

FIRST REGULAR SESSION

HOUSE BILL NO. 193

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES THRELKELD (Sponsor), FRAME, HARRIS (110),
NIEVES AND SCHLOTTACH (Co-sponsors).

Pre-filed December 21, 2006 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0293L.01I

AN ACT

To repeal section 67.320, RSMo, and to enact in lieu thereof one new section relating to allowing a county court in Franklin County, with an emergency clause.

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

Section A. Section 67.320, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 67.320, to read as follows:

67.320. 1. Any county of the first classification with more than one hundred ninety-eight
2 thousand but less than one hundred ninety-nine thousand two hundred inhabitants **and any**
3 **county of the first classification with more than ninety-three thousand eight hundred but**
4 **fewer than ninety-three thousand nine hundred inhabitants** may prosecute and punish
5 violations of its county orders in the circuit court of such counties in the manner and to the extent
6 herein provided or in a county municipal court if creation of a county municipal court is
7 approved by order of the county commission. The county may adopt orders with penal
8 provisions consistent with state law but only in the areas of traffic violations, solid waste
9 management and animal control. Any county municipal court established pursuant to the
10 provisions of this section shall have jurisdiction over violations of that county's orders and the
11 ordinances of municipalities with which the county has a contract to prosecute and punish
12 violations of municipal ordinances of the municipality.

13 2. In any county which has elected to establish a county municipal court pursuant to this
14 section, **except as provided in subsection 5 of this section** the judges for such court shall be

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.

15 appointed by the county commission of such county[, subject to confirmation by the legislative
16 body of such county in the same manner as confirmation for other county appointed officers].
17 The number of judges appointed, and qualifications for their appointment, shall be established
18 by order of the commission.

19 3. The practice and procedure of each prosecution shall be conducted in compliance with
20 all of the terms and provisions of sections 66.010 to 66.140, RSMo, except as provided for in
21 this section.

22 4. Any use of the term ordinance in sections 66.010 to 66.140, RSMo, shall be
23 synonymous with the term order for purposes of this section.

24 **5. In any county of the first classification with more than ninety-three thousand**
25 **eight hundred but fewer than ninety-three thousand nine hundred inhabitants the judges**
26 **for such court shall initially be appointed by the county commission of such county, but**
27 **beginning with the November 2008 general election such judge positions shall become**
28 **elected positions for a term of four years for each judge so elected.**

Section B. Because immediate action is necessary for the public welfare section A of this
2 act is deemed necessary for the immediate preservation of the public health, welfare, peace, and
3 safety, and is hereby declared to be an emergency act within the meaning of the constitution, and
4 section A of this act shall be in full force and effect upon its passage and approval.

✓