

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 27
AN ACT

To repeal sections 50.166, 50.327, 59.021, 59.100, and 451.040, RSMo, and to enact in lieu thereof five new sections relating to county officials, with existing penalty provisions.

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

Section A. Sections 50.166, 50.327, 59.021, 59.100, and
2 451.040, RSMo, are repealed and five new sections enacted in
3 lieu thereof, to be known as sections 50.166, 50.327, 59.021,
4 59.100, and 451.040, to read as follows:

50.166. 1. In all cases of claims allowed against the
2 county, and in all cases of grants, salaries, pay and
3 expenses allowed by law, the county clerk may fill in on a
4 form of warrant the amount due as approved by the county
5 commission and other necessary information. The form of the
6 warrant thus filled in by the county clerk may be
7 transmitted to the county treasurer. The warrant may be in
8 such form that a single instrument may serve as the warrant
9 and the county treasurer's draft or check, and may be so
10 designed that it is a nonnegotiable warrant when signed by
11 the county clerk and becomes a negotiable check or draft
12 after it has been signed by the county treasurer.

13 2. Upon request, the county treasurer shall have
14 access to any financially relevant document in the
15 possession of any county official for the purposes of
16 processing a warrant, unless such warrant is received in the

17 absence of a check then the county treasurer shall have
18 access to the information necessary to process the warrant.

19 3. No official of any county shall refuse a request
20 from the county treasurer for access to or a copy of any
21 document in the possession of a county official that is
22 financially relevant to his or her duties under section
23 50.330, except that any county official may redact, remove,
24 or delete any personal identifying information, including a
25 Social Security number, financial account numbers, medical
26 information, or any other personal identifying information,
27 before submission to the county treasurer.

28 4. No county treasurer shall refuse to release funds
29 for the payment of any properly approved expenditure.

50.327. 1. Notwithstanding any other provisions of
2 law to the contrary, the salary schedules contained in
3 sections 49.082, 50.334, 50.343, 51.281, 51.282, 52.269,
4 53.082, 53.083, 54.261, 54.320, 55.091, 56.265, 57.317,
5 58.095, and 473.742 shall be set as a base schedule for
6 those county officials. Except when it is necessary to
7 increase newly elected or reelected county officials'
8 salaries, in accordance with Section 13, Article VII,
9 Constitution of Missouri, to comply with the requirements of
10 this section, the salary commission in all counties except
11 charter counties in this state shall be responsible for the
12 computation of salaries of all county officials; provided,
13 however, that any percentage salary adjustments in a county
14 shall be equal for all such officials in that county.

15 2. Upon majority approval of the salary commission,
16 the annual compensation of part-time prosecutors contained
17 in section 56.265 and the county offices contained in
18 sections 49.082, 50.334, 50.343, 51.281, 51.282, 52.269,
19 53.082, 53.083, 54.261, 54.320, 55.091, 58.095, and 473.742
20 may be increased by up to two thousand dollars greater than

21 the compensation provided by the salary schedules; provided,
22 however, that any vote to increase compensation be effective
23 for all county offices in that county.

24 3. Upon majority approval of the salary commission,
25 the annual compensation of a county sheriff as provided in
26 section 57.317 may be increased by up to six thousand
27 dollars greater than the compensation provided by the salary
28 schedule of such section.

29 4. The salary commission of any county of the third
30 classification may amend the base schedules for the
31 computation of salaries for county officials referenced in
32 subsection 1 of this section to include assessed valuation
33 factors in excess of three hundred million dollars; provided
34 that the percentage of any adjustments in assessed valuation
35 factors shall be equal for all such officials in that county.

36 5. Upon the majority approval of the salary
37 commission, the annual compensation of a county coroner of
38 any county of the second classification as provided in
39 section 58.095 may be increased up to fourteen thousand
40 dollars greater than the compensation provided by the salary
41 schedule of such section.

59.021. A candidate for county recorder where the
2 offices of the clerk of the court and recorder of deeds are
3 separate, except in any city not within a county or any
4 county having a charter form of government, shall be at
5 least twenty-one years of age, a registered voter, and a
6 resident of the state of Missouri as well as the county in
7 which he or she is a candidate for at least one year prior
8 to the date of the general election. Upon election to
9 office, the person shall continue to reside in that county
10 during his or her tenure in office. Each candidate for
11 county recorder shall provide to the election authority a
12 copy of an affidavit from a surety company authorized to do

13 business in this state that indicates the candidate is able
14 to satisfy the bond requirements under section 59.100.

59.100. 1. Every recorder elected as provided in
2 section 59.020, before entering upon the duties of the
3 office as recorder, shall enter into bond to the state, in a
4 sum set by the county commission [of not less than one
5 thousand dollars], with sufficient sureties, not less than
6 two, to be approved by the commission, conditioned for the
7 faithful performance of the duties enjoined on such person
8 by law as recorder, and for the delivering up of the
9 records, books, papers, writings, seals, furniture and
10 apparatus belonging to the office, whole, safe and
11 undefaced, to such officer's successor.

