

SECOND REGULAR SESSION

# SENATE BILL NO. 828

95TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR SCHAEFER.

Read 1st time January 26, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

4705S.011

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## AN ACT

To repeal section 56.700, RSMo, and to enact in lieu thereof one new section relating to mental health duties of certain county counselors.

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

Section A. Section 56.700, RSMo, is repealed and one new section enacted  
2 in lieu thereof, to be known as section 56.700, to read as follows:

56.700. 1. The prosecuting attorney in each county of the second, third  
2 or fourth class which contains a mental health facility able to serve at least  
3 eighty persons on an overnight, inpatient basis at any one time, and which is  
4 operated by the state department of mental health, division of psychiatric  
5 services, may employ an assistant prosecuting attorney to assist in carrying out  
6 the duties of the office of prosecuting attorney relating to mental health and  
7 mental health facilities. The assistant prosecuting attorney authorized by this  
8 subsection shall be in addition to any other assistant prosecuting attorney  
9 authorized by law. The assistant prosecuting attorney employed under this  
10 subsection shall receive an annual compensation of fifteen thousand dollars  
11 payable out of the state treasury from funds appropriated for that purpose.

12 2. The county counselor or circuit attorney in each county of the first class  
13 with a charter form of government containing part of a city with a population of  
14 over four hundred fifty thousand and in each city not within a county may employ  
15 an assistant county counselor or circuit attorney to assist in carrying out the  
16 duties of the office of the county counselor or circuit attorney relating to mental  
17 health and mental health facilities. The assistant authorized by this subsection  
18 shall be in addition to any other assistants authorized by law. The assistant  
19 county counselor or circuit attorney employed under this subsection shall receive  
20 an annual compensation of fifteen thousand dollars payable out of the state

21 treasury from funds appropriated for that purpose.

22           3. The prosecuting attorney in each county of the second, third or fourth  
23 class which contains a mental health facility able to serve at least eighty persons  
24 on an overnight, inpatient basis at any one time, and which is operated by the  
25 state department of mental health, division of psychiatric services, may employ  
26 additional investigative and clerical personnel to assist in carrying out the duties  
27 of the office of prosecuting attorney relating to mental health and mental health  
28 facilities. The investigative and clerical personnel authorized by this subsection  
29 shall be in addition to any other personnel authorized by law. The compensation  
30 for such additional investigative and clerical personnel, not to exceed a total of  
31 fifteen thousand dollars annually for each eligible county, shall be paid out of the  
32 state treasury from funds appropriated for that purpose.

33           4. The county counselor or circuit attorney in each county of the first class  
34 with a charter form of government containing part of a city with a population of  
35 over four hundred fifty thousand and in each city not within a county may employ  
36 additional investigative and clerical personnel to assist in carrying out the duties  
37 of the office of the county counselor or circuit attorney relating to mental health  
38 and mental health facilities. The investigative and clerical personnel authorized  
39 by this subsection shall be in addition to any other personnel authorized by  
40 law. The compensation for such additional investigative and clerical personnel,  
41 not to exceed a total of fifteen thousand dollars annually for each eligible county  
42 or city not within a county, shall be paid out of the state treasury from funds  
43 appropriated for that purpose.

44           **5. In each county of the first classification with more than one**  
45 **hundred thirty-five thousand four hundred but fewer than one hundred**  
46 **thirty-five thousand five hundred inhabitants, the county counselor**  
47 **shall receive fifteen thousand dollars annually for duties relating to**  
48 **mental health and mental health facilities, and an additional sum not**  
49 **to exceed fifteen thousand dollars annually for investigative and**  
50 **clerical personnel costs to assist in carrying out the duties of the office**  
51 **of county counselor relating to mental health and mental health**  
52 **facilities. The sum provided in this subsection shall be paid out of the**  
53 **state treasury from funds appropriated for such purposes, and shall be**  
54 **in the form of a reimbursement to the county general revenue fund.**