

HOUSE AMENDMENT NO. _____
TO
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Offered By

AMEND House Amendment No. _____ to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 775, 751 & 640, Page 1, Line 2, by inserting after the number "1," the following:

"Section A, Line 4, by inserting after all of said section and line the following:

"66.010. 1. Any county framing and adopting a charter for its own government under the provisions of Section 18, Article VI of the Constitution of this state, may prosecute and punish violations of its county ordinances in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court. In addition, the county may prosecute and punish municipal ordinance violations in the county municipal court pursuant to a contract with any municipality within the county. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county's ordinances and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the city. Costs and procedures in any such county municipal court shall be governed by the provisions of law relating to municipal ordinance violations in municipal divisions of circuit courts.

2. In any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county executive of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by ordinance of the county.

3. The number of divisions of such county municipal court and its term shall be established by ordinance of the county.

4. Except in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the ordinance of the county shall provide for regular sessions of court in the evening hours after 6:00 p.m. and at locations outside the county seat. In any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the ordinance of the county may

Action Taken _____ Date _____

1 provide for regular sessions of court in the evening hours after 6:00 p.m. and at locations outside the
2 county seat.

3 5. Judges of the county municipal court shall be licensed to practice law in this state and
4 shall be residents of the county in which they serve. Municipal court judges shall not accept or
5 handle cases in their practice of law which are inconsistent with their duties as a municipal court
6 judge and full-time judges shall not be a judge or prosecutor for any other court.

7 6. In establishing the county municipal court, provisions shall be made for appropriate
8 circumstances whereby defendants may enter not guilty pleas and obtain trial dates by telephone or
9 written communication without personal appearance, or to plead guilty and deliver by mail or
10 electronic transfer or other approved method the specified amount of the fine and costs as otherwise
11 provided by law, within a specified period of time.

12 7. In a county municipal court established pursuant to this section, the county may provide
13 by ordinance for court costs not to exceed the sum which may be provided by municipalities for
14 municipal violations before municipal courts. The county municipal judge may assess costs against
15 a defendant who pleads guilty or is found guilty except in those cases where the defendant is found
16 by the judge to be indigent and unable to pay the costs. The costs authorized in this subsection are
17 in addition to service costs, witness fees and jail costs that may otherwise be authorized to be
18 assessed, but are in lieu of other court or judge costs or fees. Such costs shall be collected by the
19 authorized clerk and deposited into the county treasury.

20 8. Provisions shall be made for recording of proceedings, except that if such proceedings are
21 not recorded, then, in that event, a person aggrieved by a judgment of a traffic judge or
22 commissioner shall have the right of a trial de novo. The procedures for perfecting the right of a
23 trial de novo shall be the same as that provided under sections 512.180 to 512.320, except that the
24 provisions of subsection 2 of section 512.180 shall not apply to such cases. In the event that such
25 proceedings are recorded, all final decisions of the county municipal court shall be appealable on
26 such record to the appellate court with appropriate jurisdiction.

27 9. Any person charged with the violation of a county ordinance in a county which has
28 established a county municipal court under the provisions of this section shall, upon request, be
29 entitled to a trial by jury before a county municipal court judge. Any jury trial shall be heard with a
30 record being made.

31 10. In the event that a court is established pursuant to this section, the circuit judges of the
32 judicial circuit with jurisdiction within that county may authorize the judges of the county municipal
33 court to act as commissioners to hear in the first instance nonfelony violations of state law involving
34 motor vehicles as provided by local rule."; and

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36 Further amend said bill and page,"; and

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

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41 THIS AMENDMENT AMENDS 3386H08.39H.