

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
**SENATE BILL NO. 50**  
**103RD GENERAL ASSEMBLY**

0618H.04C

JOSEPH ENGLER, Chief Clerk

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**AN ACT**

To repeal sections 67.010, 67.020, 71.948, 221.105, 221.400, 221.402, 221.405, 221.407, 221.410, and 558.041, RSMo, and to enact in lieu thereof eleven new sections relating to public institutions, with an emergency clause for certain sections.

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

Section A. Sections 67.010, 67.020, 71.948, 221.105, 221.400, 221.402, 221.405, 221.407, 221.410, and 558.041, RSMo, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 67.010, 67.020, 71.948, 79.235, 221.400, 221.402, 221.405, 221.407, 221.410, 550.320, and 558.041, to read as follows:

67.010. 1. Each political subdivision of this state, as defined in section 70.120, except those required to prepare an annual budget by chapter 50 ~~and section 165.191~~, shall prepare an annual budget. The annual budget shall present a complete financial plan for the ensuing budget year, and shall include at least the following information:

(1) A budget message describing the important features of the budget and major changes from the preceding year;

(2) Estimated revenues to be received from all sources for the budget year, with a comparative statement of actual or estimated revenues for the two years next preceding, itemized by year, fund, and source;

(3) Proposed expenditures for each department, office, commission, and other classification for the budget year, together with a comparative statement of actual or estimated expenditures for the two years next preceding, itemized by year, fund, activity, and object;

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.

14 (4) The amount required for the payment of interest, amortization, and redemption  
15 charges on the debt of the political subdivision;

16 (5) A general budget summary.

17 2. In no event shall the total proposed expenditures from any fund exceed the  
18 estimated revenues to be received plus any unencumbered balance or less any deficit  
19 estimated for the beginning of the budget year; provided, that nothing herein shall be  
20 construed as requiring any political subdivision to use any cash balance as current revenue or  
21 to change from a cash basis of financing its expenditures.

67.020. 1. The budget shall be prepared under the direction of a budget officer.  
2 Except as otherwise provided by law, charter, or ordinance, the budget officer shall be  
3 designated by the governing body of the political subdivision. All officers and employees  
4 shall cooperate with and provide to the budget officer such information and such records as  
5 ~~[he]~~ **the budget officer** shall require in developing the budget. The budget officer shall  
6 review all the expenditure requests and revenue estimates, after which ~~[he]~~ **the budget officer**  
7 shall prepare the proposed budget as defined herein.

8 2. After the budget officer has prepared the proposed budget, ~~[he]~~ **the budget officer**  
9 shall submit it, along with such supporting schedules, exhibits, and other explanatory material  
10 as may be necessary for the proper understanding of the financial needs and position of the  
11 political subdivision, to the governing body. ~~[He]~~ **The budget officer** shall submit at the  
12 same time complete drafts of such orders, motions, resolutions, or ordinances as may be  
13 required to authorize the proposed expenditures and produce the revenues necessary to  
14 balance the proposed budget. **The proposed budget and all supporting schedules, exhibits,**  
15 **and other explanatory material, along with the complete drafts of such orders, motions,**  
16 **resolutions, or ordinances as may be required to authorize the proposed expenditures,**  
17 **shall be submitted to each member of the governing body no later than seven days in**  
18 **advance of any vote on the budget. Notwithstanding any other provision of law to the**  
19 **contrary, no member of the governing body shall be required to request the budget**  
20 **documents under chapter 610.**

71.948. 1. **If a municipality's general ordinances are not available online for**  
2 **inspection without cost by the public,** at least three copies of the published book shall be  
3 kept on file in the office of the municipal clerk and kept available for inspection by the public  
4 at all reasonable business hours.

5 2. **If a municipality's general ordinances are available online for inspection**  
6 **without cost by the public,** at least one copy of the published book shall be kept on file in  
7 **the office of the municipal clerk and kept available for inspection by the public at all**  
8 **reasonable business hours.**

79.235. 1. Notwithstanding any other provision of law to the contrary, for any city of the fourth classification with fewer than three thousand inhabitants, if a statute or ordinance authorizes the mayor of such city to appoint a member of a nonelected board or commission, any requirement that the appointed person be a resident of the city shall be deemed satisfied if the person owns real property or a business in the city, regardless of whether the position to which the appointment is made is considered an officer of the city under section 79.250.

