

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 1821, Page 1, Section A, Line 4, by inserting after all of said line the
2 following:

3
4 "1.020. As used in the statutory laws of this state, unless otherwise specially provided or
5 unless plainly repugnant to the intent of the legislature or to the context thereof:

6 (1) "Certified mail" or "certified mail with return receipt requested", includes certified mail
7 carried by the United States Postal Service, or any parcel or letter carried by an overnight, express,
8 or ground delivery service that allows a sender or recipient to electronically track its location and
9 provides record of the signature of the recipient;

10 (2) ["County or circuit attorney" means prosecuting attorney] "County attorney", "circuit
11 attorney", "district attorney", "prosecuting attorney", or "prosecutor" or any derivation thereof, when
12 used in the context of the functions, duties, powers, and responsibilities of the office, means an
13 elected official of a county or designated district with the responsibility for prosecuting violations of
14 state law;

15 (3) "Executor" includes administrator where the subject matter applies to an administrator;

16 (4) "General election" means the election required to be held on the Tuesday succeeding the
17 first Monday of November, biennially;

18 (5) "Guardian", if used in a section in a context relating to property rights or obligations,
19 means conservator of the estate as defined in chapter 475. "Guardianship", if used in a section in a
20 context relating to rights and obligations other than property rights or obligations, means guardian of
21 the person as defined in chapter 475;

22 (6) "Handicap" means a mental or physical impairment that substantially limits one or more
23 major life activities, whether the impairment is congenital or acquired by accident, injury, or disease,
24 and where the impairment is verified by medical findings;

25 (7) "Heretofore" means any time previous to the day when the statute containing it takes
26 effect; and "hereafter" means the time after the statute containing it takes effect;

27 (8) "In vacation" includes any adjournment of court for more than one day whenever any act
28 is authorized to be done by or any power given to a court, or judge thereof in vacation, or whenever
29 any act is authorized to be done by or any power given to a clerk of any court in vacation;

30 (9) "Incompetent", if used in a section in a context relating to actual occupational ability
31 without reference to a court adjudication of incompetency, means the actual ability of a person to
32 perform in that occupation. "Incompetent", if used in a section in a context relating to the property
33 rights and obligations of a person, means a disabled person as defined in chapter 475.
34 "Incompetent", if used in a section in a context relating to the rights and obligations of a person other
35 than property rights and obligations, means an incapacitated person as defined in chapter 475;

36 (10) "Justice of the county court" means commissioner of the county commission;

Action Taken _____ Date _____

(11) "Month" and "year". "Month" means a calendar month, and "year" means a calendar year unless otherwise expressed, and is equivalent to the words year of our Lord;

(12) The word "person" may extend and be applied to bodies politic and corporate, and to partnerships and other unincorporated associations;

(13) "Personal property" includes money, goods, chattels, things in action and evidences of debt;

(14) "Place of residence" means the place where the family of any person permanently resides in this state, and the place where any person having no family generally lodges;

(15) "Preceding" and "following", when used by way of reference to any section of the statutes, mean the section next preceding or next following that in which the reference is made, unless some other section is expressly designated in the reference;

(16) "Property" includes real and personal property;

(17) "Real property" or "premises" or "real estate" or "lands" is coextensive with lands, tenements and hereditaments;

(18) "State", when applied to any of the United States, includes the District of Columbia and the territories, and the words "United States" includes such district and territories;

(19) "Under legal disability" includes persons within the age of minority or of unsound mind or imprisoned;

(20) "Ward", if used in a section in a context relating to the property rights and obligations of a person, means a protectee as defined in chapter 475. "Ward", if used in a section in a context relating to the rights and obligations of a person other than property rights and obligations, means a ward as defined in chapter 475;

(21) "Will" includes the words testament and codicil;

(22) "Written" and "in writing" and "writing word for word" includes printing, lithographing, or other mode of representing words and letters, but in all cases where the signature of any person is required, the proper handwriting of the person, or his mark, is intended.

