

FIRST REGULAR SESSION

HOUSE BILL NO. 724

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STEVENSON.

Read 1st time February 1, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1443L.01I

AN ACT

To repeal section 56.823, RSMo, and to enact in lieu thereof one new section relating to retirement for prosecuting and circuit attorneys.

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

Section A. Section 56.823, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 56.823, to read as follows:

56.823. 1. Any prosecuting attorney or circuit attorney who becomes a member of the system [on the effective date of the establishment of the system] shall be given full credit for prior service as prosecuting attorney or circuit attorney in this state [and seventy-five percent credit for prior service as an assistant prosecuting or assistant circuit attorney in this state for such time as the individual expended sixty percent of the individual's time or more fulfilling prosecutorial duties].

2. [Notwithstanding any other provision of law, any prosecuting attorney or circuit attorney who is serving as such on August 28, 1993, who also served as a prosecuting attorney or circuit attorney prior to the establishment of the system shall be allowed creditable prior service for the service that was performed prior to the establishment of the system.] **Any prosecuting attorney or circuit attorney who becomes a member of the system and who also served as an assistant prosecuting attorney or as an assistant circuit attorney in this state shall be given seventy-five percent credit, not to exceed a total maximum credit of four years for prior service as an assistant prosecuting attorney or an assistant circuit attorney**

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 **in this state, for such time as the individual expended sixty percent of the individual's time**
16 **or more fulfilling prosecutorial duties.**

17 3. [Notwithstanding any other provision of law, any prosecuting attorney or circuit
18 attorney who was not a member of the system on the effective date of the establishment of the
19 system but who is serving as such on August 28, 1996, and who also served as an assistant
20 prosecuting attorney or as an assistant circuit attorney prior to the establishment of the system
21 and who expended at least sixty percent of the time as an assistant prosecuting attorney or as an
22 assistant circuit attorney fulfilling prosecutorial duties shall be allowed creditable prior service
23 for seventy-five percent of such service as an assistant prosecuting attorney or as an assistant
24 circuit attorney that was performed prior to the establishment of the system.

25 4.] All such prior service shall be established to the satisfaction of the board.

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