

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 342
93RD GENERAL ASSEMBLY

Reported from the Committee on Judiciary May 2, 2005 with recommendation that House Committee Substitute for Senate Bill No. 342 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

0567L.02C

AN ACT

To repeal section 559.607, RSMo, and to enact in lieu thereof one new section relating to probation services for municipal ordinance violations.

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

Section A. Section 559.607, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 559.607, to read as follows:

559.607. 1. Judges of the municipal division in any circuit, acting through a chief or presiding judge, **either** may contract with a private **or public** entity **or may employ any qualified person to serve as the city's probation officer** to provide probation and rehabilitation services for persons placed on probation for violation of any ordinance of the city, specifically including the offense of operating or being in physical control of a motor vehicle while under the influence of intoxicating liquor or narcotic drugs. The contracting city shall not be required to pay for any part of the cost of probation and rehabilitation services authorized under sections 559.600 to 559.615. Persons found guilty or pleading guilty to ordinance violations and placed on probation by municipal or city court judges shall contribute **a service fee to the court in the amount set forth in section 559.604** to pay the cost of their probation supervision **provided by a probation officer employed by the court or by a contract probation officer** as provided for in section 559.604.

2. When approved by municipal court judges in [a circuit] **the municipal division**, the application, judicial order of approval, and the contract shall be forwarded to and filed with the board of probation and parole. The court-approved private **or public** entity **or probation officer**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **employed by the court** shall then function as the probation office for the city, pursuant to the
17 terms of the contract **or conditions of employment** and the terms of probation ordered by the
18 judge. Any city in this state which presently does not have probation services available for
19 persons convicted of its ordinance violations **or that contracts out those services with a**
20 **private entity**, may, under the procedures authorized in sections 559.600 to 559.615, **continue**
21 **to contract with a private entity or employ any qualified person and contract with the**
22 **municipal division** to provide such probation supervision and rehabilitation services.