

SENATE SUBSTITUTE

FOR

SENATE BILL NO. 391

AN ACT

To repeal section 192.300, RSMo, and to enact in lieu thereof one new section relating to county health ordinances, with an existing penalty provision.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Section 192.300, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 192.300,
3 to read as follows:

4 192.300. 1. The county commissions and the county health
5 center boards of the several counties may make and promulgate
6 orders, ordinances, rules or regulations, respectively as will
7 tend to enhance the public health and prevent the entrance of
8 infectious, contagious, communicable or dangerous diseases into
9 such county, but any orders, ordinances, rules or regulations
10 shall not:

11 (1) Be in conflict with any rules or regulations authorized
12 and made by the department of health and senior services in
13 accordance with this chapter or by the department of social
14 services under chapter 198; or

15 (2) Impose standards or requirements on an agricultural
16 operation and its appurtenances, as such term is defined in
17 section 537.295, that are inconsistent with or more stringent
18 than any provision of this chapter or chapters 260, 640, 643, and
19 644, or any rule or regulation promulgated under such chapters.

1 2. The county commissions and the county health center
2 boards of the several counties may establish reasonable fees to
3 pay for any costs incurred in carrying out such orders,
4 ordinances, rules or regulations, however, the establishment of
5 such fees shall not deny personal health services to those
6 individuals who are unable to pay such fees or impede the
7 prevention or control of communicable disease. Fees generated
8 shall be deposited in the county treasury. All fees generated
9 under the provisions of this section shall be used to support the
10 public health activities for which they were generated.

11 3. After the promulgation and adoption of such orders,
12 ordinances, rules or regulations by such county commission or
13 county health board, such commission or county health board shall
14 make and enter an order or record declaring such orders,
15 ordinances, rules or regulations to be printed and available for
16 distribution to the public in the office of the county clerk, and
17 shall require a copy of such order to be published in some
18 newspaper in the county in three successive weeks, not later than
19 thirty days after the entry of such order, ordinance, rule or
20 regulation.

21 4. Any person, firm, corporation or association which
22 violates any of the orders or ordinances adopted, promulgated and
23 published by such county commission is guilty of a misdemeanor
24 and shall be prosecuted, tried and fined as otherwise provided by
25 law. The county commission or county health board of any such
26 county has full power and authority to initiate the prosecution
27 of any action under this section.