

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 824**  
**97TH GENERAL ASSEMBLY**

5840H.09C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 1.020, 50.565, 56.010, 56.060, 56.067, 56.265, 56.363, 56.430, 56.805, 56.807, 56.816, 67.281, 67.320, 72.401, 94.270, 105.935, 160.522, 192.310, 211.411, 221.407, 300.320, 304.190, 321.015, 321.130, 321.210, 348.407, 488.026, 512.180, 534.060, 534.350, 534.360, 534.380, 535.030, 535.110, 535.160, 535.170, 535.200, and 535.210, RSMo, and to enact in lieu thereof fifty new sections relating to political subdivisions.

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

Section A. Sections 1.020, 50.565, 56.010, 56.060, 56.067, 56.265, 56.363, 56.430, 56.805, 56.807, 56.816, 67.281, 67.320, 72.401, 94.270, 105.935, 160.522, 192.310, 211.411, 221.407, 300.320, 304.190, 321.015, 321.130, 321.210, 348.407, 488.026, 512.180, 534.060, 534.350, 534.360, 534.380, 535.030, 535.110, 535.160, 535.170, 535.200, and 535.210, RSMo, are repealed and fifty new sections enacted in lieu thereof, to be known as sections 1.020, 50.565, 56.010, 56.015, 56.017, 56.060, 56.067, 56.265, 56.363, 56.430, 56.805, 56.807, 56.816, 67.281, 67.320, 67.585, 71.950, 72.401, 94.270, 105.935, 135.980, 144.1030, 160.522, 190.275, 192.310, 211.411, 221.407, 249.424, 262.960, 262.962, 304.190, 321.015, 321.130, 321.210, 348.407, 407.1610, 488.026, 488.2235, 512.180, 534.060, 534.350, 534.360, 534.380, 535.030, 535.110, 535.160, 535.170, 535.200, 535.210, and 1, to read as follows:

1.020. As used in the statutory laws of this state, unless otherwise specially provided or unless plainly repugnant to the intent of the legislature or to the context thereof:

(1) "Certified mail" or "certified mail with return receipt requested", includes certified mail carried by the United States Postal Service, or any parcel or letter carried by an overnight,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

5 express, or ground delivery service that allows a sender or recipient to electronically track its  
6 location and provides record of the signature of the recipient;

7 (2) ["County or circuit attorney" means prosecuting attorney] **"County attorney",**  
8 **"circuit attorney", "district attorney", "prosecuting attorney", or "prosecutor" or any**  
9 **derivation thereof, when used in the context of the functions, duties, powers, and**  
10 **responsibilities of the office, means an elected official of a county or designated district**  
11 **with the responsibility for prosecuting violations of state law;**

12 (3) "Executor" includes administrator where the subject matter applies to an  
13 administrator;

14 (4) "General election" means the election required to be held on the Tuesday succeeding  
15 the first Monday of November, biennially;

16 (5) "Guardian", if used in a section in a context relating to property rights or obligations,  
17 means conservator of the estate as defined in chapter 475. "Guardianship", if used in a section  
18 in a context relating to rights and obligations other than property rights or obligations, means  
19 guardian of the person as defined in chapter 475;

20 (6) "Handicap" means a mental or physical impairment that substantially limits one or  
21 more major life activities, whether the impairment is congenital or acquired by accident, injury,  
22 or disease, and where the impairment is verified by medical findings;

23 (7) "Heretofore" means any time previous to the day when the statute containing it takes  
24 effect; and "hereafter" means the time after the statute containing it takes effect;

25 (8) "In vacation" includes any adjournment of court for more than one day whenever any  
26 act is authorized to be done by or any power given to a court, or judge thereof in vacation, or  
27 whenever any act is authorized to be done by or any power given to a clerk of any court in  
28 vacation;

29 (9) "Incompetent", if used in a section in a context relating to actual occupational ability  
30 without reference to a court adjudication of incompetency, means the actual ability of a person  
31 to perform in that occupation. "Incompetent", if used in a section in a context relating to the  
32 property rights and obligations of a person, means a disabled person as defined in chapter 475.  
33 "Incompetent", if used in a section in a context relating to the rights and obligations of a person  
34 other than property rights and obligations, means an incapacitated person as defined in chapter  
35 475;

36 (10) "Justice of the county court" means commissioner of the county commission;

37 (11) "Month" and "year". "Month" means a calendar month, and "year" means a  
38 calendar year unless otherwise expressed, and is equivalent to the words year of our Lord;

39 (12) The word "person" may extend and be applied to bodies politic and corporate, and  
40 to partnerships and other unincorporated associations;

41 (13) "Personal property" includes money, goods, chattels, things in action and evidences  
42 of debt;

43 (14) "Place of residence" means the place where the family of any person permanently  
44 resides in this state, and the place where any person having no family generally lodges;

45 (15) "Preceding" and "following", when used by way of reference to any section of the  
46 statutes, mean the section next preceding or next following that in which the reference is made,  
47 unless some other section is expressly designated in the reference;

48 (16) "Property" includes real and personal property;

49 (17) "Real property" or "premises" or "real estate" or "lands" is coextensive with lands,  
50 tenements and hereditaments;

51 (18) "State", when applied to any of the United States, includes the District of Columbia  
52 and the territories, and the words "United States" includes such district and territories;

53 (19) "Under legal disability" includes persons within the age of minority or of unsound  
54 mind or imprisoned;

55 (20) "Ward", if used in a section in a context relating to the property rights and  
56 obligations of a person, means a protectee as defined in chapter 475. "Ward", if used in a section  
57 in a context relating to the rights and obligations of a person other than property rights and  
58 obligations, means a ward as defined in chapter 475;

59 (21) "Will" includes the words testament and codicil;

60 (22) "Written" and "in writing" and "writing word for word" includes printing,  
61 lithographing, or other mode of representing words and letters, but in all cases where the  
62 signature of any person is required, the proper handwriting of the person, or his mark, is  
63 intended.

50.565 1. A county commission may establish by ordinance or order a fund whose  
2 proceeds may be expended only for the purposes provided for in subsection 3 of this section.  
3 The fund shall be designated as a county law enforcement restitution fund and shall be under the  
4 supervision of a board of trustees consisting of two citizens of the county appointed by the  
5 presiding commissioner of the county, two citizens of the county appointed by the sheriff of the  
6 county, **two citizens of the county appointed by the prosecuting attorney**, and one citizen of  
7 the county appointed by the county coroner or medical examiner. The citizens so appointed shall  
8 not be current or former elected officials, current or former employees of the sheriff's  
9 department, the office of the prosecuting attorney for the county, office of the county  
10 commissioners, or the county treasurer's office. If a county does not have a coroner or medical  
11 examiner, the county treasurer shall appoint one citizen to the board of trustees.

12           2. Money from the county law enforcement restitution fund shall only be expended upon  
13 the approval of a majority of the members of the county law enforcement restitution fund's board  
14 of trustees and only for the purposes provided for by subsection 3 of this section.

15           3. Money from the county law enforcement restitution fund shall only be expended for  
16 the following purposes **for the sheriff or prosecuting attorney**:

17           (1) Narcotics investigation, prevention, and intervention;

18           (2) Purchase of law enforcement-related equipment and supplies for the sheriff's office;

19           (3) Matching funds for federal or state law enforcement grants;

20           (4) Funding for the reporting of all state and federal crime statistics or information; and

21           (5) Any county law enforcement-related expense, including those of the prosecuting  
22 attorney, approved by the board of trustees for the county law enforcement restitution fund that  
23 is reasonably related to investigation, charging, preparation, trial, and disposition of criminal  
24 cases before the courts of the state of Missouri.

25           4. The county commission may not reduce any law enforcement agency's budget as a  
26 result of funds the law enforcement agency receives from the county law enforcement restitution  
27 fund. The restitution fund is to be used only as a supplement to the law enforcement agency's  
28 funding received from other county, state, or federal funds.

29           5. County law enforcement restitution funds shall be audited as are all other county  
30 funds.

31           6. No court may order the assessment and payment authorized by this section if the plea  
32 of guilty or the finding of guilt is to the charge of speeding, careless and imprudent driving, any  
33 charge of violating a traffic control signal or sign, or any charge which is a class C misdemeanor  
34 or an infraction. No assessment and payment ordered pursuant to this section may exceed three  
35 hundred dollars for any charged offense.

          56.010. **1.** At the general election to be held in [this state in the year A.D. 1982, and  
2 every four years thereafter,] **the years provided under this section**, there shall be elected [in  
3 each county of this state] a prosecuting attorney **or district attorney**, who shall be a person  
4 learned in the law, duly licensed to practice as an attorney at law in this state, and enrolled as  
5 such, at least twenty-one years of age, and who has been a bona fide resident of the county **or**  
6 **prosecutorial district** in which he **or she** seeks election for twelve months next preceding the  
7 date of the general election at which he is a candidate for such office and shall hold his **or her**  
8 office for four years, and until his **or her** successor is elected, commissioned and qualified.

9           **2.** **At the general election in the year 2018, and every four years thereafter, in each**  
10 **county that has not entered into a prosecutorial district under section 56.015, there shall**  
11 **be elected a prosecuting attorney.**

12           **3. At the general election in the year 2018, and every four years thereafter, in each**  
13 **prosecutorial district formed under section 56.015, there shall be elected a district attorney.**

14           **4. At the general election provided for in its charter, and every four years**  
15 **thereafter, in any judicial circuit composed of a single charter county, there shall be elected**  
16 **a prosecuting attorney or district attorney, as the charter may direct.**

17           **5. At the general election in the year 2016, in any county which has adopted a**  
18 **resolution or charter amendment under section 56.015 prior to January 1, 2015, there shall**  
19 **be elected a district attorney, for a term of two years.**

**56.015. 1. The governing bodies of any two or more contiguous counties within a**  
2 **single judicial circuit may act cooperatively in the common employment of a district**  
3 **attorney. Additional counties within the judicial circuit may be admitted to participation**  
4 **by the consent of each county already participating and each county seeking to participate**  
5 **upon the approval of a new joint agreement under subsection 3 of this section. The**  
6 **territorial area comprising the participating counties shall be designated a "prosecutorial**  
7 **district" and, once elected at a general election under section 56.010, the prosecuting**  
8 **attorney serving the area shall be known as a "district attorney", who shall have the same**  
9 **duties prescribed by this chapter for prosecuting attorneys throughout the state and any**  
10 **additional duties as provided in section 56.060. In order to form or join a prosecutorial**  
11 **district:**

12           **(1) For counties not having a charter form of government, the county commission**  
13 **shall adopt a resolution to form or join a prosecutorial district and approve the joint**  
14 **agreement provided for in subsection 3 of this section;**

15           **(2) For counties having a charter form of government, the governing body shall**  
16 **adopt a charter amendment to form or join a prosecutorial district and approve the joint**  
17 **agreement provided for in subsection 3 of this section; and**

18           **(3) For any county seeking to form or join a prosecutorial district prior to January**  
19 **1, 2015, the county commission shall receive written consent from the elected county**  
20 **prosecuting attorney before adopting the resolution or charter amendment.**

21           **2. Notice of the adoption of a resolution or charter amendment under subsection**  
22 **1 of this section shall be transmitted to the secretary of state and the election authority of**  
23 **each county within the prosecutorial district at least twelve months in advance of the next**  
24 **general election at which a district attorney is to be elected under section 56.010. Except**  
25 **as otherwise provided under subsection 4 or 5 of this section, the formation or expansion**  
26 **of the prosecutorial district and abolishment of the county office of prosecuting attorney**  
27 **shall not take effect until a district attorney elected at the next general election pursuant**  
28 **to section 56.010 has entered upon the discharge of his or her duties.**

29           **3. The governing bodies of the counties electing to join together in a prosecutorial**  
30 **district shall approve a joint agreement which specifies the duties of each county. If any**  
31 **county seeks to join a prosecutorial district which has already been established under this**  
32 **section, the joint agreement shall be rewritten and reapproved by the governing body of**  
33 **each member county. Any agreement shall contain the following:**

34           **(1) The names of the counties within the district;**

35           **(2) The formula for calculating each county's contribution to the costs of the**  
36 **district;**

37           **(3) The formula for calculating each county's portion of the fee collected under**  
38 **subsection 4 of section 56.060; and**

39           **(4) The timing and procedures for approval of the prosecutorial district's annual**  
40 **budget by the governing bodies of the member counties.**

41           **4. In any judicial circuit composed of a single county, the governing body of the**  
42 **county may convert the office of prosecuting attorney to the office of district attorney. The**  
43 **district attorney shall have the same duties prescribed by this chapter for prosecuting**  
44 **attorneys throughout the state and any additional duties as provided under section 56.060.**  
45 **If the office is converted, the county shall be designated a prosecutorial district. In order**  
46 **to convert the office to that of a prosecutorial district:**

47           **(1) In a judicial circuit composed of a single charter county, the governing body of**  
48 **the county shall adopt a charter amendment to convert the office of prosecuting attorney**  
49 **to the office of district attorney;**

50           **(2) In a judicial circuit composed of a single noncharter county, the governing body**  
51 **of the county shall adopt a resolution to convert the office of prosecuting attorney to the**  
52 **office of district attorney.**

53           **5. The prosecuting attorney of a county electing to convert the office as provided**  
54 **for in subsection 4 of this section shall perform the additional duties of a district attorney**  
55 **immediately upon the governing body taking the action provided for in subsection 4 of this**  
56 **section, but the election of a district attorney shall not occur until the next regular election**  
57 **for the office.**

