

SENATE BILL NO. 644

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CRAWFORD.

2477S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to audits of political subdivisions.

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

Section A. Section 29.230, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 29.230,
3 to read as follows:

29.230. 1. In every county which does not elect a
2 county auditor, the state auditor shall audit, without cost
3 to the county, at least once during the term for which any
4 county officer is chosen, the accounts of the various county
5 officers supported in whole or in part by public moneys.

6 2. The state auditor shall audit any political
7 subdivision of the state, including counties having a county
8 auditor, if requested to do so by a petition submitted by a
9 person who resides or owns real property within the
10 boundaries or area of service of the political subdivision
11 and such petition is submitted to the state auditor within
12 one year from requesting the petition from the state auditor
13 and is signed by the requisite percent of the qualified
14 voters of the political subdivision. The requisite percent
15 of qualified voters to cause such an audit to be conducted
16 shall be determined as follows:

17 (1) If the number of qualified voters of the political
18 subdivision determined on the basis of the votes cast in the

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 last gubernatorial election held prior to the [filing]
20 **requesting** of the petition **from the state auditor** is less
21 than one thousand, twenty-five percent of the qualified
22 voters of the political subdivision determined on the basis
23 of the registered voters eligible to vote at the last
24 gubernatorial election held prior to the [filing] **requesting**
25 of the petition;

26 (2) If the number of qualified voters of the political
27 subdivision determined on the basis of the votes cast in the
28 last gubernatorial election held prior to the [filing]
29 **requesting** of the petition **from the state auditor** is one
30 thousand or more but less than five thousand, fifteen
31 percent of the qualified voters of the political subdivision
32 determined on the basis of the votes cast in the last
33 gubernatorial election held prior to the [filing] **requesting**
34 of the petition, provided that the number of qualified
35 voters signing such petition is not less than two hundred;

36 (3) If the number of qualified voters of the political
37 subdivision determined on the basis of the votes cast in the
38 last gubernatorial election held prior to the [filing]
39 **requesting** of the petition **from the state auditor** is five
40 thousand or more but less than fifty thousand, ten percent
41 of the qualified voters of the political subdivision
42 determined on the basis of the votes cast in the last
43 gubernatorial election held prior to the [filing] **requesting**
44 of the petition, provided that the number of qualified
45 voters signing such petition is not less than seven hundred
46 fifty;

47 (4) If the number of qualified voters of the political
48 subdivision determined on the basis of the votes cast in the
49 last gubernatorial election held prior to the [filing]
50 **requesting** of the petition **from the state auditor** is fifty

51 thousand or more, five percent of the qualified voters of
52 the political subdivision determined on the basis of the
53 votes cast in the last gubernatorial election held prior to
54 the [filing] **requesting** of the petition, provided that the
55 number of qualified voters signing such petition is not less
56 than five thousand.

57 3. The political subdivision shall pay the actual cost
58 of audit. The petition that requests an audit of a
59 political subdivision shall state on its face the estimated
60 cost of the audit and that it will be paid by the political
61 subdivision being audited. The estimated cost of the audit
62 shall be provided by the state auditor within sixty days of
63 such request. The costs of the audit may be billed and paid
64 on an interim basis with individual billing periods to be
65 set at the state auditor's discretion. Moneys held by the
66 state on behalf of a political subdivision may be used to
67 offset unpaid billings for audit costs of the political
68 subdivision. All moneys received by the state in payment of
69 the costs of petition audits shall be deposited in the state
70 treasury and credited to the "Petition Audit Revolving Trust
71 Fund" which is hereby created with the state treasurer as
72 custodian. The general assembly may appropriate additional
73 moneys to the fund as it deems necessary. The state auditor
74 shall administer the fund and approve all disbursements,
75 upon appropriation, from the fund to apply to the costs of
76 performing petition audits. The provisions of section
77 33.080 to the contrary notwithstanding, money in the fund
78 shall not be transferred and placed to the credit of general
79 revenue until the amount in the fund at the end of any
80 biennium exceeds one million dollars. The amount in the
81 fund which shall lapse is the amount which exceeds one
82 million dollars. No political subdivision shall be audited

83 by petition more than once in any three calendar or fiscal
84 years.

85 4. Any person who allegedly signed or has signed the
86 original petition may submit a sworn statement to the state
87 auditor that the person did not sign such petition or that
88 the person wishes to rescind such signature. Such statement
89 shall be required to be made within ten days from submission
90 of the petition to the state auditor. If such statement is
91 timely filed, such signature shall be withdrawn and shall
92 not count in the determination of the number of qualified
93 voters necessary to compel an audit under subsection 2 of
94 this section.

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