Re: County Auditor Qualifications and Candidate-Screening Process

Dear Distinguished Republican Legislators from Clay County:

Thank you for your service and dedication to the citizens of Clay County. A growing county, Clay County has more than 221,000 residents.\(^1\) The 2011 budget for Clay County totals $56 million, after Tax Increment Finance payments, capital expenditures, and statutory payments have been deducted.\(^2\)

During the 2010 election season in Clay County, questions arose about the qualifications of the eventual winner of the County Auditor race. As a Central Committee, we did not endorse the candidate due to unresolved questions surrounding his educational and professional background. Only in office a few months, the County Auditor resigned in 2011 amidst further controversy.

It is not the purpose of this letter to revisit the 2010 election. Instead, as a result of these issues, we have reviewed the statutes that govern the candidacy for and position of County Auditor. We ask the General Assembly to consider (1) whether the requisite qualifications for County Auditor are adequate for a county with as large a population and budget as Clay County’s and (2)

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whether a screening process for candidates for public offices should be implemented to ensure that candidacy declarations contain accurate information.

**County Auditor Qualifications**

As you know, candidates for county offices must file sworn declarations of candidacy with the respective county board of election commissioners stating that, among other things, the candidate is qualified for the office he or she seeks.\(^3\) In the case of a candidate for County Auditor, this means that the candidate attests that, in addition to meeting the age and residency requirements, he or she is:

- “a person familiar with the theory and practice of accounting by education, training and experience”; and
- “able to perform the duties imposed upon the county auditor.”\(^4\)

Further, as with other elective public offices in Missouri, to qualify as a candidate for county auditor, the person must be current on taxes and must not have been convicted of, found guilty of, or plead guilty to any federal crime or state felonies.\(^5\)

The list of professional duties imposed on a County Auditor is extensive. Under the applicable Missouri statutes\(^6\), among other duties, the County Auditor is required to:

- keep inventory of county property;
- keep accounts of all appropriations and expenditures by the County Commission;
- conduct annual audits of all county offices;
- balance the county books monthly;
- audit any accumulation of moneys, taxes, fees, fines, and miscellaneous public funds by county officials and courts;
- audit moneys and funds belonging to any levee district organized and operating in the county;
- audit moneys to be disbursed to school districts;
- audit moneys to be disbursed in the county for library, hospital, recreation, public health and civil defense purposes;
- prepare a statement of estimated county revenues for the county budget officer;
- countersign, on behalf of the county, all liquor licenses;
- conduct annual audits of the county health center, county planning and zoning commission, and county building commission; and
- prepare monthly reports to the County Commission showing the condition of all county accounts.

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\(^4\) Mo. Rev. Stat. § 55.060.


Due to the large size and scope of county government in Clay County, the above statutory duties require no small feat of day-to-day, monthly, and annual accounting. The purpose of such accounting, of course, is to protect Clay County’s citizens—to ensure that the citizens’ resources are being wisely and effectively used and in the manner for which they were intended. As presently written, however, the statutes provide no objective standard for ensuring that candidates for county auditor are “familiar with the theory and practice of accounting by education, training and experience” and “able to perform the duties imposed upon the county auditor.”

We recognize that we as a Central Committee have no legislative authority. We ask you, however, to enlist the appropriate legislative committee to consider the following issue:

To effectively safeguard and account for county resources in Clay County and other larger Missouri counties (e.g., populations greater than 200,000 or, alternatively, first-class counties), should candidates for county auditor in such counties be required to meet higher, more objective qualification requirements than are currently specified in the Missouri statutes?

It is not uncommon for jurisdictions to require county auditors to meet more objective qualifications. By way of example only, and not intending to make a recommendation, we note the following:

- In Texas, a county auditor must be a “competent accountant” with at least two years’ experience in “auditing and accounting,” and be “thoroughly competent in public business detail.”
- In Kansas counties with more than 300,000 people, the county auditor must be a certified public accountant.
- In Jackson County, Missouri, the county auditor “shall be a person specifically trained or experienced in internal audit and experienced in governmental or business investigation or administration.”

**Candidate-Screening Process**

The Clay County Republican Central Committee also encourages the General Assembly (or appropriate legislative committee) to consider whether county election boards have adequate and appropriate authority and tools to verify the accuracy of information supplied by candidates in their candidacy declarations and election filings. The Legislature could consider, for example, whether background checks should be included in the process to ensure that candidates for public office do not fail to meet the candidacy requirements on account of past federal or state crimes.

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8 These counties include Clay, Greene, Jackson (charter), Jefferson, St. Charles, and St. Louis (charter).
9 Tex. Loc. Gov’t Code § 84.006.
12 See, e.g., Mo. Rev. Stat. §§ 115.023 (election authority to conduct all elections); 115.347 (requirement of declaration), 115.349 (form of declaration), 115.353 (where declaration filed).
Thank you for your prompt and thorough consideration of this matter.

Sincerely,

The Clay County Republican Central Committee

CC:

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