

FIRST REGULAR SESSION

# SENATE BILL NO. 391

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BERNSKOETTER.

Read 1st time February 14, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2073S.011

## 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:*

Section A. Section 192.300, RSMo, is repealed and one new section  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

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

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

9 (2) **Impose standards or requirements on an agricultural**  
10 **operation and its appurtenances, as such term is defined in section**  
11 **537.295, that are inconsistent with or more stringent than any provision**  
12 **of chapters 260, 640, 643, and 644, or any rule or regulation**  
13 **promulgated under such chapters.**

14 2. The county commissions and the county health center boards of the  
15 several counties may establish reasonable fees to pay for any costs incurred in  
16 carrying out such orders, ordinances, rules or regulations, however, the  
17 establishment of such fees shall not deny personal health services to those  
18 individuals who are unable to pay such fees or impede the prevention or control  
19 of communicable disease. Fees generated shall be deposited in the county  
20 treasury. All fees generated under the provisions of this section shall be used to

21 support the public health activities for which they were generated.

22           **3.** After the promulgation and adoption of such orders, ordinances, rules  
23 or regulations by such county commission or county health board, such  
24 commission or county health board shall make and enter an order or record  
25 declaring such orders, ordinances, rules or regulations to be printed and available  
26 for distribution to the public in the office of the county clerk, and shall require  
27 a copy of such order to be published in some newspaper in the county in three  
28 successive weeks, not later than thirty days after the entry of such order,  
29 ordinance, rule or regulation.

30           **4.** Any person, firm, corporation or association which violates any of the  
31 orders or ordinances adopted, promulgated and published by such county  
32 commission is guilty of a misdemeanor and shall be prosecuted, tried and fined  
33 as otherwise provided by law. The county commission or county health board of  
34 any such county has full power and authority to initiate the prosecution of any  
35 action under this section.

✓  
Bill

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