

SECOND REGULAR SESSION

# HOUSE BILL NO. 1484

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES TILLEY (Sponsor), JETTON, ROBINSON, HARRIS (110),  
KUESSNER AND WAGNER (Co-sponsors).

Read 1st time January 23, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

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### AN ACT

To amend chapter 478, RSMo, by adding thereto one new section relating to the establishment and authorization of the positions of drug court commissioner and drug court administrator in the twenty-fourth judicial circuit, with an emergency clause.

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

Section A. Chapter 478, RSMo, is amended by adding thereto one new section, to be known as section 478.007, to read as follows:

**478.007. 1. In the twenty-fourth judicial circuit consisting of the counties of Madison, Ste. Genevieve, St. Francois, and Washington, a majority of the court en banc may appoint one person, who shall possess the same qualifications as an associate circuit judge, to act as drug court commissioner. The commissioner shall be appointed for a term of four years. The compensation of the commissioner shall be the same as that of an associate circuit judge and the retirement benefits of such commissioner shall be the same as those of an associate circuit judge, payable in the same manner and from the same source as those of an associate circuit judge. A circuit judge shall by order of record reject or confirm any order, judgment, or decree of the commissioner, within the time the judge could set aside such order, judgment, or decree had the same been made by him or her, as provided in section 478.003. If so confirmed, the orders, judgments, and decrees shall have the same effect as if made by the judge on the date of their confirmation.**

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

13           **2. The circuit court in the twenty-fourth judicial circuit may, in addition to a drug**  
14 **court commissioner, appoint one person to act as drug court administrator, whose**  
15 **compensation and benefits shall be payable in the same manner and from the same source**  
16 **as those of other circuit court personnel. Said drug court administrator shall be appointed**  
17 **by a majority of the court en banc for a term of four years.**

18           **3. The drug court commissioner shall act at all times in a manner befitting a**  
19 **member of the bench. The drug court commissioner shall devote full time to the duties of**  
20 **commissioner and shall not engage in the private practice of law.**

21           **4. The drug court commissioner and or drug court administrator appointed**  
22 **hereunder may be removed from office during a term by a majority of the circuit and**  
23 **associate circuit judges en banc upon proof of hearing before such judges of crime,**  
24 **misconduct, habitual drunkenness, willful neglect of duty, corruption in office,**  
25 **incompetency, or any offense involving moral turpitude or oppression in office or**  
26 **unsatisfactory performance of duties.**

          Section B. Because immediate action is necessary to address the increasing drug  
2 caseload in the twenty-fourth judicial circuit, section A of this act is deemed necessary for the  
3 immediate preservation of the public health, welfare, peace, and safety, and is hereby declared  
4 to be an emergency act within the meaning of the constitution, and section A of this act shall be  
5 in full force and effect upon its passage and approval.

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