**56.017. 1. Each district attorney shall have all the powers and duties of the office**  
2 **of prosecuting attorney provided to prosecuting attorneys in counties of the first**  
3 **classification under this chapter. Each district attorney representing counties of the**  
4 **second, third, or fourth classification shall also perform the duties provided for**  
5 **prosecuting attorneys in such counties under sections 56.291, 56.293, 56.300, and 56.305.**

6           **2. Each district attorney shall be responsible for the budgets and staff of the offices**  
7 **within the prosecutorial district or county. During his or her initial two-year term, any**

8 **district attorney elected at the general election in 2016 shall employ as an assistant district**  
9 **attorney each person who served as an elected prosecuting attorney in any county in the**  
10 **prosecutorial district at the time of the election. Each district attorney may appoint such**  
11 **additional assistant district attorneys, and may employ such investigators and stenographic**  
12 **and clerical help as the district attorney deems necessary for the proper discharge of the**  
13 **duties of the district attorney's office, and may set their compensation within the limits of**  
14 **the allocations made for that purpose by joint agreement of the governing bodies of the**  
15 **counties in the prosecutorial district. The compensation for the assistant district attorneys,**  
16 **investigators, and stenographic and clerical help shall be paid in equal installments out of**  
17 **the respective county treasuries in the same manner as other county employees are paid.**

18 **3. The assistant district attorneys shall be subject to the same fines and penalties**  
19 **for neglect of duty or misdemeanor in office as the district attorney.**

20 **4. All assistant district attorneys, investigators, and stenographic and clerical help**  
21 **shall hold office at the pleasure of the district attorney.**

56.060. 1. Each prosecuting attorney or district attorney shall:

2 **(1) Commence and prosecute all [civil and] criminal actions by adults in the prosecuting**  
3 **attorney's county or district attorney's prosecutorial district in which the county or state is**  
4 **concerned[.];**

5 **(2) Represent the state in any misdemeanor case that is taken to the court of**  
6 **appeals by appeal and make out and cause to be printed, at the expense of the county, all**  
7 **necessary abstracts of record and briefs, and if necessary appear in the court in person, or**  
8 **employ some attorney at the prosecuting attorney's own expense to represent the state in**  
9 **the court, and for his or her services he or she shall receive the compensation that is**  
10 **proper, not to exceed twenty-five dollars for each case, and necessary traveling expenses,**  
11 **to be audited and paid as other claims are audited and paid by the county commission;**

12 **(3) Defend all suits against the state [or county, and] ;**

13 **(4) Prosecute forfeited recognizances and actions for the recovery of debts, fines,**  
14 **penalties and forfeitures accruing to the state [or] , county, or prosecutorial district; and**

15 **(5) Follow and prosecute or defend, as the case may be, all cases in which changes**  
16 **of venue are granted, for which, in addition to the fees now allowed by law, the prosecuting**  
17 **or district attorney shall receive his or her actual expenses. [In all cases, civil and criminal,**  
18 **in which changes of venue are granted, the prosecuting attorney shall follow and prosecute or**  
19 **defend, as the case may be, all the causes, for which, in addition to the fees now allowed by law,**  
20 **the prosecuting attorney shall receive his or her actual expenses. If any misdemeanor case is**  
21 **taken to the court of appeals by appeal the prosecuting attorney shall represent the state in the**  
22 **case in the court and make out and cause to be printed, at the expense of the county, all necessary**

23 abstracts of record and briefs, and if necessary appear in the court in person, or shall employ  
24 some attorney at the prosecuting attorney's own expense to represent the state in the court, and  
25 for his or her services he or she shall receive the compensation that is proper, not to exceed  
26 twenty-five dollars for each case, and necessary traveling expenses, to be audited and paid as  
27 other claims are audited and paid by the county commission of the county.]

28       2. Notwithstanding the provisions of subsection 1 of this section, in any county for which  
29 a county counselor is appointed, the prosecuting attorney shall only perform those duties  
30 prescribed by subsection 1 of this section which are not performed by the county counselor under  
31 the provisions of law relating to the office of county counselor.

32       **3. In each county taking the actions provided in section 56.015, the district attorney**  
33 **shall perform the following duties in addition to all other duties imposed by law:**

34       **(1) Except as otherwise provided by law or for the collection of debt owed for**  
35 **services rendered by the state public defender system unless such collection is pursuant to**  
36 **a mutual agreement or memorandum of understanding between the public defender**  
37 **system and the district attorney, represent state agencies in the collection of debt; and**

38       **(2) Provide not less than six hours of continuing education to peace officers in the**  
39 **member counties in each year of his or her term of office.**

40       **4. In the absence of an agreement that states otherwise, the district attorney shall**  
41 **retain twenty percent of all debt collected on behalf of state agencies under subsection 3**  
42 **of this section as a collection fee with:**

43       **(1) One-half of the fee collected to be payable to the state of Missouri and remitted**  
44 **to the director of revenue who shall deposit the amount collected pursuant to this section**  
45 **to the credit of the Missouri office of prosecution services fund to be used solely for the**  
46 **purpose of offsetting county expenses related to victim services, office supplies, postage,**  
47 **books, training, office equipment, capital outlay, expenses of trial and witness preparation,**  
48 **additional employees for the staff of the district attorney, and salary supplements for**  
49 **existing employees on the staff of the district attorney; and**

50       **(2) One-half of the fee collected to be payable to the county treasurer of each county**  
51 **in the prosecutorial district on a pro rata basis, pursuant to the agreement entered into by**  
52 **the counties under section 56.015, and deposited into the county treasury.**

56.067. In counties of the first classification not having a charter form of government[,]  
2 and **other counties in** which [have passed the proposition authorized by section 56.363] **the**  
3 **prosecuting attorney is a full-time position**, the prosecuting attorney, except in the  
4 performance of special prosecutions or otherwise representing the state or its political  
5 subdivisions, shall devote full time to his office, and shall not engage in the practice of law.

56.265. 1. [The county] A prosecuting attorney [in any county], other than a  
2 **prosecuting attorney** in a chartered county, shall receive an annual salary computed using the  
3 following schedule, when applicable. The assessed valuation factor shall be the amount thereof  
4 as shown for the year immediately preceding the year for which the computation is done.

5 (1) **For a district attorney, he or she shall receive compensation equal to the**  
6 **compensation of an associate circuit judge. In multi-county prosecutorial districts, the**  
7 **total cost to the counties for the compensation of the district attorney shall be prorated**  
8 **among the counties, pursuant to the agreement entered into by the counties under section**  
9 **56.015. Nothing in this subdivision shall be construed to prevent the governing body of a**  
10 **charter county from electing to compensate the district attorney in excess of the salary of**  
11 **an associate circuit judge;**

12 (2) For a full-time [prosecutor] **prosecuting attorney in a county not taking the**  
13 **actions provided in section 56.015,** the prosecutor shall receive compensation equal to the  
14 compensation of an associate circuit judge;

15 [(2)] (3) For a part-time [prosecutor] **prosecuting attorney in a county that is not part**  
16 **of a prosecutorial district as provided in section 56.015, the governing body of the county**  
17 **may elect to pay the part-time prosecuting attorney in accordance with one of the following**  
18 **options:**

19 **Option 1. Using the following scale:**

Assessed Valuation	Amount
\$ 18,000,000 to 40,999,999	\$37,000
41,000,000 to 53,999,999	38,000
54,000,000 to 65,999,999	39,000
66,000,000 to 85,999,999	41,000
86,000,000 to 99,999,999	43,000
100,000,000 to 130,999,999	45,000
131,000,000 to 159,999,999	47,000
160,000,000 to 189,999,999	49,000
190,000,000 to 249,999,999	51,000
250,000,000 to 299,999,999	53,000
300,000,000 or more	55,000; or

32 **Option 2. Compensation equal to one-half the compensation of a full-time prosecuting**  
33 **attorney provided under subdivision (2) of this subsection, but this option may only be**  
34 **selected if the presiding judge of the circuit court appoints the part-time prosecuting**  
35 **attorney to represent the juvenile officer in all juvenile court cases.**



13 If a majority of the voters voting on the proposition vote in favor of making the county  
14 prosecutor a full-time position, it shall become effective upon the date that the prosecutor who  
15 is elected at the next election subsequent to the passage of such proposal is sworn into office.

16         2. The provisions of subsection 1 of this section notwithstanding, in any county where  
17 the proposition of making the county prosecutor a full-time position was submitted to the voters  
18 at a general election in 1998 and where a majority of the voters voting on the proposition voted  
19 in favor of making the county prosecutor a full-time position, the proposition shall become  
20 effective on May 1, 1999. Any prosecuting attorney whose position becomes full time on May  
21 1, 1999, under the provisions of this subsection shall have the additional duty of providing not  
22 less than three hours of continuing education to peace officers in the county served by the  
23 prosecuting attorney in each year of the term beginning January 1, 1999.

24         3. In counties that, prior to August 28, 2001, have elected pursuant to this section to  
25 make the position of prosecuting attorney a full-time position, the county commission may at any  
26 time elect to have that position also qualify for the retirement benefit available for a full-time  
27 prosecutor of a county of the first classification. Such election shall be made by a majority vote  
28 of the county commission and once made shall be irrevocable, **unless the voters of the county**  
29 **elect to change the position of prosecuting attorney back to a part-time position pursuant**  
30 **to subsection 4 of this section.** When such an election is made, the results shall be transmitted  
31 to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund, and the  
32 election shall be effective on the first day of January following such election. Such election shall  
33 also obligate the county to pay into the Missouri prosecuting attorneys and circuit attorneys'  
34 system retirement fund the same retirement contributions for full-time prosecutors as are paid  
35 by counties of the first classification.

36         **4. In any county that has elected to make the county prosecutor a full-time position**  
37 **under this section, the county commission may on its own motion and shall upon the**  
38 **petition of ten percent of the total number of people who voted in the previous general**  
39 **election in the county submit to the voters at a general or special election the proposition**  
40 **of changing the full-time prosecutor position to a part-time position. The commission shall**  
41 **cause notice of the election to be published in a newspaper published within the county, or**  
42 **if no newspaper is published within the county, in a newspaper published in an adjoining**  
43 **county, for three weeks consecutively, the last insertion of which shall be at least ten days**  
44 **and not more than thirty days before the day of the election, and by posting printed notices**  
45 **thereof at three of the most public places in each township in the county. The proposition**  
46 **shall be put before the voters substantially in the following form:**

47         **Shall the office of prosecuting attorney be made a part-time position in .....**  
48 **County?**

49

YES

NO

50 **If a majority of the voters vote in favor of making the county prosecutor a part-time**  
51 **position, it shall become effective upon the date that the prosecutor who is elected at the**  
52 **next election subsequent to the passage of such proposal is sworn into office.**

53 **5. In any county that has elected to make the full-time position of county prosecutor**  
54 **a part-time position pursuant to subsection 4 of this section, the county's retirement**  
55 **contribution to the retirement system and the retirement benefit earned by the member**  
56 **shall prospectively be that of a part-time prosecutor as established in this chapter. Any**  
57 **retirement contribution made and retirement benefit earned prior to the effective date of**  
58 **the voter approved proposition pursuant to subsection 4 of this section shall be maintained**  
59 **by the retirement system and used to calculate the retirement benefit for such prior full-**  
60 **time position service. Under no circumstances shall a member in a part-time prosecutor**  
61 **position earn full-time position retirement benefit service accruals for time periods after**  
62 **the effective date of the proposition changing the county prosecutor back to a part-time**  
63 **position.**

56.430. At the general election to be held in this state in the year 1948, and every four  
2 years thereafter, there shall be elected in the city of St. Louis one circuit attorney, who shall  
3 reside in said city, and shall possess the same qualifications and be subject to the same duties that  
4 are prescribed by this chapter for **district or** prosecuting attorneys throughout the state.

56.805. As used in sections 56.800 to 56.840, the following words and terms mean:

2 (1) "Annuity", annual payments, made in equal monthly installments, to a retired  
3 member from funds provided for, in, or authorized by, the provisions of sections 56.800 to  
4 56.840;

5 (2) "Average final compensation", the average compensation of an employee for the two  
6 consecutive years prior to retirement when the employee's compensation was greatest;

7 (3) "Board of trustees" or "board", the board of trustees established by the provisions of  
8 sections 56.800 to 56.840;

9 (4) "Compensation", all salary and other compensation payable by a county to an  
10 employee for personal services rendered as an employee, but not including travel and mileage  
11 reimbursement;

12 (5) "County", the city of St. Louis and each county in the state;

13 (6) "Creditable service", the sum of both membership service and creditable prior  
14 service;

15 (7) "Effective date of the establishment of the system", August 28, 1989;

16 (8) "Employee", an elected or appointed prosecuting attorney [or circuit attorney who  
17 is employed by a county or a city not within a county];

18 (9) "Membership service", service as a prosecuting [attorney or circuit] attorney after  
19 becoming a member that is creditable in determining the amount of the member's benefits under  
20 this system;

21 (10) "Prior service", service of a member rendered prior to the effective date of the  
22 establishment of the system which is creditable under section 56.823;

23 (11) **"Prosecuting attorney", shall include any elected or appointed prosecuting**  
24 **attorney employed by a county, district attorney employed by a prosecutorial district, or**  
25 **circuit attorney employed by a city not within a county;**

26 (12) "Retirement system" or "system", the prosecuting attorneys and circuit attorneys'  
27 retirement system authorized by the provisions of sections 56.800 to 56.840.

