

Austin



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

**SS SCS HB 2562**

entitled:

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**AN ACT**

To repeal sections 82.1025, 82.1027, 82.1028, 208.151, 217.703, 302.321, 302.341, 476.521, 478.001, 478.003, 478.004, 478.005, 478.006, 478.007, 478.008, 478.009, 478.466, 478.550, 478.551, 478.600, 478.716, 479.020, 479.190, 479.353, 479.360, 488.2230, 488.2250, 488.5358, 514.040, and 577.001, RSMo, and to enact in lieu thereof thirty new sections relating to courts, with existing penalty provisions.

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With SA 1, SA 2, SA 3, SA 4, SSA 1 for SA 6, SA 7

In which the concurrence of the House is respectfully requested.

Respectfully,

*Adriane D. Crouse*

Adriane D. Crouse  
Secretary of the Senate

SENATE AMENDMENT NO. 1Offered by Nasheed of 5thAmend SS/SCS/House Bill No. 2562, Page 56, Section 479.360, Line 15,

2 of said page, by inserting immediately after said line the  
 3 following:

4 "483.075. 1. Every clerk shall record the judgments,  
 5 rules, orders and other proceedings of the court; issue and  
 6 attest all process when required by law and affix the seal of  
 7 [his] the office thereto, or if none be provided, then his or her  
 8 private seal; keep a perfect account of all moneys coming into  
 9 his or her hands on account of costs or otherwise, and punctually  
 10 pay over the same.

11 2. ~~Provided, that where the clerk of the circuit court is a~~  
 12 ~~party, plaintiff or defendant, whether singly or jointly with~~  
 13 ~~others, to a suit or action, the writ of summons and all other~~  
 14 ~~process shall be issued by the clerk of the county commission,~~  
 15 the reason therefor being noted on said process, and said latter  
 16 named clerk shall, on the trial of said cause, act as temporary  
 17 clerk of the circuit court and otherwise perform in said cause  
 18 all the duties of the circuit court clerk. This subsection shall  
 19 not apply where the clerk of the circuit court is named as a  
 20 party under sections 610.130 to 610.145 or other sections  
 21 relating to the expungement of criminal records."; and

22 Further amend the title and enacting clause accordingly.  
 23

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 Adopted "

inserting  
 language  
 do

SENATE AMENDMENT NO. 2Offered by Schoaf of BuchananAmend SS/SCS/House Bill No. 2562, Page 26, Section 302.341, Line 9

2 of said page, by inserting after all of said line the following:

3 "452.430. Notwithstanding section 109.180 to the contrary,  
4 all pleadings and filings in a dissolution of marriage, legal  
5 separation, or modification proceeding filed more than  
6 seventy-two years prior to the time a request for inspection is  
7 made may be made available to the public. Any pleadings, other  
8 than the interlocutory or final judgment or any modification  
9 thereof, in a dissolution of marriage, legal separation, or  
10 modification proceeding filed prior to August 28, 2009, but less  
11 than seventy-two years prior to the time a request for inspection  
12 is made, shall be subject to inspection only by the parties, an  
13 attorney of record, the family support division within the  
14 department of social services when services are being provided  
15 under section 454.400, the attorney general or his or her  
16 designee, a person or designee of a person licensed and acting  
17 under chapter 381 who shall keep any information obtained  
18 confidential, except as necessary to the performance of functions  
19 required by chapter 381, or upon order of the court for good  
20 cause shown. Such persons may receive or make copies of  
21 documents without the clerk being required to redact the Social

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1 Security number, unless the court specifically orders the clerk  
2 to do otherwise. The clerk shall redact the Social Security  
3 number from any copy of a judgment or satisfaction of judgment  
4 before releasing the copy of the interlocutory or final judgment  
5 or satisfaction of judgment to the public."; and

6 Further amend said bill and page, section 476.175, by  
7 striking all of said section from the bill; and

8 Further amend the title and enacting clause accordingly.

SENATE AMENDMENT NO. 3Offered by ONDER of 2Amend SS/SCS/House Bill No. 2562, Page 60, Section 514.040, Line 13,

2 of said page, by inserting immediately after said line the  
3 following:

4 "559.600. 1. In cases where the board of probation and  
5 parole is not required under section 217.750 to provide probation  
6 supervision and rehabilitation services for misdemeanor  
7 offenders, the circuit and associate circuit judges in a circuit  
8 may contract with one or more private entities or other  
9 court-approved entity to provide such services. The  
10 court-approved entity, including private or other entities, shall  
11 act as a misdemeanor probation office in that circuit and shall,  
12 pursuant to the terms of the contract, supervise persons placed  
13 on probation by the judges for class A, B, C, and D misdemeanor  
14 offenses, specifically including persons placed on probation for  
15 violations of section 577.023. Nothing in sections 559.600 to  
16 559.615 shall be construed to prohibit the board of probation and  
17 parole, or the court, from supervising misdemeanor offenders in a  
18 circuit where the judges have entered into a contract with a  
19 probation entity.

