

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend Senate Bill No. 203, Page 2, Section 29.235, Line 51,

2 by inserting after all of said line the following:

3 "29.305. 1. The state auditor shall make a one-time report
4 on the costs, both direct and indirect, born by county and state
5 governments in the prosecution and defense of at least ten cases
6 filed on or after January 1, 1990, in which a death sentence was
7 sought and was imposed and compare such costs to the costs of an
8 equal number of first degree murder cases filed on or after
9 January 1, 1990, in which a death sentence was not sought and the
10 defendant was sentenced to life without the possibility for
11 parole and an equal number of first degree murder cases filed on
12 or after January 1, 1990, in which a death sentence was sought,
13 but the defendant was sentenced to life without the possibility
14 for parole at the conclusion of a sentencing phase. The auditor
15 may make additional comparisons including other sentences imposed
16 for homicide offenses.

17 2. In selecting the cases in which a death sentence was not
18 imposed, the auditor shall use a scientific method of random
19 sampling that includes all cases filed on or after January 1,
20 1990.

21 3. The comparison shall include the following costs
22 estimated by the auditor to be related to the cases examined and

1 compared under subsection 1 of this section:

2 (1) Staff salaries, benefits, and operating expenses for
3 the attorney general's office, including any contracts for
4 assistance;

5 (2) Staff salaries, benefits, and operating expenses for
6 the department of corrections, including costs related to housing
7 inmates sentenced to death, carrying out the death penalty, and
8 any contracts for assistance;

9 (3) Staff salaries, including salaries of prosecuting and
10 circuit attorneys, benefits, operating expenses charged to
11 counties, including expenses in preparing for the presentation of
12 aggravating and mitigating circumstances with respect to
13 sentencing proceedings in death penalty cases, expert witness
14 fees, additional investigations, and contracts for assistance;

15 (4) Staff salaries, benefits, and operating expenses for
16 the Missouri state public defender system; and

17 (5) Staff salaries, benefits, and operating expenses for
18 the supreme court, courts of appeals, and circuit courts.

19 4. The auditor shall present the report to the governor,
20 members of the general assembly, and the Missouri supreme court
21 by June 30, 2017."; and

22 Further amend the title and enacting clause accordingly.