

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6484-05
Bill No.: Truly Agreed To and Finally Passed SS for SCS for HB 2562
Subject: Courts; Judges; Veterans; Criminal Procedure; Domestic Relations; Drugs and Controlled Substances; Drunk Driving/Boating; Children and Minors; Liability; Political Subdivisions; Attorneys
Type: Original
Date: June 13, 2018

Bill Summary: This proposal modifies provisions relating to courts.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Total Estimated Net Effect on General Revenue	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

*Partially dependant on fee change (if any)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 18 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Local Government	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

§§82.1025, 82.1027, 82.1028

Oversight notes this portion of the proposal adds the City of Springfield to the nuisance property laws. Officials at the City of Springfield indicated the proposal could have a positive fiscal impact.

§479.020, 479.190, 479.353, 479.354, 479.360

Officials at the **City of Kansas City** assume this legislation will have a negative fiscal impact on the City. The City will lose the probation fees it adds to court costs to fund probation services. It is also a concern to the City that if probation staff is not supervised by the Municipal Court, it could have a major impact on the Court's ability to verify defendants are meeting probation conditions.

In response to similar legislation from this year, Perfected SS for SCS for SB 553, officials at the **City of Columbia** assumed a minimal fiscal impact to the City from this proposal.

In response to similar legislation from this year, Perfected SS for SCS for SB 553, officials at **St. Louis County**, the **Callaway County Commission** and **Boone County** each assumed no fiscal impact to their respective entities from this proposal.

§§208.151, 217.703, 478.001, 478.003, 478.004, 478.005, 478.007, 478.009, 478.466, 478.550, 478.600, 478.716, 488.2230, 488.5358, 577.001

Officials at the **Department of Corrections (DOC)** assume no fiscal impact from this proposal. Section 217.703 establishes the rules and regulations of earned compliance credits (ECC) for offenders on probation, parole, or conditional release. With the new legislation, a section 12 is added which governs ECCs. An offender (on field supervision), upon entering into a treatment court, will have all ECC accrual suspended until completion of its program. At that point, all accumulated ECCs accrued during the time of suspension are retroactively applied if the offender

ASSUMPTION (continued)

successfully completed his/her time in treatment court. If the offender fails completion of treatment court, the offender accrues no ECCs during the time period.

To understand the impact of this bill, an analysis was done on current drug court programs used during field supervision. In FY17, a total of 9,127 offenders were discharged from probation, parole, or conditional release using earned compliance credits. Of these, 548 attended a drug court program during field supervision. Forty-four percent were unsuccessful in completing the drug program (241 individuals); they spent an average of 0.87 years in the program. From these findings, the estimated impact of this proposal is that each year 241 persons on field supervision will not earn ECC for 10 months which results in 5 more months of field supervision.

With the enactment of this proposal, an additional 101 offender-years will occur each year in field supervision.

	# to Prison	Cost per year	Total Cost of Prison (includes 2% inflation per year starting in year 2)		Change in number of Probation and Parole Officers	Probation and Parole Officer II Cost per year (includes PS, fringe, E&E and inflation)	Grand Total Prison and Probation	# of Offenders to/from Probation & Parole
Year 1 (10 months)	0.0	(\$6,206)	\$0		0	\$0	\$0	101
Year 2 (includes 2% inflation)	0.0	(\$6,206)	\$0		0	\$0	\$0	101
Year 3 (includes 2% inflation)	0.0	(\$6,206)	\$0		0	\$0	\$0	101
Year 4 (includes 2% inflation)	0.0	(\$6,206)	\$0		0	\$0	\$0	101

Year 5 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 6 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 7 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 8 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 9 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 10 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101

§478.003 Judicial Retirement System

Officials at the **Missouri State Employees' Retirement System (MOSERS)** assume the provisions of Truly Agreed To and Finally Passed (TAFP) SS for SCS for HB 2562 (6484-05) as they apply to the Judicial Retirement Plan which is administered by the MOSERS Board of Trustees, would, if enacted, clarify in Section 478.003, RSMo, that drug court commissioners (changed to treatment court commissioners in this proposal) shall have the same qualifications, compensation and retirement benefits of an associate circuit judge.