56.010. 1. At the general election to be held in [this state in the year A.D. 1982, and every four years thereafter,] the years provided under this section, there shall be elected [in each county of this state] a prosecuting attorney or district attorney, who shall be a person learned in the law, duly licensed to practice as an attorney at law in this state, and enrolled as such, at least twenty-one years of age, and who has been a bona fide resident of the county or prosecutorial district in which he or she seeks election for twelve months next preceding the date of the general election at which he is a candidate for such office and shall hold his or her office for four years, and until his or her successor is elected, commissioned and qualified.

2. At the general election in the year 2018, and every four years thereafter, in each county that has not entered into a prosecutorial district under section 56.015, there shall be elected a prosecuting attorney.

3. At the general election in the year 2018, and every four years thereafter, in each prosecutorial district formed pursuant to section 56.015, there shall be elected a district attorney.

4. At the general election provided for in its charter, and every four years thereafter, in any judicial circuit composed of a single charter county, there shall be elected a prosecuting attorney or district attorney, as the charter may direct.

5. At the general election in the year 2016, in any county which has adopted a resolution or charter amendment pursuant to section 56.015 prior to January 1, 2015, there shall be elected a district attorney, for a term of two years.

56.015. 1. The governing bodies of any two or more contiguous counties within a single judicial circuit may act cooperatively in the common employment of a district attorney. Additional counties within the judicial circuit may be admitted to participation by the consent of each county

1 already participating and each county seeking to participate upon the approval of a new joint
 2 agreement under subsection 3 of this section. The territorial area comprising the participating
 3 counties shall be designated a "prosecutorial district" and, once elected at a general election pursuant
 4 to section 56.010, the prosecuting attorney serving the area shall be known as a "district attorney",
 5 who shall have the same duties prescribed by this chapter for prosecuting attorneys throughout the
 6 state and any additional duties as provided in section 56.060. In order to form or join a prosecutorial
 7 district:

8 (1) For counties not having a charter form of government, the county commission shall
 9 adopt a resolution to form or join a prosecutorial district and approve the joint agreement provided
 10 for in subsection 3 of this section;

11 (2) For counties having a charter form of government, the governing body shall adopt a
 12 charter amendment to form or join a prosecutorial district and approve the joint agreement provided
 13 for in subsection 3 of this section; and

14 (3) For any county seeking to form or join a prosecutorial district prior to January 1, 2015,
 15 the county commission shall receive written consent from the elected county prosecuting attorney
 16 before adopting the resolution or charter amendment.

17 2. Notice of the adoption of a resolution or charter amendment under subsection 1 of this
 18 section shall be transmitted to the secretary of state and the election authority of each county within
 19 the prosecutorial district at least twelve months in advance of the next general election at which a
 20 district attorney is to be elected under section 56.010. Except as otherwise provided under
 21 subsection 4 or 5 of this section, the formation or expansion of the prosecutorial district and
 22 abolishment of the county office of prosecuting attorney shall not take effect until a district attorney
 23 elected at the next general election pursuant to section 56.010 has entered upon the discharge of his
 24 or her duties.

25 3. The governing bodies of the counties electing to join together in a prosecutorial district
 26 shall approve a joint agreement which specifies the duties of each county. If any county seeks to join
 27 a prosecutorial district which has already been established pursuant to this section, the joint
 28 agreement shall be rewritten and reapproved by the governing body of each member county. Any
 29 agreement shall contain the following:

30 (1) The names of the counties within the district;

31 (2) The formula for calculating each county's contribution to the costs of the district;

32 (3) The formula for calculating each county's portion of the fee collected under subsection 4
 33 of section 56.060; and

34 (4) The timing and procedures for approval of the prosecutorial district's annual budget by
 35 the governing bodies of the member counties.

