

SECOND REGULAR SESSION

# HOUSE BILL NO. 1762

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BURNETT (Sponsor) AND STEVENSON (Co-sponsor).

4375L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 488.5030 and 559.607, RSMo, and to enact in lieu thereof three new sections relating to municipal ordinance violations, with penalty provisions.

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

Section A. Sections 488.5030 and 559.607, RSMo, are repealed and three new sections  
2 enacted in lieu thereof, to be known as sections 479.015, 488.5030, and 559.607, to read as  
3 follows:

**479.015. Violations of municipal ordinances shall be punished by fine or  
2 imprisonment, or by both fine and imprisonment; but no fine shall exceed one thousand  
3 dollars nor imprisonment exceed twelve months for any such offense, except as provided  
4 in subsection 2 of section 82.300.**

488.5030. To collect on past-due court-ordered penalties, fines, restitution, sanctions,  
2 court costs, including restitution and juvenile monetary assessments, or judgments to the state  
3 of Missouri or one of its political subdivisions, any division of the circuit court may contract with  
4 public agencies [or with private entities operating under a contract with a state agency or the  
5 office of state courts administrator]. Any fees or costs associated with such collection efforts  
6 shall be added to the amount due, but such fees and costs shall not exceed twenty percent of the  
7 amount collected.

559.607. 1. Judges of the municipal division in any circuit, acting through a chief or  
2 presiding judge, either may contract with a private or public entity or may employ any qualified  
3 person to serve as the city's probation officer to provide probation and rehabilitation services for  
4 persons placed on probation for violation of any ordinance of the city, specifically including the  
5 offense of operating or being in physical control of a motor vehicle while under the influence of

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.

6 intoxicating liquor or narcotic drugs. [The contracting city shall not be required to pay for any  
7 part of the cost of probation and rehabilitation services authorized under sections 559.600 to  
8 559.615. Persons found guilty or pleading guilty to ordinance violations and placed on probation  
9 by municipal or city court judges shall contribute a service fee to the court in the amount set forth  
10 in section 559.604 to pay the cost of their probation supervision provided by a probation officer  
11 employed by the court or by a contract probation officer as provided for in section 559.604.]

12         2. When approved by municipal court judges in the municipal division, the application,  
13 judicial order of approval, and the contract shall be forwarded to and filed with the board of  
14 probation and parole. The court-approved private or public entity or probation officer employed  
15 by the court shall then function as the probation office for the city, pursuant to the terms of the  
16 contract or conditions of employment and the terms of probation ordered by the judge. Any city  
17 in this state which presently does not have probation services available for persons convicted of  
18 its ordinance violations, or that contracts out those services with a private entity, may, under the  
19 procedures authorized in sections 559.600 to 559.615, contract with and continue to contract  
20 with a private entity or employ any qualified person and contract with the municipal division to  
21 provide such probation supervision and rehabilitation services.

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