2. Notwithstanding any other provision of law to the contrary, for any city of the fourth classification with fewer than three thousand inhabitants, if a statute or ordinance authorizes the mayor of such city to appoint a member of a nonelected board that manages a municipal utility of the city, any requirement that the appointed person be a resident of the city shall be deemed satisfied if all of the following conditions are met:

- (1) The board has no authority to set utility rates or to issue bonds;
- (2) The person resides within five miles of the city limits;
- (3) The person owns real property or a business in the city;
- (4) The person or the person's business is a customer of a public utility, as described under section 91.450, managed by the board; and
- (5) The person has no pecuniary interest in, and is not an employee or board member of, any utility or other entity that offers the same kind of service as the utility managed by the board.

3. The provisions of this section shall not apply to any city within a county with more than one million inhabitants.

221.400. 1. Any two or more contiguous counties within the state may form an agreement to establish a regional jail district. The district shall have a boundary which includes the areas within each member county, and it shall be named the "\_\_\_\_\_ Regional Jail District". Such regional jail districts may contract to carry out the mission of the commission and the regional jail district.

2. The county commission of each county desiring to join the district shall approve an ordinance, **order**, or resolution to join the district and shall approve the agreement which specifies the duties of each county within the district.

3. If any county wishes to join a district which has already been established under this section, the agreement shall be rewritten and reapproved by each member county. **If the district already levies a sales tax pursuant to section 221.407, the county desiring to join shall have approved the levy of the district sales tax in the county pursuant to subsection 3 of section 221.407, and the rewritten agreement shall be provided.**

14           4. The agreement which specifies the duties of each county shall contain the  
15 following:

16           (1) The name of the district;

17           (2) The names of the counties within the district;

18           (3) The formula for calculating each county's contribution to the costs of the district;

19           (4) The types of prisoners which the regional jail may house, limited to prisoners  
20 which may be transferred to counties under state law;

21           (5) The methods and powers which may be used for constructing, leasing or financing  
22 a regional jail;

23           (6) The duties of the director of the regional jail;

24           (7) The timing and procedures for approval of the regional jail district's annual budget  
25 by the regional jail commission; and

26           (8) The delegation, if any, by the member counties to the regional jail district of the  
27 power of eminent domain.

28           5. Any county, city, town or village may contract with a regional jail commission for  
29 the holding of its prisoners.

          221.402. In addition to the powers granted to the district by its member counties  
2 under the agreement, the district has all the powers necessary or appropriate to carry out its  
3 purposes, including, but not limited to, the following:

4           (1) To adopt bylaws and rules for the regulation of its affairs and the conduct of its  
5 business;

6           (2) To adopt an official seal;

7           (3) To maintain an office at such place or places in one or more of the member  
8 counties as the commission may designate;

9           (4) To sue and be sued;

10           (5) To make and execute leases, contracts, releases, compromises and other  
11 instruments necessary or convenient for the exercise of its powers or to carry out its purposes;

12           (6) To acquire, construct, reconstruct, repair, alter, improve, ~~and~~ **equip**, extend, **and**  
13 **maintain** jail facilities;

14           (7) To sell, **lease**, assign, mortgage, grant a security interest in, exchange, donate and  
15 convey any or all of its properties whenever the commission finds such action to be in  
16 furtherance of the district's purposes;

17           (8) To collect rentals, fees and other charges in connection with its services or for the  
18 use of any facilities;

19           (9) To issue its bonds, notes or other obligations for any of its corporate purposes and  
20 to refund the same.

221.405. 1. Any regional jail district created pursuant to section 221.400 shall be governed by a commission. The commission shall be composed of the sheriff and presiding commissioner from each county within the district.

2. Each commissioner shall serve during his tenure as sheriff or as presiding commissioner.

3. Commissioners shall serve until their successors **in their county offices** have ~~been duly appointed~~ **assumed office**. Vacancies on the commission shall be filled by the succeeding sheriff or presiding commissioner for the remainder of the term.

4. Commissioners shall serve without compensation, except that they shall be reimbursed by the district for their reasonable and necessary expenses in the performance of their duties.

5. A jail commissioner from each county in the district shall present a proposed budget to the county commission.

221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of ~~[one-eighth of]~~ **up to one percent**, ~~[one-fourth of one percent, three-eighths of one percent, or one-half of one percent]~~ on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services ~~[and court]~~, facilities, and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the \_\_\_\_\_ **(District name)** regional jail district ~~[of \_\_\_\_\_ (counties' names)]~~ impose a region-wide sales tax of \_\_\_\_\_ (insert amount) for the purpose of providing jail services ~~[and court]~~, facilities, and equipment for the region?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES".

