

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 189, Page 6, Section 57.530, Line 7, by
2 inserting after said section and line the following:

3
4 "57.956. 1. Notwithstanding any other provision of law to the contrary, the department of
5 corrections shall subtract and make a payment to the state treasurer from any per diem cost of
6 incarceration to be received by each county under section 221.105, or from any per diem cost for jail
7 reimbursement to be received by each county under any other provision of law in effect on or after
8 August 28, 2025, in the amount of one dollar and seventy-five cents per day per prisoner. The state
9 treasurer shall deposit such funds in the sheriffs' retirement fund created under section 57.952.

10 2. Notwithstanding subsection 1 of this section to the contrary, if the sheriffs' retirement
11 fund is funded to at least ninety percent of the actuarially sound level and is funded at a level above
12 the actuarial need, the department of corrections shall subtract and make a payment to the state
13 treasurer from any per diem cost of incarceration to be received by each county under section
14 221.105, or from any per diem cost for jail reimbursement to be received by each county under any
15 other provision of law in effect on or after August 28, 2025, in the amount of one dollar per day per
16 prisoner. The state treasurer shall deposit such funds in the sheriffs' retirement fund created under
17 section 57.952. The retirement system shall annually provide a copy of its actuarial report to the
18 department of corrections.

19 3. The payment authorized by this section shall only apply to counties that have a sheriff
20 who participates in the retirement system.

21 4. This section shall be effective on January 1, 2026."; and

22
23 Further amend said bill, Page 106, Section 542.301, Line 176, by inserting after all of said section
24 and line the following:

25
26 "550.320. 1. As used in this section, the following terms mean:

27 (1) "Department", the department of corrections of the state of Missouri;

28 (2) "Jail reimbursement", a daily per diem paid by the state for the reimbursement of time
29 spent in custody.

30 2. Notwithstanding any other provision of law to the contrary, whenever any person is
31 sentenced to a term of imprisonment in a correctional center, the department shall reimburse the

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1 county or city not within a county for the days the person spent in custody at a per diem cost, subject
 2 to appropriation, but not to exceed thirty-seven dollars and fifty cents per day per offender. The jail
 3 reimbursement shall be subject to review and approval of the department. The state shall pay the
 4 costs when:

5 (1) A person is sentenced to a term of imprisonment as authorized by chapter 558;

6 (2) A person is sentenced pursuant to section 559.115;

7 (3) A person has his or her probation or parole revoked because the offender has, or
 8 allegedly has, violated any condition of the offender's probation or parole, and such probation or
 9 parole is a consequence of a violation of the law, or the offender is a fugitive from the state or
 10 otherwise held at the request of the department regardless of whether or not a warrant has been
 11 issued; or

12 (4) A person has a period of detention imposed pursuant to section 559.026.

13 3. When the final determination of any criminal prosecution shall be such as to render the
 14 state liable for costs under existing laws, it shall be the duty of the office of the sheriff or the chief
 15 executive officer of the city not within a county to certify the total number of days any offender who
 16 was a party in such case remained in the jail and submit the total number of days spent in custody to
 17 the department. The office of the sheriff or chief executive officer of the city not within a county
 18 may submit claims to the department, no later than two years from the date the claim became
 19 eligible for reimbursement.

20 4. The department shall determine if the expenses are eligible pursuant to the provisions of
 21 this chapter and remit any payment to the county or city not within a county when the expenses are
 22 determined to be eligible. The department shall establish, by rule, the process for submission of
 23 claims. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under
 24 the authority delegated in this section shall become effective only if it complies with and is subject
 25 to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter
 26 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter
 27 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
 28 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 29 August 28, 2025, shall be invalid and void."; and

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 31 Further amend said bill, Page 155, Section 650.040, Line 71, by deleting the second instance of the
 32 word "shall" and inserting in lieu thereof the word "may"; and

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