

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NOS. 374 & 434

AN ACT

To repeal sections 32.056, 43.518, 454.475, 476.057,
 477.405, 478.073, 478.075, 478.077, 478.080, 478.085,
 478.087, 478.090, 478.093, 478.095, 478.097, 478.100,
 478.103, 478.105, 478.107, 478.110, 478.113, 478.115,
 478.117, 478.120, 478.123, 478.125, 478.127, 478.130,
 478.133, 478.135, 478.137, 478.140, 478.143, 478.145,
 478.147, 478.150, 478.153, 478.155, 478.157, 478.160,
 478.163, 478.165, 478.167, 478.170, 478.173, 478.175,
 478.177, 478.180, 478.183, 478.185, 478.186, 478.320,
 487.010, 487.020, 488.426, 488.2250, 488.5320, 513.430,
 514.040, 544.455, 557.011, 559.036, 559.115, 632.498,
 and 632.505, RSMo, and to enact in lieu thereof twenty-
 two new sections relating to judicial procedures, with
 an effective date for certain sections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
 AS FOLLOWS:

Section A. Sections 32.056, 43.518, 454.475, 476.057,
 477.405, 478.073, 478.075, 478.077, 478.080, 478.085, 478.087,
 478.090, 478.093, 478.095, 478.097, 478.100, 478.103, 478.105,
 478.107, 478.110, 478.113, 478.115, 478.117, 478.120, 478.123,
 478.125, 478.127, 478.130, 478.133, 478.135, 478.137, 478.140,
 478.143, 478.145, 478.147, 478.150, 478.153, 478.155, 478.157,

1 478.160, 478.163, 478.165, 478.167, 478.170, 478.173, 478.175,
2 478.177, 478.180, 478.183, 478.185, 478.186, 478.320, 487.010,
3 487.020, 488.426, 488.2250, 488.5320, 513.430, 514.040, 544.455,
4 557.011, 559.036, 559.115, 632.498, and 632.505, RSMo, are
5 repealed and twenty-two new sections enacted in lieu thereof, to
6 be known as sections 32.056, 43.518, 454.475, 476.057, 477.405,
7 478.008, 478.073, 478.320, 487.010, 487.020, 488.426, 488.2250,
8 488.5320, 513.430, 514.040, 544.455, 557.011, 559.036, 559.115,
9 632.498, 632.505, and 1, to read as follows:

10 32.056. Except for uses permitted under 18 U.S.C. Section
11 2721(b)(1), the department of revenue shall not release the home
12 address of or any information that identifies any vehicle owned
13 or leased by any person who is a county, state or federal parole
14 officer, a federal pretrial officer, a peace officer pursuant to
15 section 590.010, a person vested by article V, section 1 of the
16 Missouri Constitution with the judicial power of the state, a
17 member of the federal judiciary, or a member of such person's
18 immediate family contained in the department's motor vehicle or
19 driver registration records, based on a specific request for such
20 information from any person. Any such person may notify the
21 department of his or her status and the department shall protect
22 the confidentiality of the home address and vehicle records on
23 such a person and his or her immediate family as required by this
24 section. [If such member of the judiciary's status changes and
25 he or she and his or her immediate family do not qualify for the
26 exemption contained in this subsection, such person shall notify
27 the department and the department's records shall be revised.]
28 This section shall not prohibit the department from releasing

1 information on a motor registration list pursuant to section
2 32.055 or from releasing information on any officer who holds a
3 class A, B or C commercial driver's license pursuant to the Motor
4 Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C.
5 31309.

6 43.518. 1. There is hereby established within the
7 department of public safety a "Criminal Records and Justice
8 Information Advisory Committee" whose purpose is to:

9 (1) Recommend general policies with respect to the
10 philosophy, concept and operational principles of the Missouri
11 criminal history record information system established by
12 sections 43.500 to 43.530, in regard to the collection,
13 processing, storage, dissemination and use of criminal history
14 record information maintained by the central repository;

15 (2) Assess the current state of electronic justice
16 information sharing; and

17 (3) Recommend policies and strategies, including standards
18 and technology, for promoting electronic justice information
19 sharing, and coordinating among the necessary agencies and
20 institutions; and

21 (4) Provide guidance regarding the use of any state or
22 federal funds appropriated for promoting electronic justice
23 information sharing.

