

HCS SB 386 -- POLITICAL SUBDIVISIONS

SPONSOR: Lager (Brown, 30)

COMMITTEE ACTION: Voted "do pass" by the Committee on Local Government by a vote of 11 to 2.

This substitute changes the laws regarding political subdivisions. In its main provisions, the substitute:

- (1) Increases the assessed valuation thresholds for a county to move into a higher classification, except for Lincoln County, which will be allowed to change classification based upon the old assessed valuation thresholds (Section 48.020, RSMo);
- (2) Authorizes Lincoln County to become a second classification county upon reaching the required assessed valuation and approval from the governing body without maintaining that assessed valuation for five successive years (Section 48.030);
- (3) Prohibits the salary established for each county official from being reduced when any county changes classification until the official at the time of the change leaves office (Section 48.050);
- (4) Removes the requirement that the presiding county commissioner in counties of the second, third, or fourth classification receive a salary of \$2,000 more than the other county commissioners and establishes exceptions to the requirement that commissioners annually complete 20 hours of educational training to receive \$2,000 of their salary (Section 49.082);
- (5) Authorizes Caldwell County to establish a jail or holding facility outside of the county seat (Section 49.310);
- (6) Removes the requirement that the presiding county commissioner in counties of the first classification receive a salary of \$2,000 more than the other county commissioners and establishes exceptions to the requirement that commissioners annually complete 20 hours of educational training to receive \$2,000 of their salary (Section 50.343);
- (7) Increases the thresholds for counties to obtain bids on purchases and to post notice of or advertise proposed single feasible source purchases to \$6,000 (Sections 50.660 and 50.783);
- (8) Increases the length of time that real and personal property tax statements must be mailed to all resident taxpayers before the delinquent date in all counties except charter counties and

counties with a township form of government (Section 52.230);

(9) Specifies that, in counties adopting a charter form of government after January 1, 2008, the county collector will continue to receive a 7% fee for the collection of delinquent taxes rather than the 2% or 3% fee that all other charter county collectors receive. Currently, this only applies to Jefferson County (Section 52.290);

(10) Specifies that counties adopting a charter form of government after January 1, 2008, are required to have a tax maintenance fund. Currently, this only applies to Jefferson County (Section 52.312);

(11) Authorizes counties of the first and second classification to collect and disburse property taxes using electronic records (Sections 52.361 and 52.370);

(12) Specifies that the collector-treasurer will continue to be subject to the provisions of law governing the duties, powers, requirements, and compensation of collector-treasurers if a county abolishes its township form of government (Section 54.010);

(13) Increases from \$250 to \$1,000 the minimum threshold value of county property that must be inventoried annually by the auditor in a charter county (Section 55.030);

(14) Removes the requirement that county auditors in counties of the first and second classification countersign all licenses issued by the county and requires that they receive a monthly listing of the licenses issued and related information (Section 55.140);

(15) Authorizes compensation of \$15,000 annually to the county counselor and up to \$15,000 annually for investigative and clerical personnel in Boone County for duties relating to mental health and mental health facilities to be paid out of the state treasury from funds appropriated for these purposes (Section 56.700);

(16) Requires the Office of the Land Surveyor in the Department of Natural Resources to establish rules and regulations on the minimum standards for digital cadastral parcel mapping. Maps designed and used to reflect legal property descriptions or boundaries for use in a digital cadastral mapping system must comply with the rules with certain exceptions (Section 60.670);

(17) Authorizes counties of the first classification to establish occupancy standards for residential rental property and

licensing and inspection procedures, including reasonable fees (Section 64.170);

(18) Authorizes a county commission, upon a majority vote, to submit the issue of abolishing the county's township organization to a vote of the people. Currently, it requires a petition by 10% of the voters to submit the issue to a vote (Section 65.610);

(19) Reduces from three to one the number of copies of building or technical codes certain counties, fire protection districts, and municipalities are required to file and keep in their clerk's office if the codes were adopted by reference (Section 67.280);

(20) Requires certain builders of residential dwellings to offer purchasers the option to install a fire sprinkler system at the purchaser's cost and requires this option to be included in any building code, order, ordinance, rule, or regulation adopted by a political subdivision (Section 67.281);

