

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 1574, Page 2, Section 29.235, Line 44, by inserting after all of said section
2 and line the following:

3
4 "29.305. 1. The state auditor shall make a one-time report on the costs, both direct and
5 indirect, born by county and state governments in the prosecution and defense of at least ten cases
6 filed on or after January 1, 1990, in which a death sentence was sought and was imposed and
7 compare such costs to the costs of an equal number of first degree murder cases filed on or after
8 January 1, 1990, in which a death sentence was not sought and the defendant was sentenced to life
9 without the possibility for parole and an equal number of first degree murder cases filed on or after
10 January 1, 1990, in which a death sentence was sought, but the defendant was sentenced to life
11 without the possibility for parole at the conclusion of a sentencing phase. The auditor may make
12 additional comparisons including other sentences imposed for homicide offenses.

13 2. In selecting the cases in which a death sentence was not imposed, the auditor shall use a
14 scientific method of random sampling that includes all cases filed on or after January 1, 1990.

15 3. The comparison shall include the following costs estimated by the auditor to be related to
16 the cases examined and compared under subsection 1 of this section:

17 (1) Staff salaries, benefits, and operating expenses for the attorney general's office, including
18 any contracts for assistance;

19 (2) Staff salaries, benefits, and operating expenses for the department of corrections,
20 including costs related to housing inmates sentenced to death, carrying out the death penalty, and any
21 contracts for assistance;

22 (3) Staff salaries, including salaries of prosecuting and circuit attorneys, benefits, operating
23 expenses charged to counties, including expenses in preparing for the presentation of aggravating
24 and mitigating circumstances with respect to sentencing proceedings in death penalty cases, expert
25 witness fees, additional investigations, and contracts for assistance;

26 (4) Staff salaries, benefits, and operating expenses for the Missouri state public defender
27 system; and

28 (5) Staff salaries, benefits, and operating expenses for the supreme court, courts of appeals,
29 and circuit courts.

30 4. The auditor shall present the report to the governor, members of the general assembly, and

Action Taken _____ Date _____

- 1 the Missouri supreme court by June 30, 2016."; and
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- 3 Further amend said bill by amending the title, enacting clause, and intersectional references
- 4 accordingly.