56.807. 1. Beginning August 28, 1989, and continuing monthly thereafter until August  
2 27, 2003, the funds for prosecuting attorneys and circuit attorneys provided for in subsection 2  
3 of this section shall be paid from county or city funds.

4 2. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003,  
5 each county treasurer shall pay to the system the following amounts to be drawn from the general  
6 revenues of the county:

7 (1) For counties of the third and fourth classification except as provided in subdivision  
8 (3) of this subsection, three hundred seventy-five dollars;

9 (2) For counties of the second classification, five hundred forty-one dollars and sixty-  
10 seven cents;

11 (3) For counties of the first classification, counties which pursuant to section 56.363  
12 elect to make the position of prosecuting attorney a full-time position after August 28, 2001, or  
13 whose county commission has elected a full-time retirement benefit pursuant to subsection 3 of  
14 section 56.363, and the city of St. Louis, one thousand two hundred ninety-one dollars and sixty-  
15 seven cents.

16 3. Beginning August 28, 1989, and continuing until August 27, 2003, the county  
17 treasurer shall at least monthly transmit the sums specified in subsection 2 of this section to the  
18 Missouri office of prosecution services for deposit to the credit of the "Missouri Prosecuting  
19 Attorneys and Circuit Attorneys' Retirement System Fund", which is hereby created. All moneys  
20 held by the state treasurer on behalf of the system shall be paid to the system within ninety days  
21 after August 28, 1993. Moneys in the Missouri prosecuting attorneys and circuit attorneys'  
22 retirement system fund shall be used only for the purposes provided in sections 56.800 to 56.840  
23 and for no other purpose.

24 4. Beginning August 28, 2003, the funds for prosecuting attorneys and circuit attorneys  
25 provided for in this section shall be paid from county or city funds and the surcharge established  
26 in this section and collected as provided by this section and sections 488.010 to 488.020.

27           5. (1) Beginning August 28, 2003, each county treasurer shall pay to the system the  
28 following amounts to be drawn from the general revenues of the county:

29           [(1)] (a) For counties of the third and fourth classification except as provided in  
30 [subdivision (3)] **paragraph (c)** of this [subsection] **subdivision**, one hundred eighty-seven  
31 dollars;

32           [(2)] (b) For counties of the second classification, two hundred seventy-one dollars;

33           [(3)] (c) For counties of the first classification, counties which pursuant to section 56.363  
34 elect to make the position of prosecuting attorney a full-time position after August 28, 2001, or  
35 whose county commission has elected a full-time retirement benefit pursuant to subsection 3 of  
36 section 56.363, and the city of St. Louis, six hundred forty-six dollars.

37           **(2) Beginning August 28, 2014, the county contribution set forth in paragraphs (a)**  
38 **to (c) of subdivision (1) of this subsection shall be adjusted in accordance with the following**  
39 **schedule based upon the prosecuting attorneys and circuit attorneys' retirement system's**  
40 **annual actuarial valuation report. If the system's funding ratio is:**

41           **(a) One hundred twenty percent or more, no monthly sum shall be transmitted;**

42           **(b) More than one hundred ten percent but less than one hundred twenty percent,**  
43 **the monthly sum transmitted shall be reduced fifty percent;**

44           **(c) At least ninety percent and up to and including one hundred ten percent, the**  
45 **monthly sum transmitted shall remain the same;**

46           **(d) At least eighty percent and less than ninety percent, the monthly sum**  
47 **transmitted shall be increased fifty percent; and**

48           **(e) Less than eighty percent, the monthly sum transmitted shall be increased one**  
49 **hundred percent.**

50           6. Beginning August 28, 2003, the county treasurer shall at least monthly transmit the  
51 sums specified in subsection 5 of this section to the Missouri office of prosecution services for  
52 deposit to the credit of the Missouri prosecuting attorneys and circuit attorneys' retirement system  
53 fund. Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund  
54 shall be used only for the purposes provided in sections 56.800 to 56.840, and for no other  
55 purpose.

56           7. Beginning August 28, 2003, the following surcharge for prosecuting attorneys and  
57 circuit attorneys shall be collected and paid as follows:

58           (1) There shall be assessed and collected a surcharge of four dollars in all criminal cases  
59 filed in the courts of this state including violation of any county ordinance [or] , any violation  
60 of criminal or traffic laws of this state, including infractions, **and against any person who pled**  
61 **guilty and paid a fine through a fine collection center**, but no such surcharge shall be assessed  
62 when the costs are waived or are to be paid by the state, county, or municipality or when a

63 criminal proceeding or the defendant has been dismissed by the court [or against any person who  
64 has pled guilty and paid their fine pursuant to subsection 4 of section 476.385]. For purposes of  
65 this section, the term "county ordinance" shall include any ordinance of the city of St. Louis;

66 (2) The clerk responsible for collecting court costs in criminal cases shall collect and  
67 disburse such amounts as provided by sections 488.010 to 488.026. Such funds shall be payable  
68 to the prosecuting attorneys and circuit attorneys' retirement fund. Moneys credited to the  
69 prosecuting attorneys and circuit attorneys' retirement fund shall be used only for the purposes  
70 provided for in sections 56.800 to 56.840 and for no other purpose.

71 8. The board may accept gifts, donations, grants and bequests from private or public  
72 sources to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

73 9. No state moneys shall be used to fund section 56.700 and sections 56.800 to 56.840  
74 unless provided for by law.

56.816. 1. The normal annuity of a retired member who served as prosecuting attorney  
2 of a county of the third or fourth class shall, except as provided in subsection 3 of this section,  
3 be equal to:

4 (1) Any member who has served twelve or more years as a prosecuting attorney and who  
5 meets the conditions of retirement at or after the member's normal retirement age shall be entitled  
6 to a normal annuity in a monthly amount equal to one hundred five dollars multiplied by the  
7 number of two-year periods and partial two-year periods served as a prosecuting attorney;

8 (2) Any member who has served twenty or more years as a prosecuting attorney and who  
9 meets the conditions of retirement at or after the member's normal retirement age shall be entitled  
10 to a normal annuity in a monthly amount equal to one hundred thirty dollars multiplied by the  
11 number of two-year periods and partial two-year periods as a prosecuting attorney.

12 2. The normal annuity of a retired member who served as prosecuting attorney of a first  
13 or second class county, **as district attorney**, or as circuit attorney of a city not within a county  
14 shall be equal to fifty percent of the final average compensation.

15 3. **Except as otherwise provided under section 56.363**, the normal annuity of a retired  
16 member who served as a prosecuting attorney of a county which after August 28, 2001, elected  
17 to make the position of prosecuting attorney full time pursuant to section 56.363 shall be equal  
18 to fifty percent of the final average compensation.

19 4. The actuarial present value of a retired member's benefits shall be placed in a reserve  
20 account designated as a "Retired Lives Reserve". The value of the retired lives reserve shall be  
21 increased by the actuarial present value of retiring members' benefits, and by the interest earning  
22 of the total fund on a pro rata basis and it shall be decreased by payments to retired members and  
23 their survivors. Each year the actuary shall compare the actuarial present value of retired  
24 members' benefits with the retired lives reserve. If the value of the retired lives reserve plus one

25 year's interest at the assumed rate of interest exceeds the actuarial present value of retired lives,  
26 then distribution of this excess may be made equally to all retired members, or their eligible  
27 survivors. The distribution may be in a single sum or in monthly payments at the discretion of  
28 the board on the advice of the actuary.

67.281. 1. A builder of one- or two-family dwellings or townhouses shall offer to any  
2 purchaser on or before the time of entering into the purchase contract the option, at the  
3 purchaser's cost, to install or equip fire sprinklers in the dwelling or townhouse. Notwithstanding  
4 any other provision of law to the contrary, no purchaser of such a one- or two-family dwelling  
5 or townhouse shall be denied the right to choose or decline to install a fire sprinkler system in  
6 such dwelling or townhouse being purchased by any code, ordinance, rule, regulation, order, or  
7 resolution by any county or other political subdivision. Any county or other political subdivision  
8 shall provide in any such code, ordinance, rule, regulation, order, or resolution the mandatory  
9 option for purchasers to have the right to choose and the requirement that builders offer to  
10 purchasers the option to purchase fire sprinklers in connection with the purchase of any one- or  
11 two-family dwelling or townhouse. The provisions of this section shall expire on December 31,  
12 [2019] **2024**.

13 2. Any governing body of any political subdivision that adopts the 2009 International  
14 Residential Code for One- and Two-Family Dwellings or a subsequent edition of such code  
15 without mandated automatic fire sprinkler systems in Section R313 of such code shall retain the  
16 language in section R317 of the 2006 International Residential Code for two-family dwellings  
17 (R317.1) and townhouses (R317.2).

67.320. 1. Any county [of the first classification with more than one hundred ninety-  
2 eight thousand but less than one hundred ninety-nine thousand two hundred] **with a charter**  
3 **form of government and with more than two hundred thousand but fewer than three**  
4 **hundred fifty thousand** inhabitants or any county of the first classification with more than one  
5 hundred one thousand but fewer than one hundred fifteen thousand inhabitants may prosecute  
6 and punish violations of its county orders in the circuit court of such counties in the manner and  
7 to the extent herein provided or in a county municipal court if creation of a county municipal  
8 court is approved by order of the county commission. The county may adopt orders with penal  
9 provisions consistent with state law, but only in the areas of traffic violations, solid waste  
10 management, county building codes, on-site sewer treatment, zoning orders, and animal control.  
11 Any county municipal court established pursuant to the provisions of this section shall have  
12 jurisdiction over violations of that county's orders and the ordinances of municipalities with  
13 which the county has a contract to prosecute and punish violations of municipal ordinances of  
14 the municipality.

15           2. Except as provided in subsection 5 of this section in any county which has elected to  
16 establish a county municipal court pursuant to this section, the judges for such court shall be  
17 appointed by the county commission of such county, subject to confirmation by the legislative  
18 body of such county in the same manner as confirmation for other county appointed officers.  
19 The number of judges appointed, and qualifications for their appointment, shall be established  
20 by order of the commission.

21           3. The practice and procedure of each prosecution shall be conducted in compliance with  
22 all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this  
23 section.

24           4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with  
25 the term order for purposes of this section.

26           5. In any county of the first classification with more than one hundred one thousand but  
27 fewer than one hundred fifteen thousand inhabitants, the first judges shall be appointed by the  
28 county commission for a term of four years, and thereafter the judges shall be elected for a term  
29 of four years. The number of judges appointed, and qualifications for their appointment, shall  
30 be established by order of the commission.

**67.585. 1. The governing body of any county of the first classification with more  
2 than two hundred thousand but fewer than two hundred sixty thousand inhabitants,  
3 through the creation of a recreational and community center district which shall include  
4 only the area encompassed by the portion of a school district located within that county  
5 having an average daily attendance for the 2012-2013 school year between eleven thousand  
6 and twelve thousand students and any public park located wholly or partially within that  
7 portion of the school district, upon voter approval as outlined in subsections 2 and 3 of this  
8 section, shall impose, by order or ordinance, a sales tax on all retail sales made within the  
9 recreational and community center district which are subject to sales tax under chapter  
10 144. The tax authorized in this section shall not exceed one half of one percent and shall  
11 be imposed for the purpose of funding the construction, maintenance, and operation of and  
12 the purchase of equipment for community centers and other purposes of recreation and  
13 wellness as determined by the board which is established in subsection 8 of this section.  
14 The tax authorized in this section shall be in addition to all other sales taxes imposed by  
15 law and shall be stated separately from all other charges and taxes.**

16           **2. (1) No such order or ordinance adopted under subsection 1 of this section shall  
17 become effective unless the governing body of the county submits to the voters residing  
18 within the recreational and community center district on any date available for elections  
19 in the county, a proposal to authorize the governing body of the county to impose a tax  
20 under this section; or**

21           **(2) If the governing body of the county receives a petition signed by ten percent of**  
22 **the registered voters of the county within the recreational and community center district**  
23 **who voted in the last gubernatorial election calling for an election to impose a tax under**  
24 **this section, the governing body shall submit to the voters of the county within the**  
25 **recreational and community center district on any date available for elections in the**  
26 **county, a proposal to authorize the governing body of the county to impose a tax under this**  
27 **section; or**

28           **(3) If the governing body of a special charter city with more than twenty-nine**  
29 **thousand but fewer than thirty-two thousand inhabitants, and a governing body of a home**  
30 **rule city with more than four hundred thousand inhabitants and located in more than one**  
31 **county, jointly request, the governing body of the county shall submit to the voters of the**  
32 **county within the recreational and community center district on any date available for**  
33 **elections in the county a proposal to authorize the governing body of the county to impose**  
34 **a tax under this section.**

35

36 **All costs associated with placing such a question to the voters within the recreational and**  
37 **community center district shall be borne by the cities referenced in subdivision (3) of**  
38 **subsection 2 of this section. If such tax is authorized by the voters of the recreational and**  
39 **community center district, the cost may be reimbursed to such cities upon implementation**  
40 **of the tax.**

41           **3. The ballot of submission shall contain, but need not be limited to, the following**  
42 **language:**

43           **Shall the county of ..... (county's name) impose a sales tax of ..... (insert amount)**  
44 **within the boundaries of the ..... (insert name) school district for the purpose of funding**  
45 **the construction, repair, improvement, maintenance, and operation of and purchase of**  
46 **equipment for community centers and other recreational facilities and programs?**