36 4. In any judicial circuit composed of a single county, the governing body of the county may
 37 convert the office of prosecuting attorney to the office of district attorney. The district attorney shall
 38 have the same duties prescribed by this chapter for prosecuting attorneys throughout the state and
 39 any additional duties as provided under section 56.060. If the office is converted, the county shall be
 40 designated a prosecutorial district. In order to convert the office to that of a prosecutorial district:

41 (1) In a judicial circuit composed of a single charter county, the governing body of the
 42 county shall adopt a charter amendment to convert the office of prosecuting attorney to the office of
 43 district attorney;

44 (2) In a judicial circuit composed of a single noncharter county, the governing body of the
 45 county shall adopt a resolution to convert the office of prosecuting attorney to the office of district
 46 attorney.

47 5. The prosecuting attorney of a county electing to convert the office as provided for in
 48 subsection 4 of this section shall perform the additional duties of a district attorney immediately

1 upon the governing body taking the action provided for in subsection 4 of this section, but the
 2 election of a district attorney shall not occur until the next regular election for the office.

3 56.017. 1. Each district attorney shall have all the powers and duties of the office of
 4 prosecuting attorney provided to prosecuting attorneys in counties of the first classification under
 5 this chapter. Each district attorney representing counties of the second, third, or fourth classification
 6 shall also perform the duties provided for prosecuting attorneys in such counties under sections
 7 56.291, 56.293, 56.300, and 56.305.

8 2. Each district attorney shall be responsible for the budgets and staff of the offices within
 9 the prosecutorial district or county. During his or her initial two-year term, any district attorney
 10 elected at the general election in 2016 shall employ as an assistant district attorney each person who
 11 served as an elected prosecuting attorney in any county in the prosecutorial district at the time of the
 12 election. Each district attorney may appoint such additional assistant district attorneys, and may
 13 employ such investigators and stenographic and clerical help as the district attorney deems necessary
 14 for the proper discharge of the duties of the district attorney's office, and may set their compensation
 15 within the limits of the allocations made for that purpose by joint agreement of the governing bodies
 16 of the counties in the prosecutorial district. The compensation for the assistant district attorneys,
 17 investigators and stenographic and clerical help shall be paid in equal installments out of the
 18 respective county treasuries in the same manner as other county employees are paid.

19 3. The assistant district attorneys shall be subject to the same fines and penalties for neglect
 20 of duty or misdemeanor in office as the district attorney.

21 4. All assistant district attorneys, investigators, and stenographic and clerical help shall hold
 22 office at the pleasure of the district attorney.

23 56.060. 1. Each prosecuting attorney or district attorney shall:

24 (1) Commence and prosecute all [civil and] criminal actions by adults in the prosecuting
 25 attorney's county or district attorney's prosecutorial district in which the county or state is
 26 concerned[.];

27 (2) Represent the state in any misdemeanor case that is taken to the court of appeals by
 28 appeal and make out and cause to be printed, at the expense of the county, all necessary abstracts of
 29 record and briefs, and if necessary appear in the court in person, or employ some attorney at the
 30 prosecuting attorney's own expense to represent the state in the court, and for his or her services he
 31 or she shall receive the compensation that is proper, not to exceed twenty-five dollars for each case,
 32 and necessary traveling expenses, to be audited and paid as other claims are audited and paid by the
 33 county commission;

34 (3) Defend all suits against the state [or county, and];

35 (4) Prosecute forfeited recognizances and actions for the recovery of debts, fines, penalties
 36 and forfeitures accruing to the state [or], county, or prosecutorial district; and

37 (5) Follow and prosecute or defend, as the case may be, all cases in which changes of venue
 38 are granted, for which, in addition to the fees now allowed by law, the prosecuting or district
 39 attorney shall receive his or her actual expenses. [In all cases, civil and criminal, in which changes
 40 of venue are granted, the prosecuting attorney shall follow and prosecute or defend, as the case may
 41 be, all the causes, for which, in addition to the fees now allowed by law, the prosecuting attorney
 42 shall receive his or her actual expenses. If any misdemeanor case is taken to the court of appeals by
 43 appeal the prosecuting attorney shall represent the state in the case in the court and make out and
 44 cause to be printed, at the expense of the county, all necessary abstracts of record and briefs, and if
 45 necessary appear in the court in person, or shall employ some attorney at the prosecuting attorney's
 46 own expense to represent the state in the court, and for his or her services he or she shall receive the
 47 compensation that is proper, not to exceed twenty-five dollars for each case, and necessary traveling
 48 expenses, to be audited and paid as other claims are audited and paid by the county commission of

the county.]