20 2. In all cases, the entity providing such private  
21 probation service shall utilize the cutoff concentrations  
22 utilized by the department of corrections with regard to drug and

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1 alcohol screening for clients assigned to such entity. A drug  
2 test is positive if drug presence is at or above the cutoff  
3 concentration or negative if no drug is detected or if drug  
4 presence is below the cutoff concentration.

5 3. In all cases, the entity providing such private  
6 probation service shall not require the clients assigned to such  
7 entity to travel in excess of fifty miles in order to attend  
8 their regular probation meetings."; and

9 Further amend the title and enacting clause accordingly.

SENATE AMENDMENT NO. 4Offered by Koenig of 15Amend SS/SCS/House Bill No. 2562, Page 60, Section 514.040, Line 13,

2 of said page, by inserting after all of said line the following:

3 "516.105. 1. All actions against physicians, hospitals,  
4 dentists, registered or licensed practical nurses, optometrists,  
5 podiatrists, pharmacists, chiropractors, professional physical  
6 therapists, mental health professionals licensed under chapter  
7 337, and any other entity providing health care services and all  
8 employees of any of the foregoing acting in the course and scope  
9 of their employment, for damages for malpractice, negligence,  
10 error or mistake related to health care shall be brought within  
11 two years from the date of occurrence of the act of neglect  
12 complained of, except that:

13 (1) In cases in which the act of neglect complained of is  
14 introducing and negligently permitting any foreign object to  
15 remain within the body of a living person, the action shall be  
16 brought within two years from the date of the discovery of such  
17 alleged negligence, or from the date on which the patient in the  
18 exercise of ordinary care should have discovered such alleged  
19 negligence, whichever date first occurs; and

20 (2) In cases in which the act of neglect complained of is  
21 the negligent failure to inform the patient of the results of

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1 medical tests, the action for failure to inform shall be brought  
2 within two years from the date of the discovery of such alleged  
3 negligent failure to inform, or from the date on which the  
4 patient in the exercise of ordinary care should have discovered  
5 such alleged negligent failure to inform, whichever date first  
6 occurs; except that, no such action shall be brought for any  
7 negligent failure to inform about the results of medical tests  
8 performed more than two years before August 28, 1999. For  
9 purposes of this subdivision, the act of neglect based on the  
10 negligent failure to inform the patient of the results of medical  
11 tests shall not include the act of informing the patient of the  
12 results of negligently performed medical tests or the act of  
13 informing the patient of erroneous test results; and

14 (3) In cases in which the person bringing the action is a  
15 minor less than eighteen years of age, such minor shall have  
16 until his or her twentieth birthday to bring such action.

17  
18 In no event shall any action for damages for malpractice, error,  
19 or mistake be commenced after the expiration of ten years from  
20 the date of the act of neglect complained of or for two years  
21 from a minor's eighteenth birthday, whichever is later.

22 2. Any service on a defendant by a plaintiff after the  
23 statute of limitations set forth in subsection 1 of this section  
24 has expired or after the expiration of any extension of the time  
25 provided to commence an action pursuant to law shall be made  
26 within one hundred eighty days of the filing of the petition. If  
27 such service is not made on a defendant within one hundred eighty  
28 days of the filing of the petition, the court shall dismiss the  
29 action against the defendant. The dismissal shall be without



1 prejudice unless the plaintiff has previously taken or suffered a  
2 nonsuit, in which case the dismissal shall be with prejudice.

