

SECOND REGULAR SESSION

HOUSE BILL NO. 1311

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LIPKE (Sponsor), BROWN (30), DIXON, MEADOWS,
ROORDA AND YOUNG (Co-sponsors).

Read 1st time January 10, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4003L.011

AN ACT

To repeal section 50.565, RSMo, and to enact in lieu thereof one new section relating to the county law enforcement restitution fund.

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

Section A. Section 50.565, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 50.565, to read as follows:

50.565. 1. A county commission may establish by ordinance or order a fund whose proceeds may be expended only for the purposes provided for in subsection 3 of this section. The fund shall be designated as a county law enforcement restitution fund and shall be under the supervision of a board of trustees consisting of two citizens of the county appointed by the presiding commissioner of the county, two citizens of the county appointed by the sheriff of the county, and one citizen of the county appointed by the county coroner or medical examiner. The citizens so appointed shall not be current or former employees of the sheriff's department, the office of the prosecuting attorney for the county, or the county treasurer's office. If a county does not have a coroner or medical examiner, the county treasurer shall appoint one citizen to the board of trustees.

2. Money from the county law enforcement restitution fund shall only be expended upon the approval of a majority of the members of the county law enforcement restitution fund's board of trustees and only for the purposes provided for by subsection 3 of this section.

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.

14 3. Money from the county law enforcement restitution fund shall only be expended for
15 the following purposes:

16 (1) Narcotics investigation, prevention, and intervention;

17 (2) Purchase of law enforcement-related equipment and supplies for the sheriff's office;

18 (3) Matching funds for federal or state law enforcement grants;

19 (4) Funding for the reporting of all state and federal crime statistics or information; and

20 (5) Any law enforcement-related expense, including those of the prosecuting attorney,
21 approved by the board of trustees for the county law enforcement restitution fund that is
22 reasonably related to investigation, charging, preparation, trial, and disposition of criminal cases
23 before the courts of the state of Missouri.

24 4. The county commission may not reduce any law enforcement agency's budget as a
25 result of funds the law enforcement agency receives from the county law enforcement restitution
26 fund. The restitution fund is to be used only as a supplement to the law enforcement agency's
27 funding received from other county, state, or federal funds.

28 5. County law enforcement restitution funds shall be audited as are all other county
29 funds.

30 6. No court may order the assessment and payment authorized by this section if the plea
31 of guilty or the finding of guilt is to [the charge of speeding, careless and imprudent driving, any
32 charge of violating a traffic control signal or sign, or] any charge which is a class C misdemeanor
33 or an infraction, **unless such charge is a moving violation, as defined by section 302.010,**
34 **RSMo.** No assessment and payment ordered pursuant to this section may exceed three hundred
35 dollars for any charged offense.

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