Background:

Since the provisions of section 478.003.1, RSMo, were first passed in 1998, the provisions have been administered to included drug court commissioners as members of the Judicial Retirement Plan. It is our understanding that there are currently 9 drug court commissioners covered under the Judicial Retirement Plan.

ASSUMPTION (continued)

Fiscal Impact on MOSERS:

The provision under section 478.003.1, RSMo in TAFP SS for SCS for HB 2562 would have no fiscal impact on MOSERS.

§476.521 Judicial Retirement System

Officials at the **Joint Committee on Public Employee Retirement System (JCPER)** has reviewed this proposal. Section 476.521 impacts the Judicial Retirement System. Our review of this section indicates that such provision may constitute a "substantial proposed change" in future plan benefits as defined in section 105.660(10). It is impossible to accurately determine the fiscal impact of this proposed legislation without an actuarial cost statement prepared in accordance with section 105.665, RSMo. Pursuant to section 105.670, RSMo, an actuarial cost statement must be filed with the Chief Clerk of the House of Representatives, the Secretary of the Senate, and the Joint Committee on Public Employee Retirement as public information for at least five legislative days prior to final passage of the bill. An actuarial cost statement has not been filed with the JCPER.

Officials at the **County Employees' Retirement Fund** assume there is no fiscal impact from this proposal.

Officials at the **MOSERS** assume the provisions of Section 476.521 would, if enacted, require any member of the Judicial 2011 Plan who filed as a candidate in 2010 to become a judge, was ultimately elected and became a judge in 2011, was eligible in 2010 to receive a future annuity as a general assembly member or statewide elected official, and is a judge on the effective date of this section, will become a member of the closed Judicial plan.

Summary of Benefits - Judicial Retirement Plan	
Judicial Plan (First serving prior to 01/01/11)	Judicial Plan 2011 (First serving on or after 01/01/11)
Member Contributions	
-None	-4% of pay
Normal Retirement Eligibility - Age and Service required to receive an unreduced retirement benefit	
<ul style="list-style-type: none"> - Age 62 with 12 years of service - Age 60 with 15 years of service - Age 55 with 20 years of service 	<ul style="list-style-type: none"> - Age 67 if less than 12 years of service - Age 62 if less than 10 years of service
Early Retirement Eligibility - Age and Service required to receive a REDUCED retirement benefit	

- Age 62 if less than 12 years of service - Age 60 if less than 15 years of service	- Age 67 if less than 12 years of service - Age 62 if less than 10 years of service
Benefit Payment Options - <i>Determines whether or not a benefit will be paid to anyone after member's death</i>	
- Life Income Annuity (if unmarried) - Automatic <u>Unreduced</u> Joint & 50% Survivor Option	- Life Income Annuity - Joint & 50 % Survivor Option (with reduced benefit) - Joint & 100 % Survivor Option (with reduced benefit) -Life Income with 120 Guaranteed Payments -Life income with 180 Guaranteed Payments
Base Benefit Formula - <i>Payable for member's lifetime</i>	
- Monthly Pay x 50% = Monthly Base Benefit	- Monthly Pay x 50% = Monthly Base Benefit

The provisions of this proposal will have an unknown cost to the Judicial Retirement Plan. While not specifically outlined in the provisions of the proposal, it is reasonable to assume that any judge affected by this proposal will receive a refund of the 4% employee contributions made into the Judicial Plan 2011. The refund of employee contributions' cost is estimated to range from \$25,000 to \$35,000 for each affected judge. Additionally, the plan will experience an increase in the actuarial accrued liability for any judge that is moved from the Judicial Plan 2011 to the closed Judicial Plan (pre-2011).

