

FIRST REGULAR SESSION

HOUSE BILL NO. 98

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WALTON GRAY.

0645L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to community service for traffic offenses for persons twenty-one years of age or under.

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

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be
2 known as section 304.826, to read as follows:

304.826. 1. Notwithstanding any other provision of law, the court of jurisdiction
2 **shall sentence a defendant who is twenty-one years of age or under to perform community**
3 **service under the community service program established in subsection 2 of this section**
4 **and such conditions as may be established by the court, in lieu of paying restitution, court**
5 **costs, fees, expenses, or fines, for all traffic offenses deemed infractions or class C**
6 **misdemeanors under this chapter or violations of any ordinance or political subdivision**
7 **of this state.**

8 **2. There is hereby established the "Community Service Program", which shall**
9 **include the performance of services at a local, regional, or state level, as determined by the**
10 **court of jurisdiction. Such services shall be directed toward residents, businesses, schools,**
11 **and churches. Such program shall also provide defendants under subsection 1 of this**
12 **section with the following:**

13 **(1) Job skill training;**

14 **(2) Psychological, drug-related, social, or family counseling, as deemed appropriate;**

15 **(3) Guided inclusion in positive youth-directed activities and peer counseling.**

16 **3. There is hereby created in the state treasury the "Community Service Program**
17 **Fund", which shall consist of moneys from any gifts, contributions, grants, bequests, or**

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.

18 other aid received from federal, private, or other sources. The state treasurer shall be
19 custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer
20 may approve disbursements. The fund shall be a dedicated fund and, upon appropriation,
21 money in the fund shall be used solely for the administration of this section.
22 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining
23 in the fund at the end of the biennium shall not revert to the credit of the general revenue
24 fund. The state treasurer shall invest moneys in the fund in the same manner as other
25 funds are invested. Any interest and moneys earned on such investments shall be credited
26 to the fund.

27 4. Under section 23.253 of the Missouri sunset act:

28 (1) The provisions of the new program authorized under this section shall
29 automatically sunset six years after the effective date of this section unless reauthorized by
30 an act of the general assembly; and

31 (2) If such program is reauthorized, the program authorized under this section
32 shall automatically sunset twelve years after the effective date of the reauthorization of this
33 section; and

34 (3) This section shall terminate on September first of the calendar year immediately
35 following the calendar year in which the program authorized under this section is sunset.

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