

FIRST REGULAR SESSION

# SENATE BILL NO. 525

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

1339S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 182.020 and 182.050, RSMo, and to enact in lieu thereof two new sections relating to county libraries.

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

Section A. Sections 182.020 and 182.050, RSMo, are  
2 repealed and two new sections enacted in lieu thereof, to be  
3 known as sections 182.020 and 182.050, to read as follows:

182.020. 1. If, from returns of the submission of the  
2 question, the majority of all the votes cast are in favor of  
3 establishing a county library district and for the tax for a  
4 free county library, the county governing body shall enter  
5 of record a brief recital of the returns and that there has  
6 been established "\_\_\_\_\_ county library district", and  
7 thereafter such "\_\_\_\_\_ county library district", shall be  
8 considered established; and the tax specified in the notice,  
9 subject to the provisions of this section, shall be levied  
10 and collected, from year to year.

11 2. At least once in every month the county collector  
12 in each county of the first and second classes, including  
13 such counties having a charter form of government, shall pay  
14 over to the treasurer of the county library district all  
15 moneys received and collected by him to which the district  
16 is entitled and take duplicate receipts from the treasurer,  
17 one of which he shall file with the secretary of the county  
18 library district and the other he shall file in his

19 settlement with the county governing body. The county  
20 collector in the counties of the third and fourth classes  
21 shall pay over to the county treasurer at least once in  
22 every month all moneys received and collected by him which  
23 are due the county library district and shall take duplicate  
24 receipts therefor, one of which he shall file in his  
25 settlement with the county governing body. The county  
26 treasurer in such counties shall pay over to the treasurer  
27 of the county library district, at least once in every  
28 month, all moneys so received by him to which the district  
29 is entitled. Upon payment he shall take duplicate receipts  
30 from the treasurer of the county library district, one of  
31 which he shall file with the secretary of the county library  
32 district, and the other he shall file in his settlement with  
33 the county governing body.

34 3. The tax may be reconsidered whenever the voters of  
35 any county library district shall so determine by a majority  
36 vote on such questions after petition, order, and notice of  
37 the election and of the purpose thereof, first having been  
38 made, filed, and given, as in the case of establishing such  
39 county library district. At least five years must elapse  
40 after the county library district has been established and a  
41 tax therefor has been levied before a question to reconsider  
42 the tax may be submitted under this subsection.

43 4. Whenever the county library board of trustees finds  
44 it appropriate, it may order an election on the question of  
45 increasing the tax established pursuant to subsection 2 of  
46 section 182.010 or increased pursuant to subsection 5 of  
47 section 182.010. **The county commission may overrule and**  
48 **reject a county library board of trustees' decision to order**  
49 **an election on the question of increasing taxes.** Notice of  
50 the election shall be published in the same manner as is

51 notice of an election to establish a county library district  
52 under section 182.010. The notice and order shall each  
53 recite the amount of the proposed increase. The question  
54 shall be submitted in substantially the following form:

55        Shall the \_\_\_\_\_ per hundred dollars assessed  
56        valuation tax for the county library be  
57        increased to \_\_\_\_\_ per hundred dollars assessed  
58        valuation?

59 If a majority of votes cast on the question are in favor of  
60 the increase, then the increased tax shall be levied and  
61 collected in the same manner as the tax was at its previous  
62 lower rate.

63        5. As used in sections 182.010 to 182.120, the words  
64 "county commission" or "county governing body" shall be  
65 construed to mean the proper commission or official in any  
66 county operating under a special charter.

      182.050. For the purpose of carrying into effect  
2 sections 182.010 to 182.120, in case a county library  
3 district is established and a free county library authorized  
4 as provided in section 182.010, within sixty days after the  
5 establishment of the county library district, there shall be  
6 created a county library board of trustees, of five members,  
7 who shall be residents of the library district, none of whom  
8 shall be elected county officials. The members shall be  
9 appointed by the county commission for terms of four years  
10 each, except that as to the members of the first board, two  
11 shall be appointed for one year, and one each shall be  
12 appointed for two years, three years, and four years,  
13 respectively, from the first day of July following their  
14 appointment; and annually thereafter before the first day of  
15 July the county commission shall appoint successors.

16 Vacancies in the board occasioned by removals, resignations  
17 or otherwise shall be reported to the county commission and  
18 shall be filled in like manner as original appointments;  
19 except that if the vacancy is in an unexpired term, the  
20 appointment shall be made for only the unexpired portion of  
21 that term. No member of the board shall receive  
22 compensation as such. No person shall be employed by the  
23 board of library trustees or by the librarian who is related  
24 within the third degree by blood or by marriage to any  
25 trustee of the board. **The county commission may remove any**  
26 **member for conduct prejudicial to the good order and**  
27 **effective operation of the library, or for other good cause,**  
28 **stated in writing and after public hearing.**

✓