(21) Requires the governing body of a municipality or county, upon application, to authorize organizations of public safety officers, including law enforcement officers and firefighters, to stand in a road within their public safety service area to solicit charitable contributions under certain conditions (Section 67.304);

(22) Adds the counties of Andrew and Buchanan to the list of counties authorized to enact nuisance abatement ordinances regarding the condition of real property and adds tires and storm water runoff conditions resulting in damage to buildings or infrastructure to the list of items for which certain counties may enact ordinances to provide for public nuisance abatement (Section 67.402);

(23) Specifies the manner in which each parcel of property in a neighborhood improvement district will be assessed if a single parcel within the district is divided into additional parcels within five years of the final costs of the improvement's assessment (Section 67.456);

(24) Allows real property owners in the counties of Caldwell, Clinton, Daviess, and DeKalb to petition the governing body of the county for the creation of an exhibition center and recreational facility district with taxing power (Section 67.2000);

(25) Authorizes Caldwell County to contract with private corporations engaged in delivering water at wholesale for domestic consumption. The county also may jointly acquire, own, and hold water mains with private corporations (Section 67.3000);

(26) Authorizes municipalities to annex a land parcel used as a research park only if all owners of the property consent in writing, the parcel has not been sold within the previous six months, and the municipality and county adopt reciprocal authorizing ordinances (Section 71.275);

(27) Authorizes the city building official of Kansas City to petition the circuit court in the county where a vacant nuisance building is located for the appointment of a receiver to rehabilitate the building, demolish it, or sell it to a qualified buyer (Section 82.1026);

(28) Removes the ban on Kansas City police department officers and employees making political contributions and being members of any political party committee or ward committee persons and prohibits them from holding a partisan political office or from campaigning on behalf of any organization, party, or candidate for public office while on duty, in uniform, or wearing any clothing or accessory that indicates employment with the police department (Section 84.830);

(29) Authorizes any member of the Police Retirement System of St. Louis who has accumulated up to 30 years of creditable service to use accumulated sick leave for vesting purposes or for the Deferred Retirement Option Plan (DROP) beginning August 28, 2009 (Section 86.362);

(30) Prohibits third class cities from imposing storm water usage fees on property owned by any church, public school, nonprofit organization, or political subdivision (Section 88.832);

(31) Authorizes Platte City to be the exclusive provider of water and sanitary sewer services to all areas within the city if the utility service is not already being provided by the state or another political subdivision, including a common sewer district established under Chapter 204 (Section 91.265);

(32) Authorizes a period of real estate tax abatement of at least five years and no more than 10 years for certain qualified redevelopment projects in constitutionally charter cities. Currently, the period is 10 years (Section 99.710);

(33) Authorizes use of the incremental increase in state income tax revenue from wages paid to new employees in jobs created by the redevelopment project at a business located in the redevelopment project area to pay for the redevelopment project costs under the Downtown Revitalization Preservation Program, commonly referred to as MODESA-Lite (Sections 99.1082, 99.1088, 99.1090, and 99.1092);

(34) Changes the number of county political party committee members elected in Prairie and Sni-A-Bar townships in Jackson County (Section 115.607);

(35) Authorizes taxpayers in St. Charles County one change in the assignment of a hearing officer for an appeal of the assessed valuation of the taxpayer's property (Section 138.431);

(36) Requires taxing authorities to request notification of current taxes paid under protest by February 1 and requires county collectors to provide the information by March 1 (Section 139.031);

(37) Requires county collectors in counties of the first and second classification, by the fifteenth day of each month, to file with the county clerk and auditor, a detailed statement of all taxes and license fees collected during the preceding month (Section 139.210);

(38) Changes the laws regarding delinquent land tax sales, including notice provisions, certificates of purchase, minimum acceptable purchase price, excess sale proceeds, priority of collector's deeds, purchaser's responsibility for recording fees, redemption periods, redeeming owner's reimbursement to purchasers and other responsibilities, and title search requirements (Sections 140.150, 140.190, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, and 140.405);

(39) Extends the due date by one month for certain reports required to be submitted by the librarian of a consolidated public library district to the district board and by the district board to the county commission and the State Library Commission (Section 182.647);

