

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill Nos. 775, 751 & 640, Page 2, Section 491.015, Line 31, by inserting after said section
3 and line the following:
4

5 "544.170. 1. All persons arrested and confined in any jail or other place of confinement by
6 any peace officer, without warrant or other process, for any alleged breach of the peace or other
7 criminal offense, or on suspicion thereof, shall be discharged from said custody within twenty-four
8 hours from the time of such arrest, unless they shall be charged with a criminal offense by the oath
9 of some credible person, and be held by warrant to answer to such offense.

10 2. In any confinement to which the provisions of this section apply, the confinee shall be
11 permitted at any reasonable time to consult with counsel or other persons acting on the confinee's
12 behalf.

13 3. Any person who violates the provisions of this section, by refusing to release any person
14 who is entitled to release pursuant to this section, or by refusing to permit a confinee to consult with
15 counsel or other persons, or who transfers any such confinees to the custody or control of another, or
16 to another place, or who falsely charges such person, with intent to avoid the provisions of this
17 section, is guilty of a class A misdemeanor.

18 4. Notwithstanding the provisions of subsection 1 of this section to the contrary, all persons
19 arrested and confined in any jail or other place of confinement by any peace officer, without warrant
20 or other process, for a criminal offense involving a dangerous felony or deadly weapon as defined in
21 section 556.061, or on suspicion thereof, shall be discharged from said custody within forty-eight
22 hours from the time of such arrest, unless they shall be charged with a criminal offense by the oath
23 of some credible person, and be held by warrant to answer to such offense."; and

24
25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.

Action Taken _____ Date _____