This bill clarifies that the decree of dissolution may direct that excess funds be paid to the treasurers of the various school districts on a pro rata basis equivalent to the ratio of customers of the water supply district in the various school districts (Section 247.220).

This bill preempts the field of regulating the sale of alcoholic beverages as it relates to the size of container, volume of fluid in the container, alcohol content of the fluid, and the number of containers that can be purchased per transaction. This Section of the bill contains an emergency clause(Section 311.038).

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

PROPONENTS: Supporters say that there's a lot of interest among library districts to diversify funding sources. Library districts are not statutorily authorized to diversify funding sources at this time. The interest in doing this is in part a result of the General Assembly's expressed interest in reducing property taxes. Any new tax levy would require voter approval. This bill allows library districts to ask their voters how they would like to fund library services. Generally, library districts enjoy strong local support. Allowing the districts to set their fiscal years also makes better sense, as the current times required by the statute don't neatly coincide with the collection of property taxes, which generally account for upwards of 90% of a library district's revenue.

Testifying in person for the bill were Senator Brown; Missouri Special Districts Association; Matt Rohner, Marshall Public Library; Kansas City Public Library; John Greifzu, St. Charles City County Library; and Steven Campbell, Scenic Regional Library.

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.