If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the

25 commission shall again have submitted another proposal to authorize the commission to  
26 impose the sales tax authorized by this section and such proposal is approved by the  
27 ~~[required]~~ majority of the qualified voters of the district voting on such proposal~~;~~~~however, in~~  
28 ~~no event shall a proposal pursuant to this section be submitted to the voters sooner than~~  
29 ~~twelve months from the date of the last submission of a proposal pursuant to this section].~~

30 **3. In the case of a county attempting to join an existing district that levies a sales**  
31 **tax pursuant to subsection 1 of this section, such joining with the district shall not**  
32 **become effective until the approval of the voters to levy the district sales tax in the**  
33 **county attempting to join the district has been obtained. The election shall be called by**  
34 **the county commission of the county attempting to join the district, and the district shall**  
35 **by ordinance or order provide that the sales tax shall be levied in the joining county,**  
36 **subject to approval of the county voters as herein provided. The ballot of submission**  
37 **shall contain, but need not be limited to, the following language:**

38 Shall the \_\_\_\_\_ (District name) extend its regional jail  
39 district sales tax of \_\_\_\_\_ (insert amount) to the boundaries of \_\_\_\_  
40 \_\_\_\_\_ (name of joining county) for the purpose of providing jail  
41 services, facilities, and equipment for the region?

42 ☐ YES ☐ NO

43 If you are in favor of the question, place an "X" in the box opposite  
44 "YES". If you are opposed to the question, place an "X" in the box  
45 opposite "NO".

46  
47 If a majority of the votes cast on the proposal by the qualified voters of the county  
48 attempting to join the district voting thereon are in favor of the proposal, then the tax  
49 shall be in effect on the first day of the second quarter immediately following the  
50 election approving the proposal, the county shall have been deemed to have joined the  
51 district pursuant to a rewritten agreement as provided in subsection 3 of section  
52 221.400, and the order of the commission levying the tax shall also become effective as to  
53 the joining county on said date. If the proposal receives less than the required majority,  
54 the district shall have no power to impose the sales tax authorized pursuant to this  
55 section, and the county attempting to join the district shall not be permitted to do so,  
56 unless and until the county commission of the county attempting to join the district shall  
57 again have submitted another proposal to authorize the imposition of the sales tax  
58 authorized by this section and such proposal is approved by the majority of the qualified  
59 voters of the county attempting to join the district voting on such proposal.

60 **4. All revenue received by a district from the tax authorized pursuant to this section**  
61 **shall be deposited in a special trust fund and shall be used solely for providing jail services**

62 ~~[and court]~~, facilities, and equipment for such district for so long as the tax shall remain in  
63 effect.

64       ~~[4:]~~ 5. Once the tax authorized by this section is abolished or terminated by any  
65 means, all funds remaining in the special trust fund shall be used solely for providing jail  
66 services ~~[and court]~~, facilities, and equipment for the district. Any funds in such special trust  
67 fund which are not needed for current expenditures may be invested by the commission in  
68 accordance with applicable laws relating to the investment of other county funds.

69       ~~[5:]~~ 6. All sales taxes collected by the director of revenue pursuant to this section on  
70 behalf of any district, less one percent for cost of collection which shall be deposited in the  
71 state's general revenue fund after payment of premiums for surety bonds as provided in  
72 section 32.087, shall be deposited in a special trust fund, which is hereby created, to be  
73 known as the "Regional Jail District Sales Tax Trust Fund". The moneys in the regional jail  
74 district sales tax trust fund shall not be deemed to be state funds and shall not be commingled  
75 with any funds of the state. The director of revenue shall keep accurate records of the amount  
76 of money in the trust fund which was collected in each district imposing a sales tax pursuant  
77 to this section, and the records shall be open to the inspection of officers of each member  
78 county and the public. Not later than the tenth day of each month the director of revenue shall  
79 distribute all moneys deposited in the trust fund during the preceding month to the district  
80 which levied the tax. Such funds shall be deposited with the treasurer of each such district,  
81 and all expenditures of funds arising from the regional jail district sales tax trust fund shall be  
82 paid pursuant to an appropriation adopted by the commission and shall be approved by the  
83 commission. Expenditures may be made from the fund for any ~~[function authorized in the~~  
84 ~~order adopted by the commission submitting the regional jail district tax to the voters]~~ **of the**  
85 **district's authorized purposes.**

