

SECOND REGULAR SESSION

HOUSE BILL NO. 2163

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SMITH AND HOSMER (Co-sponsors).

Read 1st time March 13, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

5042L.011

AN ACT

Relating to transfer of adult probation personnel and services.

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

Section 1. 1. Effective July 1, 2004, adult probation personnel and services shall transfer from the board of probation and parole to the circuit courts of this state and shall be vested exclusively in the state circuit courts.

2. There is hereby established a "Commission on the Transfer of Adult Probation Personnel, Services and Expense" whose membership shall include the chairperson of the board of probation and parole, two members of the house of representatives appointed by the speaker of the house of representatives, two members of the senate appointed by the president pro tem of the senate, the director of the department of corrections, the assistant director of the department of corrections for community corrections, commissioner of the office of administration or a designee, the state courts administrator, the director of the department of mental health or a designee, the director of the department of social services or a designee, one circuit court judge from a single-county circuit, one circuit court judge from a multi-county circuit, one judge of the associate division of the circuit court in a single-county circuit, one judge of the associate division of the circuit court of a multi-county circuit, and the attorney general or a designee, the state public defender, and the executive director of the Missouri peace officers association. All judges on the commission shall be appointed by the chief justice of the Missouri supreme court. The department of corrections and the office of state courts administrator shall jointly provide staff to the commission.

3. The commission shall, by January 1, 2003, plan, coordinate, and implement the transfer of probation personnel, services, staff support, equipment and expenses from the

22 board of probation and parole to three circuit courts of this state. The commission shall
23 consider, among other things, amendments to statutes, probation officer to caseload ratios,
24 and the transfer of adult probation personnel, services, programs, staff support, personal
25 services, equipment, and expense to the judicial department from the department of
26 corrections and the board of probation and parole. The commission shall evaluate and
27 submit a report to the legislature by January 1, 2004, on the effectiveness of the
28 demonstration projects. The report shall include, but is not limited to, an analysis of the
29 reductions, if any, in the number of individuals committed to the department of corrections
30 and the recidivism rate for those individuals whose probation is under the supervision of
31 employees of the circuit court. The presiding circuit judges of the three demonstration
32 sites shall serve on the commission during the term of the demonstration projects.

33 4. The commission shall, by July 1, 2004, plan, coordinate, and implement the
34 transfer of adult probation personnel, services, programs, staff support, personal services,
35 equipment, and expense from the department of corrections and the board of probation
36 and parole to the circuit courts of this state unless the general assembly shall, by
37 affirmative vote, withdraw the transfer of probation responsibilities to the circuit courts.
38 The commission shall cease on December 31, 2004, unless its mandate is extended by the
39 general assembly.