

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 124, Page 50,
2 Section 479.354, Line 5, by inserting after all of said line the following:

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

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

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

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

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

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

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

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

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

26 (9) The municipal court makes use of community service alternatives [~~for which no~~
27 ~~associated costs are charged to the defendant~~]; and

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

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

33
34 Further amend said bill by amending the title, enacting clause, and intersectional references
35 accordingly.

Action Taken _____ Date _____