86       ~~[6:]~~ 7. The director of revenue may make refunds from the amounts in the trust fund  
87 and credited to any district for erroneous payments and overpayments made, and may redeem  
88 dishonored checks and drafts deposited to the credit of such districts. If any district abolishes  
89 the tax, the commission shall notify the director of revenue of the action at least ninety days  
90 prior to the effective date of the repeal, and the director of revenue may order retention in the  
91 trust fund, for a period of one year, of two percent of the amount collected after receipt of  
92 such notice to cover possible refunds or overpayment of the tax and to redeem dishonored  
93 checks and drafts deposited to the credit of such accounts. After one year has elapsed after  
94 the effective date of abolition of the tax in such district, the director of revenue shall remit the  
95 balance in the account to the district and close the account of that district. The director of  
96 revenue shall notify each district in each instance of any amount refunded or any check  
97 redeemed from receipts due the district.

98       ~~[7.]~~ **8.** Except as provided in this section, all provisions of sections 32.085 and 32.087  
99 shall apply to the tax imposed pursuant to this section.

100       ~~[8. The provisions of this section shall expire September 30, 2028.]~~

221.410. Except as provided in sections 221.400 to 221.420 the regional jail  
2 commission shall have the following powers and duties:

3       (1) It shall implement the agreement approved by the counties within the district  
4 under section 221.400;

5       (2) It shall determine the means to establish a regional jail for the district;

6       (3) It shall appoint a director for the regional jail;

7       (4) It shall determine the initial budget for the regional jail and shall approve, after a  
8 review and a majority of the commissioners concurring therein, all subsequent budgets, for  
9 which proposals may be submitted by the director;

10       (5) It may determine the policies for the housing of prisoners within the regional jail;

11       (6) It may buy, lease or sell real **or personal** property for the purpose of establishing  
12 **and maintaining** a regional jail, and it may contract with public or private entities ~~[for the~~  
13 ~~planning and acquisition of a]~~ **to acquire, construct, reconstruct, repair, alter, improve,**  
14 **equip, and extend a regional jail;**

15       (7) It may contract with ~~[the department of corrections and with cities and other~~  
16 ~~counties in this state]~~ **governmental entities, including, without limitation, agencies and**  
17 **instrumentalities thereof, or private entities** for the housing of prisoners;

18       (8) It shall approve all positions to be created for the purpose of administering the  
19 regional jail; and

20       (9) It shall approve a location for the regional jail which is ~~[generally central to]~~  
21 **within** the district.

**550.320. 1. As used in this section, the following terms mean:**

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

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

5       **2. Notwithstanding any other provision of law to the contrary, whenever any**  
6 **person is sentenced to a term of imprisonment in a correctional center, the department**  
7 **shall reimburse the county or city not within a county for the days the person spent in**  
8 **custody at a per diem cost, subject to appropriation, but not to exceed thirty-seven**  
9 **dollars and fifty cents per day per offender. The jail reimbursement shall be subject to**  
10 **review and approval of the department. The state shall pay the costs when:**

11       (1) A person is sentenced to a term of imprisonment as authorized by chapter  
12 **558;**

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



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

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

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

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

558.041. 1. Any offender committed to the department of corrections, except those  
2 persons committed pursuant to subsection 7 of section 558.016, or subsection 3 of section  
3 566.125, ~~[may]~~ **shall** receive additional credit in terms of days spent in confinement upon  
4 ~~[recommendation for such credit by the offender's institutional superintendent]~~ **calculation of**  
5 **such credit** when the offender meets the requirements for such credit as provided in  
6 ~~[subsections 3 and 4 of]~~ this section. Good time credit **or earned time credit** may be  
7 rescinded by the director or his or her designee pursuant to the divisional policy issued  
8 pursuant to **subdivision (2) of** subsection ~~[3]~~ **2** of this section.

9           2. **(1)** Any credit extended to an offender shall only apply to the sentence which the  
10 offender is currently serving.

