

SECOND REGULAR SESSION

HOUSE BILL NO. 1912

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HINSON.

5160H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 49.330, 49.410, 49.420, 49.430, and 49.440, RSMo, and to enact in lieu thereof four new sections relating to political subdivisions.

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

Section A. Sections 49.330, 49.410, 49.420, 49.430, and 49.440, RSMo, are repealed and
2 four new sections enacted in lieu thereof, to be known as sections 49.410, 49.420, 49.430, and
3 49.440, to read as follows:

49.410. When the ground for erecting any public building shall be designated, as
2 aforesaid, [the superintendent shall prepare and submit to] the county commission **shall have**
3 **prepared** a plan of the building to be erected, the dimensions thereof, and the materials of which
4 it is to be composed, with an estimate of the probable cost thereof.

49.420. When any plan shall be approved by the county commission, the
2 [superintendent] **county commission** shall immediately advertise for bids for the erection and
3 construction of same, stating in such advertisement a description of such building or buildings,
4 and shall contract with the person or firm who will agree to do the work and furnish the
5 necessary material on the lowest and best terms not exceeding the amount appropriated or set
6 apart for such building or buildings; provided, that in case the lowest bid received shall be in
7 excess of the amount appropriated, after two successive advertisements for such bids, then, if
8 such county commission shall be of the opinion that such building or buildings can be
9 constructed or built for a sum not in excess of the amount appropriated, or if the commission
10 shall be of the opinion that there is collusion or combination between the bidders for the purpose
11 of forcing the county to pay an exorbitant price for the construction of such building or buildings,
12 then, the commission may, in its discretion, let such building or buildings at private contract, to

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.

13 be constructed according to original plans and specifications upon which bids were received and
14 approved by the county commission.

49.430. The [superintendent] **county commission** shall take from the contractor a bond
2 to the county, with sufficient security, for the performance of the work at the time and in the
3 manner agreed on, according to the plan, under a penalty at least one hundred ten percent of the
4 amount to be given for erecting the building. A copy of the plan shall be annexed to the bond.

49.440. The [superintendent shall oversee and direct] **county commission may contract**
2 **for oversight and direction of** the execution of the work[, and] **to** see that the materials
3 employed are good[,] and that the work is executed according to contract[.]. [and make] **The**
4 **contractor shall** report [of] **on** the progress and condition thereof, from time to time, to the
5 county commission.

[49.330. The county commission shall appoint some suitable person to
2 superintend the erection of the buildings who shall take an oath to discharge
3 faithfully and impartially the duties enjoined on him by sections 49.310 to
4 49.470. The superintendent of the county buildings shall receive the
5 compensation for his services that the county commission deems reasonable, to
6 be paid out of the county treasury. The county commission shall fill any vacancy
7 which occurs in the office of superintendent.]

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