

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE

SENATE BILL NO. 87

98TH GENERAL ASSEMBLY

2015

0448S.04T

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Section A. Section 29.230, RSMo, is repealed and one new section enacted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

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

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

14 (1) If the number of qualified voters of the political subdivision
15 determined on the basis of the votes cast in the last gubernatorial election held
16 prior to the filing of the petition is less than one thousand, twenty-five percent
17 of the qualified voters of the political subdivision determined on the basis of the
18 registered voters eligible to vote at the last gubernatorial election held prior to
19 the filing of the petition;

20 (2) If the number of qualified voters of the political subdivision
21 determined on the basis of the votes cast in the last gubernatorial election held
22 prior to the filing of the petition is one thousand or more but less than five
23 thousand, fifteen percent of the qualified voters of the political subdivision
24 determined on the basis of the votes cast in the last gubernatorial election held
25 prior to the filing of the petition, provided that the number of qualified voters
26 signing such petition is not less than two hundred;

27 (3) If the number of qualified voters of the political subdivision
28 determined on the basis of the votes cast in the last gubernatorial election held
29 prior to the filing of the petition is five thousand or more but less than fifty
30 thousand, ten percent of the qualified voters of the political subdivision
31 determined on the basis of the votes cast in the last gubernatorial election held
32 prior to the filing of the petition, provided that the number of qualified voters
33 signing such petition is not less than seven hundred fifty;

34 (4) If the number of qualified voters of the political subdivision
35 determined on the basis of the votes cast in the last gubernatorial election held
36 prior to the filing of the petition is fifty thousand or more, five percent of the
37 qualified voters of the political subdivision determined on the basis of the votes
38 cast in the last gubernatorial election held prior to the filing of the petition,
39 provided that the number of qualified voters signing such petition is not less than
40 five thousand.

41 **3.** The political subdivision shall pay the actual cost of audit. The
42 petition that requests an audit of a political subdivision shall state on its face the
43 estimated cost of the audit and that it will be paid by the political subdivision
44 being audited. The estimated cost of the audit shall be provided by the state
45 auditor within sixty days of such request. The costs of the audit may be billed
46 and paid on an interim basis with individual billing periods to be set at the state
47 auditor's discretion. Moneys held by the state on behalf of a political subdivision
48 may be used to offset unpaid billings for audit costs of the political subdivision.
49 All moneys received by the state in payment of the costs of petition audits shall
50 be deposited in the state treasury and credited to the "Petition Audit Revolving
51 Trust Fund" which is hereby created with the state treasurer as custodian. The
52 general assembly may appropriate additional moneys to the fund as it deems
53 necessary. The state auditor shall administer the fund and approve all
54 disbursements, upon appropriation, from the fund to apply to the costs of
55 performing petition audits. The provisions of section 33.080 to the contrary

56 notwithstanding, money in the fund shall not be transferred and placed to the
57 credit of general revenue until the amount in the fund at the end of any biennium
58 exceeds one million dollars. The amount in the fund which shall lapse is the
59 amount which exceeds one million dollars. No political subdivision shall be
60 audited by petition more than once in any three calendar or fiscal years.

61 **4. Any person who allegedly signed or has signed the original**
62 **petition may submit a sworn statement to the state auditor that the**
63 **person did not sign such petition or that the person wishes to rescind**
64 **such signature. Such statement shall be required to be made within ten**
65 **days from submission of the petition to the state auditor. If such**
66 **statement is timely filed, such signature shall be withdrawn and shall**
67 **not count in the determination of the number of qualified voters**
68 **necessary to compel an audit under subsection 2 of this section.**

✓

Bill

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