

CCS HCS SCS SB 42 -- LAW ENFORCEMENT AGENCIES

This bill changes the laws regarding law enforcement agencies. In its main provisions, the bill:

(1) Specifies that a person will not be eligible for the office of sheriff unless he or she holds a valid peace officer license under Chapter 590, RSMo. The bill requires any person filing for the office to have the license at the time of filing. This provision does not apply to the sheriff of St. Louis County or the City of St. Louis (Section 57.010);

(2) Allows the sheriff of any county, except a county with a charter form of government, to employ an attorney to aid and advise in the discharge of his or her duties and to represent him or her in court. Currently, the sheriff of any county of the first classification not having a charter form of government is allowed to employ an attorney for these purposes (Section 57.104);

(3) Requires the circuit clerk in each county to report specified information to the Office of State Courts Administrator regarding a person certified by the sheriff as being delinquent in the payment of money owed for a period of imprisonment in a county jail. If the person satisfies his or her debt or begins making regular payments to the sheriff, the sheriff must notify the clerk who must notify the office that the person is no longer considered delinquent. When the office receives the name of a debtor, it must seek a setoff of state tax refunds and state lottery winnings until the full debt has been paid. Upon notification by the office, the Department of Conservation must suspend and refuse to issue a hunting or fishing license to anyone whom the office has determined to be delinquent. The office must notify a debtor that he or she will be ineligible for a hunting or fishing license prior to forwarding the person's name to the department. The notice must contain information regarding the person's right to a review hearing of the debt in the court in which the debt arose. Eligibility for a new or renewed hunting or fishing license is reestablished once the person has repaid the debt or honored a repayment plan with the sheriff (Sections 221.070, 313.321, 488.5028, and 488.5029);

(4) Allows a sheriff to establish and operate a canteen or commissary in the county jail for the use and benefit of the inmates, prisoners, and detainees. The revenues received from the canteen or commissary are to be kept in a separate account and must be used to acquire the goods sold and other minimum expenses of operation with any excess moneys remaining to be deposited into the Inmate Prisoner Detainee Security Fund (Section 221.102);

(5) Allows sheriffs, county marshals, and other officers to charge \$6 for their services in a case disposed of by a violations bureau. Currently, they are allowed to charge for their services rendered in criminal cases and in all contempt or attachment proceedings except for cases disposed of by a traffic violations bureau. One-half of the amount collected must be deposited into the newly created MODEX Fund for the operational support and expansion of the Missouri Data Exchange (MODEX) System and one-half into the inmate security fund of the county or municipality where the citation originated. The fund is to be administered by the Peace Officers Standards and Training Commission. If the county or municipality does not have an inmate security fund, all of the moneys collected must be deposited into the MODEX Fund. Sheriffs, county marshals, or other officers located in St. Louis County or the City of St. Louis cannot charge for their services rendered in cases disposed of by a violations bureau (Section 488.5320); and

(6) Corrects a mistake in a provision regarding the training for school protection officers that was truly agreed to and finally passed in SCS HCS HB 436 in 2013 (Section 590.205).