

FIRST REGULAR SESSION

# HOUSE BILL NO. 289

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES LAIR (Sponsor), SHIVELY, LANT, GATSCHENBERGER,  
KELLEY (126) AND FISHER (Co-sponsors).

0092L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 57.010, RSMo, and to enact in lieu thereof one new section relating to the election or appointment of a sheriff.

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

Section A. Section 57.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 57.010, to read as follows:

57.010. 1. At the general election to be held in 1948, and at each general election held every four years thereafter, the voters in every county in this state shall elect some suitable person sheriff. No person shall be eligible for the office of sheriff who has been convicted of a felony. **No person shall be eligible to run for the office of sheriff or be selected to fill a vacancy in the office of sheriff unless such person holds a valid peace officer license under chapter 590 prior to filing for the office or being selected to fill a vacancy.** Such person shall be a resident taxpayer and elector of said county, shall have resided in said county for more than one whole year next before filing for said office and shall be a person capable of efficient law enforcement. When any person shall be elected sheriff, such person shall enter upon the discharge of the duties of such person's office as chief law enforcement officer of that county on the first day of January next succeeding said election.

2. Beginning January 1, 2003, any sheriff who does not hold a valid peace officer license pursuant to chapter 590 shall refrain from personally executing any of the police powers of the office of sheriff, including but not limited to participation in the activities of arrest, detention, vehicular pursuit, search and interrogation. Nothing in this section shall prevent any sheriff from

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.

16 administering the execution of police powers through duly commissioned deputy sheriffs. This  
17 subsection shall not apply:

18 (1) During the first twelve months of the first term of office of any sheriff who is eligible  
19 to become licensed as a peace officer and who intends to become so licensed within twelve  
20 months after taking office, except this subdivision shall not be effective beginning January 1,  
21 2010; or

22 (2) To the sheriff of any county of the first classification with a charter form of  
23 government with a population over nine hundred thousand.

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