24 2. The committee shall be composed of the following
25 officials or their designees: the director of the department of
26 public safety; the director of the department of corrections and
27 human resources; the attorney general; the director of the
28 Missouri office of prosecution services; the president of the

1 Missouri prosecutors association; the president of the Missouri
2 court clerks association; the chief clerk of the Missouri state
3 supreme court; the director of the state courts administrator;
4 the chairman of the state judicial record committee; the chairman
5 of the [circuit court budget] court automation committee; the
6 presidents of the Missouri peace officers association; the
7 Missouri sheriffs association; the Missouri police chiefs
8 association or their successor agency; the superintendent of the
9 Missouri highway patrol; the chiefs of police of agencies in
10 jurisdictions with over two hundred thousand population; except
11 that, in any county of the first class having a charter form of
12 government, the chief executive of the county may designate
13 another person in place of the police chief of any countywide
14 police force, to serve on the committee; and, at the discretion
15 of the director of public safety, as many as three other
16 representatives of other criminal justice records systems or law
17 enforcement agencies may be appointed by the director of public
18 safety. The director of the department of public safety will
19 serve as the permanent chairman of this committee.

20 3. The committee shall meet as determined by the director
21 but not less than semiannually to perform its duties. A majority
22 of the appointed members of the committee shall constitute a
23 quorum.

24 4. No member of the committee shall receive any state
25 compensation for the performance of duties associated with
26 membership on this committee.

27 5. Official minutes of all committee meetings will be
28 prepared by the director, promptly distributed to all committee

1 members, and filed by the director for a period of at least five
2 years.

3 454.475. 1. Hearings provided for in this section shall
4 be conducted pursuant to chapter 536 by administrative hearing
5 officers designated by the Missouri department of social
6 services. The hearing officer shall provide the parents, the
7 person having custody of the child, or other appropriate agencies
8 or their attorneys with notice of any proceeding in which support
9 obligations may be established or modified. The department shall
10 not be stayed from enforcing and collecting upon the
11 administrative order during the hearing process and during any
12 appeal to the courts of this state, unless specifically enjoined
13 by court order.

14 2. If no factual issue has been raised by the application
15 for hearing, or the issues raised have been previously litigated
16 or do not constitute a defense to the action, the director may
17 enter an order without an evidentiary hearing, which order shall
18 be a final decision entitled to judicial review as provided in
19 sections 536.100 to 536.140.

20 3. After full and fair hearing, the hearing officer shall
21 make specific findings regarding the liability and
22 responsibility, if any, of the alleged responsible parent for the
23 support of the dependent child, and for repayment of accrued
24 state debt or arrearages, and the costs of collection, and shall
25 enter an order consistent therewith. In making the determination
26 of the amount the parent shall contribute toward the future
27 support of a dependent child, the hearing officer shall consider
28 the factors set forth in section 452.340.

1 4. If the person who requests the hearing fails to appear
2 at the time and place set for the hearing, upon a showing of
3 proper notice to that [parent] person, the hearing officer shall
4 enter findings and order in accordance with the provisions of the
5 notice [and finding of support responsibility] or motion unless
6 the hearing officer determines that no good cause therefor
7 exists.

8 5. In contested cases, the findings and order of the
9 hearing officer shall be the decision of the director. Any
10 parent or person having custody of the child adversely affected
11 by such decision may obtain judicial review pursuant to sections
12 536.100 to 536.140 by filing a petition for review in the circuit
13 court of proper venue within thirty days of mailing of the
14 decision. Copies of the decision or order of the hearing officer
15 shall be mailed to any parent, person having custody of the child
16 and the division within fourteen days of issuance.