(40) Requires the sheriff to certify to the court clerk the number of days of confinement regardless of the final disposition of the case if the state would be liable for the costs of incarceration of a prisoner confined in a county jail or medium security institution under existing laws upon final determination of any criminal prosecution (Section 221.105);

(41) Authorizes county sheriffs to utilize county prisoner work programs for roads, bridges, or other public works (Sections 221.360, 221.365, 221.370, 221.375, 221.380, 221.385, and 221.390);

(42) Specifies that the limit on the amount which can be expended on roads and streets within the limits of any city as specified in Section 233.095 will not apply to any city in Christian County (Section 233.103);

(43) Authorizes licensed drivers to operate off-highway vehicles on gravel or dirt roads within third and fourth classification counties (Section 300.349);

(44) Establishes the Missouri Universal Red Light Enforcement Act which allows various political entities to establish automated photo red light enforcement systems to detect red light signal violations. Any fines collected must go to the local school district where the infraction occurred (Sections 304.287, 304.288, 304.289, and 304.290);

(45) Specifies that a liquor license may not be denied, suspended, or revoked based solely on the fact that an employee has a felony conviction unrelated to the manufacture or sale of alcohol if the employee does not directly participate in retail sales at non-restaurant establishments that hold a license to sell intoxicating liquor at retail by the drink (Section 311.060);

(46) Revises the definition of "approximate location" from two feet to 18 inches as it relates to the various excavation requirements in Chapter 319 (Section 319.015);

(47) Removes the board of alderman's approval as a precondition to a fire department employee's right to move outside the fire department's geographical boundaries if the only public school district available is or has been unaccredited or provisionally accredited in the last five years and removes the salary forfeiture requirement (Section 320.097);

(48) Specifies that the practice of land surveying will include working with positions of the United States Public Land Survey System and creating, preparing, or modifying electronic or computerized data relative to establishing or monumenting land boundaries and subdividing land (Section 327.272);

(49) Increases the extent of the lien that certain design professionals, contractors, subcontractors, and other persons who perform work or labor on buildings or real property may place on the real property for work or rental services that have not been paid (Section 429.015);

(50) Specifies that the automatic renewal of contracts for service, maintenance, or repair to or for any residential real property intended for personal, family, or household use will be invalid unless a written notice by certified mail or email is given to the customer 30 to 90 days prior to the contract being renewed (Section 431.210);

(51) Adds the costs of environmental insurance premiums and the

backfill of areas where contaminated soil excavation occurs to the list of expenses that qualify for a remediation tax credit (Section 447.708);

(52) Requires the City of St. Louis to provide furnishings and all necessary supplies for the public administrator, to be approved by the comptroller and paid out of the city treasury. With city circuit court approval, the public administrator can hire deputies and assistants and set their compensation up to a certain limit established by the board of aldermen (Section 473.745);

(53) Requires any electronic version of municipal ordinances to be accepted as evidence in all courts and places within the state (Section 490.420);

(54) Authorizes the Elevator Safety Board within the Department of Public Safety to adopt a code of rules and regulations governing the licensing of elevator mechanics and elevator contractors (Section 701.335);

(55) Authorizes first classification counties to adopt ordinances establishing curfew hours for persons younger than 17 years of age for public streets, public places, and public buildings. Anyone violating a curfew offense will be guilty of a class C misdemeanor for the person younger than 17 years of age and for the parents or guardians who have knowledge of the violation (Section 1);

(56) Reinstates a political subdivision's property tax rate in effect in 1984 as the tax rate ceiling for reassessment year rollback purposes (Section 2); and

(57) Requires a candidate for county executive or presiding county commissioner in St. Louis County to have a bachelor's degree from an accredited four-year university (Section 3).

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$30,000 to Unknown in FY 2010, FY 2011, and FY 2012. Estimated Cost on Other State Funds of Unknown in FY 2010, FY 2011, and FY 2012.

PROPOSERS: Supporters say that allowing these counties to establish an exhibition center and recreational facility district will provide economic benefits to their community and improve the quality of life of their residents.

Testifying for the bill was Senator Lager.

OPPOSERS: There was no opposition voiced to the committee.