

FIRST REGULAR SESSION

[CORRECTED]

SENATE BILL NO. 292

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR SINGLETON.

Read 1st time January 15, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1070S.011

AN ACT

To amend Supreme court rule 32.03, relating to criminal procedure.

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

Section A. Supreme court rule 32.03 is amended so that as amended it reads as follows:

RULE 32.03 MISDEMEANORS OR FELONIES -

CHANGE OF VENUE AS A MATTER OF RIGHT IN CERTAIN COUNTIES - PROCEDURE

Rule 32.03. (a) A change of venue shall be ordered in any criminal proceeding triable by a jury pending in a county having **[seventy-five]** **forty** thousand or fewer inhabitants upon the filing of a written application therefor by the defendant. In felony and misdemeanor cases the application must be filed not later than ten days after the initial plea is entered. The defendant need not allege or prove any reason for change. The application need not be verified and shall be signed by the defendant or the defendant's attorney.

(b) A copy of the application and notice of the time when it will be presented in the court shall be served on all parties.

(c) If a timely application is filed, the court immediately shall order the case transferred to some other county convenient to the parties, first giving all parties an opportunity to make suggestions as to where the case should be sent. In lieu of transferring the case to another

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

county, the court may secure a jury from another county as provided by law.

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Bill

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