17 6. If a hearing has been requested, and upon request of a
18 parent, a person having custody of the child, the division or a
19 IV-D agency, the director shall enter a temporary order requiring
20 the provision of child support pending the final decision or
21 order pursuant to this section if there is clear and convincing
22 evidence establishing a presumption of paternity pursuant to
23 section 210.822. In determining the amount of child support, the
24 director shall consider the factors set forth in section 452.340.
25 The temporary order, effective upon filing pursuant to section
26 454.490, is not subject to a hearing pursuant to this section.
27 The temporary order may be stayed by a court of competent
28 jurisdiction only after a hearing and a finding by the court that

1 the order fails to comply with rule 88.01.

2 7. (1) Any administrative decision or order issued under
3 this section containing clerical mistakes arising from oversight
4 or omission, except proposed administrative modifications of
5 judicial orders, may be corrected by an agency administrative
6 hearing officer at any time upon their own initiative or written
7 motion filed by the division or any party to the action provided
8 the written motion is mailed to all parties. Any objection or
9 response to the written motion shall be made in writing and filed
10 with the hearing officer within fifteen days from the mailing
11 date of the motion. Proposed administrative modifications of
12 judicial orders may be corrected by an agency administrative
13 hearing officer prior to the filing of the proposed
14 administrative modification of a judicial order with the court
15 that entered the underlying judicial order as required in section
16 454.496, or upon express order of the court that entered the
17 underlying judicial order. No correction shall be made during the
18 court's review of the administrative decision, order, or proposed
19 order as authorized under sections 536.100 to 536.140, except in
20 response to an express order from the reviewing court.

21 (2) Any administrative decision or order or proposed
22 administrative modification of judicial order issued under this
23 section containing errors arising from mistake, surprise, fraud,
24 misrepresentation, excusable neglect or inadvertence, may be
25 corrected prior to being filed with the court by an agency
26 administrative hearing officer upon their own initiative or by
27 written motion filed by the division or any party to the action
28 provided the written motion is mailed to all parties and filed

1 within sixty days of the administrative decision, order, or
2 proposed decision and order. Any objection or response to the
3 written motion shall be made in writing and filed with the
4 hearing officer within fifteen days from the mailing date of the
5 motion. No decision, order, or proposed administrative
6 modification of judicial order may be corrected after ninety days
7 from the mailing of the administrative decision, order, or
8 proposed order or during the court's review of the administrative
9 decision, order, or proposed order as authorized under sections
10 536.100 to 536.140, except in response to an express order from
11 the reviewing court.

12 (3) Any administrative decision or order or proposed
13 administrative modification of judicial order, issued under this
14 section may be vacated by an agency administrative hearing
15 officer upon their own initiative or by written motion filed by
16 the division or any party to the action provided the written
17 motion is mailed to all parties, if the administrative hearing
18 officer determines that the decision or order was issued without
19 subject matter jurisdiction, without personal jurisdiction, or
20 without affording the parties due process. Any objection or
21 response to the written motion shall be made in writing and filed
22 with the hearing officer within fifteen days from the mailing
23 date of the motion. A proposed administrative modification of a
24 judicial order may only be vacated prior to being filed with the
25 court. No decision, order, or proposed administrative
26 modification of a judicial order may be vacated during the
27 court's review of the administrative decision, order, or proposed
28 order as authorized under sections 536.100 to 536.140, except in

1 response to an express order from the reviewing court.

2 476.057. 1. The state courts administrator shall determine
3 the amount of the projected total collections of fees pursuant to
4 section 488.015, payable to the state pursuant to section
5 488.023, or subdivision (4) of subsection 2 of section 488.018;
6 and the amount of such projected total collections of fees
7 required to be deposited into the fund in order to maintain the
8 fund required pursuant to subsection 2 of this section. The
9 amount of fees payable for court cases may thereafter be adjusted
10 pursuant to section 488.015, as provided by said section. All
11 proceeds of the adjusted fees shall thereupon be collected and
12 deposited to the state general revenue fund as otherwise provided
13 by law, subject to the transfer of a portion of such proceeds to
14 the fund established pursuant to subsection 2 of this section.