3 537.100. 1. Every action instituted under section 537.080  
4 shall be commenced within three years after the cause of action  
5 shall accrue; provided, that if any defendant, whether a resident  
6 or nonresident of the state at the time any such cause of action  
7 accrues, shall then or thereafter be absent or depart from the  
8 state, so that personal service cannot be had upon such defendant  
9 in the state in any such action heretofore or hereafter accruing,  
10 the time during which such defendant is so absent from the state  
11 shall not be deemed or taken as any part of the time limited for  
12 the commencement of such action against him; and provided, that  
13 if any such action shall have been commenced within the time  
14 prescribed in this section, and the plaintiff therein take or  
15 suffer a nonsuit, or after a verdict for him the judgment be  
16 arrested, or after a judgment for him the same be reversed on  
17 appeal or error, such plaintiff may commence a new action from  
18 time to time within one year after such nonsuit suffered or such  
19 judgment arrested or reversed; and in determining whether such  
20 new action has been begun within the period so limited, the time  
21 during which such nonresident or absent defendant is so absent  
22 from the state shall not be deemed or taken as any part of such  
23 period of limitation.

24 2. Any service on a defendant by a plaintiff after the  
25 statute of limitations set forth in subsection 1 of this section  
26 has expired or after the expiration of any extension of the time  
27 provided to commence an action pursuant to law shall be made  
28 within one hundred eighty days of the filing of the petition. If  
29 such service is not made on a defendant within one hundred eighty

1 days of the filing of the petition, the court shall dismiss the  
2 action against the defendant. The dismissal shall be without  
3 prejudice unless the plaintiff has previously taken or suffered a  
4 nonsuit, in which case the dismissal shall be with prejudice.";  
5 and

6 Further amend the title and enacting clause accordingly.

SSA/

for

6484S05.15S

SENATE AMENDMENT NO. 6

Offered by Dehaaf of Beecham

Amend SS/SCS/House Bill No. 2562, Pages 23-25, Section 302.321, Line     ,

2 by striking all of said section from the bill; and

3 Further amend said bill, pages 25-26, section 302.341, by  
4 striking all of said section from the bill; and

5 Further amend said bill, page 54, section 479.353, line 2,  
6 by striking the opening bracket "[" and closing bracket "]; and  
7 further amend lines 5-17 by striking all of said lines and  
8 inserting in lieu thereof the following: "the case is  
9 dismissed\_".

10

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Adopted "

SENATE AMENDMENT NO. 7Offered by Sen. Curls of 9thAmend SS/SCS/House Bill No. 2562, Page 1, Section A, Line 11,

2 by inserting after all of said line the following:

3 "67.398. 1. The governing body of any city or village, or  
4 any county having a charter form of government, or any county of  
5 the first classification that contains part of a city with a  
6 population of at least three hundred thousand inhabitants, may  
7 enact ordinances to provide for the abatement of a condition of  
8 any lot or land that has the presence of a nuisance including,  
9 but not limited to, debris of any kind, weed cuttings, cut,  
10 fallen, or hazardous trees and shrubs, overgrown vegetation and  
11 noxious weeds which are seven inches or more in height, rubbish  
12 and trash, lumber not piled or stacked twelve inches off the  
13 ground, rocks or bricks, tin, steel, parts of derelict cars or  
14 trucks, broken furniture, any flammable material which may  
15 endanger public safety or any material or condition which is  
16 unhealthy or unsafe and declared to be a public nuisance.

17 2. The governing body of any home rule city with more than  
18 four hundred thousand inhabitants and located in more than one  
19 county may enact ordinances for the abatement of a condition of  
20 any lot or land that has vacant buildings or structures open to  
21 entry.

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1           3. Any ordinance authorized by this section shall provide  
2 for service to the owner of the property [and, if the property is  
3 not owner-occupied, to any occupant of the property] of a written  
4 notice specifically describing each condition of the lot or land  
5 declared to be a public nuisance, and which notice shall identify  
6 what action will remedy the public nuisance. Unless a condition  
7 presents an immediate, specifically identified risk to the public  
8 health or safety, the notice shall provide a reasonable time, not  
9 less than ten days, in which to abate or commence removal of each  
10 condition identified in the notice. Written notice may be given  
11 by personal service or by first-class mail to [both the occupant  
12 of the property at the property address and] the owner at the  
13 last known address of the owner[, if not the same]. Upon a  
14 failure of the owner to pursue the removal or abatement of such  
15 nuisance without unnecessary delay, the building commissioner or  
16 designated officer may cause the condition which constitutes the  
17 nuisance to be removed or abated. If the building commissioner  
18 or designated officer causes such condition to be removed or  
19 abated, the cost of such removal or abatement and the proof of  
20 notice to the owner of the property shall be certified to the  
21 city clerk or officer in charge of finance who shall cause the  
22 certified cost to be included in a special tax bill or added to  
23 the annual real estate tax bill, at the collecting official's  
24 option, for the property and the certified cost shall be  
25 collected by the city collector or other official collecting  
26 taxes in the same manner and procedure for collecting real estate  
27 taxes. If the certified cost is not paid, the tax bill shall be  
28 considered delinquent, and the collection of the delinquent bill  
29 shall be governed by the laws governing delinquent and back

