

FIRST REGULAR SESSION

SENATE BILL NO. 417

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODMAN.

Read 1st time February 23, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

2083S.011

AN ACT

To repeal section 544.170, RSMo, and to enact in lieu thereof one new section relating to detention after arrest, with penalty provisions.

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

Section A. Section 544.170, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 544.170, to read as follows:

544.170. 1. All persons arrested and confined in any jail or other place
2 of confinement by any peace officer, without warrant or other process, for any
3 alleged breach of the peace or other criminal offense, or on suspicion thereof,
4 shall be discharged from said custody within ~~[twenty-four]~~ **forty-eight** hours
5 from the time of such arrest, unless they shall be charged with a criminal offense
6 by the oath of some credible person, and be held by warrant to answer to such
7 offense.

8 2. In any confinement to which the provisions of this section apply, the
9 confinee shall be permitted at any reasonable time to consult with counsel or
10 other persons acting on the confinee's behalf.

11 3. Any person who violates the provisions of this section, by refusing to
12 release any person who is entitled to release pursuant to this section, or by
13 refusing to permit a confinee to consult with counsel or other persons, or who
14 transfers any such confinees to the custody or control of another, or to another
15 place, or who falsely charges such person, with intent to avoid the provisions of
16 this section, is guilty of a class A misdemeanor.

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