

HCS HB 1912 -- POLITICAL SUBDIVISIONS (Hinson)

COMMITTEE OF ORIGIN: Standing Committee on Local Government

COUNTY BUILDING PROJECTS (Sections 49.330, 49.410, 49.420, 49.430, and 49.440, RSMo)

This bill eliminates the position of superintendent of county buildings and specifies that the county commission will assume some of the superintendent's duties and the commission can contract for oversight and direction of the execution of a building project.

CONTRACT AND ORDER THRESHOLD (Section 50.660)

This bill establishes a minimum threshold of \$10,000 above which contracts and orders must be in writing and must have a matching unencumbered balance in the fund from which it will be made; currently, all contracts must meet these requirements.

The bill increases the threshold from \$6,000 to \$10,000 below which advertising is not required for bid proposals, and increases the threshold from \$4,500 to \$10,000 below which bids are not required for purchases from any one person or entity during a fiscal year.

COMPETITIVE BIDDING NOTICE (Section 50.783)

Currently, a county commission may waive competitive bidding when it determines in writing and enters into the commission's minutes that there is only one feasible source for the supply. The commission must post notice for proposed purchases of \$3,000 or more and also advertise in the newspaper for purchases of \$5,000 or more. The bill changes the notice threshold to more than \$5,000 but less than \$10,000, and changes the advertising threshold to \$10,000.

VIOLATION (Section 50.790)

The bill changes from a misdemeanor to an infraction a violation by county commissioners of the requirement to obtain a pre-purchase order or requisition, and changes the allowable fine from between \$50 to \$1,000 to \$100.

LIQUOR LICENSES (Section 55.161)

The requirement that auditors in counties of the first and second classification must countersign all liquor licenses is repealed.

AMENDING ZONING DISTRICTS (Section 64.875)

The bill clarifies that county commissions can amend zoning districts only upon recommendation by the county planning or county zoning commission and only after a hearing by the county commission.

#### COUNTY HEALTH ORDINANCES (Section 192.300)

Currently, both county commissions and county health center boards may make and establish orders, ordinances, rules or regulations under certain circumstances, but cannot conflict with any rules or regulations of the Department of Health and Senior Services or the Department of Social Services. This bill requires the county commission and the county health center board to be in concurrence when establishing health orders, ordinances, rules or regulations, except in the case of an emergency.

#### CERTIFICATES OF NEED (Section 197.315)

Currently, facilities operated by the state are not required to obtain a certificate of need, appropriation of funds to such facilities by the General Assembly are deemed in compliance with certificate of need provisions, and such facilities are deemed to have received an appropriate certificate of need without payment of any fee or charge. This substitute requires hospitals operated by the state and licensed under Chapter 197, RSMo, to obtain a certificate of need and comply with the other provisions of certificate of need except for Department of Mental Health state-operated psychiatric hospitals. Certain types of equipment can still be purchased without a certificate of need.

#### PUBLIC ADMINISTRATORS (Section 473.751)

Public Administrators are authorized to utilize an auction as a way to sell property, with the auction serving as the appraisal and sale of the property.