

**HOUSE** \_\_\_\_\_ **AMENDMENT NO.** \_\_\_\_\_

**Offered By**

1 AMEND House Committee Substitute for Senate Bill No. 739, Page 1, Line 3 of the Title by  
2 deleting said line and inserting in lieu thereof the following: “relating to the judiciary”; and  
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4 Further amend said bill, Page 3, Section 454.475, Line 69 by inserting after said line the  
5 following:

6 “483.015. 1. At the general election in the year 1982, and every four years thereafter,  
7 except as herein provided and except as otherwise provided by law, circuit clerks shall be elected  
8 by the qualified voters of each county [and of the city of St. Louis], who shall be commissioned by  
9 the governor, and shall enter upon the discharge of their duties on the first day in January next  
10 ensuing their election, and shall hold their offices for the term of four years, and until their  
11 successors shall be duly elected and qualified, unless sooner removed from office.

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

16 3. When provision is made in a county charter for the appointment of a court  
17 administrator to perform the duties of a circuit clerk or for the appointment of a circuit clerk, such  
18 provisions shall prevail over the provisions of this chapter providing for a circuit clerk to be  
19 elected. The persons appointed to fill any such appointive positions shall be paid by the counties  
20 as provided by the county charter or ordinance; provided, however, that if provision is now or  
21 hereafter made by law for the salaries of circuit clerks to be paid by the state, the state shall pay  
22 over to the county a sum which is equivalent to the salary that would be payable by law by the  
23 state to an elected circuit clerk in such county if such charter provision was not in effect. The sum  
24 shall be paid in semimonthly or monthly installments, as designated by the commissioner of  
25 administration.

26 4. The circuit clerk in the sixth judicial circuit and in the seventh judicial circuit shall be  
27 appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en  
28 banc. The circuit clerk in those circuits shall be removable for cause by a majority of the circuit

1 judges and associate circuit judges of such circuit, en banc, in accordance with supreme court  
2 administrative rules governing court personnel. This subsection shall become effective on  
3 January 1, 2004, and the elected circuit clerks in those circuits in office at that time shall continue  
4 to hold such office for the remainder of their elected terms as if they had been appointed pursuant  
5 to the terms of this subsection.

6 5. The circuit clerk in the twenty-second judicial circuit shall be appointed by a majority  
7 of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in  
8 such circuit shall be removable for cause by a majority of the circuit judges and associate circuit  
9 judges of such circuit, en banc, in accordance with supreme court administrative rules governing  
10 court personnel. The elected circuit clerk in such circuit in office on the effective date of this  
11 section shall continue to hold such office for the remainder of his or her elected term.”; and  
12

13 Further amend said bill by amending the title, enacting clause, and intersectional references  
14 accordingly.