

SECOND REGULAR SESSION

HOUSE BILL NO. 1774

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PARSON (Sponsor) AND FISHER (125) (Co-sponsor).

4621L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 483.015, RSMo, and to enact in lieu thereof one new section relating to circuit clerks.

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

Section A. Section 483.015, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 483.015, to read as follows:

483.015. 1. At the general election in the year 1982, and every four years thereafter, except as herein provided and except as otherwise provided by law, circuit clerks shall be elected by the qualified voters of each county and of the city of St. Louis, who shall be commissioned by the governor, and shall enter upon the discharge of their duties on the first day in January next ensuing their election, and shall hold their offices for the term of four years, and until their successors shall be duly elected and qualified, unless sooner removed from office.

2. The court administrator for Jackson County provided by the charter of Jackson County shall be selected as provided in the county charter and shall exercise all of the powers and duties of the circuit clerk of Jackson County. The director of judicial administration and the circuit clerk of St. Louis County shall be selected as provided in the charter of St. Louis County.

3. When provision is made in a county charter for the appointment of a court administrator to perform the duties of a circuit clerk or for the appointment of a circuit clerk, such provisions shall prevail over the provisions of this chapter providing for a circuit clerk to be elected. The persons appointed to fill any such appointive positions shall be paid by the counties as provided by the county charter or ordinance; provided, however, that if provision is now or hereafter made by law for the salaries of circuit clerks to be paid by the state, the state shall pay over to the county a sum which is equivalent to the salary that would be payable by law

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.

18 by the state to an elected circuit clerk in such county if such charter provision was not in effect.
19 The sum shall be paid in semimonthly or monthly installments, as designated by the
20 commissioner of administration.

21 4. The circuit [clerk] **clerks** in the sixth judicial circuit and in the seventh judicial circuit
22 shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit
23 court, en banc. The circuit clerk in those circuits shall be removable for cause by a majority of
24 the circuit judges and associate circuit judges of such circuit, en banc, in accordance with
25 supreme court administrative rules governing court personnel. This subsection shall become
26 effective on January 1, 2004, and the elected circuit clerks in those circuits in office at that time
27 shall continue to hold such office for the remainder of their elected terms as if they had been
28 appointed pursuant to the terms of this subsection.

29 **5. The circuit clerks in all counties of the twenty-eighth judicial circuit shall be**
30 **appointed by a majority of the circuit judges and associate circuit judges of such circuit,**
31 **en banc. The circuit clerk in those counties shall be removable for cause by a majority of**
32 **the circuit judges and associate circuit judges of each county, en banc, in accordance with**
33 **supreme court administrative rules governing court personnel. This subsection shall**
34 **become effective on February 15, 2010, and the elected circuit clerks in those counties in**
35 **office at that time shall continue to hold such office for the remainder of their elected terms**
36 **as if they had been appointed under the terms of this subsection.**

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