15 2. There is hereby established in the state treasury a
16 special fund for purposes of providing training and education for
17 judicial personnel, including any clerical employees of each
18 circuit court clerk. Moneys from collected fees shall be
19 annually transferred by the state treasurer into the fund from
20 the state general revenue fund in the amount of no more than two
21 percent of the amount expended for personal service by state and
22 local government entities for judicial personnel as determined by
23 the state courts administrator pursuant to subsection 1 of this
24 section. Any unexpended balance remaining in the fund at the end
25 of each biennium shall be exempt from the provisions of section
26 33.080 relating to the transfer of unexpended balances to the
27 state general revenue fund, until the amount in the fund exceeds
28 two percent of the amounts expended for personal service by state

1 and local government for judicial personnel.

2 3. In addition, any moneys received by or on behalf of the
3 state courts administrator from fees, grants, or any other
4 sources in connection with providing training to judicial
5 personnel shall be deposited in the fund provided, however, that
6 moneys collected in the fund in connection with a particular
7 purpose shall be segregated and shall not be disbursed for any
8 other purpose.

9 4. The state treasurer shall administer the fund and,
10 pursuant to appropriations, shall disburse moneys from the fund
11 to the state courts administrator in order to provide training
12 and to purchase goods and services determined appropriate by the
13 state courts administrator related to the training and education
14 of judicial personnel. As used in this section, the term
15 "judicial personnel" shall include court personnel as defined in
16 section 476.058, and judges.

17 477.405. On or before ~~[March 1, 1989]~~ January 1, 2015, the
18 supreme court of the state of Missouri shall recommend guidelines
19 appropriate for use by the general assembly in determining the
20 need for additional judicial personnel or reallocation of
21 existing personnel in this state, and shall recommend guidelines
22 appropriate for the evaluation of judicial performance. The
23 guidelines shall be filed with the ~~[chairmen]~~ chairs of the house
24 and senate judiciary committees, for distribution to the members
25 of the general assembly, and the court shall file therewith
26 annually a report measuring and assessing judicial performance in
27 the appellate and circuit courts of this state, including a
28 judicial weighted workload model and a clerical weighted workload

1 model.

2 478.008. 1. Veterans treatment courts may be established
3 by any circuit court, or combination of circuit courts, upon
4 agreement of the presiding judges of such circuit courts to
5 provide an alternative for the judicial system to dispose of
6 cases which stem from substance abuse or mental illness of
7 military veterans or current military personnel.

8 2. A veterans treatment court shall combine judicial
9 supervision, drug testing, and substance abuse and mental health
10 treatment to participants who have served or are currently
11 serving the United States armed forces, including members of the
12 reserves, national guard, or state guard.

13 3. (1) Each circuit court, which establishes such courts
14 as provided in subsection 1 of this section, shall establish
15 conditions for referral of proceedings to the veterans treatment
16 court; and

17 (2) Each circuit court shall enter into a memorandum of
18 understanding with each participating prosecuting attorney in the
19 circuit court. The memorandum of understanding shall specify a
20 list of felony offenses ineligible for referral to the veterans
21 treatment court. The memorandum of understanding may include
22 other parties considered necessary including, but not limited to,
23 defense attorneys, treatment providers, and probation officers.

24 4. (1) A circuit that has adopted a veterans treatment
25 court under this section may accept participants from any other
26 jurisdiction in this state based upon either the residence of the
27 participant in the receiving jurisdiction or the unavailability
28 of a veterans treatment court in the jurisdiction where the

1 participant is charged.

2 (2) The transfer can occur at any time during the
3 proceedings, including, but not limited to, prior to
4 adjudication. The receiving court shall have jurisdiction to
5 impose sentence, including, but not limited to, sanctions,
6 incentives, incarceration, and phase changes.

7 (3) A transfer under this subsection is not valid unless it
8 is agreed to by all of the following:

9 (a) The defendant or respondent;

10 (b) The attorney representing the defendant or respondent;

11 (c) The judge of the transferring court and the prosecutor
12 of the case; and

13 (d) The judge of the receiving veterans treatment court and
14 the prosecutor of the veterans treatment court.

