

SECOND REGULAR SESSION

HOUSE BILL NO. 2542

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HURLBERT.

5335H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 57.201, 57.220, and 57.250, RSMo, and to enact in lieu thereof three new sections relating to the appointment of deputies.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 57.201, 57.220, and 57.250, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 57.201, 57.220, and 57.250, to read as follows:

57.201. 1. The sheriff of all counties of the first class not having a charter form of government, **or of a city not within a county**, shall appoint such deputies, assistants, and other employees as he deems necessary for the proper discharge of the duties of his office and may set their compensation within the limits of the allocations made for that purpose by the county commission. The compensation for the deputies, assistants, and employees shall be paid in equal installments out of the county treasury in the same manner as other county employees are paid.

2. The assistants and employees shall hold office at the pleasure of the sheriff.

3. A deputy sheriff, as the term deputy sheriff is defined under section 57.015, shall hold office pursuant to the provisions of sections 57.015 and 57.275.

57.220. The sheriff, in a county of the second class, shall be entitled to such a number of deputies as a majority of the circuit judges of the circuit court shall deem necessary for the prompt and proper discharge of the duties of the sheriff's office; provided, however, such number of deputies appointed by the sheriff shall not be less than one chief deputy sheriff and one additional deputy for each five thousand inhabitants of the county according to the last decennial census. Such deputies shall be appointed by the sheriff, ~~but no appointment shall~~

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

7 ~~become effective until approved by a majority of the circuit judges of the circuit court of the~~
8 ~~county].~~ A majority of the circuit judges of the circuit court, by agreement with the sheriff,
9 shall fix the salaries of such deputies. A statement of the number of deputies allowed the
10 sheriff, and their compensation, ~~[together with the approval of any appointment by such~~
11 ~~judges of the circuit court,]~~ shall be in writing and signed by ~~[them]~~ **at least a majority of the**
12 **circuit judges** and filed by the sheriff with the county commission. A deputy sheriff as the
13 term deputy sheriff is defined under section 57.015 shall hold office pursuant to the
14 provisions of sections 57.015 and 57.275.

57.250. The sheriff in counties of the third and fourth classifications shall be entitled
2 to such number of deputies and assistants, to be appointed by such official, ~~[with the approval~~
3 ~~of]~~ **as** a majority of the circuit judges of the circuit court~~[-as such judges]~~ shall deem
4 necessary for the prompt and proper discharge of such sheriff's duties relative to the
5 enforcement of the criminal law of this state. Such judges of the circuit court, in their order
6 permitting the sheriff to appoint deputies or assistants, shall fix the compensation of such
7 deputies or assistants. The circuit judges shall annually review their order fixing the number
8 and compensation of the deputies and assistants and in setting such number and compensation
9 shall have due regard for the financial condition of the county. Each such order shall be
10 entered of record and a certified copy thereof shall be filed in the office of the county clerk at
11 least fifteen days prior to the date of the adoption of the county budget as prescribed by
12 section 50.610. The sheriff may at any time discharge any assistant and may regulate the time
13 of such person's employment. A deputy sheriff as the term deputy sheriff is defined under
14 section 57.015 shall hold office pursuant to the provisions of sections 57.015 and 57.275. At
15 the request of the sheriff, the presiding judge may order additional deputies in cases where
16 exigent or emergency circumstances require the need for such additional deputies.

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