

SECOND REGULAR SESSION

HOUSE BILL NO. 2956

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SMITH (46).

5760H.04I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 544, RSMo, by adding thereto one new section relating to the refiling of dismissed cases.

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

Section A. Chapter 544, RSMo, is amended by adding thereto one new section, to be
2 known as section 544.255, to read as follows:

- 544.255. 1. If a case is:**
- 2 **(1) Set for preliminary hearing but is dismissed by the court prior to the hearing**
3 **being held; or**
- 4 **(2) Dismissed by a prosecuting attorney at any time,**
5
- 6 **the case may be refiled by the prosecuting attorney.**
- 7 **2. If the case is dismissed by the court or the prosecuting attorney a second time,**
8 **the prosecuting attorney is prohibited from refiling the case.**

✓

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.