

SECOND REGULAR SESSION

HOUSE BILL NO. 3468

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BLACK.

7463H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 478.003, RSMo, and to enact in lieu thereof one new section relating to treatment courts.

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

Section A. Section 478.003, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 478.003, to read as follows:

478.003. 1. In any judicial circuit of this state, a majority of the judges of the circuit court may designate a judge to hear cases arising in the circuit subject to the provisions of sections 478.001 to 478.009. In lieu thereof and subject to appropriations or other funds available for such purpose, a majority of the judges of the circuit court may appoint a person or persons to act as treatment court commissioners. Each commissioner shall be appointed for a term of four years, but may be removed at any time by a majority of the judges of the circuit court. The qualifications, compensation, and retirement benefits of the commissioner shall be the same as that of an associate circuit judge. If the compensation of a commissioner appointed pursuant to this section is provided from other than state funds, the source of such fund shall pay to and reimburse the state for the actual costs of the salary and benefits of the commissioner. The commissioner shall have all the powers and duties of a circuit judge, except that any order, judgment or decree of the commissioner shall be confirmed or rejected by an associate circuit or circuit judge by order of record entered within the time the judge could set aside such order, judgment or decree had the same been made by the judge. If so confirmed, the order, judgment or decree shall have the same effect as if made by the judge on the date of its confirmation.

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.

17 2. The Missouri supreme court may assign a treatment court commissioner to serve in
18 the treatment court division of a circuit other than the circuit in which the commissioner is
19 appointed. The transfer shall only be ordered with the consent and approval of the presiding
20 judge of the circuit to which the commissioner is to be assigned.

21 3. A treatment court commissioner may serve as a commissioner in any treatment
22 court as designated by the treatment court coordinating commission, subject to local court
23 rules.

24 **4. In each circuit having a treatment court division, on approval of a majority of**
25 **the court en banc and subject to appropriations or other funds available for such**
26 **purpose, the court shall employ a treatment court administrator or coordinator.**

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