Judicial Retirement Plan (Status as of June 30, 2017)		
Actuarial Value of Assets	\$151,828,631	26.9%
Market Value of Assets	\$137,634,941	24.3%
Actuarial Accrued Liability	\$564,417,925	
Actuarially Determined Employer Contribution For FY 19	63.71% of payroll or \$39.4 million (estimated)	
Plan Membership		

Active Members	410	
Retirees, Inactive & Other Benefit Recipients	585	

Oversight assumes this amendment will increase the actuarial accrued liability to the Judicial Retirement Plan; however, it may or may not increase the call from the state funds to MOSERS. Therefore, Oversight will reflect an impact of \$0 or a negative unknown cost to the state if the state increases the contributions to MOSERS to account for these individuals. For simplicity, Oversight will only reflect this potential cost to the General Revenue Fund, starting in FY 2020.

§479.354

In response to similar legislation from this year, Perfected HB 1249, officials at **St. Louis County**, the **City of Springfield**, the **City of Columbia** and the **City of O'Fallon** each assumed no fiscal impact to their respective entities from this proposal.

§488.2250 - Court Reporter Fees for appeal transcript of testimony

Officials at the **Office of the State Public Defender (SPD)** assume a negative unknown cost for this proposal.

Oversight notes that SPD's response has changed from last year. In response to similar proposals from 2017, the SPD stated historically speaking, this proposal could cost SPD more than \$100,000. Oversight will reflect a potential increase in fees of an unknown amount.

In response to similar legislation from this year, HCS for SB 871, officials at **St. Louis County**, **Boone County** and the **Callaway County Commission** each assumed no fiscal impact from this proposal.

§67.398, §67.410, §82.462 & §84.510 Political Subdivisions

Officials at the **City of Kansas City (CKC)** assume no fiscal impact from this proposal.

Oversight assumes any costs resulting from §67.398 and §67.410 can be absorbed by local political subdivisions. Therefore, Oversight will reflect no impact for this proposal.

Oversight assumes in §82.462, should this proposal be enacted, CKC would take some kind of legal action to post notice of "enter at your own risk" or have liability insurance on CKC - owned property which would not make the CKC liable to claims of any private citizen's action. Therefore, Oversight will not reflect a fiscal impact for this proposal.

ASSUMPTION (continued)

In response to similar legislation from this year, HB 2070, officials at the **Kansas City Police Department (KCPD)** assumed the change to the base annual compensation ranges (§84.510) will not have any current fiscal impact. It provides a cushion for salary growth.

Oversight assumes this proposal changes the following salary ranges for the members of the KCPD per annum.

Lieutenant Colonels - from \$71,969 to \$133,888; to the new salary range of \$71,969 to \$146,124
Majors - from \$64,671 to \$122,153; to the new salary range of \$64,671 to \$133,320
Captains - from \$59,539 to \$111,434; to the new salary range of \$59,539 to \$121,608
Sergeants - from \$48,659 to \$97,086; to the new salary range of \$48,659 to \$106,560
Master Patrol Officers - from \$56,304 to \$87,701; to the new salary range of \$56,304 to \$94,332
Master Detectives - from \$56,304 to \$87,701; to the new salary range of \$56,304 to \$94,332
Detectives, Investigators, and Police Officers - from \$26,643 to \$82,619; to the new salary range of \$26,643 to \$87,636

Oversight notes the KCPD requested 1,367 law enforcement positions (non-civilian) for their FY 2018-2019 budget. Oversight is unable to determine how many KCPD members are within each personnel category, how many are at the top of their salary range, and whether or not the City of Kansas City would provide raises to the members of the KCPD in future years.

Oversight will reflect \$0 to an Unknown cost to the City of Kansas City as a direct result of this proposal.

§559.600 Private Probation Services

Officials from the **Department of Corrections** assume the proposal would not fiscally impact their agency.

