

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Bill No. 95, Page 9, Section 108.170, Line 132,  
2 by inserting immediately after said line the following:

3 "479.360. 1. Every county, city, town, and village shall file with the state auditor, together  
4 with its report due under section 105.145, its certification of its substantial compliance signed by its  
5 municipal judge with the municipal court procedures set forth in this subsection during the  
6 preceding fiscal year. The procedures to be adopted and certified include the following:

7 (1) Defendants in custody pursuant to an initial arrest warrant issued by a municipal court  
8 have an opportunity to be heard by a judge in person, by telephone, or video conferencing as soon  
9 as practicable and not later than forty-eight hours on minor traffic violations and not later than  
10 seventy-two hours on other violations and, if not given that opportunity, are released;

11 (2) Defendants in municipal custody shall not be held more than twenty-four hours without  
12 a warrant after arrest;

13 (3) Defendants are not detained in order to coerce payment of fines and costs unless found  
14 to be in contempt after strict compliance by the court with the due process procedures mandated by  
15 Missouri supreme court rule 37.65 or its successor rule;

16 (4) The municipal court has established procedures to allow indigent defendants to present  
17 evidence of their financial condition and takes such evidence into account if determining fines and  
18 costs and establishing related payment requirements;

19 (5) The municipal court only assesses fines and costs as authorized by law;

20 (6) No additional charge shall be issued for the failure to appear for a minor traffic  
21 violation;

22 (7) The municipal court conducts proceedings in a courtroom that is open to the public and  
23 large enough to reasonably accommodate the public, parties, and attorneys;

24 (8) The municipal court makes use of alternative payment plans;

25 (9) The municipal court makes use of community service alternatives for which no  
26 associated costs are charged to the defendant, unless such court is located in any home rule city with  
27 more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants, then  
28 the defendant may be charge for community service alternatives; and

29 (10) The municipal court has adopted an electronic payment system or payment by mail for  
30 the payment of minor traffic violations.

31 2. On or before December 31, 2015, the state auditor shall set forth by rule a procedure for  
32 including the addendum information required by this section. The rule shall also allow reasonable  
33 opportunity for demonstration of compliance."; and

34  
35 Further amend said bill by amending the title, enacting clause, and intersectional references  
36 accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_