11           ~~[3-]~~ **(2)** The director of the department of corrections shall issue a policy for  
12 awarding **good time credit and, separately, earned time credit.**

13           **(3)** The policy ~~[may]~~ **shall** reward an ~~[inmate]~~ **offender** who has served his or her  
14 sentence in an orderly and peaceable manner ~~[and has]~~ **through good time credit as**  
15 **provided in subsection 3 of this section and award an offender who has successfully**  
16 **taken advantage of the rehabilitation programs and productive activities** available to him or  
17 her **through earned time credit as provided in subsection 4 of this section.**

18           **(4)** Any **major conduct** violation of institutional rules ~~[or]~~, **violation of** the laws of  
19 this state ~~[may]~~, **parole revocation, or the accumulation of minor conduct violations**  
20 **exceeding six within a calendar year shall** result in the loss of all ~~[or a portion of any]~~ **prior**  
21 **credit earned by the [inmate] offender pursuant to this section.**

22           ~~[4. The department shall cause the policy to be published in the code of state~~  
23 ~~regulations.—~~

24           ~~5. No rule or portion of a rule promulgated under the authority of this chapter shall~~  
25 ~~become effective unless it has been promulgated pursuant to the provisions of section~~  
26 ~~536.024.]~~

27           **3. (1)** Subject to subsections 1 and 2 of this section, an offender who is serving a  
28 term of imprisonment of more than one year, other than a term of imprisonment for the  
29 duration of the offender's life, may receive good time credit toward the service of the  
30 offender's sentence of up to fifty-four days for each year of the offender's sentence  
31 imposed by the court, subject to yearly determination by the department of corrections  
32 that during that year the offender has displayed exemplary compliance with  
33 institutional disciplinary regulations.

34           **(2)** If the department of corrections determines that during the year the offender  
35 has not satisfactorily complied with such institutional regulations, the offender shall  
36 receive no good time credit toward service of sentence or shall receive such lesser credit  
37 as the department determines to be appropriate. Credit that has not been earned shall  
38 not later be granted. Credit for the last year of a term of imprisonment shall be credited  
39 on the first day of the last year of the term of imprisonment.

40           **4. (1)** Subject to subsections 1 and 2 of this section, an offender who is serving a  
41 term of imprisonment of more than one year, other than a term of imprisonment for the  
42 duration of the offender's life, and who successfully participates in rehabilitative  
43 programming or productive activities shall earn ten days of earned time credit for every  
44 thirty days of successful participation in rehabilitative programming or productive  
45 activities.

46           **(2)** An offender shall not receive earned time credits under this subsection for  
47 programs completed prior to the date that the offender's sentence commenced.

48           **(3)** The department of corrections shall specify in its policies under subsection 2  
49 of this section the types of programs or activities for which credit may be earned under

50 this section; the criteria for determining productive participation in, or completion of,  
51 the programs or activities; and the criteria for annually awarding credit. Such  
52 programs and activities shall include, but are not limited to, receiving a high school  
53 diploma or equivalent, college diploma or professional certificate, or vocational training  
54 certificates, and participating in successful employment, parenting, and financial  
55 literacy courses, alcohol and drug abuse treatment programs, and restorative justice  
56 and faith-based programs. The department of corrections shall include provisions for  
57 educational programming through correspondence courses.

58 (4) Beginning on January 1, 2026, but not later than December 31, 2026, eligible  
59 offenders may petition the department to receive earned time credit for any qualifying  
60 programs or activities completed after January 1, 2010, but before August 28, 2025.

61 (5) Beginning on August 28, 2025, earned time credit for programs completed on  
62 or after such date shall be awarded on an annual basis.

63 (6) The department of corrections shall notify the incarcerated population of the  
64 petition process through posted signage, electronic notification, and through staff in all  
65 facilities and shall provide a petition form to offenders.

66 5. (1) Offenders sentenced under subsections 2 and 3 of section 558.019 shall be  
67 eligible for good time credit and earned time credit and any credit earned shall be  
68 subtracted from the offender's entire sentence of imprisonment.

69 (2) Offenders committed to the department who are sentenced to death or  
70 sentenced to life without probation or parole shall not be eligible for good time credit or  
71 earned time credit under this section; however, the department shall record their  
72 program participation in the same manner as the eligible population.

73 (3) The incentives described in this section shall be in addition to any other  
74 rewards or credits for which an offender may be eligible.

75 (4) Nothing in this section shall be construed to remove the parole board's  
76 discretion in awarding good time credit or earned time credit.

77 6. The department of corrections shall prepare and submit an annual report to  
78 the general assembly on good time credit and earned time credit, which shall include  
79 information on the number of offenders receiving credit under both programs.

