

FIRST REGULAR SESSION

# HOUSE BILL NO. 1086

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE DAY.

Read 1st time March 8, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2594L.01I

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### AN ACT

To repeal section 476.083, RSMo, and to enact in lieu thereof one new section relating to circuit court marshals.

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

Section A. Section 476.083, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 476.083, to read as follows:

476.083. 1. In addition to any appointments made pursuant to section 485.010, RSMo, the presiding judge of each circuit containing one or more facilities operated by the department of corrections with an average total inmate population in all such facilities in the circuit over the previous two years of more than [two] **one** thousand five hundred inmates may appoint a circuit court marshal to aid the presiding judge in the administration of the judicial business of the circuit by overseeing the physical security of the courthouse, serving court-generated papers and orders, and assisting the judges of the circuit as the presiding judge determines appropriate. Such circuit court marshal appointed pursuant to the provisions of this section shall serve at the pleasure of the presiding judge. The circuit court marshal authorized by this section is in addition to staff support from the circuit clerks, deputy circuit clerks, division clerks, municipal clerks, and any other staff personnel which may otherwise be provided by law.

2. The salary of a circuit court marshal shall be established by the presiding judge of the circuit within funds made available for that purpose, but such salary shall not exceed ninety percent of the salary of the highest paid sheriff serving a county wholly or partially within that

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.

15 circuit. Personnel authorized by this section shall be paid from state funds or federal grant  
16 moneys which are available for that purpose and not from county funds.

17 3. Any person appointed as a circuit court marshal pursuant to this section shall have at  
18 least five years' prior experience as a law enforcement officer. In addition, any such person shall  
19 within one year after appointment, or as soon as practicable, attend a court security school or  
20 training program operated by the United States Marshal Service. In addition to all other powers  
21 and duties prescribed in this section, a circuit court marshal may:

22 (1) Serve process;

23 (2) Wear a concealable firearm, pursuant to a permit granted under section 571.090,  
24 RSMo; and

25 (3) Make an arrest based upon local court rules and state law, and as directed by the  
26 presiding judge of the circuit.

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