1 taxes. The tax bill from the date of its issuance shall be  
2 deemed a personal debt against the owner and shall also be a lien  
3 on the property from the date the tax bill is delinquent until  
4 paid.

5 67.410. 1. Except as provided in subsection 3 of this  
6 section, any ordinance enacted pursuant to section 67.400 shall:

7 (1) Set forth those conditions detrimental to the health,  
8 safety or welfare of the residents of the city, town, village, or  
9 county the existence of which constitutes a nuisance;

10 (2) Provide for duties of inspectors with regard to such  
11 buildings or structures and shall provide for duties of the  
12 building commissioner or designated officer or officers to  
13 supervise all inspectors and to hold hearings regarding such  
14 buildings or structures;

15 (3) Provide for service of adequate notice of the  
16 declaration of nuisance, which notice shall specify that the  
17 property is to be vacated, if such be the case, reconditioned or  
18 removed, listing a reasonable time for commencement; and may  
19 provide that such notice be served either by personal service  
20 [or], by certified mail, return receipt requested, or by a  
21 private delivery service that is substantially equivalent to  
22 certified mail, but if service cannot be had by either of these  
23 modes of service, then service may be had by publication. The  
24 ordinances shall further provide that the owner, occupant,  
25 lessee, mortgagee, agent, and all other persons having an  
26 interest in the building or structure as shown by the land  
27 records of the recorder of deeds of the county wherein the land  
28 is located shall be made parties;

29 (4) Provide that upon failure to commence work of

1       reconditioning or demolition within the time specified or upon  
2       failure to proceed continuously with the work without unnecessary  
3       delay, the building commissioner or designated officer or  
4       officers shall call and have a full and adequate hearing upon the  
5       matter, giving the affected parties at least ten days' written  
6       notice of the hearing. Any party may be represented by counsel,  
7       and all parties shall have an opportunity to be heard. After the  
8       hearings, if the evidence supports a finding that the building or  
9       structure is a nuisance or detrimental to the health, safety, or  
10      welfare of the residents of the city, town, village, or county,  
11      the building commissioner or designated officer or officers shall  
12      issue an order making specific findings of fact, based upon  
13      competent and substantial evidence, which shows the building or  
14      structure to be a nuisance and detrimental to the health, safety,  
15      or welfare of the residents of the city, town, village, or county  
16      and ordering the building or structure to be demolished and  
17      removed, or repaired. If the evidence does not support a finding  
18      that the building or structure is a nuisance or detrimental to  
19      the health, safety, or welfare of the residents of the city,  
20      town, village, or county, no order shall be issued;

21           (5) Provide that if the building commissioner or other  
22      designated officer or officers issue an order whereby the  
23      building or structure is demolished, secured, or repaired, or the  
24      property is cleaned up, the cost of performance shall be  
25      certified to the city clerk or officer in charge of finance, who  
26      shall cause a special tax bill or assessment therefor against the  
27      property to be prepared and collected by the city collector or  
28      other official collecting taxes, unless the building or structure  
29      is demolished, secured or repaired by a contractor pursuant to an

1 order issued by the city, town, village, or county and such  
2 contractor files a mechanic's lien against the property where the  
3 dangerous building is located. The contractor may enforce this  
4 lien as provided in sections 429.010 to 429.360. Except as  
5 provided in subsection 3 of this section, at the request of the  
6 taxpayer the tax bill may be paid in installments over a period  
7 of not more than ten years. The tax bill from date of its  
8 issuance shall be deemed a personal debt against the property  
9 owner and shall also be a lien on the property until paid. A  
10 city not within a county or a city with a population of at least  
11 four hundred thousand located in more than one county,  
12 notwithstanding any charter provision to the contrary, may, by  
13 ordinance, provide that upon determination by the city that a  
14 public benefit will be gained the city may discharge the special  
15 tax bill, including the costs of tax collection, accrued interest  
16 and attorneys fees, if any.