2. Notwithstanding the provisions of subsection 1 of this section, in any county for which a county counselor is appointed, the prosecuting attorney shall only perform those duties prescribed by subsection 1 of this section which are not performed by the county counselor under the provisions of law relating to the office of county counselor.

3. In each county taking the actions provided in section 56.015, the district attorney shall perform the following duties in addition to all other duties imposed by law:

(1) Except as otherwise provided by law or for the collection of debt owed for services rendered by the state public defender system unless such collection is pursuant to a mutual agreement or memorandum of understanding between the public defender system and the district attorney, represent state agencies in the collection of debt; and

(2) Provide not less than six hours of continuing education to peace officers in the member counties in each year of his or her term of office.

4. In the absence of an agreement that states otherwise, the district attorney shall retain twenty percent of all debt collected on behalf of state agencies under subsection 3 of this section as a collection fee with:

(1) One-half of the fee collected to be payable to the state of Missouri and remitted to the director of revenue who shall deposit the amount collected pursuant to this section to the credit of the Missouri office of prosecution services fund to be used solely for the purpose of offsetting county expenses related to victim services, office supplies, postage, books, training, office equipment, capital outlay, expenses of trial and witness preparation, additional employees for the staff of the district attorney, and salary supplements for existing employees on the staff of the district attorney; and

(2) One-half of the fee collected to be payable to the county treasurer of each county in the prosecutorial district on a pro rata basis, pursuant to the agreement entered into by the counties under section 56.015, and deposited into the county treasury.

56.067. In counties of the first classification not having a charter form of government[,] and other counties in which [have passed the proposition authorized by section 56.363] the prosecuting attorney is a full-time position, the prosecuting attorney, except in the performance of special prosecutions or otherwise representing the state or its political subdivisions, shall devote full time to his office, and shall not engage in the practice of law.

56.265. 1. [The county] A prosecuting attorney [in any county], other than a prosecuting attorney in a chartered county, shall receive an annual salary computed using the following schedule, when applicable. The assessed valuation factor shall be the amount thereof as shown for the year immediately preceding the year for which the computation is done.

(1) For a district attorney, he or she shall receive compensation equal to the compensation of an associate circuit judge. In multi-county prosecutorial districts, the total cost to the counties for the compensation of the district attorney shall be prorated among the counties, pursuant to the agreement entered into by the counties under section 56.015. Nothing in this subdivision shall be construed to prevent the governing body of a charter county from electing to compensate the district attorney in excess of the salary of an associate circuit judge;

(2) For a full-time [prosecutor] prosecuting attorney in a county not taking the actions provided in section 56.015, the prosecutor shall receive compensation equal to the compensation of an associate circuit judge;

[(2)] (3) For a part-time [prosecutor] prosecuting attorney in a county that is not part of a prosecutorial district as provided in section 56.015, the governing body of the county may elect to pay the part-time prosecuting attorney in accordance with one of the following options:

Option 1. Using the following scale:

Assessed Valuation	Amount
\$ 18,000,000 to 40,999,999	\$37,000
41,000,000 to 53,999,999	38,000
54,000,000 to 65,999,999	39,000
66,000,000 to 85,999,999	41,000
86,000,000 to 99,999,999	43,000
100,000,000 to 130,999,999	45,000
131,000,000 to 159,999,999	47,000
160,000,000 to 189,999,999	49,000
190,000,000 to 249,999,999	51,000
250,000,000 to 299,999,999	53,000
300,000,000 or more	55,000; or

Option 2. Compensation equal to one-half the compensation of a full-time prosecuting attorney provided under subdivision (2) of this subsection, but this option may only be selected if the presiding judge of the circuit court appoints the part-time prosecuting attorney to represent the juvenile officer in all juvenile court cases.