47

48 **If a majority of the votes cast on the question by the qualified voters voting thereon are in**  
49 **favor of the question, then the tax shall become effective on the first day of the second**  
50 **calendar quarter. If a majority of the votes cast on the question by the qualified voters**  
51 **voting thereon are opposed to the question, then the tax shall not become effective unless**  
52 **and until the question is resubmitted under this section to the qualified voters and such**  
53 **question is approved by the requisite majority of the qualified voters voting on the**  
54 **question. In no event shall a proposal under this section be submitted to the voters sooner**  
55 **than twelve months from the date of the last proposal under this section.**

56           **4. Except as modified in this section, all provisions of sections 32.085 and 32.087**  
57 **shall apply to the tax imposed under this section.**

58           **5. All revenue collected under this section by the director of the department of**  
59 **revenue on behalf of any county, except for one percent for the cost of collection which**  
60 **shall be deposited in the state's general revenue fund after payment of premiums for surety**  
61 **bonds as provided in section 32.087, shall be deposited in a special trust fund, which is**  
62 **hereby created and shall be known as the "Recreational and Community Center District**  
63 **Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in**  
64 **the fund shall not be deemed to be state funds and shall not be commingled with any funds**  
65 **of the state. The director may make refunds from the amounts in the fund and credited**  
66 **to the county for erroneous payments and overpayments made and may redeem**  
67 **dishonored checks and drafts deposited to the credit of such county.**

68           **6. A question of repeal of the sales tax authorized in this section shall be submitted**  
69 **to the voters on any date available for elections in the county, of the recreational and**  
70 **community center district by the governing body of any county that has adopted the sales**  
71 **tax authorized in this section if:**

72           **(1) The board authorized in subsection 8 of this section requests such; or**

73           **(2) A petition signed by a number of registered voters of the county within the**  
74 **recreational and community center district equal to at least ten percent of the number of**  
75 **registered voters of the county within the recreational and community center district voting**  
76 **in the last gubernatorial election is received requesting such.**

77

78 **If a majority of the votes cast on the question by the qualified voters voting thereon are in**  
79 **favor of the repeal, that repeal shall become effective on December thirty-first of the**  
80 **calendar year in which such repeal was approved. If less than a majority of the votes cast**  
81 **on the question by the qualified voters voting thereon are in favor of the repeal, then the**  
82 **sales tax authorized in this section shall remain effective until the question is resubmitted**  
83 **under this section to the qualified voters. In no event shall a proposal under this section**  
84 **be submitted to the voters sooner than twelve months from the date of the last proposal**  
85 **under this section. No tax imposed pursuant to this section for the purpose of retiring**  
86 **bonds, as authorized in subsection 8 in this section, may be terminated until all such bonds**  
87 **have been retired.**

88           **7. If the tax is repealed or terminated by any means, all funds remaining in the**  
89 **special trust fund shall continue to be used solely for the designated purposes, and the**  
90 **county shall notify the director of the department of revenue of the action at least ninety**  
91 **days before the effective date of the repeal, and the director may order retention in the**

92 trust fund, for a period of one year, of two percent of the amount collected after receipt of  
93 such notice to cover possible refunds or overpayment of the tax and to redeem dishonored  
94 checks and drafts deposited to the credit of such accounts. After one year has elapsed after  
95 the effective date of abolition of the tax in such county, the director shall remit the balance  
96 in the account to the county and close the account of that county. The director shall notify  
97 each county of each instance of any amount refunded or any check redeemed from receipts  
98 due to the county.

99       **8. A board shall be established to administer the powers and duties as provided in**  
100 **this section. The board may issue debt for the district as authorized under section 67.798.**  
101 **All board members shall be residents of the recreational and community center district.**  
102 **The board shall consist of eight members as follows:**

103       **(1) Four members appointed by the mayor of a home rule city with more than four**  
104 **hundred thousand inhabitants and located in more than one county, with two of the first**  
105 **members appointed for a two-year term and the other two members appointed for a four-**  
106 **year term. Thereafter, each appointment shall be for a four-year term;**

107       **(2) Four members appointed by the mayor of a special charter city with more than**  
108 **twenty-nine thousand but fewer than thirty-two thousand inhabitants, with two of the first**  
109 **members appointed for a two-year term and the other two members appointed for a four-**  
110 **year term. Thereafter, each appointment shall be for a four-year term;**

111

112 **A board member may be removed by the mayor who appointed him or her, at any time**  
113 **during his or her term, for reasons of excessive absence at regularly scheduled board**  
114 **meetings. The mayor shall appoint a replacement member to serve for the remainder of**  
115 **the current term. No member may serve more than two full terms. A partial term shall**  
116 **not be considered a term.**

**71.950. 1. Any municipality may establish by ordinance or order a fund whose**  
2 **proceeds may be expended only for the purposes provided for in subsection 3 of this**  
3 **section. The fund shall be designated as a municipal law enforcement restitution fund and**  
4 **shall be under the supervision of the municipal mayor or city administrator, municipal**  
5 **prosecutor, municipal judge, and municipal chief of police or in the absence of municipal**  
6 **chief of police the county sheriff if the municipality has contracted with the county sheriff**  
7 **for law enforcement services.**

8       **2. Money from the municipal law enforcement restitution fund shall only be**  
9 **expended upon the approval of a majority of the members of the municipal law**  
10 **enforcement restitution fund's board of trustees and only for the purposes provided for by**  
11 **subsection 3 of this section.**

12           **3. Money from the municipal law enforcement restitution fund shall only be**  
13 **expended for the following purposes for the municipal police department, municipal**  
14 **prosecuting attorney and municipal court:**

15           **(1) Narcotics investigation, prevention, and intervention;**

16           **(2) Purchase of law enforcement-related equipment and supplies for the police**  
17 **department;**

18           **(3) Matching funds for federal or state law enforcement grants;**

19           **(4) Funding for the reporting of all municipal, state and federal crime statistics or**  
20 **information; and**

21           **(5) Any municipal law enforcement-related expense, including those of the**  
22 **prosecuting attorney, approved by the board of trustees for the municipal law enforcement**  
23 **restitution fund that is reasonably related to investigation, charging, preparation, trial, and**  
24 **disposition of criminal cases before the courts of the state of Missouri.**

25           **4. No municipal governmental entity adoption this enabling ordinance may reduce**  
26 **any law enforcement agency's budget as a result of funds the law enforcement agency**  
27 **receives from the municipal law enforcement restitution fund. The restitution fund is to be**  
28 **used only as a supplement to the law enforcement agency's funding received from other**  
29 **municipal, county, state, or federal funds.**

30           **5. Municipal law enforcement restitution funds shall be audited as are all other**  
31 **municipal funds.**

32           **6. No court may order the assessment and payment authorized by this section if the**  
33 **plea of guilty or the finding of guilt is to the charge of speeding, careless and imprudent**  
34 **driving, or any charge of violating a traffic control signal or sign. No assessment and**  
35 **payment ordered pursuant to this section may exceed one hundred dollars for any charged**  
36 **offense.**

72.401. 1. If a commission has been established pursuant to section 72.400 in any  
2 county with a charter form of government where fifty or more cities, towns and villages have  
3 been established, any boundary change within the county shall proceed solely and exclusively  
4 in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory  
5 provisions to the contrary concerning such boundary changes.

6           2. In any county with a charter form of government where fifty or more cities, towns and  
7 villages have been established, if the governing body of such county has by ordinance established  
8 a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such  
9 county shall proceed only as provided in sections 72.400 to 72.423.

10           3. The commission shall be composed of eleven members as provided in this subsection.  
11 No member, employee or contractor of the commission shall be an elective official, employee

12 or contractor of the county or of any political subdivision within the county or of any  
13 organization representing political subdivisions or officers or employees of political  
14 subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this  
15 subsection shall appoint persons who shall be residents of their respective locality so described.  
16 The appointing authority making the appointments shall be:

17 (1) The chief elected officials of all municipalities wholly within the county which have  
18 a population of more than twenty thousand persons, who shall name two members to the  
19 commission as prescribed in this subsection each of whom is a resident of a municipality within  
20 the county of more than twenty thousand persons;

21 (2) The chief elected officials of all municipalities wholly within the county which have  
22 a population of twenty thousand or less but more than ten thousand persons, who shall name one  
23 member to the commission as prescribed in this subsection who is a resident of a municipality  
24 within the county with a population of twenty thousand or less but more than ten thousand  
25 persons;

26 (3) The chief elected officials of all municipalities wholly within the county which have  
27 a population of ten thousand persons or less, who shall name one member to the commission as  
28 prescribed in this subsection who is a resident of a municipality within the county with a  
29 population of ten thousand persons or less;

30 (4) An appointive body consisting of the director of the county department of planning,  
31 the president of the municipal league of the county, one additional person designated by the  
32 county executive, and one additional person named by the board of the municipal league of the  
33 county, which appointive body, acting by a majority of all of its members, shall name three  
34 members of the commission who are residents of the county; and

35 (5) The county executive of the county, who shall name four members of the  
36 commission, three of whom shall be from the unincorporated area of the county and one of  
37 whom shall be from the incorporated area of the county. The seat of a commissioner shall be  
38 automatically vacated when the commissioner changes his or her residence so as to no longer  
39 conform to the terms of the requirements of the commissioner's appointment. The commission  
40 shall promptly notify the appointing authority of such change of residence.

41 4. Upon the passage of an ordinance by the governing body of the county establishing  
42 a boundary commission, the governing body of the county shall, within ten days, send by United  
43 States mail written notice of the passage of the ordinance to the chief elected official of each  
44 municipality wholly or partly in the county.

45 5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection  
46 3 of this section shall meet within thirty days of the passage of the ordinance establishing the  
47 commission to compile its list of appointees. Each list shall be delivered to the county executive

48 within forty-one days of the passage of such ordinance. The county executive shall appoint  
49 members within forty-five days of the passage of the ordinance. If a list is not submitted by the  
50 time specified, the county executive shall appoint the members using the criteria of subsection  
51 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting  
52 of the commission appointed after the effective date of the ordinance, the commissioners shall  
53 choose by lot the length of their terms. Three shall serve for one year, two for two years, two for  
54 three years, two for four years, and two for five years. All succeeding commissioners shall serve  
55 for five years. Terms shall end on December thirty-first of the respective year. No commissioner  
56 shall serve more than two consecutive full terms. Full terms shall include any term longer than  
57 two years.

58         6. When a member's term expires, or if a member is for any reason unable to complete  
59 his term, the respective appointing authority shall appoint such member's successor. Each  
60 appointing authority shall act to ensure that each appointee is secured accurately and in a timely  
61 manner, when a member's term expires or as soon as possible when a member is unable to  
62 complete his term. A member whose term has expired shall continue to serve until his successor  
63 is appointed and qualified.

64         7. The commission, its employees and subcontractors shall be subject to the regulation  
65 of conflicts of interest as defined in sections 105.450 to 105.498 and to the requirements for open  
66 meetings and records under chapter 610.

67         8. Notwithstanding any provisions of law to the contrary, any boundary adjustment  
68 approved by the residential property owners and the governing bodies of the affected  
69 municipalities or the county, if involved, and any voluntary annexation approved by municipal  
70 ordinance provided that the municipality owns the area to be annexed, that the area is contiguous  
71 with the municipality, and that the area is utilized only for parks and recreation purposes, shall  
72 not be subject to commission review. Such a boundary adjustment or annexation is not  
73 prohibited by the existence of an established unincorporated area.

74         **9. Any annexation of property or defined areas of properties approved by a**  
75 **majority of property owners residing thereon and by ordinance of any municipality that**  
76 **is a service provider for both the water and sanitary sewer within the municipality shall**  
77 **be effective as provided in the annexation ordinance and shall not be subject to commission**  
78 **review. Such annexation shall not be prohibited by the existence of an established**  
79 **unincorporated area.**

94.270. 1. The mayor and board of aldermen shall have power and authority to regulate  
2 and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers,  
3 banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants,  
4 butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables,

5 bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings,  
6 public halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public  
7 lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture  
8 shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile  
9 agents, gas companies, insurance companies, insurance agents, express companies, and express  
10 agents, telegraph companies, light, power and water companies, telephone companies,  
11 manufacturing and other corporations or institutions, automobile agencies, and dealers, public  
12 garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline  
13 filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined,  
14 soda fountains, street railroad cars, omnibuses, drays, transfer and all other vehicles, traveling  
15 and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix  
16 the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and  
17 suppress ordinaries, money brokers, money changers, intelligence and employment offices and  
18 agencies, public masquerades, balls, street exhibitions, dance houses, fortune tellers, pistol  
19 galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian  
20 performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying  
21 glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other  
22 exhibitions, boxing and sparring exhibitions, shows and amusements, tippling houses, and sales  
23 of unclaimed goods by express companies or common carriers, auto wrecking shops and junk  
24 dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others  
25 pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to  
26 regulate, license and restrain runners for steamboats, cars, and public houses; and to license  
27 ferries, and to regulate the same and the landing thereof within the limits of the city, and to  
28 license and tax auto liveries, auto drays and jitneys.

29         2. Notwithstanding any other law to the contrary, no city of the fourth classification with  
30 more than eight hundred but less than nine hundred inhabitants and located in any county with  
31 a charter form of government and with more than one million inhabitants shall levy or collect  
32 a license fee on hotels or motels in an amount in excess of [twenty-seven] **thirteen** dollars **fifty**  
33 **cents** per room per year. No hotel or motel in such city shall be required to pay a license fee in  
34 excess of such amount, and any license fee in such city that exceeds the limitations of this  
35 subsection shall be automatically reduced to comply with this subsection.

