

FIRST REGULAR SESSION

# HOUSE BILL NO. 485

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SANDER (Sponsor), SCHLOTTACH, DEEKEN, SMITH (118),  
CUNNINGHAM (145) AND COOPER (158) (Co-sponsors).

Read 1<sup>st</sup> time February 9, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0579L.011

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### AN ACT

To repeal section 50.540, RSMo, and to enact in lieu thereof one new section relating to county budgets.

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

Section A. Section 50.540, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 50.540, to read as follows:

50.540. 1. On or before September first of each year in counties of class one, and on or before December first in **all other classes of** counties [of class two, and on or before the fifteenth day of January in counties of classes three and four], each department, office, institution, commission, or court of the county receiving its revenues in whole or in part from the county shall prepare and submit to the budget officer estimates of its requirements for expenditures and its estimated revenues for the next budget year compared with the corresponding figures for the last completed fiscal year and estimated figures for the current fiscal year. The expenditure estimates shall be classified to set forth the data by funds, organization units, character and objects of expenditure; the organization units may be subclassified by functions and activities, if so directed by the budget officer. The estimates shall be accompanied by work programs showing the work planned to be done and the estimated cost thereof classified according to funds, organization units, character and objects of expenditure. The estimate of revenue shall be prepared by the accounting officer and shall be classified to show the receipts by funds, organization units and sources. The budget officer may cause estimate forms to be prepared and sent to the departments, offices, institutions, commissions and courts, or may direct the

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.

16 accounting officer to do so, and may direct that the estimates be returned to the accounting  
17 officer for tabulation. If any department, office, institution, commission or court fails to return  
18 its estimates by September tenth in counties of class one, or by December first in **all other**  
19 **classes of** counties [of class two, or by January fifteenth in counties of classes three and four],  
20 the budget officer shall make the estimates and his **or her** estimates shall be considered as the  
21 estimates of the department, office, institution, commission or court. All boards and  
22 commissions responsible for the expenditure of funds derived from countywide levies, including,  
23 but not limited to, library, hospital, health units and similar political subdivisions, shall file with  
24 the budget officer a copy of their final budget for the following year prior to the time the budget  
25 officer must submit the comprehensive budget to the county commission for inclusion by the  
26 budget officer with the consolidated county budget for the budget year.

27         2. The budget officer shall review the estimates, altering, revising, increasing or  
28 decreasing the items as he **or she** deems necessary in view of the needs of the various spending  
29 agencies and the probable income for the year.

30         3. The budget officer may direct any officer to appear and explain his **or her** estimates  
31 or to present additional information.

32         4. The budget officer shall then prepare the budget document in the form prescribed by  
33 section 50.550, and transmit it to the county commission not later than November fifteenth in  
34 counties of class one[,] **and** December fifteenth in **all other classes of** counties [of class two,  
35 February first in counties of classes three and four]. The budget officer shall recommend and the  
36 county commission shall fix all salaries of employees, other than those established by law, except  
37 that no salary for any position shall be fixed at a rate above that fixed by law for the position.  
38 The budget officer shall provide in his **or her** recommendations, and the county commission  
39 shall provide in its appropriation order, that an amount equal to not less than three percent of the  
40 total estimated general fund revenues shall be appropriated each year as an emergency fund. At  
41 any time during the year the county commission in counties of class one may make transfers  
42 from the emergency fund to any other appropriation, and in counties of classes two, three and  
43 four the county commission may make these transfers on recommendation of the budget officer;  
44 but the transfers in all classes shall be made only for unforeseen emergencies and only on  
45 unanimous vote of the county commission

46         5. (1) The budget officer or the county commission, in counties of class one, shall hold  
47 public hearings before the preparation and adoption of the budget document. Whenever the  
48 budget officer recommends any decrease or reduction in the estimate of any department, officer,  
49 commission or other agency of the county, he **or she** shall give special notice to the officer or  
50 agency of the decrease or reduction and the officer or agency is entitled to be heard thereon by  
51 the county commission.

52           (2) The budget officer, in counties of class two, shall hold public hearings before  
53 preparation of the budget document or before submission to the county commission.

54           (3) The budget officer, in counties of classes three and four, shall hold a public hearing,  
55 in the presence of the county commission, before preparation of the budget document.

56           (4) In all classes of counties, all estimates, work programs and other budget information  
57 shall be open to public inspection at any time.