

SECOND REGULAR SESSION

HOUSE BILL NO. 1601

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PURGASON (Sponsor), KELLY (144), LUETKEMEYER,
DETHROW, CROWELL AND COOPER (155) (Co-sponsors).

Read 1st time March 2, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4845L.011

AN ACT

To repeal section 50.535, RSMo, and to enact in lieu thereof one new section relating to the county sheriff's revolving fund.

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

Section A. Section 50.535, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 50.535, to read as follows:

50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745, the fee collected
2 pursuant to subsections 10 and 11 of section 571.101, RSMo, shall be deposited by the county
3 treasurer into a separate interest-bearing fund to be known as the "County Sheriff's Revolving
4 Fund" to be expended at the direction of the county or city sheriff or his or her designee as
5 provided in this section.

6 2. No prior approval of the expenditures from this fund shall be required by the
7 governing body of the county or city not within a county, nor shall any prior audit or
8 encumbrance of the fund be required before any expenditure is made by the sheriff from this
9 fund. [This fund shall only be used by law enforcement agencies for the purchase of equipment
10 and to provide training.] If the moneys collected and deposited into this fund are not totally
11 expended annually, then the unexpended balance shall remain in said fund and the balance shall
12 be kept in said fund to accumulate from year to year. This fund may be audited by the state
13 auditor's office or the appropriate auditing agency.

14 3. **Anything in this section to the contrary notwithstanding, the sheriff of every**
15 **county, regardless of classification, is authorized to pay, from the sheriff's revolving fund,**
16 **all reasonable and necessary costs and expenses for activities or services occasioned by**

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.

17 **compliance with the Concealed-Carry Act. Such was the intent of the general assembly in**
18 **original enactment of the Concealed-Carry Act, and it is made express by this section in**
19 **light of the decision in Brooks v. State of Missouri, (Mo. Sup. Ct. February 26, 2003). The**
20 **application and renewal fees to be charged pursuant to section 571.101, RSMo, shall be**
21 **based on the sheriff's good faith estimate, made during regular budgeting cycles, of the**
22 **actual costs and expenses to be incurred by reason of compliance with the Concealed-Carry**
23 **Act.**

24 **4.** If pursuant to subsection 12 of section 571.101, RSMo, the sheriff of a county of the
25 first classification designates one or more chiefs of police of any town, city, or municipality
26 within such county to accept and process applications for certificates of qualification to obtain
27 a concealed carry endorsement, then that sheriff shall reimburse such chiefs of police, out of the
28 moneys deposited into this fund, for any reasonable expenses related to accepting and processing
29 such applications.