

SECOND REGULAR SESSION

SENATE BILL NO. 846

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PARSON.

Pre-filed January 5, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5609S.02I

AN ACT

To repeal section 50.565, RSMo, and to enact in lieu thereof one new section relating to the county law enforcement restitution fund.

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

Section A. Section 50.565, RSMo, is repealed and one new section enacted
2 in lieu thereof, to be known as section 50.565, to read as follows:

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

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

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

- 21 (1) Narcotics investigation, prevention, and intervention;
- 22 (2) Purchase of law enforcement-related equipment and supplies for the
23 sheriff's office;
- 24 (3) Matching funds for federal or state law enforcement grants;
- 25 (4) Funding for the reporting of all state and federal crime statistics or
26 information; and
- 27 (5) Any county law enforcement-related expense, including those of the
28 prosecuting attorney, approved by the board of trustees for the county law
29 enforcement restitution fund that is reasonably related to investigation, charging,
30 preparation, trial, and disposition of criminal cases before the courts of the state
31 of Missouri.
- 32 4. The county commission may not reduce any law enforcement agency's
33 budget as a result of funds the law enforcement agency receives from the county
34 law enforcement restitution fund. The restitution fund is to be used only as a
35 supplement to the law enforcement agency's funding received from other county,
36 state, or federal funds.
- 37 5. County law enforcement restitution funds shall be audited as are all
38 other county funds.
- 39 6. No court may order the assessment and payment authorized by this
40 section if the plea of guilty or the finding of guilt is to the charge of speeding,
41 careless and imprudent driving, any charge of violating a traffic control signal or
42 sign, or any charge which is a class C misdemeanor or an infraction. No
43 assessment and payment ordered pursuant to this section may exceed three
44 hundred dollars for any charged offense.

Unofficial
Bill
Copy ✓