

FIRST REGULAR SESSION

HOUSE BILL NO. 334

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BURNETT (Sponsor) AND STEVENSON (Co-sponsor).

1191L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 82.300, 488.5030, and 559.607, RSMo, and to enact in lieu thereof four new sections relating to municipal ordinance violations, with penalty provisions.

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

Section A. Sections 82.300, 488.5030, and 559.607, RSMo, are repealed and four new
2 sections enacted in lieu thereof, to be known as sections 82.300, 479.015, 488.5030, and
3 559.607, to read as follows:

82.300. 1. Any city with a population of four hundred thousand or more inhabitants
2 which is located in more than one county may enact all needful ordinances for preserving order,
3 securing persons or property from violence, danger and destruction, protecting public and private
4 property and for promoting the general interests and ensuring the good government of the city,
5 and for the protection, regulation and orderly government of parks, public grounds and other
6 public property of the city, both within and beyond the corporate limits of such city; and to
7 prescribe and impose, enforce and collect fines, forfeitures and penalties for the breach of any
8 provisions of such ordinances and to punish the violation of such ordinances by fine or
9 imprisonment, or by both fine and imprisonment; but no fine shall exceed [five hundred] **one**
10 **thousand** dollars nor imprisonment exceed twelve months for any such offense, except as
11 provided in subsection 2 of this section.

12 2. Any city with a population of four hundred thousand or more inhabitants which is
13 located in more than one county which operates a publicly owned treatment works in accordance
14 with an approved pretreatment program pursuant to the federal Clean Water Act, 33 U.S.C. 1251,
15 et seq. and chapter 644, RSMo, may enact all necessary ordinances which require compliance
16 by an industrial user with any pretreatment standard or requirement. Such ordinances may

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.

17 authorize injunctive relief or the imposition of a fine of at least one thousand dollars but not
18 more than five thousand dollars per violation for noncompliance with such pretreatment
19 standards or requirements. For any continuing violation, each day of the violation shall be
20 considered a separate offense.

21 3. Any city with a population of more than four hundred thousand inhabitants may enact
22 all needful ordinances to protect public and private property from illegal and unauthorized
23 dumping and littering, and to punish the violation of such ordinances by a fine not to exceed one
24 thousand dollars or by imprisonment not to exceed twelve months for each offense, or by both
25 such fine and imprisonment.

26 4. Any city with a population of more than four hundred thousand inhabitants may enact
27 all needful ordinances to protect public and private property from nuisance and property
28 maintenance code violations, and to punish the violation of such ordinances by a fine not to
29 exceed one thousand dollars or by imprisonment not to exceed twelve months for each offense,
30 or by both such fine and imprisonment.

**479.015. Violations of municipal ordinances shall be punished by fine or
2 imprisonment, or by both fine and imprisonment; but no fine shall exceed one thousand
3 dollars nor imprisonment exceed twelve months for any such offense, except as provided
4 in subsection 2 of section 82.300, RSMo.**

488.5030. To collect on past-due court-ordered penalties, fines, restitution, sanctions,
2 court costs, including restitution and juvenile monetary assessments, or judgments to the state
3 of Missouri or one of its political subdivisions, any division of the circuit court may contract with
4 public agencies [or with private entities operating under a contract with a state agency or the
5 office of state courts administrator]. Any fees or costs associated with such collection efforts
6 shall be added to the amount due, but such fees and costs shall not exceed twenty percent of the
7 amount collected.

559.607. 1. Judges of the municipal division in any circuit, acting through a chief or
2 presiding judge, either may contract with a private or public entity or may employ any qualified
3 person to serve as the city's probation officer to provide probation and rehabilitation services for
4 persons placed on probation for violation of any ordinance of the city, specifically including the
5 offense of operating or being in physical control of a motor vehicle while under the influence of
6 intoxicating liquor or narcotic drugs. [The contracting city shall not be required to pay for any
7 part of the cost of probation and rehabilitation services authorized under sections 559.600 to
8 559.615. Persons found guilty or pleading guilty to ordinance violations and placed on probation
9 by municipal or city court judges shall contribute a service fee to the court in the amount set forth
10 in section 559.604 to pay the cost of their probation supervision provided by a probation officer
11 employed by the court or by a contract probation officer as provided for in section 559.604.]

12 2. When approved by municipal court judges in the municipal division, the application,
13 judicial order of approval, and the contract shall be forwarded to and filed with the board of
14 probation and parole. The court-approved private or public entity or probation officer employed
15 by the court shall then function as the probation office for the city, pursuant to the terms of the
16 contract or conditions of employment and the terms of probation ordered by the judge. Any city
17 in this state which presently does not have probation services available for persons convicted of
18 its ordinance violations, or that contracts out those services with a private entity, may, under the
19 procedures authorized in sections 559.600 to 559.615, contract with and continue to contract
20 with a private entity or employ any qualified person and contract with the municipal division to
21 provide such probation supervision and rehabilitation services.

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