2. Two thousand dollars of the salary authorized in subdivisions (2) or (3) of subsection 1 of this section shall be payable to the prosecuting attorney only if the prosecuting attorney has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the prosecuting attorney's office when approved by a professional association of the county prosecuting attorneys of Missouri unless exempted from the training by the professional association. Ten thousand dollars of the salary authorized for a district attorney under subdivision (1) of subsection 1 of this section shall be payable to the district attorney only if he or she has completed at least thirty hours of such classroom instruction each calendar year unless exempted by the professional association. The professional association approving the program shall provide a certificate of completion to each prosecuting attorney who completes the training program and shall send a list of certified prosecuting attorneys to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the [county] prosecuting attorney in the same manner as other expenses as may be appropriated for that purpose.

3. As used in this section, the term "prosecuting attorney" includes the circuit attorney of any city not within a county.

4. The prosecuting attorney of any county which becomes a county of the first classification during a four-year term of office or a county which passed the proposition authorized by subsection 1 of section 56.363 shall not be required to devote full time to such office pursuant to section 56.067 until the beginning of the prosecuting attorney's next term of office or until the proposition otherwise becomes effective.

5. The provisions of section 56.066 shall not apply to full-time prosecutors who are compensated pursuant to subdivision (1) of subsection 1 or subdivision (2) of this section."; and

Further amend said bill, Page 2, Section 56.363, Line 37, by inserting after the word, "irrevocable" the words, "unless the voters of the county elect to change the position of prosecuting attorney back to a part-time position pursuant to subsection 4 of this section"; and

Further amend said page, section, Line 42, by inserting after all of said line the following:

"5. In any county that has elected to make the county prosecutor a full-time position pursuant to this section the county commission may on its own motion and shall upon the petition of ten percent of the total number of people who voted in the previous general election in the county submit to the voters at a general or special election the proposition of changing the full-time prosecutor

position to a part-time position. The commission shall cause notice of the election to be published in a newspaper published within the county, or if no newspaper is published within the county, in a newspaper published in an adjoining county, for three weeks consecutively, the last insertion of which shall be at least ten days and not more than thirty days before the day of the election, and by posting printed notices thereof at three of the most public places in each township in the county. The proposition shall be put before the voters substantially in the following form:

Shall the office of prosecuting attorney be made a part-time position in County?

☐ YES

☐ NO

If a majority of the voters vote in favor of making the county prosecutor a part-time position, it shall become effective upon the date that the prosecutor who is elected at the next election subsequent to the passage of such proposal is sworn into office.

6. In any county that has elected to make the full-time position of county prosecutor a part-time position pursuant to subsection 4 of this section, the county's retirement contribution to the retirement system and the retirement benefit earned by the member shall prospectively be that of a part-time prosecutor as established in this chapter. Any retirement contribution made and retirement benefit earned prior to the effective date of the voter approved proposition pursuant to subsection 4 of this section shall be maintained by the retirement system and used to calculate the retirement benefit for such prior full-time position service. Under no circumstances shall a member in a part-time prosecutor position earn full-time position retirement benefit service accruals for time periods after the effective date of the proposition changing the county prosecutor back to a part-time position."; and

Further amend said page, section, Line 42, by inserting after all of said line the following:

"56.430. At the general election to be held in this state in the year 1948, and every four years thereafter, there shall be elected in the city of St. Louis one circuit attorney, who shall reside in said city, and shall possess the same qualifications and be subject to the same duties that are prescribed by this chapter for district or prosecuting attorneys throughout the state.

