

SECOND REGULAR SESSION

# HOUSE BILL NO. 2143

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SWAN (Sponsor), LICHTENEGGER,  
ENGLER AND SPENCER (Co-sponsors).

6396H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

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

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Section A. Section 483.015, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 483.015, to read as follows: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

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.

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

29 5. The circuit clerk in the twenty-second judicial circuit shall be appointed by a majority  
30 of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk  
31 in such circuit shall be removable for cause by a majority of the circuit judges and associate  
32 circuit judges of such circuit, en banc, in accordance with supreme court administrative rules  
33 governing court personnel. The elected circuit clerk in such circuit in office on August 28, 2012,  
34 shall continue to hold such office for the remainder of his or her elected term.

35 **6. The circuit clerk in the thirty-second judicial circuit shall be appointed by a**  
36 **majority of the circuit judges and associate circuit judges of the circuit court, en banc. The**  
37 **circuit clerk in such circuit shall be removable for cause by a majority of the circuit judges**  
38 **and associate circuit judges of such circuit, en banc, in accordance with supreme court**  
39 **administrative rules governing court personnel. The elected circuit clerk in such circuit**  
40 **in office on August 28, 2014, shall continue to hold such office for the remainder of his or**  
41 **her elected term.**

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