17 2. If there are proceeds of any insurance policy based upon  
18 a covered claim payment made for damage or loss to a building or  
19 other structure caused by or arising out of any fire, explosion,  
20 or other casualty loss, the ordinance may establish a procedure  
21 for the payment of up to twenty-five percent of the insurance  
22 proceeds, as set forth in this subsection. The order or  
23 ordinance shall apply only to a covered claim payment which is in  
24 excess of fifty percent of the face value of the policy covering  
25 a building or other structure:

26 (1) The insurer shall withhold from the covered claim  
27 payment up to twenty-five percent of the covered claim payment,  
28 and shall pay such moneys to the city to deposit into an  
29 interest-bearing account. Any named mortgagee on the insurance



1 policy shall maintain priority over any obligation under the  
2 order or ordinance;

3 (2) The city or county shall release the proceeds and any  
4 interest which has accrued on such proceeds received under  
5 subdivision (1) of this subsection to the insured or as the terms  
6 of the policy and endorsements thereto provide within thirty days  
7 after receipt of such insurance moneys, unless the city or county  
8 has instituted legal proceedings under the provisions of  
9 subdivision (5) of subsection 1 of this section. If the city or  
10 county has proceeded under the provisions of subdivision (5) of  
11 subsection 1 of this section, all moneys in excess of that  
12 necessary to comply with the provisions of subdivision (5) of  
13 subsection 1 of this section for the removal, securing, repair  
14 and cleanup of the building or structure, and the lot on which it  
15 is located, less salvage value, shall be paid to the insured;

16 (3) If there are no proceeds of any insurance policy as set  
17 forth in this subsection, at the request of the taxpayer, the tax  
18 bill may be paid in installments over a period of not more than  
19 ten years. The tax bill from date of its issuance shall be a  
20 lien on the property until paid;

21 (4) This subsection shall apply to fire, explosion, or  
22 other casualty loss claims arising on all buildings and  
23 structures;

24 (5) This subsection does not make the city or county a  
25 party to any insurance contract, and the insurer is not liable to  
26 any party for any amount in excess of the proceeds otherwise  
27 payable under its insurance policy.

28 3. The governing body of any city not within a county and  
29 the governing body of any city with a population of three hundred

1     fifty thousand or more inhabitants which is located in more than  
2     one county may enact their own ordinances pursuant to section  
3     67.400 and are exempt from subsections 1 and 2 of this section.

4             4. Notwithstanding the provisions of section 82.300, any  
5     city may prescribe and enforce and collect fines and penalties  
6     for a breach of any ordinance enacted pursuant to section 67.400  
7     or this section and to punish the violation of such ordinance by  
8     a fine or imprisonment, or by both fine and imprisonment. Such  
9     fine may not exceed one thousand dollars, unless the owner of the  
10    property is not also a resident of the property, then such fine  
11    may not exceed two thousand dollars.

12            5. The ordinance may also provide that a city not within a  
13    county or a city with a population of at least three hundred  
14    fifty thousand located in more than one county may seek to  
15    recover the cost of demolition prior to the occurrence of  
16    demolition, as described in this subsection. The ordinance may  
17    provide that if the building commissioner or other designated  
18    officer or officers issue an order whereby the building or  
19    structure is ordered to be demolished, secured or repaired, and  
20    the owner has been given an opportunity for a hearing to contest  
21    such order, then the building commissioner or other designated  
22    officer or officers may solicit no less than two independent bids  
23    for such demolition work. The amount of the lowest bid,  
24    including offset for salvage value, if any, plus reasonable  
25    anticipated costs of collection, including attorney's fees, shall  
26    be certified to the city clerk or officer in charge of finance,  
27    who shall cause a special tax bill to be issued against the  
28    property owner to be prepared and collected by the city collector  
29    or other official collecting taxes. The municipal clerk or other