56.805. As used in sections 56.800 to 56.840, the following words and terms mean:

(1) "Annuity", annual payments, made in equal monthly installments, to a retired member from funds provided for, in, or authorized by, the provisions of sections 56.800 to 56.840;

(2) "Average final compensation", the average compensation of an employee for the two consecutive years prior to retirement when the employee's compensation was greatest;

(3) "Board of trustees" or "board", the board of trustees established by the provisions of sections 56.800 to 56.840;

(4) "Compensation", all salary and other compensation payable by a county to an employee for personal services rendered as an employee, but not including travel and mileage reimbursement;

(5) "County", the city of St. Louis and each county in the state;

(6) "Creditable service", the sum of both membership service and creditable prior service;

(7) "Effective date of the establishment of the system", August 28, 1989;

(8) "Employee", an elected or appointed prosecuting attorney [or circuit attorney who is employed by a county or a city not within a county];

(9) "Membership service", service as a prosecuting [attorney or circuit] attorney after becoming a member that is creditable in determining the amount of the member's benefits under this system;

(10) "Prior service", service of a member rendered prior to the effective date of the establishment of the system which is creditable under section 56.823;

(11) "Prosecuting attorney", shall include any elected or appointed prosecuting attorney

1 employed by a county, district attorney employed by a prosecutorial district, or circuit attorney
 2 employed by a city not within a county;

3 (12) "Retirement system" or "system", the prosecuting attorneys and circuit attorneys'
 4 retirement system authorized by the provisions of sections 56.800 to 56.840.

5 56.807. 1. Beginning August 28, 1989, and continuing monthly thereafter until August 27,
 6 2003, the funds for prosecuting attorneys and circuit attorneys provided for in subsection 2 of this
 7 section shall be paid from county or city funds.

8 2. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003,
 9 each county treasurer shall pay to the system the following amounts to be drawn from the general
 10 revenues of the county:

11 (1) For counties of the third and fourth classification except as provided in subdivision (3) of
 12 this subsection, three hundred seventy-five dollars;

13 (2) For counties of the second classification, five hundred forty-one dollars and sixty-seven
 14 cents;

15 (3) For counties of the first classification[,] and, except as otherwise provided under section
 16 56.363, counties which pursuant to section 56.363 elect to make the position of prosecuting attorney
 17 a full-time position after August 28, 2001, or whose county commission has elected a full-time
 18 retirement benefit pursuant to subsection 3 of section 56.363, and the city of St. Louis, one thousand
 19 two hundred ninety-one dollars and sixty-seven cents;

20 (4) For counties that have formed or joined a prosecutorial district under section 56.015, one
 21 thousand two hundred ninety-one dollars and sixty-seven cents, which shall be prorated among the
 22 counties pursuant to the joint agreement the counties entered into under section 56.015.

23 3. Beginning August 28, 1989, and continuing until August 27, 2003, the county treasurer
 24 shall at least monthly transmit the sums specified in subsection 2 of this section to the Missouri
 25 office of prosecution services for deposit to the credit of the "Missouri Prosecuting Attorneys and
 26 Circuit Attorneys' Retirement System Fund", which is hereby created. All moneys held by the state
 27 treasurer on behalf of the system shall be paid to the system within ninety days after August 28,
 28 1993. Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund
 29 shall be used only for the purposes provided in sections 56.800 to 56.840 and for no other purpose.

30 4. Beginning August 28, 2003, the funds for prosecuting attorneys and circuit attorneys
 31 provided for in this section shall be paid from county or city funds and the surcharge established in
 32 this section and collected as provided by this section and sections 488.010 to 488.020.

33 5. Beginning August 28, 2003, each county treasurer shall pay to the system the following
 34 amounts to be drawn from the general revenues of the county:

35 (1) For counties of the third and fourth classification except as provided in subdivision (3) of
 36 this subsection, one hundred eighty-seven dollars;

37 (2) For counties of the second classification, two hundred seventy-one dollars;

38 (3) For counties of the first classification, counties which pursuant to section 56.363 elect to
 39 make the position of prosecuting attorney a full-time position after August 28, 2001, or whose
 40 county commission has elected a full-time retirement benefit pursuant to subsection 3 of section
 41 56.363, and the city of St. Louis, six hundred forty-six dollars.

42 6. Beginning August 28, 2003, the county treasurer shall at least monthly transmit the sums
 43 specified in subsection 5 of this section to the Missouri office of prosecution services for deposit to
 44 the credit of the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.
 45 Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund shall be
 46 used only for the purposes provided in sections 56.800 to 56.840, and for no other purpose.

