

SENATE BILL NO. 1367

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

5397S.011

KRISTINA MARTIN, Secretary

AN ACT

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

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Section A. Section 192.300, RSMo, is repealed and one new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

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

8 (1)] be in conflict with any rules or regulations
9 authorized and made by the department of health and senior
10 services in accordance with this chapter or by the
11 department of social services under chapter 198 [; or

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

19 2. The county commissions and the county health center
20 boards of the several counties may establish reasonable fees

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

21 to pay for any costs incurred in carrying out such orders,
22 ordinances, rules or regulations, however, the establishment
23 of such fees shall not deny personal health services to
24 those individuals who are unable to pay such fees or impede
25 the prevention or control of communicable disease. Fees
26 generated shall be deposited in the county treasury. All
27 fees generated under the provisions of this section shall be
28 used to support the public health activities for which they
29 were generated.

30 3. After the promulgation and adoption of such orders,
31 ordinances, rules or regulations by such county commission
32 or county health board, such commission or county health
33 board shall make and enter an order or record declaring such
34 orders, ordinances, rules or regulations to be printed and
35 available for distribution to the public in the office of
36 the county clerk, and shall require a copy of such order to
37 be published in some newspaper in the county in three
38 successive weeks, not later than thirty days after the entry
39 of such order, ordinance, rule or regulation.

40 4. Any person, firm, corporation or association which
41 violates any of the orders or ordinances adopted,
42 promulgated and published by such county commission is
43 guilty of a misdemeanor and shall be prosecuted, tried and
44 fined as otherwise provided by law. The county commission
45 or county health board of any such county has full power and
46 authority to initiate the prosecution of any action under
47 this section.

48 5. Any orders, ordinances, rules, or regulations made
49 and promulgated under the authority in this section shall
50 comply with the provisions of section 67.265.

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