

SECOND REGULAR SESSION

HOUSE BILL NO. 2166

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOLAN.

5229H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 56.265, RSMo, and to enact in lieu thereof one new section relating to the compensation of prosecuting attorneys.

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

Section A. Section 56.265, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 56.265, to read as follows:

56.265. 1. The county prosecuting attorney in any county, other than in a chartered county, shall receive an annual salary computed using the following schedule, when applicable. The assessed valuation factor shall be the amount thereof as shown for the year immediately preceding the year for which the computation is done.

(1) For a full-time prosecutor the prosecutor shall receive compensation equal to the compensation of an associate circuit judge;

(2) For a part-time prosecutor:

Assessed Valuation	Amount
\$18,000,000 to 40,999,999	\$37,000
41,000,000 to 53,999,999	38,000
54,000,000 to 65,999,999	39,000
66,000,000 to 85,999,999	41,000
86,000,000 to 99,999,999	43,000
100,000,000 to 130,999,999	45,000
131,000,000 to 159,999,999	47,000
160,000,000 to 189,999,999	49,000

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.

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190,000,000 to 249,999,999	51,000
250,000,000 to 299,999,999	53,000
300,000,000 or more	55,000

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2. Two thousand dollars of the salary shall be payable to any prosecuting attorney only if the prosecuting attorney has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the prosecuting attorney's office when approved by a professional association of the county prosecuting attorneys of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each prosecuting attorney who completes the training program and shall send a list of certified prosecuting attorneys to the treasurer of each county or city not within a county. Expenses incurred for attending the training session may be reimbursed to the prosecuting attorney in the same manner as other expenses as may be appropriated for that purpose.

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3. Each calendar year, five thousand dollars of the salary shall be payable to any prosecuting attorney only if the prosecuting attorney has collected the data described in subsection 2 of section 56.750 in a manner approved by the prosecutors coordinators training council and makes the data described in subsection 2 of section 56.750 readily accessible to the Missouri office of prosecution services. The Missouri office of prosecution services shall provide a certificate of compliance to each prosecuting attorney who complies with this subsection and shall send a list of any certified prosecuting attorney to the respective treasurer of each county or city not within a county.

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4. For each calendar year, three thousand dollars of the salary shall be payable to any prosecuting attorney only if the prosecuting attorney has provided discovery to criminal defense attorneys who have entered an appearance on behalf of a defendant in a manner approved by the prosecutors coordinators training council. The Missouri office of prosecution services shall provide a certificate of compliance to each prosecuting attorney who complies with this subsection and shall send a list of any certified prosecuting attorney to the respective treasurer of each county or city not within a county.

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5. As used in this section, the term "prosecuting attorney" includes the circuit attorney of any city not within a county.

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6. The prosecuting attorney of any county which becomes a county of the first classification during a four-year term of office or a county which passed the proposition authorized by subsection 1 of section 56.363 shall not be required to devote full time to such office pursuant to section 56.067 until the beginning of the prosecuting attorney's next term of office or until the proposition otherwise becomes effective.

52 7. The provisions of section 56.066 shall not apply to full-time prosecutors who are
53 compensated pursuant to subdivision (1) of subsection 1 of this section.

54 **8. The state shall reimburse, through an appropriation, at least thirty percent of**
55 **the salary of the prosecuting attorney in each county of the third classification as**
56 **computed under this section.**

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