36         3. Notwithstanding any other law to the contrary, no city of the fourth classification with  
37 more than four thousand one hundred but less than four thousand two hundred inhabitants and  
38 located in any county with a charter form of government and with more than one million  
39 inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of  
40 thirteen dollars and fifty cents per room per year. No hotel or motel in such city shall be required

41 to pay a license fee in excess of such amount, and any license fee in such city that exceeds the  
42 limitations of this subsection shall be automatically reduced to comply with this subsection.

43 4. Notwithstanding any other law to the contrary, on or after January 1, 2006, no city of  
44 the fourth classification with more than fifty-one thousand three hundred and eighty but less than  
45 fifty-one thousand four hundred inhabitants and located in any county with a charter form of  
46 government and with more than two hundred eighty thousand but less than two hundred  
47 eighty-five thousand or no city of the fourth classification with more than fifty-one thousand but  
48 fewer than fifty-two thousand inhabitants and located in any county with a charter form of  
49 government and with more than two hundred eighty thousand but less than two hundred  
50 eighty-five thousand shall levy or collect a license fee on hotels or motels in an amount in excess  
51 of one thousand dollars per year. No hotel or motel in such city shall be required to pay a license  
52 fee in excess of such amount, and any license fee in such city that exceeds the limitation of this  
53 subsection shall be automatically reduced to comply with this subsection.

54 5. Any city under subsection 4 of this section may increase a hotel and motel license tax  
55 by five percent per year but the total tax levied under this section shall not exceed one-eighth of  
56 one percent of such hotels' or motels' gross revenue.

57 6. Any city under subsection 1 of this section may increase a hotel and motel license tax  
58 by five percent per year but the total tax levied under this section shall not exceed the greater of:

59 (1) One-eighth of one percent of such hotels' or motels' gross revenue; or

60 (2) The business license tax rate for such hotel or motel on May 1, 2005.

61 7. The provisions of subsection 6 of this section shall not apply to any tax levied by a  
62 city when the revenue from such tax is restricted for use to a project from which bonds are  
63 outstanding as of May 1, 2005.

105.935. 1. Any state employee who has accrued any overtime hours may choose to use  
2 those hours as compensatory leave time provided that the leave time is available and agreed upon  
3 by both the state employee and his or her supervisor.

4 2. A state employee who is a nonexempt employee pursuant to the provisions of the Fair  
5 Labor Standards Act shall be eligible for payment of overtime in accordance with subsection [4]  
6 5 of this section. A nonexempt state employee who works on a designated state holiday shall  
7 be granted equal compensatory time off duty or shall receive, at his or her choice, the employee's  
8 straight time hourly rate in cash payment. A nonexempt state employee shall be paid in cash for  
9 overtime unless the employee requests compensatory time off at the applicable overtime rate.  
10 As used in this section, the term "state employee" means any person who is employed by the  
11 state and earns a salary or wage in a position normally requiring the actual performance by him  
12 or her of duties on behalf of the state, but shall not include any employee who is exempt under  
13 the provisions of the Fair Labor Standards Act or any employee of the general assembly.

14           3. Beginning on January 1, 2006, and annually thereafter each department shall pay all  
15 nonexempt state employees in full for any overtime hours accrued during the previous calendar  
16 year which have not already been paid or used in the form of compensatory leave time. All  
17 nonexempt state employees shall have the option of retaining up to a total of eighty  
18 compensatory time hours.

19           **4. Missouri department of corrections employees classified as a corrections officer**  
20 **I or a corrections officer II who have accrued any overtime hours may choose to use those**  
21 **hours as compensatory leave time, provided that the leave time is available and agreed on**  
22 **by such employee and his or her supervisor. Compensatory time shall be considered**  
23 **accrued on completion of time worked in excess of such employee's normal assigned shift**  
24 **and it will be the employee's decision whether to take the time off or request payment for**  
25 **such hours. All employees classified as a corrections officer I or a corrections officer II**  
26 **shall have the right to retain up to eighty hours of compensatory time at any time during**  
27 **the year.**

28           [4.] 5. The provisions of subsection 2 of this section shall only apply to nonexempt state  
29 employees who are otherwise eligible for compensatory time under the Fair Labor Standards Act,  
30 excluding employees of the general assembly. Any nonexempt state employee requesting cash  
31 payment for overtime worked shall notify such employee's department in writing of such  
32 decision and state the number of hours, no less than twenty, for which payment is desired. The  
33 department shall pay the employee within the calendar month following the month in which a  
34 valid request is made. Nothing in this section shall be construed as creating a new compensatory  
35 benefit for state employees.

36           [5.] 6. Each department shall, by November first of each year, notify the commissioner  
37 of administration, the house budget committee chair, and the senate appropriations committee  
38 chair of the amount of overtime paid in the previous fiscal year and an estimate of overtime to  
39 be paid in the current fiscal year. The fiscal year estimate for overtime pay to be paid by each  
40 department shall be designated as a separate line item in the appropriations bill for that  
41 department. The provisions of this subsection shall become effective July 1, 2005.

42           [6.] 7. Each state department shall report quarterly to the house of representatives budget  
43 committee chair, the senate appropriations committee chair, and the commissioner of  
44 administration the cumulative number of accrued overtime hours for department employees, the  
45 dollar equivalent of such overtime hours, the number of authorized full-time equivalent positions  
46 and vacant positions, the amount of funds for any vacant positions which will be used to pay  
47 overtime compensation for employees with full-time equivalent positions, and the current  
48 balance in the department's personal service fund.

49 [7.] **8.** This section is applicable to overtime earned under the Fair Labor Standards Act.  
50 This section is applicable to employees who are employed in nonexempt positions providing  
51 direct client care or custody in facilities operating on a twenty-four-hour seven-day-a-week basis  
52 in the department of corrections, the department of mental health, the division of youth services  
53 of the department of social services, and the veterans commission of the department of public  
54 safety.

**135.980. 1. As used in this section, the following terms shall mean:**

2 (1) **“NAICS”, the classification provided by the most recent edition of the North**  
3 **American Industry Classification System as prepared by the Executive Office of the**  
4 **President, Office of Management and Budget;**

5 (2) **“Public financial incentive”, any economic or financial incentive offered**  
6 **including:**

7 (a) **Any tax reduction, credit, forgiveness, abatement, subsidy, or other tax-relieving**  
8 **measure;**

9 (b) **Any tax increment financing or similar financial arrangement;**

10 (c) **Any monetary or non-monetary benefit related to any bond, loan, or similar**  
11 **financial arrangement;**

12 (d) **Any reduction, credit, forgiveness, abatement, subsidy, or other relief related**  
13 **to any bond, loan, or similar financial arrangement; and**

14 (e) **The ability to form, own, direct, or receive any economic or financial benefit**  
15 **from any special taxation district.**

16 **2. No city not within a county shall by ballot measure impose any restriction on any**  
17 **public financial incentive authorized by statute for a business with a NAICS code of**  
18 **221112.**

**144.1030. 1. Notwithstanding sections 144.010, 144.018, and 144.020 to the**  
2 **contrary, in the case of a multi-use arena that:**

3 (1) **Is publicly owned, but operated under a contract with a private company;**

4 (2) **Was originally funded in a public-private partnership that included private**  
5 **investment of at least forty million dollars; and**

6 (3) **Is located in a city with a population of more than three hundred thousand**  
7 **inhabitants which is located in more than one county;**

8

9 **“sales at retail” shall not include the amount paid that results in the first opportunity to**  
10 **purchase or decline tickets for admission to events at such arena, but does not itself result**  
11 **in admission.**

160.522. 1. The department of elementary and secondary education shall produce or  
2 cause to be produced, at least annually, a school accountability report card for each public school  
3 district, each public school building in a school district, and each charter school in the state. The  
4 report card shall be designed to satisfy state and federal requirements for the disclosure of  
5 statistics about students, staff, finances, academic achievement, and other indicators. The  
6 purpose of the report card shall be to provide educational statistics and accountability  
7 information for parents, taxpayers, school personnel, legislators, and the print and broadcast  
8 news media in a standardized, easily accessible form.

9 2. The department of elementary and secondary education shall develop a standard form  
10 for the school accountability report card. The information reported shall include, but not be  
11 limited to, the district's most recent accreditation rating, enrollment, rates of pupil attendance,  
12 high school dropout rate and graduation rate, the number and rate of suspensions of ten days or  
13 longer and expulsions of pupils, the district ratio of students to administrators and students to  
14 classroom teachers, the average years of experience of professional staff and advanced degrees  
15 earned, student achievement as measured through the assessment system developed pursuant to  
16 section 160.518, student scores on the ACT, along with the percentage of graduates taking the  
17 test, average teachers' and administrators' salaries compared to the state averages, average per  
18 pupil current expenditures for the district as a whole and by attendance center as reported to the  
19 department of elementary and secondary education, the adjusted tax rate of the district, assessed  
20 valuation of the district, percent of the district operating budget received from state, federal, and  
21 local sources, the percent of students eligible for free or reduced-price lunch, data on the percent  
22 of students continuing their education in postsecondary programs, information about the job  
23 placement rate for students who complete district vocational education programs, whether the  
24 school district currently has a state-approved gifted education program, and the percentage and  
25 number of students who are currently being served in the district's state-approved gifted  
26 education program.

27 3. The report card shall permit the disclosure of data on a school-by-school basis, but the  
28 reporting shall not be personally identifiable to any student or education professional in the state.

29 4. The report card shall identify each school or attendance center that has been identified  
30 as a priority school under sections 160.720 and 161.092. The report also shall identify  
31 attendance centers that have been categorized under federal law as needing improvement or  
32 requiring specific school improvement strategies.

33 5. The report card shall not limit or discourage other methods of public reporting and  
34 accountability by local school districts. Districts shall provide information included in the report  
35 card to parents, community members, the print and broadcast news media, and legislators by  
36 December first annually or as soon thereafter as the information is available to the district, giving

37 preference to methods that incorporate the reporting into substantive official communications  
38 such as student report cards. The school district shall provide a printed copy of the district-level  
39 or school-level report card to any patron upon request and shall make reasonable efforts to supply  
40 businesses such as, but not limited to, real estate and employment firms with copies or other  
41 information about the reports so that parents and businesses from outside the district who may  
42 be contemplating relocation have access.

43 **6. For purposes of completing and distributing the annual report card as**  
44 **prescribed in this section, a school district may include the data from a charter school**  
45 **located within such school district provided the local board of education or special**  
46 **administrative board for such district and the charter school reach a mutual agreement for**  
47 **the inclusion of the data from the charter school and the terms of such agreement are**  
48 **approved by the state board of education. The charter school shall not be required to be**  
49 **a part of the local education agency of such school district and may maintain a separate**  
50 **local educational agency status.**

**190.275. 1. This section shall be known and may be cited as the "First Informer**  
2 **Broadcasters Act".**

3 **2. As used in this section, the following terms shall mean:**

4 **(1) "Broadcaster", a radio broadcasting station or television broadcasting station**  
5 **licensed by the Federal Communications Commission and subject to participation in the**  
6 **Emergency Alert System (EAS), and is primarily engaged in and deriving income from the**  
7 **business of facilitating speech via over-the-air-communications, both as pure speech and**  
8 **commercial speech;**

9 **(2) "Informer", a person who has been certified as a first informer broadcaster**  
10 **under this section.**

11 **3. Broadcasters in this state may, in cooperation with the Missouri state emergency**  
12 **management agency, the Missouri Police Chiefs Association, the Missouri Sheriffs'**  
13 **Association, and the Missouri Broadcasters Association or its successor organization,**  
14 **develop comprehensive coordinated plans for preparing for and responding appropriately**  
15 **to an emergency or disaster.**

16 **4. Any statewide organization or any member of a statewide organization that**  
17 **represents broadcasters or any other provider that uses emerging technologies may**  
18 **establish a program for training and certifying broadcast engineers, technical personnel,**  
19 **and news gathering personnel as first informer broadcasters. Upon completion of the**  
20 **program, broadcasters shall receive statewide recognized credentials to certify that such**  
21 **broadcasters are first informers. Each program established under this section shall**  
22 **provide training and education concerning:**

23           **(1) Restoring, repairing, and resupplying any facilities and equipment of a**  
24 **broadcaster in an area affected by an emergency or disaster;**

25           **(2) Coordinating between news gathering personnel and state and local**  
26 **governmental agencies with respect to gathering and dissemination of news and public**  
27 **safety information, warnings, and directions; and**

28           **(3) The personal safety of a first informer broadcaster in an area affected by an**  
29 **emergency or disaster.**

30           **5. To the extent practicable and consistent with not endangering public safety or**  
31 **inhibiting recovery efforts, state and local governmental agencies shall allow first informer**  
32 **broadcaster access to areas affected by an emergency or disaster for the purposes of:**

33           **(1) Restoring, repairing, or resupplying any facility or equipment critical to the**  
34 **ability of a broadcaster to acquire, produce, and transmit essential emergency or disaster-**  
35 **related public information programming, including without limitation repairing and**  
36 **maintaining transmitters and generators, and transporting fuel for generators;**

37           **(2) Obtaining news, information, photographs, and public safety information,**  
38 **warnings, and directions.**

          192.310. Nothing in sections 192.260 to 192.320 shall apply to **any home rule city with**  
2 **more than sixty-four thousand but fewer than seventy-one thousand inhabitants, or cities**  
3 which now have, or may hereafter have, a population of seventy-five thousand or over which are  
4 maintaining organized health departments; provided, that such cities shall furnish the department  
5 of health and senior services reports of contagious, infectious, communicable or dangerous  
6 diseases, which have been designated by them as such and such other statistical information as  
7 the board may require.