§1

In response to similar legislation from this year, Perfected HB 1249, officials at **St. Louis County** assumed no fiscal impact from this proposal.

ASSUMPTION (continued)

Bill as a Whole

Officials at the **Office of the State Courts Administrator** assume there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Officials at the **Department of Revenue**, the **Department of Health and Senior Services**, the **Department of Social Services**, the **Department of Insurance, Financial Institutions and Professional Registration**, the **Department of Natural Resources**, the **Department of Public Safety's Veterans' Commission**, the **Missouri National Guard** and the **Missouri Highway Patrol**, the **Missouri Department of Transportation**, the **Office of State Auditor**, the **Department of Mental Health**, the **State Tax Commission**, the **Office of the State Treasurer**, the **Missouri Local Government Employees Retirement System**, the **Office of Prosecution Services** and the **MoDOT & Patrol Employees' Retirement System** each assume there is no fiscal impact from this proposal.

Officials at the **Office of the Attorney General (AGO)** assume that any potential costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if there is a significant increase in litigation.

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

ASSUMPTION (continued)

Officials at the **Jackson County Board of Election Commission**, the **Kansas City Public School Retirement System**, the **Police Retirement System of Kansas City** and the **Platte County Board of Election Commission** each assume no fiscal impact to their respective entities from this proposal.

In response to a previous version, officials at the **Police Retirement System of St. Louis** assumed no fiscal impact from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
GENERAL REVENUE			
<u>Cost - SPD - Potential increase in court reporter fees</u> (§488.2250)*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost - Office of Administration - potential increase in contributions to MOSERS</u> §476.521	<u>\$0</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
*Depending on fee change (if any)			

<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
LOCAL POLITICAL SUBDIVISIONS			
<u>Cost</u> - potential increase in court reporter fees (\$488.2250)*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost</u> - Potential increased KCPD salaries (\$84.510)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
*Depending on fee change (if any)			

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

NUISANCE PROPERTIES

This bill adds a section relating to service on certain individuals for nuisance properties. Currently, the law allows for the current occupant to be served in lieu of the current owner. This bill limits it to the owner of the property and also allows for service to be made by a private delivery service as long as it is substantially equivalent to certified mail (Sections 67.398 and 67.410, RSMo).

ABANDONED PROPERTY

Allows a person or entity to enter onto a property to beautify it if it appears the property has been abandoned. The owner of the property shall be immune from civil liability for any injury sustained by a person who enters onto a property to beautify it unless the injury resulted from the owner's gross negligence or willful, wanton, or intentional misconduct (Section 82.462).

COMPLIANCE CREDITS

The bill suspends the application of earned compliance credits upon an offender's entry into a treatment court. Upon successful completion of the treatment court, all earned compliance credits accumulated during the suspension period will be retroactively applied (Section 217.703).

FISCAL DESCRIPTION (continued)

NEIGHBORHOOD RESTORATION ACT

The bill establishes the "Neighborhood Restoration Act." Currently, certain provisions relating to property regulations apply to cities and counties specified in the bill, but do not apply to the city of Springfield. This bill includes the city of Springfield among those cities and counties that are regulated by these provisions. These provisions primarily concern nuisance properties (Sections 82.1025, 82.1027, and 82.1028).

KANSAS CITY POLICE OFFICERS

The bill allows for a salary cap increase for Kansas City police officers (Section 84.5100).

OPEN RECORDS

Other provisions of law to the contrary notwithstanding, all pleadings and filings in a dissolution of marriage, legal separation, or modification shall be made available to the public, subject to a few exceptions (Section 452.430).

JUDICIAL CANDIDACY

This provides that a person who filed as a candidate in 2010 to become a judge, was eligible to receive an annuity under the MOSERS Year 2000 Plan as a member of the General Assembly or as a statewide elected official, and whose term as a judge began in 2011 is exempt from the provisions of the Judicial Retirement Plan 2011 (Section 476.521).