1 officer in charge of finance shall discharge the special tax bill  
2 upon documentation by the property owner of the completion of the  
3 ordered repair or demolition work. Upon determination by the  
4 municipal clerk or other officer in charge of finance that a  
5 public benefit is secured prior to payment of the special tax  
6 bill, the municipal clerk or other officer in charge of finance  
7 may discharge the special tax bill upon the transfer of the  
8 property. The payment of the special tax bill shall be held in  
9 an interest-bearing account. Upon full payment of the special  
10 tax bill, the building commissioner or other designated officer  
11 or officers shall, within one hundred twenty days thereafter,  
12 cause the ordered work to be completed, and certify the actual  
13 cost thereof, including the cost of tax bill collection and  
14 attorney's fees, to the city clerk or other officer in charge of  
15 finance who shall, if the actual cost differs from the paid  
16 amount by greater than two percent of the paid amount, refund the  
17 excess payment, if any, to the payor, or if the actual amount is  
18 greater, cause a special tax bill or assessment for the  
19 difference against the property to be prepared and collected by  
20 the city collector or other official collecting taxes. If the  
21 building commissioner or other designated officer or officers  
22 shall not, within one hundred twenty days after full payment,  
23 cause the ordered work to be completed, then the full amount of  
24 the payment, plus interest, shall be repaid to the payor. Except  
25 as provided in subsection 2 of this section, at the request of  
26 the taxpayer the tax bill for the difference may be paid in  
27 installments over a period of not more than ten years. The tax  
28 bill for the difference from the date of its issuance shall be  
29 deemed a personal debt against the property owner and shall also

1 be a lien on the property until paid.

2 82.462. 1. Except as provided in subsection 4 of this  
3 section, a person who is not the owner of the real property or  
4 who is a creditor holding a lien interest on the property, and  
5 who suspects that the real property may be abandoned, may enter  
6 upon the premises of the real property to do the following:

7 (1) Without entering any structure located on the real  
8 property, visually inspect the real property to determine whether  
9 the real property may be abandoned;

10 (2) Upon a good faith determination based upon the  
11 inspection that the property is abandoned, perform any of the  
12 following actions:

13 (a) Secure the real property;

14 (b) Remove trash or debris from the grounds of the real  
15 property;

16 (c) Landscape, maintain, or mow the grounds of the real  
17 property;

18 (d) Remove or paint over graffiti on the real property.

19 2. A person who enters upon the premises and conducts the  
20 actions permitted in subsection 1 of this section and who makes a  
21 good faith determination based upon the inspection that the  
22 property is abandoned is immune from claims of civil and criminal  
23 trespass and all other civil liability therefor, unless the act  
24 or omission constitutes gross negligence or willful, wanton, or  
25 intentional misconduct.

26 3. The owner of the real property upon which a person enters  
27 and conducts the actions permitted in subsection 1 of this  
28 section shall be immune from civil liability for any injury  
29 sustained by the person, unless the injury resulted from the

1 owner's gross negligence or willful, wanton, or intentional  
2 misconduct.

3 4. In the case of real property that is subject to a  
4 mortgage or deed of trust, the creditor holding the debt secured  
5 by the mortgage or deed of trust may not enter upon the premises  
6 of the real property under subsection 1 of this section if entry  
7 is barred by an automatic stay issued by a bankruptcy court.

8 5. For purposes of this section, "abandoned" property  
9 means:

10 (1) A vacant, unimproved lot zoned residential or  
11 commercial for which the owner is in violation of a municipal  
12 nuisance or property maintenance code; or

13 (2) With respect to actions taken pursuant to this section  
14 by a creditor holding a lien interest in the property, a property  
15 that contains a structure or building that has been continuously  
16 unoccupied by persons legally entitled to possession for at least  
17 six months prior to entry under this section and the creditor's  
18 debt secured by such lien interest has been continuously  
19 delinquent for not less than three months; or

20 (3) With respect to actions taken pursuant to this section  
21 by persons other than creditors, a property that contains a  
22 structure or building that has been continuously unoccupied by  
23 persons legally entitled to possession for at least six months  
24 prior to entry under this section, and for which the owner is in  
25 violation of a municipal nuisance or property maintenance code,  
26 and for which either:

27 (a) Ad valorem property taxes are delinquent; or

28 (b) The property owner has failed to comply with any  
29 municipal ordinance requiring registration of vacant property, or

1 the municipality has determined the structure to be uninhabitable  
2 due to deteriorated conditions.

3 6. This section shall apply only to real property located  
4 in any home rule city or any county with a charter form of  
5 government and with more than nine hundred fifty thousand  
6 inhabitants."; and

7 Further amend said bill, page 7, section 82.1028, line 17,  
8 by inserting after all of said line the following:

9 "84.510. 1. For the purpose of operation of the police  
10 department herein created, the chief of police, with the approval  
11 of the board, shall appoint such number of police department  
12 employees, including police officers and civilian employees as  
13 the chief of police from time to time deems necessary.

