

SECOND REGULAR SESSION

SENATE BILL NO. 957

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATORS ENGLER AND CROWELL.

Read 1st time January 26, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

4835S.01I

AN ACT

To amend chapter 478, RSMo, by adding thereto one new section relating to the establishment and authorization of the positions of drug court commissioner and drug court administrator in the twenty-fourth judicial circuit, with an emergency clause.

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

Section A. Chapter 478, RSMo, is amended by adding thereto one new
2 section, to be known as section 478.007, to read as follows:

**478.007. 1. In the twenty-fourth judicial circuit consisting of the
2 counties of Madison, Ste. Genevieve, St. Francois, and Washington, a
3 majority of the court en banc may appoint one person, who shall possess
4 the same qualifications as an associate circuit judge, to act as drug court
5 commissioner. The commissioner shall be appointed for a term of four
6 years. The compensation of the commissioner shall be the same as that
7 of an associate circuit judge and the retirement benefits of such
8 commissioner shall be the same as those of an associate circuit judge,
9 payable in the same manner and from the same source as those of an
10 associate circuit judge. A circuit judge shall by order of record reject or
11 confirm any order, judgment, or decree of the commissioner, within the
12 time the judge could set aside such order, judgment, or decree had the
13 same been made by him or her, as provided in section 478.003. If so
14 confirmed, the orders, judgments, and decrees shall have the same effect
15 as if made by the judge on the date of their confirmation.**

**2. The circuit court in the twenty-fourth judicial circuit may, in
16 addition to a drug court commissioner, appoint one person to act as drug
17 court administrator, whose compensation and benefits shall be payable
18 in the same manner and from the same source as those of other circuit
19**

20 court personnel. Said drug court administrator shall be appointed by a
21 majority of the court en banc for a term of four years.

22 3. The drug court commissioner shall act at all times in a manner
23 befitting a member of the bench. The drug court commissioner shall
24 devote full time to the duties of commissioner and shall not engage in
25 the private practice of law.

26 4. The drug court commissioner and or drug court administrator
27 appointed hereunder may be removed from office during a term by a
28 majority of the circuit and associate circuit judges en banc upon proof
29 of hearing before such judges of crime, misconduct, habitual
30 drunkenness, willful neglect of duty, corruption in office, incompetency,
31 or any offense involving moral turpitude or oppression in office or
32 unsatisfactory performance of duties.

Section B. Because immediate action is necessary to address the
2 increasing drug caseload in the twenty-fourth judicial circuit, section A of this act
3 is deemed necessary for the immediate preservation of the public health, welfare,
4 peace, and safety, and is hereby declared to be an emergency act within the
5 meaning of the constitution, and section A of this act shall be in full force and
6 effect upon its passage and approval.

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