15 (4) If the defendant is terminated from the veteran's
16 treatment court program the defendant's case shall be returned to
17 the transferring court for disposition.

18 5. Any proceeding accepted by the veterans treatment court
19 program for disposition shall be upon agreement of the parties.

20 6. Except for good cause found by the court, a veterans
21 treatment court shall make a referral for substance abuse or
22 mental health treatment, or a combination of substance abuse and
23 mental health treatment, through the Department of Defense health
24 care, the Veterans Administration, or a community-based treatment
25 program. Community-based programs utilized shall receive state
26 or federal funds in connection with such referral and shall only
27 refer the individual to a program which is certified by the
28 Missouri department of mental health, unless no appropriate

1 certified treatment program is located within the same county as
2 the veterans treatment court.

3 7. Any statement made by a participant as part of
4 participation in the veterans treatment court program, or any
5 report made by the staff of the program, shall not be admissible
6 as evidence against the participant in any criminal, juvenile, or
7 civil proceeding. Notwithstanding the foregoing, termination
8 from the veterans treatment court program and the reasons for
9 termination may be considered in sentencing or disposition.

10 8. Notwithstanding any other provision of law to the
11 contrary, veterans treatment court staff shall be provided with
12 access to all records of any state or local government agency
13 relevant to the treatment of any program participant.

14 9. Upon general request, employees of all such agencies
15 shall fully inform a veterans treatment court staff of all
16 matters relevant to the treatment of the participant. All such
17 records and reports and the contents thereof shall:

18 (1) Be treated as closed records;

19 (2) Not be disclosed to any person outside of the veterans
20 treatment court;

21 (3) Be maintained by the court in a confidential file not
22 available to the public.

23 10. Upon successful completion of the treatment program,
24 the charges, petition, or penalty against a veterans treatment
25 court participant may be dismissed, reduced, or modified. Any
26 fees received by a court from a defendant as payment for
27 substance abuse or mental health treatment programs shall not be
28 considered court costs, charges, or fines.

1 478.073. [The state is divided into the judicial circuits
2 numbered and described in the following sections.] 1. As set
3 forth in this section, the general assembly authorizes the
4 judicial conference of the state of Missouri, as established
5 pursuant to section 476.320, to alter the geographical boundaries
6 and territorial jurisdiction of the judicial circuits by means of
7 a circuit realignment plan as the administration of justice may
8 require, subject to the requirements set forth in article V of
9 the constitution of Missouri.

10 (1) Beginning in 2020, and every twenty years thereafter,
11 within the first ten calendar days of the regular legislative
12 session, the judicial conference shall submit to the secretary of
13 the senate, the chief clerk of the house of representatives and
14 the chairs of the house and senate judiciary committees a circuit
15 realignment plan for the alteration of the geographical
16 boundaries and territorial jurisdiction of the judicial circuits.
17 Along with a statement of the numbers and boundaries of the
18 proposed judicial circuits together with a map of the proposed
19 judicial circuits, the circuit realignment plan shall include an
20 analysis of the following supporting information:

21 (a) A current judicial weighted workload model;

22 (b) A current clerical weighted workload model;

23 (c) Whether litigants in the current circuits have adequate
24 access to the courts;

25 (d) The populations of the current and proposed judicial
26 circuits determined on the basis of the most recent decennial
27 census of the United States or annual population estimates
28 prepared by the United States Bureau of the Census;

1 (e) Judicial duties and travel time;

2 (f) Historical connections between counties in the judicial
3 circuits; and

4 (g) Other information deemed relevant by the judicial
5 conference.

6 (2) Once submitted to both chambers, a circuit realignment
7 plan shall become effective January first of the year following
8 the session of the general assembly to which it is submitted,
9 unless a bill realigning the judicial circuits is presented to
10 the governor and is duly enacted.

11 2. A circuit realignment plan shall not alter the total
12 number of judicial circuits in existence on December 31, 2019,
13 and any circuit realignment plan creating or reducing the number
14 of judicial circuits shall be null and void.