14 2. The base annual compensation of police officers shall be  
15 as follows for the several ranks:

16 (1) Lieutenant colonels, not to exceed five in number, at  
17 not less than seventy-one thousand nine hundred sixty-nine  
18 dollars, nor more than [one hundred thirty-three thousand eight  
19 hundred eighty-eight] one hundred forty-six thousand one hundred  
20 twenty-four dollars per annum each;

21 (2) Majors at not less than sixty-four thousand six hundred  
22 seventy-one dollars, nor more than [one hundred twenty-two  
23 thousand one hundred fifty-three] one hundred thirty-three  
24 thousand three hundred twenty dollars per annum each;

25 (3) Captains at not less than fifty-nine thousand five  
26 hundred thirty-nine dollars, nor more than [one hundred eleven  
27 thousand four hundred thirty-four] one hundred twenty-one  
28 thousand six hundred eight dollars per annum each;

29 (4) Sergeants at not less than forty-eight thousand six

1 hundred fifty-nine dollars, nor more than [ninety-seven thousand  
2 eighty-six] one hundred six thousand five hundred sixty dollars  
3 per annum each;

4 (5) Master patrol officers at not less than fifty-six  
5 thousand three hundred four dollars, nor more than [eighty-seven  
6 thousand seven hundred one] ninety-four thousand three hundred  
7 thirty-two dollars per annum each;

8 (6) Master detectives at not less than fifty-six thousand  
9 three hundred four dollars, nor more than [eighty-seven thousand  
10 seven hundred one] ninety-four thousand three hundred thirty-two  
11 dollars per annum each;

12 (7) Detectives, investigators, and police officers at not  
13 less than twenty-six thousand six hundred forty-three dollars,  
14 nor more than [eighty-two thousand six hundred nineteen] eighty-  
15 seven thousand six hundred thirty-six dollars per annum each.

16 3. The board of police commissioners has the authority by  
17 resolution to effect a comprehensive pay schedule program to  
18 provide for step increases with separate pay rates within each  
19 rank, in the above-specified salary ranges from police officers  
20 through chief of police.

21 4. Officers assigned to wear civilian clothes in the  
22 performance of their regular duties may receive an additional one  
23 hundred fifty dollars per month clothing allowance. Uniformed  
24 officers may receive seventy-five dollars per month uniform  
25 maintenance allowance.

26 5. The chief of police, subject to the approval of the  
27 board, shall establish the total regular working hours for all  
28 police department employees, and the board has the power, upon  
29 recommendation of the chief, to pay additional compensation for

1 all hours of service rendered in excess of the established  
2 regular working period, but the rate of overtime compensation  
3 shall not exceed one and one-half times the regular hourly rate  
4 of pay to which each member shall normally be entitled. No  
5 credit shall be given nor deductions made from payments for  
6 overtime for the purpose of retirement benefits.

7 6. The board of police commissioners, by majority  
8 affirmative vote, including the mayor, has the authority by  
9 resolution to authorize incentive pay in addition to the base  
10 compensation as provided for in subsection 2 of this section, to  
11 be paid police officers of any rank who they determine are  
12 assigned duties which require an extraordinary degree of skill,  
13 technical knowledge and ability, or which are highly demanding or  
14 unusual. No credit shall be given nor deductions made from these  
15 payments for the purpose of retirement benefits.

16 7. The board of police commissioners may effect programs to  
17 provide additional compensation for successful completion of  
18 academic work at an accredited college or university. No credit  
19 shall be given nor deductions made from these payments for the  
20 purpose of retirement benefits.

21 8. The additional pay increments provided in subsections 6  
22 and 7 of this section shall not be considered a part of the base  
23 compensation of police officers of any rank and shall not exceed  
24 ten percent of what the officer would otherwise be entitled to  
25 pursuant to subsections 2 and 3 of this section.

26 9. Not more than twenty-five percent of the officers in any  
27 rank who are receiving the maximum rate of pay authorized by  
28 subsections 2 and 3 of this section may receive the additional  
29 pay increments authorized by subsections 6 and 7 of this section



at any given time. However, any officer receiving a pay increment provided pursuant to the provisions of subsections 6 and 7 of this section shall not be deprived of such pay increment as a result of the limitations of this subsection."; and

Further amend the title and enacting clause accordingly.