          211.411. 1. It is the duty of circuit, **district**, prosecuting and city attorneys, and county  
2 counselors representing the state or a city in any court, to give the juvenile officer such aid and  
3 cooperation as may not be inconsistent with the duties of their offices.

4           2. It is the duty of police officers, sheriffs and other authorized persons taking a child  
5 into custody to give information of that fact immediately to the juvenile court or to the juvenile  
6 officer or one of his deputies and to furnish the juvenile court or the juvenile officer all the facts  
7 in their possession pertaining to the child, its parents, guardian or other persons interested in the  
8 child, together with the reasons for taking the child into custody.

9           3. It is the duty of all other public officials and departments to render all assistance and  
10 cooperation within their jurisdictional power which may further the objects of this chapter. The  
11 court is authorized to seek the cooperation of all societies and organizations having for their  
12 object the protection or aid of children and of any person or organization interested in the welfare  
13 of children.

221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of ..... (counties' names) impose a region-wide sales tax of ..... (insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

YES  NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not

37 needed for current expenditures may be invested by the commission in accordance with  
38 applicable laws relating to the investment of other county funds.

39         5. All sales taxes collected by the director of revenue pursuant to this section on behalf  
40 of any district, less one percent for cost of collection which shall be deposited in the state's  
41 general revenue fund after payment of premiums for surety bonds as provided in section 32.087,  
42 shall be deposited in a special trust fund, which is hereby created, to be known as the "Regional  
43 Jail District Sales Tax Trust Fund". The moneys in the regional jail district sales tax trust fund  
44 shall not be deemed to be state funds and shall not be commingled with any funds of the state.  
45 The director of revenue shall keep accurate records of the amount of money in the trust fund  
46 which was collected in each district imposing a sales tax pursuant to this section, and the records  
47 shall be open to the inspection of officers of each member county and the public. Not later than  
48 the tenth day of each month the director of revenue shall distribute all moneys deposited in the  
49 trust fund during the preceding month to the district which levied the tax. Such funds shall be  
50 deposited with the treasurer of each such district, and all expenditures of funds arising from the  
51 regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the  
52 commission and shall be approved by the commission. Expenditures may be made from the fund  
53 for any function authorized in the order adopted by the commission submitting the regional jail  
54 district tax to the voters.

55         6. The director of revenue may authorize the state treasurer to make refunds from the  
56 amounts in the trust fund and credited to any district for erroneous payments and overpayments  
57 made, and may redeem dishonored checks and drafts deposited to the credit of such districts.  
58 If any district abolishes the tax, the commission shall notify the director of revenue of the action  
59 at least ninety days prior to the effective date of the repeal, and the director of revenue may order  
60 retention in the trust fund, for a period of one year, of two percent of the amount collected after  
61 receipt of such notice to cover possible refunds or overpayment of the tax and to redeem  
62 dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed  
63 after the effective date of abolition of the tax in such district, the director of revenue shall remit  
64 the balance in the account to the district and close the account of that district. The director of  
65 revenue shall notify each district in each instance of any amount refunded or any check redeemed  
66 from receipts due the district.

67         7. Except as provided in this section, all provisions of sections 32.085 and 32.087 shall  
68 apply to the tax imposed pursuant to this section.

69         8. The provisions of this section shall expire September 30, [2015] 2027.

249.424. 1. **If approved by a majority of the voters voting on the proposal, and  
2 upon the adoption of a resolution by a majority of the sewer district's board of trustees,  
3 any sewer district established and organized under this chapter, may levy and impose**

4 annually a fee not to exceed fifty dollars per year within its boundaries for the repair of  
5 lateral sewer service lines on or connecting residential property having six or fewer  
6 dwelling units, except that the fee shall not be imposed on property in the sewer district  
7 that is located within any city, town, village, or unincorporated area of a county that  
8 already imposes a fee under section 249.422. Any sewer district that establishes or  
9 increases the fee used to repair any portion of the lateral sewer service line shall include  
10 all defective portions of the lateral sewer service line from the residential structure to its  
11 connection with the public sewer system line. Notwithstanding any provision of chapter  
12 448, the fee imposed pursuant to this chapter shall be imposed upon condominiums that  
13 have six or fewer condominium units per building and each condominium unit shall be  
14 responsible for its proportionate share of any fee charged pursuant to this chapter, and in  
15 addition, any condominium unit shall, if determined to be responsible for and served by  
16 its own individual lateral sewer line, be treated as an individual residence regardless of the  
17 number of units in the development. It shall be the responsibility of the condominium  
18 owner or condominium association to notify the sewer district that they are not properly  
19 classified as provided in this section.

20 2. The question shall be submitted to the registered voters who reside within the  
21 boundaries of the sewer district, excluding any voters who live within the boundaries of  
22 any city, town, village, or unincorporated area of a county that already imposes a fee under  
23 section 249.422. The question shall be submitted in substantially the following form:

24 Shall a maximum charge not to exceed fifty dollars be assessed annually on  
25 residential property for each lateral sewer service line serving six or fewer dwelling units  
26 on that property and condominiums that have six or fewer condominium units per building  
27 and any condominium responsible for its own individual lateral sewer line to provide funds  
28 to pay the cost of certain repairs of those lateral sewer service lines which may be billed  
29 quarterly or annually?

30  YES  NO

31 3. If a majority of the voters voting thereon approve the proposal provided for in  
32 subsection 2 of this section, any sewer district established and organized under this chapter  
33 may, upon the adoption of a resolution by a majority of the sewer district's board of  
34 trustees, collect and administer such fee in order to protect the public health, welfare,  
35 peace, and safety. The funds collected shall be deposited in a special account to be used  
36 solely for the purpose of paying for all or a portion of the costs reasonably associated with  
37 and necessary to administer and carry out the defective lateral sewer service line repairs.  
38 All interest generated on deposited funds shall be accrued to the special account  
39 established for the repair of lateral sewer service lines.

40           **4. The collector in any county containing a sewer district that adopts a resolution**  
41 **under this section to collect a fee for the repair of lateral sewer service lines may add such**  
42 **fee to the general tax levy bills of property owners within the boundaries of the sewer**  
43 **district, excluding property located in any city, town, village, or unincorporated area of the**  
44 **county that already imposes a fee under section 249.422. All revenues received on such**  
45 **combined bill for the purpose of providing for the repair of lateral sewer service lines shall**  
46 **be separated from all other revenues so collected and credited to the special account**  
47 **established by the sewer district under subsection 3 of this section.**

48           **5. If a city, town, village, or county, which is within the sewer district and imposed**  
49 **a fee under section 249.422, later rescinds such fee after voters authorized the fee provided**  
50 **under this section, the sewer district may submit the question provided under subsection**  
51 **2 of this section to the registered voters of such city, town, village, or county that have**  
52 **property within the boundaries of the sewer district. If a majority of voters voting on the**  
53 **proposal approve, the sewer district may levy and impose the fee as provided under this**  
54 **section on property within such city, town, village, or county.**

**262.960. 1. This section shall be known and may be cited as the “Farm-to-School**  
2 **Act”.**

3           **2. There is hereby created within the department of agriculture the “Farm-to-**  
4 **School Program” to connect Missouri farmers and schools in order to provide schools with**  
5 **locally grown agricultural products for inclusion in school meals and snacks and to**  
6 **strengthen local farming economies. The department shall designate an employee to**  
7 **administer and monitor the farm-to-school program and to serve as liaison between**  
8 **Missouri farmers and schools.**

9           **3. The following agencies shall make staff available to the Missouri farm-to-school**  
10 **program for the purpose of providing professional consultation and staff support to assist**  
11 **the implementation of this section:**

- 12           **(1) The department of health and senior services;**  
13           **(2) The department of elementary and secondary education; and**  
14           **(3) The office of administration.**

15           **4. The duties of the department employee coordinating the farm-to-school program**  
16 **shall include, but not be limited to:**

- 17           **(1) Establishing and maintaining a website database to allow farmers and schools**  
18 **to connect whereby farmers can enter the locally grown agricultural products they produce**  
19 **along with pricing information, the times such products are available, and where they are**  
20 **willing to distribute such products;**

21           **(2) Providing leadership at the state level to encourage schools to procure and use**  
22 **locally grown agricultural products;**

23           **(3) Conducting workshops and training sessions and providing technical assistance**  
24 **to school food service directors, personnel, farmers, and produce distributors and**  
25 **processors regarding the farm-to-school program; and**

26           **(4) Seeking grants, private donations, or other funding sources to support the farm-**  
27 **to-school program.**

**262.962. 1. As used in this section, section 262.960, and subsection 5 of section**  
2 **348.707, the following terms shall mean:**

3           **(1) "Locally grown agricultural products", food or fiber produced or processed by**  
4 **a small agribusiness or small farm;**

5           **(2) "Schools", includes any school in this state that maintains a food service**  
6 **program under the United States Department of Agriculture and administered by the**  
7 **school;**

8           **(3) "Small agribusiness", as defined in section 348.400, and located in Missouri**  
9 **with gross annual sales of less than five million dollars;**

10           **(4) "Small farm", a family-owned farm or family farm corporation as defined in**  
11 **section 350.010, and located in Missouri with less than two hundred fifty thousand dollars**  
12 **in gross sales per year.**

13           **2. There is hereby created a taskforce under the AgriMissouri program established**  
14 **in section 261.230, which shall be known as the "Farm-to-School Taskforce". The**  
15 **taskforce shall be made up of at least one representative from each of the following**  
16 **agencies: the University of Missouri extension service, the department of agriculture, the**  
17 **department of elementary and secondary education, and the office of administration. In**  
18 **addition, the director of the department of agriculture shall appoint two persons actively**  
19 **engaged in the practice of small agribusiness. In addition, the director of the department**  
20 **of elementary and secondary education shall appoint two persons from schools within the**  
21 **state who direct a food service program. One representative for the department of**  
22 **agriculture shall serve as the chairperson for the taskforce and shall coordinate the**  
23 **taskforce meetings. The taskforce shall hold at least two meetings, but may hold more as**  
24 **it deems necessary to fulfill its requirements under this section. Staff of the department**  
25 **of agriculture may provide administrative assistance to the taskforce if such assistance is**  
26 **required.**

27           **3. The mission of the taskforce is to provide recommendations for strategies that:**

28           **(1) Allow schools to more easily incorporate locally grown agricultural products**  
29 **into their cafeteria offerings, salad bars, and vending machines; and**

30           **(2) Allow schools to work with food service providers to ensure greater use of**  
31 **locally grown agricultural products by developing standardized language for food service**  
32 **contracts.**

33           **4. In fulfilling its mission under this section, the taskforce shall review various food**  
34 **service contracts of schools within the state to identify standardized language that could**  
35 **be included in such contracts to allow schools to more easily procure and use locally grown**  
36 **agricultural products.**

37           **5. The taskforce shall prepare a report containing its findings and**  
38 **recommendations and shall deliver such report to the governor, the general assembly, and**  
39 **to the director of each agency represented on the taskforce by no later than December 31,**  
40 **2015.**

41           **6. In conducting its work, the taskforce may hold public meetings at which it may**  
42 **invite testimony from experts, or it may solicit information from any party it deems may**  
43 **have information relevant to its duties under this section.**

44           **7. This section shall expire on December 31, 2015.**

304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the  
2 corporate limits of cities containing seventy-five thousand inhabitants or more or within two  
3 miles of the corporate limits of the city or within the commercial zone of the city shall exceed  
4 fifteen feet in height.

5           2. No motor vehicle operating exclusively within any said area shall have a greater  
6 weight than twenty-two thousand four hundred pounds on one axle.

7           3. The "commercial zone" of the city is defined to mean that area within the city together  
8 with the territory extending one mile beyond the corporate limits of the city and one mile  
9 additional for each fifty thousand population or portion thereof provided, however:

10           (1) The commercial zone surrounding a city not within a county shall extend twenty-five  
11 miles beyond the corporate limits of any such city not located within a county and shall also  
12 extend throughout any county with a charter form of government which adjoins that city and  
13 throughout any county with a charter form of government and with more than two hundred fifty  
14 thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county  
15 adjoining such city;

16           (2) The commercial zone of a city with a population of at least four hundred thousand  
17 inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles  
18 beyond the corporate limits of any such city; except that this zone shall extend from the southern  
19 border of such city's limits, beginning with the western-most freeway, following said freeway  
20 south to the first intersection with a multilane undivided highway, where the zone shall extend  
21 south along said freeway to include a city of the fourth classification with more than eight

22 thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the  
23 intersection of said freeway and multilane undivided highway along the multilane undivided  
24 highway to the city limits of a city with a population of at least four hundred thousand inhabitants  
25 but not more than four hundred fifty thousand inhabitants, and shall extend east from the city  
26 limits of a special charter city with more than two hundred seventy-five but fewer than three  
27 hundred seventy-five inhabitants along State Route 210 and northwest from the intersection of  
28 State Route 210 and State Route 10 to include the boundaries of any city of the third  
29 classification with more than ten thousand eight hundred but fewer than ten thousand nine  
30 hundred inhabitants and located in more than one county. The commercial zone shall continue  
31 east along State Route 10 from the intersection of State Route 10 and State Route 210 to the  
32 eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer  
33 than six hundred twenty-five inhabitants and located in any county of the third classification  
34 without a township form of government and with more than twenty-three thousand but fewer  
35 than twenty-six thousand inhabitants and with a city of the third classification with more than  
36 five thousand but fewer than six thousand inhabitants as the county seat.

