

SECOND REGULAR SESSION

SENATE BILL NO. 797

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR McKENNA.

Read 1st time January 21, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3507.011

AN ACT

To repeal section 476.682, RSMo 1994, relating to certain judges, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 476.682, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 476.682, to read as follows:

476.682. 1. Any person assigned as a senior judge pursuant to section 26 of article V of the Missouri Constitution shall receive for each day of service an amount [that when added to the daily amount of annual compensation, salary or retirement compensation payable pursuant to sections 476.450 to 476.595, equals] **equal to** one hundred percent of the current annual salary of the office from which the judge retired attributable to one day of service. For purposes of this subsection, one year shall equal two hundred thirty-five days. **No senior judge shall receive compensation pursuant to this subsection in a total amount that when such compensation is added to the annual compensation, salary or retirement compensation payable pursuant to sections 476.450 to 476.595, the sum is greater than the current annual salary of the office from which the judge retired.**

2. A senior judge assigned pursuant to section 26 of article V of the Missouri Constitution for service outside the county where he resides shall be reimbursed for his travel and other actual and necessary expenses incurred in the performance of his services.

3. On or before the tenth day of each month a senior judge shall certify to the state courts administrator the period during the previous month during which he was assigned services and, if such services were completed, the date thereof and at the same time shall certify his expenses

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

incurred and allowable under this section. The state courts administrator shall then issue a warrant to the state treasurer for the payment of the salary and expenses to the extent and within limitations provided for in this section. The state treasurer upon receipt of such warrant shall pay the same out of any appropriations made for this purpose on the last day of the month during which the warrant was received by him.

4. On or before the twentieth day of each month the state courts administrator shall certify the period of service reported by each senior judge pursuant to subsection 3 of this section to the Missouri state employees' retirement system. Any senior judge accumulating two hundred thirty-five days of such service shall receive credit for one year of judicial service for purposes of sections 476.520 and 476.545, for each two hundred thirty-five days of service certified by the state courts administrator to the Missouri state employees' retirement system, except, if a pro rata portion of two hundred thirty-five days would cause the senior judge's total judicial service to equal twelve years, the Missouri state employees' retirement system shall credit the service at the time the pro rata portion is certified. Upon receipt of such certification, the retirement benefit of the senior judge shall be recalculated to reflect the attainment of twelve years; the adjusted benefit will become effective the first of the month following certification.

5. Notwithstanding the provisions of section 476.510 or 476.565, no person shall receive benefits pursuant to the provisions of this section if the person is engaged in the private practice of law or doing a law business.

6. The judicial conference of the state of Missouri shall annually report on the use of senior judges pursuant to this section. Such report shall include at least the number of senior judges assigned, the number of cases assigned and disposed of by senior judges, and the expenditures made for that purpose.

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