47 7. Beginning August 28, 2003, the following surcharge for prosecuting attorneys and circuit
 48 attorneys shall be collected and paid as follows:

(1) There shall be assessed and collected a surcharge of four dollars in all criminal cases filed in the courts of this state including violation of any county ordinance or any violation of criminal or traffic laws of this state, including infractions, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state, county, or municipality or when a criminal proceeding or the defendant has been dismissed by the court or against any person who has pled guilty and paid their fine pursuant to subsection 4 of section 476.385. For purposes of this section, the term "county ordinance" shall include any ordinance of the city of St. Louis;

(2) The clerk responsible for collecting court costs in criminal cases shall collect and disburse such amounts as provided by sections 488.010 to 488.026. Such funds shall be payable to the prosecuting attorneys and circuit attorneys' retirement fund. Moneys credited to the prosecuting attorneys and circuit attorneys' retirement fund shall be used only for the purposes provided for in sections 56.800 to 56.840 and for no other purpose.

8. The board may accept gifts, donations, grants and bequests from private or public sources to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

9. No state moneys shall be used to fund section 56.700 and sections 56.800 to 56.840 unless provided for by law.

56.816. 1. The normal annuity of a retired member who served as prosecuting attorney of a county of the third or fourth class shall, except as provided in subsection 3 of this section, be equal to:

(1) Any member who has served twelve or more years as a prosecuting attorney and who meets the conditions of retirement at or after the member's normal retirement age shall be entitled to a normal annuity in a monthly amount equal to one hundred five dollars multiplied by the number of two-year periods and partial two-year periods served as a prosecuting attorney;

(2) Any member who has served twenty or more years as a prosecuting attorney and who meets the conditions of retirement at or after the member's normal retirement age shall be entitled to a normal annuity in a monthly amount equal to one hundred thirty dollars multiplied by the number of two-year periods and partial two-year periods as a prosecuting attorney.

2. The normal annuity of a retired member who served as prosecuting attorney of a first or second class county, as district attorney, or as circuit attorney of a city not within a county shall be equal to fifty percent of the final average compensation.

3. Except as otherwise provided under section 56.363, the normal annuity of a retired member who served as a prosecuting attorney of a county which after August 28, 2001, elected to make the position of prosecuting attorney full time pursuant to section 56.363 shall be equal to fifty percent of the final average compensation.

4. The actuarial present value of a retired member's benefits shall be placed in a reserve account designated as a "Retired Lives Reserve". The value of the retired lives reserve shall be increased by the actuarial present value of retiring members' benefits, and by the interest earning of the total fund on a pro rata basis and it shall be decreased by payments to retired members and their survivors. Each year the actuary shall compare the actuarial present value of retired members' benefits with the retired lives reserve. If the value of the retired lives reserve plus one year's interest at the assumed rate of interest exceeds the actuarial present value of retired lives, then distribution of this excess may be made equally to all retired members, or their eligible survivors. The distribution may be in a single sum or in monthly payments at the discretion of the board on the advice of the actuary."; and

Further amend said bill, Page 8, Section 105.684, Line 17, by inserting after all of said line the following:

1 "211.411. 1. It is the duty of circuit, district, prosecuting and city attorneys, and county
2 counselors representing the state or a city in any court, to give the juvenile officer such aid and
3 cooperation as may not be inconsistent with the duties of their offices.

4 2. It is the duty of police officers, sheriffs and other authorized persons taking a child into
5 custody to give information of that fact immediately to the juvenile court or to the juvenile officer or
6 one of his deputies and to furnish the juvenile court or the juvenile officer all the facts in their
7 possession pertaining to the child, its parents, guardian or other persons interested in the child,
8 together with the reasons for taking the child into custody.

9 3. It is the duty of all other public officials and departments to render all assistance and
10 cooperation within their jurisdictional power which may further the objects of this chapter. The
11 court is authorized to seek the cooperation of all societies and organizations having for their object
12 the protection or aid of children and of any person or organization interested in the welfare of
13 children."; and

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