

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 38

96TH GENERAL ASSEMBLY

0119S.04T

2011

AN ACT

To repeal section 71.220, RSMo, and to enact in lieu thereof two new sections relating to jails.

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

Section A. Section 71.220, RSMo, is repealed and two new sections enacted in lieu
2 thereof, to be known as sections 71.220 and 221.503, to read as follows:

71.220. 1. The various cities, towns and villages in this state, whether organized under
2 special charter or under the general laws of the state, are hereby authorized and empowered to,
3 by ordinance, cause all persons who have been convicted and sentenced by the court having
4 jurisdiction, for violation of ordinance of such city, town or village, whether the punishment be
5 by fine or imprisonment, or by both, to be put to work and perform labor on the public streets,
6 highways and alleys or other public works or buildings of such city, town or village, for such
7 purposes as such city, town or village may deem necessary. And the marshal, constable, street
8 commissioner, or other proper officer of such city, town or village, shall have power and be
9 authorized and required to have or cause all such prisoners as may be directed by the mayor, or
10 other chief officer of such city, town or village, to work out the full number of days for which
11 they may have been sentenced, at breaking rock, or at working upon such public streets,
12 highways or alleys or other public works or buildings of such city, town or village as may have
13 been designated. And if the punishment is by fine, and the fine be not paid, then for [every ten
14 dollars of such judgment] **a portion of such judgment that is equal to the greater of the**
15 **actual daily cost of incarcerating the prisoner or the amount the municipality is**
16 **reimbursed by the state for incarcerating the prisoner**, the prisoner shall work one day. And

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 it shall be deemed a part of the judgment and sentence of the court that such prisoner may be
18 worked as herein provided.

19 2. When a fine is assessed for violation of an ordinance, it shall be within the discretion
20 of the judge, or other official, assessing the fine to provide for the payment of the fine on an
21 installment basis under such terms and conditions as he may deem appropriate.

**221.503. 1. As soon as reasonably possible, but in no case more than five hours
2 after a person who has been convicted of murder in the first degree or a dangerous felony
3 as defined in section 556.061 or who is being held on suspicion of having committed
4 murder in the first degree or a dangerous felony as defined in section 556.061 has escaped
5 from a municipal detention facility, county jail, regional jail, or private jail, the chief law
6 enforcement official responsible for such jail or detention facility or the chief administrator
7 in the case of a private jail shall cause notification of the escape to be made to the Missouri
8 uniform law enforcement system (MULES).**

9 **2. The notification required by this section may include the name of the escaped
10 individual, any facts relevant to identifying the escaped individual, including but not
11 limited to, a physical description, a photograph or video of such individual, a description
12 of any mode of transportation such individual is believed to be using, and a description of
13 any person believed to be assisting such person in the escape, if any. The notification shall
14 also include the crimes for which the person was incarcerated in the jail or detention
15 facility and contact information for the jail or detention facility which can be used by any
16 person to report any information concerning the whereabouts of the escaped person.**

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