37 The commercial zone described in this subdivision shall be extended to also include the stretch  
38 of State Route 45 from its intersection with Interstate 29 extending northwest to the city limits  
39 of any village with more than forty but fewer than fifty inhabitants and located in any county of  
40 the first classification with more than eighty-three thousand but fewer than ninety-two thousand  
41 inhabitants and with a city of the fourth classification with more than four thousand five hundred  
42 but fewer than five thousand inhabitants as the county seat;

43 (3) The commercial zone of a city of the third classification with more than nine  
44 thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend  
45 south from the city limits along U.S. Highway 61 to the intersection of State Route OO in a  
46 county of the third classification without a township form of government and with more than  
47 seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants;

48 **(4) The commercial zone of a home rule city with more than one hundred eight**  
49 **thousand but fewer than one hundred sixteen thousand inhabitants shall extend north**  
50 **from the city limits along U.S. Highway 63 for eight miles, and shall extend east from the**  
51 **city limits along State Route WW to the intersection of State Route J and continue south**  
52 **on State Route J for four miles.**

53 4. In no case shall the commercial zone of a city be reduced due to a loss of population.  
54 The provisions of this section shall not apply to motor vehicles operating on the interstate  
55 highways in the area beyond two miles of a corporate limit of the city unless the United States  
56 Department of Transportation increases the allowable weight limits on the interstate highway  
57 system within commercial zones. In such case, the mileage limits established in this section shall

58 be automatically increased only in the commercial zones to conform with those authorized by  
59 the United States Department of Transportation.

60 5. Nothing in this section shall prevent a city, county, or municipality, by ordinance,  
61 from designating the routes over which such vehicles may be operated.

62 6. No motor vehicle engaged in interstate commerce, whether unladen or with load,  
63 whose operations in the state of Missouri are limited exclusively to the commercial zone of a  
64 first class home rule municipality located in a county with a population between eighty thousand  
65 and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with  
66 a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight  
67 than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in  
68 height.

321.015. 1. No person holding any lucrative office or employment under this state, or  
2 any political subdivision thereof as defined in section 70.120, shall hold the office of fire  
3 protection district director under this chapter. When any fire protection district director accepts  
4 any office or employment under this state or any political subdivision thereof, his office shall  
5 thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as  
6 fire protection district director.

7 2. This section shall not apply to:

8 (1) Members of the organized militia, of the reserve corps, public school employees and  
9 notaries public;

10 (2) Fire protection districts located wholly within counties of the second, third or fourth  
11 classification;

12 (3) Fire protection districts in counties of the first classification with less than eighty-five  
13 thousand inhabitants;

14 (4) Fire protection districts located within counties of the first classification not  
15 adjoining any other county of the first classification;

16 (5) Fire protection districts located within any county of the first or second classification  
17 not having more than nine hundred thousand inhabitants which borders any three counties of the  
18 first classification;

19 (6) Fire protection districts located within any county of the first classification which  
20 adjoins both a county with a charter form of government with more than nine hundred fifty  
21 thousand inhabitants, and adjoins at least four other counties;

22 (7) Fire protection districts located within any county of the first classification with more  
23 than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

24 3. For the purposes of this section, the term "lucrative office or employment" does not  
25 include **part-time employment as defined as less than thirty-five hours per week with a law**

26 **enforcement agency**, receiving retirement benefits, compensation for expenses, or [a stipend  
27 or per diem, in an amount not to exceed seventy-five dollars for each day of service,] for service  
28 rendered to a fire protection district, the state or any political subdivision thereof.

321.130. [1.] A person, to be qualified to serve as a director, shall be a **resident and**  
2 voter of the district **for** at least one year before the election or appointment and be over the age  
3 of twenty-five years[; except as provided in subsections 2 and 3 of this section. The person shall  
4 also be a resident of such fire protection district]. In the event the person is no longer a resident  
5 of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in  
6 section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters  
7 of the fire protection district by paying a [ten dollar] filing fee **equal to the amount of a**  
8 **candidate for county office as set forth under section 115.357**, and filing a statement under  
9 oath that such person possesses the required qualifications.

10 [2. In any fire protection district located in more than one county one of which is a first  
11 class county without a charter form of government having a population of more than one hundred  
12 ninety-eight thousand and not adjoining any other first class county or located wholly within a  
13 first class county as described herein, a resident shall have been a resident of the district for more  
14 than one year to be qualified to serve as a director.

15 3. In any fire protection district located in a county of the third or fourth classification,  
16 a person to be qualified to serve as a director shall be over the age of twenty-five years and shall  
17 be a voter of the district for more than one year before the election or appointment, except that  
18 for the first board of directors in such district, a person need only be a voter of the district for one  
19 year before the election or appointment.

20 4. A person desiring to become a candidate for the first board of directors of the  
21 proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and  
22 shall file with the election authority a statement under oath that such person possesses all of the  
23 qualifications set out in this chapter for a director of a fire protection district.] Thereafter, such  
24 candidate shall have the candidate's name placed on the ballot as a candidate for director.

321.210. On the first Tuesday in April after the expiration of at least two full calendar  
2 years from the date of the election of the first board of directors, and on the first Tuesday in April  
3 every two years thereafter, an election for members of the board of directors shall be held in the  
4 district. Nominations shall be filed at the headquarters of the fire protection district in which a  
5 majority of the district is located by paying a filing fee up to the amount of a candidate for [state  
6 representative] **county office** as set forth under section 115.357 and filing a statement under oath  
7 that [he] **the candidate** possesses the required qualifications. The candidate receiving the most  
8 votes shall be elected. Any new member of the board shall qualify in the same manner as the  
9 members of the first board qualify.

2 348.407. 1. The authority shall develop and implement agricultural products utilization  
2 grants as provided in this section.

3 2. The authority may reject any application for grants pursuant to this section.

4 3. The authority shall make grants, and may make loans or guaranteed loans from the  
5 grant fund to persons for the creation, development and operation, for up to three years from the  
6 time of application approval, of rural agricultural businesses whose projects add value to  
7 agricultural products and aid the economy of a rural community.

8 4. The authority may make loan guarantees to qualified agribusinesses for agricultural  
9 business development loans for businesses that aid in the economy of a rural community and  
10 support production agriculture or add value to agricultural products by providing necessary  
11 products and services for production or processing.

12 5. **The authority may make grants, loans, or loan guarantees to Missouri businesses  
13 to access resources for accessing and processing locally grown agricultural products for use  
14 in schools within the state.**

15 6. The authority may, upon the provision of a fee by the requesting person in an amount  
16 to be determined by the authority, provide for a feasibility study of the person's rural agricultural  
17 business concept.

18 [6.] 7. Upon a determination by the authority that such concept is feasible and upon the  
19 provision of a fee by the requesting person, in an amount to be determined by the authority, the  
20 authority may then provide for a marketing study. Such marketing study shall be designed to  
21 determine whether such concept may be operated profitably.

22 [7.] 8. Upon a determination by the authority that the concept may be operated profitably,  
23 the authority may provide for legal assistance to set up the business. Such legal assistance shall  
24 include, but not be limited to, providing advice and assistance on the form of business entity, the  
25 availability of tax credits and other assistance for which the business may qualify as well as  
26 helping the person apply for such assistance.

27 [8.] 9. The authority may provide or facilitate loans or guaranteed loans for the business  
28 including, but not limited to, loans from the United States Department of Agriculture Rural  
29 Development Program, subject to availability. Such financial assistance may only be provided  
30 to feasible projects, and for an amount that is the least amount necessary to cause the project to  
31 occur, as determined by the authority. The authority may structure the financial assistance in a  
32 way that facilitates the project, but also provides for a compensatory return on investment or loan  
33 payment to the authority, based on the risk of the project.

34 [9.] 10. The authority may provide for consulting services in the building of the physical  
35 facilities of the business.

36 [10.] 11. The authority may provide for consulting services in the operation of the  
37 business.

38 [11.] 12. The authority may provide for such services through employees of the state or  
39 by contracting with private entities.

40 [12.] 13. The authority may consider the following in making the decision:

41 (1) The applicant's commitment to the project through the applicant's risk;

42 (2) Community involvement and support;

43 (3) The phase the project is in on an annual basis;

44 (4) The leaders and consultants chosen to direct the project;

45 (5) The amount needed for the project to achieve the bankable stage; and

46 (6) The [projects] **project's** planning for long-term success through feasibility studies,  
47 marketing plans and business plans.

48 [13.] 14. The department of agriculture, the department of natural resources, the  
49 department of economic development and the University of Missouri may provide such  
50 assistance as is necessary for the implementation and operation of this section. The authority  
51 may consult with other state and federal agencies as is necessary.

52 [14.] 15. The authority may charge fees for the provision of any service pursuant to this  
53 section.

54 [15.] 16. The authority may adopt rules to implement the provisions of this section.

55 [16.] 17. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
56 created under the authority delegated in sections 348.005 to 348.180 shall become effective only  
57 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
58 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect  
59 and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any  
60 rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions  
61 of law. This section and chapter 536 are nonseverable and if any of the powers vested with the  
62 general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove  
63 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority  
64 and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

**407.1610. It shall be unlawful for any person or entity to engage in the speculative  
2 accumulation of asphalt roofing shingles in any city not within a county. For the purposes  
3 of this section, the term "speculative accumulation" means the collection or storage of  
4 asphalt shingles without a showing that, during a calendar year, at least seventy-five  
5 percent of the material accumulated during the year, either by weight or by volume, will  
6 be recycled for other use.**

488.026. As provided by section 56.807, there shall be assessed and collected a surcharge of four dollars in all criminal cases filed in the courts of this state, including violations of any county ordinance [or] , any violation of criminal or traffic laws of this state, including infractions, **or against any person who pled guilty and paid a fine through a fine collection center**, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state, county, or municipality or when a criminal proceeding or the defendant has been dismissed by the court [or against any person who has pled guilty and paid their fine pursuant to subsection 4 of section 476.385]. For purposes of this section, the term "county ordinance" shall include any ordinance of the city of St. Louis. The clerk responsible for collecting court costs in criminal cases shall collect and disburse such amounts as provided by sections 488.010 to 488.020. Such funds shall be payable to the prosecuting attorneys and circuit attorneys' retirement fund.

**488.2235. 1. In addition to all other court costs for municipal ordinance violations, any home rule city with more than four hundred thousand inhabitants and located in more than one county may provide for additional court costs in an amount up to five dollars per case for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge.**

**2. The judge may waive the assessment of the cost in those cases where the defendant is found by the judge to be indigent and unable to pay the costs.**

**3. Such cost shall be collected by the clerk and disbursed to the city at least monthly. The city shall use such additional costs only for the restoration, maintenance, and upkeep of the municipal courthouse. The costs collected may be pledged to directly or indirectly secure bonds for the cost of restoration, maintenance, and upkeep of the courthouse.**

**4. The provisions of this section shall expire on August 28, 2021.**

512.180. 1. Any person aggrieved by a judgment in a civil case tried without a jury before an associate circuit judge, other than an associate circuit judge sitting in the probate division or who has been assigned to hear the case on the record under procedures applicable before circuit judges, shall have the right of a trial de novo in all cases tried before municipal court or under the provisions of [chapters] **chapter 482**[, 534, and 535].

2. In all other contested civil cases tried with or without a jury before an associate circuit judge or on assignment under such procedures applicable before circuit judges or in any misdemeanor case or county ordinance violation case a record shall be kept, and any person aggrieved by a judgment rendered in any such case may have an appeal upon that record to the appropriate appellate court. At the discretion of the judge, but in compliance with the rules of

11 the supreme court, the record may be a stenographic record or one made by the utilization of  
12 electronic, magnetic, or mechanical sound or video recording devices.

534.060. Forcible entries and detainers, and unlawful detainers, may be heard and  
2 determined by any associate circuit judge of the county in which they are committed. Neither  
3 the provisions of this section or any other section in this chapter shall preclude adoption of a  
4 local circuit court rule providing for the centralized filing of such cases, nor the assignment of  
5 such cases to particular associate circuit or circuit judges pursuant to local circuit court rule or  
6 action by the presiding judge of the circuit. Such cases shall be heard and determined by  
7 associate circuit judges unless a circuit judge is transferred or assigned to hear such case or cases  
8 or unless the plaintiff pursuant to subsection 2 of section 478.250 has designated the case as one  
9 to be heard under the practice and procedure applicable before circuit judges [and the case is  
10 heard by a circuit judge. If the case is heard before an associate circuit judge who has not been  
11 specially assigned to hear the case on the record] . **All cases under this chapter shall be heard  
12 on the record. Unless the plaintiff under subsection 2 of section 478.250 has designated the  
13 case as one to be heard under the practice and procedure applicable before circuit judges,**  
14 to the extent practice and procedure are not provided in this chapter the practice and procedure  
15 provided in chapter 517 shall apply. If the [case is heard initially before an associate circuit  
16 judge who has been specially assigned to hear the case on a record or before a circuit judge, the  
17 case shall be heard and determined under the same practice and procedure as would apply if the  
18 case was being heard upon an application for trial de novo, and in such instances,  
19 notwithstanding the specific references to chapter 517 in this chapter,] **plaintiff under  
20 subsection 2 of section 478.250 has designated the case as one to be heard under the  
21 practice and procedure applicable before circuit judges, the case shall be heard and  
22 determined under the rules of practice and procedure provided in the Missouri Rules of Civil  
23 Procedure [and the extant provisions of The Civil Code of Missouri shall apply] instead of those  
24 contained in chapter 517, notwithstanding the specific references to chapter 517 in this  
25 chapter.**

534.350. The judge rendering judgment in any such cause may issue execution at any  
2 time after judgment, but such execution shall not be levied until after the expiration of the time  
3 allowed for [the filing of an application for trial de novo or] the taking of an appeal, except as  
4 in the next succeeding section is provided.

