

HCS HB 1375 -- PUBLIC SERVANT INVESTIGATIONS

SPONSOR: Ellebracht

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Corrections and Public Institutions by a vote of 7 to 0.

The following is a summary of the House Committee Substitute for HB 1445.

This bill specifies that a prosecuting or circuit attorney, sheriff, Police Commissioner in St. Louis City, Chief of Police in St. Charles and St. Louis County, or any law enforcement agency that is conducting an investigation related to fraud or theft by a public servant or an offense of misconduct within the attorney's or law enforcement agency's jurisdiction may request the State Auditor to audit all or part of the jurisdiction in which he or she represents or the law enforcement agency serves regarding the receipt and expenditure of public funds. Also, the governing body of a county, with a majority vote, may request such audit. The State Auditor must report any findings to the attorney or law enforcement agency that requested the audit.

This bill is similar to HB 997 (2019).

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

PROPOSERS: Supporters say that this bill by-passes the signature collecting step to request an audit by the State Auditor when a crime is evident. Prosecutors and law enforcement need help with financial fraud and the State Auditor may investigate a county's financial records. Public corruption is rampant and ongoing. We have a duty to taxpayers to protect their money.

Testifying for the bill were Representative Ellebracht and the Missouri Office of Prosecution Services.

OPPOSERS: Those who oppose the bill say that they oppose one political office investigating another political office. Also, they are concerned with the audit staff becoming part of the court testimony on the criminal case and how the audit and criminal case can occur simultaneously.

Testifying against the bill was Kevin Merritt, Missouri Sheriffs' Association.

This bill is similar to HB 997 (2019).