TREATMENT COURTS

This bill establishes treatment court divisions, which include, but are not limited to Adult Treatment Court, Driving While Intoxicated (DWI) Court, Family Treatment Court, Juvenile Treatment Court, and Veterans Treatment Court. Previously, a treatment court division was called a drug court.

An adult treatment court provides an alternative for the judicial system to dispose of cases which stem from substance use. A DWI court provides an alternative for the judicial system to dispose of cases which stem from driving while intoxicated. A family treatment court provides an alternative for a parent or other household member who has a substance use disorder (with or without a mental health disorder) which impacts the safety and well-being of the children in the family. A juvenile treatment court provides an alternative for a juvenile whose substance use disorder (with or without a mental health disorder) contributed to the commission of a criminal offense. A veterans treatment court provides an alternative for the judicial system to dispose of cases which stem from substance use or a mental health disorder or military veterans or current military personnel (Section 478.001).

FISCAL DESCRIPTION (continued)

TREATMENT COURT COMMISSIONER

The Supreme Court may assign a treatment court commissioner to serve in a treatment court division of a circuit other than the circuit in which the commissioner is appointed. A treatment court commissioner may serve as a commissioner in any treatment or problem-solving court, as designated by the treatment court coordinating commission (Section 478.003).

TREATMENT COURT PARTICIPATION

This bill specifies that a treatment court team must conduct a staffing prior to each treatment court session to determine the progress of the treatment court participant and the appropriate incentive or sanction to be applied. In any criminal case, if the defendant meets the eligibility criteria for treatment court, the judge may order the defendant to treatment court for treatment either before the entry of the sentence if the prosecuting attorney consents, as a condition of probation, or upon consideration of a motion to revoke probation. A treatment court may accept participants from any other jurisdiction (Section 478.004).

Each treatment court must establish criteria for who is eligible for treatment court and what constitutes successful completion of the program (Section 478.005).

JACKSON COUNTY

This bill repeals a provision that would allow Jackson County to establish its own docket within the treatment court division. The bill also removes a provision that requires breath alcohol testing to be done a minimum of four times a day (Section 478.007).

TREATMENT COURTS COORDINATING COMMISSION

This bill adds two more members to the Treatment Court Coordinating Commission to be selected by the Supreme Court. One member must be a representative of prosecuting attorneys and one member must be a representative of the criminal defense bar. The commission must establish standards and practices for treatment courts and each treatment court must adopt policies and practices that are consistent with the commission's standards in order to be recognized as a functioning treatment court and to accept new admissions. The commission will provide assistance to the treatment courts to assist with the implementation of the commission's standards. Any funds from the Treatment Court Resources Fund can only be awarded to treatment courts that are in compliance with the commission's standards (Section 478.009).

The remaining sections in the bill change references from "drug court" to "treatment court" (Sections 208.151, 478.466, 478.550, 478.600, 478.716, 488.2230, 488.5358, and 577.001).

This bill repeals a provision regarding veterans treatment courts and a provision stating that being appointed as a drug court commissioner to the 23rd Judicial Circuit is a state-funded position.

FISCAL DESCRIPTION (continued)

MUNICIPAL COURTS

Municipal court judges are prohibited from serving in more than five municipalities at one time. The provision of this bill specifies that a court that serves more than one municipality shall be treated as a single municipality with respect to the prohibition. Additionally, no municipal judge, municipal court personnel, or any prosecutor assigned to the municipal court shall have the authority to hire, fire, or discipline any probation officer or probation personnel. The language exempts certain cities and counties. Currently, a county or municipality that has a municipal court must submit a financial report to the auditor. This bill provides that a county or municipality will meet compliance with this requirement by filing a statement confirming that 20% or less of its general revenue comes from fines, bond forfeitures, and court costs in municipal court cases. Currently, the State Auditor shall establish a procedure for including such information by December 31, 2015 (Sections 479.020, 479.190, and 479.360).

