

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 245,
2 Page 3, Section 67.145, Line 5, by inserting immediately after all of said line and section the
3 following:
4

5 "67.320. 1. Any county with a charter form of government and with more than two hundred
6 thousand but fewer than three hundred fifty thousand inhabitants, any county of the first
7 classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants
8 and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand
9 inhabitants as the county seat, or any county of the first classification with more than one hundred
10 one thousand but fewer than one hundred fifteen thousand inhabitants may prosecute and punish
11 violations of its county orders in the circuit court of such counties in the manner and to the extent
12 herein provided or in a county municipal court if creation of a county municipal court is approved by
13 order of the county commission. The county may adopt orders with penal provisions consistent with
14 state law, but only in the areas of traffic violations, solid waste management, county building codes,
15 on-site sewer treatment, zoning orders, and animal control. Any county municipal court established
16 pursuant to the provisions of this section shall have jurisdiction over violations of that county's
17 orders and the ordinances of municipalities with which the county has a contract to prosecute and
18 punish violations of municipal ordinances of the municipality.

19 2. Except as provided in subsection 5 of this section in any county which has elected to
20 establish a county municipal court pursuant to this section, the judges for such court shall be
21 appointed by the county commission of such county, subject to confirmation by the legislative body
22 of such county in the same manner as confirmation for other county appointed officers. The number
23 of judges appointed, and qualifications for their appointment, shall be established by order of the
24 commission.

25 3. The practice and procedure of each prosecution shall be conducted in compliance with all
26 of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

27 4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the
28 term order for purposes of this section.

29 5. In any county of the first classification with more than one hundred one thousand but
30 fewer than one hundred fifteen thousand inhabitants, the first judges shall be appointed by the county

Action Taken _____ Date _____

Action Taken _____ Date _____

commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission."; and

Further amend said bill, Page 36, Section 473.730, Line 36, by inserting immediately after all of said section and line the following:

"476.083. 1. In addition to any appointments made pursuant to section 485.010, the presiding judge of each circuit containing one or more facilities operated by the department of corrections with an average total inmate population in all such facilities in the circuit over the previous two years of more than two thousand five hundred inmates or containing, as of January 1, 2015, a diagnostic and reception center operated by the department of corrections and a mental health facility operated by the department of mental health which houses persons found not guilty of a crime by reason of mental disease or defect under chapter 552 and provides sex offender rehabilitation and treatment services (SORTS) may appoint a circuit court marshal to aid the presiding judge in the administration of the judicial business of the circuit by overseeing the physical security of the courthouse, serving court-generated papers and orders, and assisting the judges of the circuit as the presiding judge determines appropriate. Such circuit court marshal appointed pursuant to the provisions of this section shall serve at the pleasure of the presiding judge. The circuit court marshal authorized by this section is in addition to staff support from the circuit clerks, deputy circuit clerks, division clerks, municipal clerks, and any other staff personnel which may otherwise be provided by law.

2. The salary of a circuit court marshal shall be established by the presiding judge of the circuit within funds made available for that purpose, but such salary shall not exceed ninety percent of the salary of the highest paid sheriff serving a county wholly or partially within that circuit. Personnel authorized by this section shall be paid from state funds or federal grant moneys which are available for that purpose and not from county funds.

3. Any person appointed as a circuit court marshal pursuant to this section shall have at least five years' prior experience as a law enforcement officer. In addition, any such person shall within one year after appointment, or as soon as practicable, attend a court security school or training program operated by the United States Marshal Service. In addition to all other powers and duties prescribed in this section, a circuit court marshal may:

- (1) Serve process;
- (2) Wear a concealable firearm; and
- (3) Make an arrest based upon local court rules and state law, and as directed by the presiding judge of the circuit.

479.155. 1. By September 1, 2015, the presiding judge of the circuit court in which the municipal division is located shall report to the clerk of the supreme court the name and address of the municipal division and any other information regarding the municipal division requested by the clerk of the supreme court on a standardized form developed by the clerk of the supreme court.

2. If a municipality elects to abolish or establish a municipal division, the presiding judge of

1 the circuit court in which the municipal division is located shall notify the clerk of the supreme court,
2 and the presiding judge of any new municipal division shall complete the report required under
3 subsection 1 of this section within ninety days of the establishment of the division."; and

4

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