

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/House Bill No. 116, Page 18, Section 29.260, Line 18,

2 by inserting immediately 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

1 estimated by the auditor to be related to the cases examined and
2 compared under subsection 1 of this section:

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

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

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

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

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

20 4. The auditor shall present the report to the governor,
21 members of the general assembly, and the Missouri supreme court
22 by June 30, 2015."; and

23 Further amend the title and enacting clause accordingly.