

SECOND REGULAR SESSION

# HOUSE BILL NO. 1707

95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SCHAAF.

4416L.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 49.310, RSMo, and to enact in lieu thereof one new section relating to establishing jails outside of a county seat, with an emergency clause.

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

Section A. Section 49.310, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 49.310, to read as follows:

49.310. 1. Except as provided in sections 221.400 to 221.420, RSMo, and subsection 2 of this section, the county commission in each county in this state shall erect and maintain at 3 the established seat of justice a good and sufficient courthouse, jail and necessary fireproof 4 buildings for the preservation of the records of the county; except, that in counties having a 5 special charter, the jail or workhouse may be located at any place within the county. In 6 pursuance of the authority herein delegated to the county commission, the county commission 7 may acquire a site, construct, reconstruct, remodel, repair, maintain and equip the courthouse and 8 jail, and in counties wherein more than one place is provided by law for holding of court, the 9 county commission may buy and equip or acquire a site and construct a building or buildings to 10 be used as a courthouse and jail, and may remodel, repair, maintain and equip buildings in both 11 places. The county commission may issue bonds as provided by the general law covering the 12 issuance of bonds by counties for the purposes set forth in this section. In bond elections for 13 these purposes in counties wherein more than one place is provided by law for holding of court, 14 a separate ballot question may be submitted covering proposed expenditures in each separate site 15 described therein, or a single ballot question may be submitted covering proposed expenditures 16 at more than one site, if the amount of the proposed expenditures at each of the sites is 17 specifically set out therein.

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           2. The county commission in all counties of the fourth classification and any county of  
19 the third classification [with a population of at least fourteen thousand and not more than  
20 fourteen thousand five hundred inhabitants bordering a county of the first classification without  
21 a charter form of government with a population of at least eighty thousand and not more than  
22 eighty-three thousand inhabitants] may provide for the erection and maintenance of a good and  
23 sufficient jail or holding cell facility at a site in the county other than at the established seat of  
24 justice.

          Section B. Because immediate action is necessary to protect the citizens of this state,  
2 section A of this act is deemed necessary for the immediate preservation of the public health,  
3 welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of  
4 the constitution, and section A of this act shall be in full force and effect upon its passage and  
5 approval.

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