

SECOND REGULAR SESSION

# HOUSE BILL NO. 1390

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DIXON (Sponsor), BOUGH, COOPER (120), WOOD, SCHNEIDER, LEMBKE, WITTE, WILSON (130), RUESTMAN, VIEBROCK, SUTHERLAND, YATES, LUETKEMEYER, PARKER, ICET, WRIGHT, MORRIS, ROARK, THRELKELD, MARSH, SELBY, NIEVES, BRUNS, CORCORAN, DUSENBERG, KELLY (36), KELLY (144), KUESSNER, SANDER, ST. ONGE, SWINGER, BIVINS, STEFANICK AND LIPKE (Co-sponsors).

Read 1<sup>st</sup> time February 4, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4081L.011

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### AN ACT

To repeal section 221.070, RSMo, and to enact in lieu thereof one new section relating to expenses and costs of commitment to a county jail.

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

Section A. Section 221.070, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 221.070, to read as follows:

221.070. **1.** Every person who shall be committed to the common jail within any county in this state, by lawful authority, for any offense or misdemeanor, if he **or she** shall be convicted thereof, shall bear the expense of carrying him or her to said jail, and **shall** also [his or her support while in jail] **bear the cost per diem for county prisoners, as determined pursuant to section 221.105, for each day such person was in jail**, before he or she shall be discharged; and the property of such person shall be subjected to the payment of such expenses **and per diem costs**, and shall be bound therefor, from the time of his **or her** commitment, and may be levied on and sold, from time to time, under the order of the court having criminal jurisdiction in the county, to satisfy such expenses **and per diem costs**.

**2.** It shall be the duty of the sheriff, prior to the person's discharge date, to certify to the clerk of the circuit court in which the case was determined, the total number of days such person remained in the county jail.

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.**