

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 676, Page 2, Section 1.100, Line 20, by
2 inserting after all of said section and line following:

3
4 "50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745, the fee collected
5 pursuant to subsections 11 and 12 of section 571.101 shall be deposited by the county treasurer into
6 a separate interest-bearing fund to be known as the "County Sheriff's Revolving Fund" to be
7 expended at the direction of the county or city sheriff or his or her designee as provided in this
8 section.

9 2. No prior approval of the expenditures from this fund shall be required by the governing
10 body of the county or city not within a county, nor shall any prior audit or encumbrance of the fund
11 be required before any expenditure is made by the sheriff from this fund. This fund shall only be
12 used by law enforcement agencies for the purchase of equipment, to provide training, and to make
13 necessary expenditures to process applications for concealed carry permits or renewals, including
14 but not limited to the purchase of equipment, information and data exchange, training,
15 fingerprinting and background checks, employment of additional personnel, and any expenditure
16 necessitated by an action under section 571.114 or 571.117. Except as provided in subsection 5 of
17 this section, if the moneys collected and deposited into this fund are not totally expended annually,
18 then the unexpended balance [shall] may remain in said fund and the balance [shall] may be kept in
19 said fund to accumulate from year to year. This fund may be audited by the state auditor's office or
20 the appropriate auditing agency. The funds received under section 571.101 shall be used only to
21 supplement the sheriff's funding received from other county, state, or general funds. The county
22 commission shall not reduce any sheriff's budget as a result of funds received under section
23 571.101.

24 3. Notwithstanding any provision of this section to the contrary, the sheriff of every county,
25 regardless of classification, is authorized to pay, from the sheriff's revolving fund, all reasonable and
26 necessary costs and expenses for activities or services occasioned by compliance with sections
27 571.101 to 571.121. Such was the intent of the general assembly in original enactment of this
28 section and sections 571.101 to 571.121, and it is made express by this section in light of the
29 decision in Brooks v. State of Missouri, (Mo. Sup. Ct. February 26, 2004). The application and
30 renewal fees to be charged pursuant to section 571.101 shall be based on the sheriff's good faith
31 estimate, made during regular budgeting cycles, of the actual costs and expenses to be incurred by
32 reason of compliance with sections 571.101 to 571.121. If the maximum fee permitted by section
33 571.101 is inadequate to cover the actual reasonable and necessary expenses in a given year, and
34 there are not sufficient accumulated unexpended funds in the revolving fund, a sheriff may present
35 specific and verified evidence of the unreimbursed expenses to the office of administration, which
36 upon certification by the attorney general shall reimburse such sheriff for those expenses from an

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 appropriation made for that purpose.

2 4. If pursuant to subsection 13 of section 571.101, the sheriff of a county of the first
3 classification designates one or more chiefs of police of any town, city, or municipality within such
4 county to accept and process applications for concealed carry permits, then that sheriff shall
5 reimburse such chiefs of police, out of the moneys deposited into this fund, for any reasonable
6 expenses related to accepting and processing such applications.

7 5. Any excess funds unnecessary to meet the mandate of subsection 3 of this section may be
8 expended for other purposes or transferred to discretionary funds for county sheriffs; provided that,
9 no claim for inadequate coverage under subsection 3 of this section has been made within the last
10 five years resulting in reimbursement from the office of administration for expenses incurred
11 implementing sections 571.101 to 571.121."; and

12
13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.