12 2. For a recorder elected after December 31, 2021, the
13 bond shall be no less than five thousand dollars. For a
14 recorder elected before January 1, 2022, the bond shall be
15 no less than one thousand dollars.

451.040. 1. Previous to any marriage in this state, a
2 license for that purpose shall be obtained from the officer
3 authorized to issue the same, and no marriage contracted
4 shall be recognized as valid unless the license has been
5 previously obtained, and unless the marriage is solemnized
6 by a person authorized by law to solemnize marriages.

2. Before applicants for a marriage license shall
8 receive a license, and before the recorder of deeds shall be
9 authorized to issue a license, the parties to the marriage
10 shall present an application for the license, duly executed
11 and signed in the presence of the recorder of deeds or their
12 deputy or electronically through an online process. If an
13 applicant is unable to sign the application in the presence
14 of the recorder of deeds as a result of the applicant's
15 incarceration or because the applicant has been called or

16 ordered to active military duty out of the state or country,
17 the recorder of deeds may issue a license if:

18 (1) An affidavit or sworn statement is submitted by
19 the incarcerated or military applicant on a form furnished
20 by the recorder of deeds which includes the necessary
21 information for the recorder of deeds to issue a marriage
22 license under this section. The form shall include, but not
23 be limited to, the following:

24 (a) The names of both applicants for the marriage
25 license;

26 (b) The date of birth of the incarcerated or military
27 applicant;

28 (c) An attestation by the incarcerated or military
29 applicant that both applicants are not related;

30 (d) The date the marriage ended if the incarcerated or
31 military applicant was previously married;

32 (e) An attestation signed by the incarcerated or
33 military applicant stating in substantial part that the
34 applicant is unable to appear in the presence of the
35 recorder of deeds as a result of the applicant's
36 incarceration or because the applicant has been called or
37 ordered to active military duty out of the state or country,
38 which will be verified by the professional or official who
39 directs the operation of the jail or prison or the military
40 applicant's military officer, or such professional's or
41 official's designee, and acknowledged by a notary public
42 commissioned by the state of Missouri at the time of
43 verification. However, in the case of an applicant who is
44 called or ordered to active military duty outside Missouri,
45 [acknowledgement] acknowledgment may be obtained by a notary
46 public who is duly commissioned by a state other than
47 Missouri or by notarial services of a military officer in

48 accordance with the Uniform Code of Military Justice at the
49 time of verification;

50 (2) The completed marriage license application of the
51 incarcerated or military applicant is submitted which
52 includes the applicant's Social Security number; except
53 that, in the event the applicant does not have a Social
54 Security number, a sworn statement by the applicant to that
55 effect; and

56 (3) A copy of a government-issued identification for
57 the incarcerated or military applicant which contains the
58 applicant's photograph. However, in such case the
59 incarcerated applicant does not have such an identification
60 because the jail or prison to which he or she is confined
61 does not issue an identification with a photo his or her
62 notarized application shall satisfy this requirement.

63 3. Each application for a license shall contain the
64 Social Security number of the applicant, provided that the
65 applicant in fact has a Social Security number, or the
66 applicant shall sign a statement provided by the recorder
67 that the applicant does not have a Social Security number.
68 The Social Security number contained in an application for a
69 marriage license shall be exempt from examination and
70 copying pursuant to section 610.024. After the receipt of
71 the application the recorder of deeds shall issue the
72 license, unless one of the parties withdraws the
73 application. The license shall be void after thirty days
74 from the date of issuance.

75 4. Any person violating the provisions of this section
76 shall be deemed guilty of a misdemeanor.

77 5. Common-law marriages shall be null and void.

78 6. Provided, however, that no marriage shall be deemed
79 or adjudged invalid, nor shall the validity be in any way
80 affected for want of authority in any person so solemnizing

81 the marriage pursuant to section 451.100, if consummated
82 with the full belief on the part of the persons, so married,
83 or either of them, that they were lawfully joined in
84 marriage.

85 7. In the event a recorder of deeds utilizes an online
86 process to accept applications for a marriage license or to
87 issue a marriage license and the applicants' identity has
88 not been verified in person, the recorder shall have a two-
89 step identity verification process or a process that
90 independently verifies the identity of such applicants.
91 Such process shall be adopted as part of any electronic
92 system for marriage licenses if the applicants do not
93 present themselves to the recorder or his or her designee in
94 person. It shall be the responsibility of the recorder to
95 ensure any process adopted to allow electronic application
96 or issuance of a marriage license verifies the identities of
97 both applicants. The recorder shall not accept applications
98 for or issue marriage licenses through the process provided
99 in this subsection unless at least one of the applicants is
100 a resident of the county or city not within a county in
101 which the application was submitted.