534.360. If it shall appear to the officer having charge of the execution that the defendant  
2 therein is about to remove, conceal or dispose of his property, so as to hinder or delay the levy,  
3 the rents and profits, damages and costs may be levied before the expiration of the time allowed  
4 for [the filing of an application for a trial de novo or] taking an appeal.

534.380. Applications for [trials de novo and] appeals shall be allowed and conducted  
2 in the manner provided [in chapter 512] **by the Missouri Rules of Civil Procedure.**  
3 Application for [a trial de novo or] appeal shall not stay execution for restitution of the premises  
4 unless the defendant gives bond within the time for appeal. The bond shall be for the amount  
5 of the judgment and with the condition to stay waste and to pay all subsequently accruing rent,  
6 if any, into court within ten days after it becomes due, pending determination of the [trial de novo  
7 or] appeal, subject to the judge's discretion. However, in any case in which the defendant  
8 receives a reduction in rent due to a local, state or federal subsidy program, the amount of the  
9 bond shall be reduced by the amount of said subsidy. Execution other than for restitution shall  
10 be stayed if the defendant files a bond in the proper amount at such time as otherwise provided  
11 by law.

535.030. 1. Such summons shall be served as in other civil cases at least four days  
2 before the court date in the summons. The summons shall include a court date which shall not  
3 be more than twenty-one business days from the date the summons is issued unless at the time  
4 of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

5 2. In addition to attempted personal service, the plaintiff may request, and thereupon the  
6 clerk of the court shall make an order directing that the officer, or other person empowered to  
7 execute the summons, shall also serve the same by securely affixing a copy of such summons and  
8 the complaint in a conspicuous place on the dwelling of the premises in question at least ten days  
9 before the court date in such summons, and by also mailing a copy of the summons and  
10 complaint to the defendant at the defendant's last known address by ordinary mail at least ten  
11 days before the court date. If the officer, or other person empowered to execute the summons,  
12 shall return that the defendant is not found, or that the defendant has absconded or vacated his  
13 or her usual place of abode in this state, and if proof be made by affidavit of the posting and of  
14 the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff  
15 proceed to hear the case as if there had been personal service, and judgment shall be rendered  
16 and proceedings had as in other cases, except that no money judgment shall be granted the  
17 plaintiff where the defendant is in default and service is by the posting and mailing procedure  
18 set forth in this section.

19 3. If the plaintiff does not request service of the original summons by posting and  
20 mailing as provided in subsection 2 of this section, and if the officer, or other person empowered  
21 to execute the summons, makes return that the defendant is not found, or that the defendant has  
22 absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request  
23 the issuance of an alias summons and service of the same by posting and mailing in the time and  
24 manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the  
25 plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a

26 copy of the summons in the time and manner provided in subsection 2 of this section. Upon  
27 proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons  
28 and the complaint, the judge shall proceed to hear the case as if there had been personal service,  
29 and judgment shall be rendered and proceedings had as in other cases, except that no money  
30 judgment shall be granted the plaintiff where the defendant is in default and service is by the  
31 posting and mailing procedure provided in subsection 2 of this section.

32 4. On the date judgment is rendered as provided in this section where the defendant is  
33 in default, the clerk of the court shall mail to the defendant at the defendant's last known address  
34 by ordinary mail a notice informing the defendant of the judgment and the date it was entered,  
35 and stating that the defendant has ten days from the date of the judgment to file a motion to set  
36 aside the judgment [or to file an application for a trial de novo] in the circuit court, as the case  
37 may be, and that unless the judgment is set aside [or an application for a trial de novo is filed]  
38 within ten days, the judgment will become final and the defendant will be subject to eviction  
39 from the premises without further notice.

535.110. Applications for [trials de novo and] appeals shall be allowed and conducted  
2 in the manner provided [in chapter 512] **by the Missouri Rules of Civil Procedure**; but no  
3 application for [a trial de novo or] **an** appeal shall stay execution unless the defendant give bond,  
4 with security sufficient to secure the payment of all damages, costs and rent then due, and with  
5 condition to stay waste and to pay all subsequently accruing rent, if any, into court within ten  
6 days after it becomes due, pending determination of the [trial de novo or] appeal.

535.160. If the defendant, on the date any money judgment is given in any action  
2 pursuant to this chapter, either tenders to the landlord, or brings into the court where the suit is  
3 pending, all the rent then in arrears, and all the costs, further proceedings in the action shall cease  
4 and be stayed. If on any date after the date of any original trial [but before any trial de novo] the  
5 defendant shall satisfy such money judgment and pay all costs, any execution for possession of  
6 the subject premises shall cease and be stayed; except that the landlord shall not thereby be  
7 precluded from making application for appeal from such money judgment. If for any reason no  
8 money judgment is entered against the defendant and judgment for the plaintiff is limited only  
9 to possession of the subject premises, no stay of execution shall be had, except as provided by  
10 the provisions of section 535.110 or the rules of civil procedure or by agreement of the parties.

535.170. After the execution of any judgment for possession pursuant to this chapter,  
2 the lessee and the lessee's assignees, and all other persons deriving title under the lease from such  
3 lessee, shall be barred from reentry of such premises and from all relief, and except for error in  
4 the record or proceedings, the landlord shall from that day hold the demised premises discharged  
5 from the lease. Nothing in this section shall preclude an aggrieved party from perfecting an  
6 appeal [or securing a trial de novo] as to any judgment rendered, and may as a result of such

7 appeal [or trial de novo] recover any damage incurred, including damages incurred from an  
8 unlawful dispossession.

535.200. 1. In the twenty-second judicial circuit, upon adoption of an ordinance by the  
2 city of St. Louis providing for expenditure of city funds for such purpose, a majority of the  
3 circuit judges, en banc, may establish a landlord-tenant court, which shall be a division of the  
4 circuit court, and may authorize the appointment of not more than two landlord-tenant court  
5 commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-  
6 tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the  
7 chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the  
8 associate circuit judges of the circuit, and two members appointed by the mayor of the city of St.  
9 Louis, each of whom shall represent one of the two political parties casting the highest number  
10 of votes at the next preceding gubernatorial election. The procedures and operations of the  
11 landlord-tenant court judicial commission shall be established by circuit court rule.

12 2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes  
13 involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to  
14 make findings of fact and conclusions of law, and to issue orders for the payment of money, for  
15 the giving or taking of possession of residential property and any other equitable relief necessary  
16 to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-  
17 tenant commissioners may not, by ex parte means, hear cases and issue orders.

18 3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall  
19 serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall  
20 be residents of the city of St. Louis, and shall receive as annual compensation an amount equal  
21 to one-third of the annual compensation of an associate circuit judge. Landlord-tenant  
22 commissioners shall not accept or handle cases in their practice of law which are inconsistent  
23 with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any  
24 other court. Landlord-tenant commissioners shall not be considered state employees and shall  
25 not be members of the state employees' or judicial retirement system or be eligible to receive any  
26 other employment benefit accorded state employees or judges.

27 4. A majority of the judges of the circuit, en banc, shall establish operating procedures  
28 for the landlord-tenant court. Proceedings in the landlord-tenant court shall be conducted as in  
29 cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant  
30 commissioner without jury, and the commissioner shall assume an affirmative duty to determine  
31 the merits of the evidence presented and the defenses of the defendant and may question parties  
32 and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient  
33 operation of the court.

34           5. The parties to a cause of action before a commissioner of the landlord-tenant court are  
35 entitled to file with the court a motion for a hearing in associate circuit court within ten days after  
36 the mailing, or within ten days after service.

37           6. Operating procedures shall be provided for electronic recording of proceedings at city  
38 expense. Any person aggrieved by a judgment in a case decided under this section shall have  
39 a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court, in the  
40 same manner as would a person aggrieved by a decision of an associate circuit judge under  
41 section 535.110. The procedures for perfecting the right of [a trial de novo or] an appeal shall  
42 be the same as that provided pursuant to sections 512.180 to 512.320.

43           7. Any summons issued for the proceedings in the landlord-tenant court shall have a  
44 return date of ten days. The sheriff must attempt to serve any summons within four days of the  
45 date of issuance.

46           8. All costs to establish and operate a landlord-tenant court under this section shall be  
47 borne by the city of St. Louis.

535.210. 1. In the sixteenth judicial circuit, upon adoption of an ordinance by Jackson  
2 County providing for expenditure of county funds for such purpose, a majority of the circuit  
3 court judges, en banc, may establish a landlord-tenant court, which shall be a division of the  
4 circuit court, and may authorize the appointment of not more than two landlord-tenant court  
5 commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-  
6 tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the  
7 chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the  
8 associate circuit judges of the circuit, and two members appointed by the county executive of  
9 Jackson County, each of whom shall represent one of the two political parties casting the highest  
10 number of votes at the next preceding gubernatorial election. The procedures and operations of  
11 the landlord-tenant court judicial commission shall be established by circuit court rule.

12           2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes  
13 involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to  
14 make findings of fact and conclusions of law, and to issue orders for the payment of money, for  
15 the giving or taking of possession of residential property and any other equitable relief necessary  
16 to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-  
17 tenant commissioners may not, by ex parte means, hear cases and issue orders.

18           3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall  
19 serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall  
20 be residents of Jackson County, and shall receive as annual compensation an amount equal to  
21 one-third of the annual compensation of an associate circuit judge. Landlord-tenant  
22 commissioners shall not accept or handle cases in their practice of law which are inconsistent

23 with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any  
24 other court. Landlord-tenant commissioners shall not be considered state employees and shall  
25 not be members of the state employees' or judicial retirement system or be eligible to receive any  
26 other employment benefit accorded state employees or judges.

27 4. A majority of the judges of the circuit court, en banc, shall establish operating  
28 procedures for the landlord-tenant court. Proceedings in the landlord-tenant court, shall be  
29 conducted as in cases tried before an associate circuit judge. The hearing shall be before a  
30 landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative  
31 duty to determine the merits of the evidence presented and the defenses of the defendant and may  
32 question parties and witnesses. Clerks and computer personnel shall be assigned as needed for  
33 the efficient operation of the court.

34 5. The parties to a cause of action before a commissioner of the landlord-tenant court are  
35 entitled to file with the court a motion for a hearing in associate circuit court within ten days after  
36 the mailing, or within ten days after service.

37 6. Operating procedures shall be provided for electronic recording of proceedings at  
38 county expense. Any person aggrieved by a judgment in a case decided under this section shall  
39 have a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court,  
40 in the same manner as would a person aggrieved by a decision of an associate circuit judge under  
41 section 535.110. The procedures for perfecting the right of [a trial de novo or] **an** appeal shall  
42 be the same as that provided pursuant to sections 512.180 to 512.320.

43 7. Any summons issued for the proceedings in the landlord-tenant court shall have a  
44 return date of ten days from the date of service. [The sheriff] **Service** must [attempt to serve any  
45 summons] **be attempted** within four days of the date of issuance.

46 8. All costs to establish and operate a landlord-tenant court under this section shall be  
47 borne by Jackson County.

**Section 1. All courts that require mandatory e-filing must accept, file, and docket  
2 a notice of entry of appearance filed by an attorney that was sent by fax or regular mail.**

3

2 [67.320. 1. Any county of the first classification with more than one  
3 hundred ninety-eight thousand but less than one hundred ninety-nine thousand  
4 two hundred inhabitants or any county of the first classification with more than  
5 one hundred one thousand but fewer than one hundred fifteen thousand  
6 inhabitants may prosecute and punish violations of its county orders in the circuit  
7 court of such counties in the manner and to the extent herein provided or in a  
8 county municipal court if creation of a county municipal court is approved by  
9 order of the county commission. The county may adopt orders with penal  
10 provisions consistent with state law, but only in the areas of traffic violations,  
solid waste management, county building codes, on-site sewer treatment, zoning

11 orders, and animal control. Any county municipal court established pursuant to  
12 the provisions of this section shall have jurisdiction over violations of that  
13 county's orders and the ordinances of municipalities with which the county has  
14 a contract to prosecute and punish violations of municipal ordinances of the  
15 municipality.

16 2. Except as provided in subsection 5 of this section in any county which  
17 has elected to establish a county municipal court pursuant to this section, the  
18 judges for such court shall be appointed by the county commission of such  
19 county, subject to confirmation by the legislative body of such county in the same  
20 manner as confirmation for other county appointed officers. The number of  
21 judges appointed, and qualifications for their appointment, shall be established  
22 by order of the commission.

23 3. The practice and procedure of each prosecution shall be conducted in  
24 compliance with all of the terms and provisions of sections 66.010 to 66.140,  
25 except as provided for in this section.

26 4. Any use of the term ordinance in sections 66.010 to 66.140 shall be  
27 synonymous with the term order for purposes of this section.

28 5. In any county of the first classification with more than one hundred  
29 one thousand but fewer than one hundred fifteen thousand inhabitants, the first  
30 judges shall be appointed by the county commission for a term of four years, and  
31 thereafter the judges shall be elected for a term of four years. The number of  
32 judges appointed, and qualifications for their appointment, shall be established  
33 by order of the commission.]  
34

2 [300.320. A funeral composed of a procession of vehicles shall be  
3 identified as such by the display upon the outside of each vehicle of a pennant or  
4 other identifying insignia or by such other method as may be determined and  
designated by the traffic division.]

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