MINOR TRAFFIC VIOLATIONS

If an individual has been held in custody on a notice to show cause warrant for an underlying minor traffic violation, the court, on its own motion or on the motion of any interested party, may review the original fine and sentence and waive or reduce such fine or sentence if the court finds it reasonable given the circumstances of the case. Also, this requires any summons, notice to appear, or citation for a minor traffic violation to include the date and time a defendant is to appear in court when the defendant is first provided the summons, notice to appear, or citation. If the summons does not include such information when first given to the defendant, the summons will be void (Sections 479.353 and 479.354).

CIRCUIT COURT CLERKS

The section specifies that when a circuit court clerk is a party to a suit or action, the writ of summons and all other processes shall be issued by the clerk of the county commission. The amendment specifies that this shall not apply where the circuit court clerk is named as a party under sections relating to the expungement of criminal records (Section 483.075).

GUARDIAN AD LITEM FEES

Currently, when a person is represented in a civil action by a legal aid society or other nonprofit organization that provides legal services to indigent persons, all costs related to the prosecution may be waived without a motion or court approval. This bill provides that this automatic waiver shall not include guardian ad litem fees. A party requesting waiver of guardian ad litem fees, who is represented by a legal aid society or other nonprofit, must file an updated certification form with the court prior to trial. Any party may present to the court additional evidence on the financial condition of the parties. Any failure to pay guardian ad litem fees shall not preclude a certifying party from filing future suits and shall not be used as a basis to limit the certifying party's prosecution or defense of the action (Section 514.040).

FISCAL DESCRIPTION (continued)

CLAIMS AGAINST HEALTH CARE PROVIDERS

This provision provides that in a claim against a health care provider for damages for malpractice or negligence when the defendant is served after the statute of limitation has expired, if such service is not made within 180 days of filing the petition, the court shall dismiss the action. In an action for wrongful death when a defendant is served after the statute of limitation has expired and such service is not made within 180 days of the petition being filed, the court shall dismiss the action. If the plaintiff has previously taken or suffered a nonsuit, then the dismissal shall be with prejudice (Sections 516.105 and 537.100).

PRIVATE PROBATION SERVICES

This provision requires private probation entities to use the cutoff concentrations utilized by the Department Of Corrections with regard to drug and alcohol screening for clients assigned to the entity. Additionally, the private probation service shall not require the clients assigned to the entity to travel more than 50 miles in order to attend their regular probation meetings (Section 559.600).

SINGLE COUNTY CIRCUITS

This bill specifies that in any county circuit with more than 250,000 inhabitants, no individual shall concurrently serve as prosecuting attorney and city attorney for a political subdivision located in that circuit (Section 1).

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.


SOURCES OF INFORMATION

County Employees' Retirement Fund
Department of Corrections
Department of Health and Senior Services
Department of Insurance, Financial Institutions and Professional Registration
Joint Committee on Public Employee Retirement System
Department of Mental Health
Department of Natural Resources
Department of Revenue
Department of Social Services
Missouri Department of Transportation
Missouri State Employee Retirement System
Office of the Attorney General
Missouri Local Government Employees Retirement System
Office of Prosecution Services
Office of the State Courts Administrator
Office of State Auditor
Office of the State Public Defender
State Tax Commission
Office of the State Treasurer
Department of Public Safety
 Missouri Highway Patrol
 Missouri National Guard
 Veterans Commission
Office of the Secretary of State
MoDOT & Patrol Employees' Retirement System

SOURCES OF INFORMATION (continued)

City of Kansas City
City of Springfield
City of Columbia
St. Louis County
Callaway County Commission
Boone County
City of O'Fallon
Jackson County Board of Election Commission
Platte County Board of Election Commission
Kansas City Public School Retirement System
Police Retirement System of Kansas City
Kansas City Police Department
Police Retirement System of St. Louis

Ross Strope



Acting Director
June 13, 2018