

FIRST REGULAR SESSION

SENATE BILL NO. 45

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR DIXON.

Pre-filed December 1, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

0055S.02I

AN ACT

To repeal section 487.020, RSMo, and to enact in lieu thereof one new section relating to family court commissioners.

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

Section A. Section 487.020, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 487.020, to read as follows:

487.020. 1. In each circuit or a county having a family court, a majority
2 of the circuit and associate circuit judges en banc, in the circuit, may appoint
3 commissioners, subject to appropriations, to hear family court cases and make
4 findings as provided for in sections 487.010 to 487.190. Any person serving as a
5 commissioner of the juvenile division of the circuit court on August 28, 1993, shall
6 become a commissioner of the family court. In each circuit or a county therein
7 having a family court, a majority of the circuit and associate circuit judges en
8 banc may appoint, in addition to those commissioners serving as commissioners
9 of the juvenile division and becoming commissioners of the family court pursuant
10 to the provisions of sections 487.020 to 487.040, no more than three additional
11 commissioners to hear family court cases and make findings and
12 recommendations as provided in sections 487.010 to 487.190. The number of
13 additional commissioners added as a result of the provisions of sections 487.010
14 to 487.190 may be appointed only to the extent that the state is reimbursed for
15 the salaries of the commissioners as provided in sections 487.010 to 487.190 or
16 by federal or county funds or by gifts or grants made for such purposes. A
17 commissioner shall be appointed for a term of four years. Commissioners
18 appointed pursuant to sections 487.020 to 487.040 shall serve in addition to
19 circuit judges, associate circuit court judges and commissioners authorized to hear

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

20 actions classified under section 487.080.

21 2. The circuit [court] **courts** in the eleventh judicial circuit **and in the**
22 **thirty-first judicial circuit** may, in substitution of [a] **each** family court
23 commissioner currently appointed pursuant to this section whose salary is
24 reimbursable, appoint [one] **a** family court commissioner whose compensation
25 shall be payable by the state without necessity of reimbursement. The provisions
26 of this subsection shall not be construed to allow appointment of a family court
27 commissioner in **the eleventh judicial circuit in** addition to the number of
28 such family court commissioners holding office in the eleventh judicial circuit as
29 of January 1, 1999[, and]. **The provisions of this subsection shall not be**
30 **construed to allow appointment of a family court commissioner in the**
31 **thirty-first judicial circuit in addition to the number of such family**
32 **court commissioners holding office in the circuit as of January 1,**
33 **2013.** The appointment of the state-paid commissioner shall be subject to
34 appropriations for such purpose.

35 3. Each commissioner of the family court shall possess the same
36 qualifications as a circuit judge. The compensation and retirement benefits of
37 each commissioner shall be the same as that of an associate circuit judge, payable
38 in the same manner and from the same source as that of an associate circuit
39 judge.

✓

Copy