

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 966, Page 1, Section A, Line 12,

by inserting after all of said line the following:

"43.505. 1. The department of public safety is hereby designated as the central repository for the collection, maintenance, analysis and reporting of crime incident activity generated by law enforcement agencies in this state. The department shall develop and operate a uniform crime reporting system that is compatible with the national uniform crime reporting system operated by the Federal Bureau of Investigation.

2. The department of public safety shall:

(1) Develop, operate and maintain an information system for the collection, storage, maintenance, analysis and retrieval of crime incident and arrest reports from Missouri law enforcement agencies;

(2) Compile the statistical data and forward such data as required to the Federal Bureau of Investigation or the appropriate Department of Justice agency in accordance with the standards and procedures of the national system;

(3) Provide the forms, formats, procedures, standards and related training or training assistance to all law enforcement agencies in the state as necessary for such agencies to report

1 incident and arrest activity for timely inclusion into the
2 statewide system;

3 (4) Annually publish a report on the nature and extent of
4 crime and submit such report to the governor and the general
5 assembly. Such report and other statistical reports shall be
6 made available to state and local law enforcement agencies and
7 the general public through an electronic or manual medium;

8 (5) Maintain the privacy and security of information in
9 accordance with applicable state and federal laws, regulations
10 and orders; and

11 (6) Establish such rules and regulations as are necessary
12 for implementing the provisions of this section. Any rule or
13 portion of a rule, as that term is defined in section 536.010,
14 that is created under the authority delegated in this section
15 shall become effective only if it complies with and is subject to
16 all of the provisions of chapter 536 and, if applicable, section
17 536.028. This section and chapter 536 are nonseverable and if
18 any of the powers vested with the general assembly pursuant to
19 chapter 536 to review, to delay the effective date or to
20 disapprove and annul a rule are subsequently held
21 unconstitutional, then the grant of rulemaking authority and any
22 rule proposed or adopted after August 28, 2000, shall be invalid
23 and void.

24 3. Every law enforcement agency in the state shall:

25 (1) Submit crime incident reports to the department of
26 public safety on forms or in the format prescribed by the
27 department; and

28 (2) Submit any other crime incident information which may
29 be required by the department of public safety.

1 4. Any law enforcement agency that violates this section
2 after December 31, 2021, may be ineligible to receive state or
3 federal funds which would otherwise be paid to such agency for
4 law enforcement, safety or criminal justice purposes."; and

5 Further amend said bill, page 46, section 455.095, line 2,
6 by inserting after all of said line the following:

7 "488.5320. 1. Sheriffs, county marshals or other officers
8 shall be allowed a charge for their services rendered in criminal
9 cases and in all proceedings for contempt or attachment, as
10 required by law, the sum of seventy-five dollars for each felony
11 case or contempt or attachment proceeding, ten dollars for each
12 misdemeanor case, and six dollars for each infraction, including
13 cases disposed of by a violations bureau established pursuant to
14 law or supreme court rule. Such charges shall be charged and
15 collected in the manner provided by sections 488.010 to 488.020
16 and shall be payable to the county treasury; except that, those
17 charges from cases disposed of by a violations bureau shall be
18 distributed as follows: one-half of the charges collected shall
19 be forwarded and deposited to the credit of the MODEX fund
20 established in subsection ~~[6]~~ 5 of this section for the
21 operational cost of the Missouri data exchange (MODEX) system,
22 and one-half of the charges collected shall be deposited to the
23 credit of the inmate security fund, established in section
24 488.5026, of the county or municipal political subdivision from
25 which the citation originated. If the county or municipal
26 political subdivision has not established an inmate security
27 fund, all of the funds shall be deposited in the MODEX fund.

28 2. [Notwithstanding subsection 1 of this section to the
29 contrary, sheriffs, county marshals, or other officers in any

1 county with a charter form of government and with more than nine
2 hundred fifty thousand inhabitants or in any city not within a
3 county shall not be allowed a charge for their services rendered
4 in cases disposed of by a violations bureau established pursuant
5 to law or supreme court rule.

6 **3.]** The sheriff receiving any charge pursuant to subsection
7 1 of this section shall reimburse the sheriff of any other county
8 or the City of St. Louis the sum of three dollars for each
9 pleading, writ, summons, order of court or other document served
10 in connection with the case or proceeding by the sheriff of the
11 other county or city, and return made thereof, to the maximum
12 amount of the total charge received pursuant to subsection 1 of
13 this section.

14 **[4.] 3.** The charges provided in subsection 1 of this
15 section shall be taxed as other costs in criminal proceedings
16 immediately upon a plea of guilty or a finding of guilt of any
17 defendant in any criminal procedure. The clerk shall tax all the
18 costs in the case against such defendant, which shall be
19 collected and disbursed as provided by sections 488.010 to
20 488.020; provided, that no such charge shall be collected in any
21 proceeding in any court when the proceeding or the defendant has
22 been dismissed by the court; provided further, that all costs,
23 incident to the issuing and serving of writs of scire facias and
24 of writs of fieri facias, and of attachments for witnesses of
25 defendant, shall in no case be paid by the state, but such costs
26 incurred under writs of fieri facias and scire facias shall be
27 paid by the defendant and such defendant's sureties, and costs
28 for attachments for witnesses shall be paid by such witnesses.

29 **[5.] 4.** Mileage shall be reimbursed to sheriffs, county

marshals and guards for all services rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable expenses for motor vehicle use expressed as an amount per mile.

[6.] 5. (1) There is hereby created in the state treasury the "MODEX Fund", which shall consist of money collected under subsection 1 of this section. The fund shall be administered by the peace officers standards and training commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the MODEX system.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

513.653. 1. Law enforcement agencies involved in using the federal forfeiture system under federal law shall file a report regarding federal seizures and the proceeds therefrom. Such report shall be filed annually by ~~January thirty-first~~ February fifteenth for the previous calendar year with the ~~department of public safety and the~~ state auditor's office. The report for the calendar year shall ~~include the type and value of items seized and turned over to the federal forfeiture system, the~~

1 beginning balance as of January first of federal forfeiture funds
2 or assets previously received and not expended or used, the
3 proceeds received from the federal government (the equitable
4 sharing amount), the expenditures resulting from the proceeds
5 received, and the ending balance as of December thirty-first of
6 federal forfeiture funds or assets on hand. The department of
7 public safety shall not issue funds to any law enforcement agency
8 that fails to comply with the provisions of this section] consist
9 of a copy of the federal form entitled "ACA Form - Equitable
10 Sharing Agreement and Certification" which is identical to the
11 form submitted in that year to the federal government.

12 2. [Intentional or knowing failure to comply with the
13 reporting requirement contained in this section shall be a class
14 A misdemeanor, punishable by a fine of up to one thousand
15 dollars.] Any law enforcement agency that intentionally or
16 knowingly fails to comply with the reporting requirement
17 contained in this section shall be ineligible to receive state or
18 federal funds which would otherwise be paid to such agency for
19 law enforcement, safety, or criminal justice purposes."; and

20 Further amend the title and enacting clause accordingly.