

SECOND REGULAR SESSION

HOUSE BILL NO. 3449

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BROWN.

7467H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 487.020, RSMo, and to enact in lieu thereof one new section relating to the appointment of commissioners.

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

Section A. Section 487.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 487.020, to read as follows:

487.020. 1. In each circuit or a county having a family court, a majority of the circuit and associate circuit judges en banc, in the circuit, may appoint commissioners, subject to appropriations, to hear family court cases and make findings as provided for in sections 487.010 to 487.190. Any person serving as a commissioner of the juvenile division of the circuit court on August 28, 1993, shall become a commissioner of the family court. In each circuit or a county therein having a family court, a majority of the circuit and associate circuit judges en banc may appoint, in addition to those commissioners serving as commissioners of the juvenile division and becoming commissioners of the family court pursuant to the provisions of sections 487.020 to 487.040, no more than three additional commissioners to hear family court cases and make findings and recommendations as provided in sections 487.010 to 487.190. The number of additional commissioners added as a result of the provisions of sections 487.010 to 487.190 may be appointed only to the extent that the state is reimbursed for the salaries of the commissioners as provided in sections 487.010 to 487.190 or by federal or county funds or by gifts or grants made for such purposes. A commissioner shall be appointed for a term of four years. Commissioners appointed pursuant to sections 487.020 to 487.040 shall serve in addition to circuit judges, associate circuit court judges and commissioners authorized to hear actions classified under section 487.080.

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.

18 2. The circuit courts in the **seventh judicial circuit**, eleventh judicial circuit, the
19 thirteenth judicial circuit, and the thirty-first judicial circuit may, in substitution of each
20 family court commissioner currently appointed pursuant to this section whose salary is
21 reimbursable, appoint a family court commissioner whose compensation shall be payable by
22 the state without necessity of reimbursement. The provisions of this subsection shall not be
23 construed to allow appointment of a family court commissioner in the eleventh judicial circuit
24 in addition to the number of such family court commissioners holding office in the eleventh
25 judicial circuit as of January 1, 1999. The provisions of this subsection shall not be construed
26 to allow appointment of a family court commissioner in the thirteenth judicial circuit or the
27 thirty-first judicial circuit in addition to the number of such family court commissioners
28 holding office in such circuits as of January 1, 2013. **The provisions of this subsection shall**
29 **not be construed to allow appointment of a family court commissioner in the seventh**
30 **judicial circuit in addition to the number of such family court commissioners holding**
31 **office in the seventh judicial circuit as of January 1, 2027.** The appointment of the state-
32 paid commissioner shall be subject to appropriations for such purpose.

33 3. Each commissioner of the family court shall possess the same qualifications as a
34 circuit judge. The compensation and retirement benefits of each commissioner shall be the
35 same as that of an associate circuit judge, payable in the same manner and from the same
36 source as that of an associate circuit judge.

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