2 ~~[221.105. 1. The governing body of any county and of any city not~~  
3 ~~within a county shall fix the amount to be expended for the cost of~~  
4 ~~incarceration of prisoners confined in jails or medium security institutions.~~  
5 ~~The per diem cost of incarceration of these prisoners chargeable by the law to~~  
6 ~~the state shall be determined, subject to the review and approval of the~~  
7 ~~department of corrections.~~

8 ~~2. When the final determination of any criminal prosecution shall be~~  
~~such as to render the state liable for costs under existing laws, it shall be the~~

9 duty of the sheriff to certify to the clerk of the circuit court or court of common  
10 pleas in which the case was determined the total number of days any prisoner  
11 who was a party in such case remained in the county jail. It shall be the duty  
12 of the county commission to supply the cost per diem for county prisons to the  
13 clerk of the circuit court on the first day of each year, and thereafter whenever  
14 the amount may be changed. It shall then be the duty of the clerk of the court  
15 in which the case was determined to include in the bill of cost against the state  
16 all fees which are properly chargeable to the state. In any city not within a  
17 county it shall be the duty of the superintendent of any facility boarding  
18 prisoners to certify to the chief executive officer of such city not within a  
19 county the total number of days any prisoner who was a party in such case  
20 remained in such facility. It shall be the duty of the superintendents of such  
21 facilities to supply the cost per diem to the chief executive officer on the first  
22 day of each year, and thereafter whenever the amount may be changed. It shall  
23 be the duty of the chief executive officer to bill the state all fees for boarding  
24 such prisoners which are properly chargeable to the state. The chief executive  
25 may by notification to the department of corrections delegate such  
26 responsibility to another duly sworn official of such city not within a  
27 county. The clerk of the court of any city not within a county shall not include  
28 such fees in the bill of costs chargeable to the state. The department of  
29 corrections shall revise its criminal cost manual in accordance with this  
30 provision.

31 3. Except as provided under subsection 6 of section 217.718, the actual  
32 costs chargeable to the state, including those incurred for a prisoner who is  
33 incarcerated in the county jail because the prisoner's parole or probation has  
34 been revoked or because the prisoner has, or allegedly has, violated any  
35 condition of the prisoner's parole or probation, and such parole or probation is  
36 a consequence of a violation of a state statute, or the prisoner is a fugitive from  
37 the Missouri department of corrections or otherwise held at the request of the  
38 Missouri department of corrections regardless of whether or not a warrant has  
39 been issued shall be the actual cost of incarceration not to exceed:

- 40 (1) Until July 1, 1996, seventeen dollars per day per prisoner;  
41 (2) On and after July 1, 1996, twenty dollars per day per prisoner;  
42 (3) On and after July 1, 1997, up to thirty-seven dollars and fifty cents  
43 per day per prisoner, subject to appropriations.

44 4. The presiding judge of a judicial circuit may propose expenses to be  
45 reimbursable by the state on behalf of one or more of the counties in that  
46 circuit. Proposed reimbursable expenses may include pretrial assessment and  
47 supervision strategies for defendants who are ultimately eligible for state  
48 incarceration. A county may not receive more than its share of the amount  
49 appropriated in the previous fiscal year, inclusive of expenses proposed by the  
50 presiding judge. Any county shall convey such proposal to the department,  
51 and any such proposal presented by a presiding judge shall include the  
52 documented agreement with the proposal by the county governing body,  
53 prosecuting attorney, at least one associate circuit judge, and the officer of the  
54 county responsible for custody or incarceration of prisoners of the county  
55 represented in the proposal. Any county that declines to convey a proposal to  
56 the department, pursuant to the provisions of this subsection, shall receive its

57 ~~per diem cost of incarceration for all prisoners chargeable to the state in~~  
58 ~~accordance with the provisions of subsections 1, 2, and 3 of this section.]~~

Section B. Because of the immediate need for new and enhanced jail facilities in the  
2 state of Missouri, the repeal and reenactment of sections 221.400, 221.402, 221.405, 221.407,  
3 and 221.410 of this act is deemed necessary for the immediate preservation of the public  
4 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the  
5 meaning of the constitution, and the repeal and reenactment of sections 221.400, 221.402,  
6 221.405, 221.407, and 221.410 of this act shall be in full force and effect upon its passage and  
7 approval.

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