15 3. A circuit realignment plan not superceded in the manner
16 set forth in this section shall be considered for all purposes as
17 the equivalent in force, effect, and intent of a public act of
18 the state upon its taking effect, and it shall be published by
19 the revisor of statutes together with the laws adopted by the
20 general assembly during the session in which the plan is
21 submitted.

22 478.320. 1. In counties having a population of thirty
23 thousand or less, there shall be one associate circuit judge. In
24 counties having a population of more than thirty thousand and
25 less than one hundred thousand, there shall be two associate
26 circuit judges. In counties having a population of one hundred
27 thousand or more, there shall be three associate circuit judges
28 and one additional associate circuit judge for each additional

1 one hundred thousand inhabitants.

2 2. When the office of state courts administrator indicates
3 in an annual judicial weighted workload model for three
4 consecutive years or more the need for four or more full-time
5 judicial positions in any judicial circuit having a population of
6 one hundred thousand or more, there shall be one additional
7 associate circuit judge position in such circuit for every four
8 full-time judicial positions needed as indicated in the weighted
9 workload model. In a multicounty circuit, the additional
10 associate circuit judge positions shall be apportioned among the
11 counties in the circuit on the basis of population, starting with
12 the most populous county, then the next most populous county, and
13 so forth.

14 3. For purposes of this section, notwithstanding the
15 provisions of section 1.100, population of a county shall be
16 determined on the basis of the last previous decennial census of
17 the United States; and, beginning after certification of the year
18 2000 decennial census, on the basis of annual population
19 estimates prepared by the United States Bureau of the Census,
20 provided that the number of associate circuit judge positions in
21 a county shall be adjusted only after population estimates for
22 three consecutive years indicate population change in the county
23 to a level provided by subsection 1 of this section.

24 [3.] 4. Except in circuits where associate circuit judges
25 are selected under the provisions of sections 25(a) to (g) of
26 article V of the constitution, the election of associate circuit
27 judges shall in all respects be conducted as other elections and
28 the returns made as for other officers.

1 [4.] 5. In counties not subject to sections 25(a) to (g) of
2 article V of the constitution, associate circuit judges shall be
3 elected by the county at large.

4 [5.] 6. No associate circuit judge shall practice law, or
5 do a law business, nor shall he or she accept, during his or her
6 term of office, any public appointment for which he or she
7 receives compensation for his or her services.

8 [6.] 7. No person shall be elected as an associate circuit
9 judge unless he or she has resided in the county for which he or
10 she is to be elected at least one year prior to the date of his
11 or her election; provided that, a person who is appointed by the
12 governor to fill a vacancy may file for election and be elected
13 notwithstanding the provisions of this subsection.

14 487.010. 1. [There is hereby created in the circuit court
15 of the following judicial circuits of the state, a division or
16 divisions to be designated as provided in sections 487.010 to
17 487.190, which shall be the family court:

18 (1) Circuit number seven, consisting of the county of Clay;

19 (2) Circuit number thirteen, consisting of Callaway and
20 Boone;

21 (3) Circuit number sixteen, consisting of the county of
22 Jackson;

23 (4) Circuit number twenty-one, consisting of the county of
24 St. Louis;

25 (5) Circuit number twenty-two, consisting of the city of
26 St. Louis;

27 (6) Circuit number thirty-one, consisting of the county of
28 Greene; and

1 (7) Any other circuit which chooses, by local court rule,
2 to have a family court as provided in sections 487.010 to
3 487.190.

4 2.] The majority of the circuit judges and associate
5 circuit judges en banc, in the circuit, may designate, by local
6 court rule, a family court in a county in the circuit as provided
7 in sections 487.010 to 487.190.

8 [3.] 2. The presiding judge of each circuit where the
9 circuit or a county in the circuit has a family court shall
10 designate the division or divisions of the circuit court that
11 shall be the family court. In those circuits with split venue, a
12 division shall be designated in each venue.

13 [4.] 3. In each circuit having more than one division
14 designated as the family court, the presiding judge shall
15 designate from the divisions so designated an administrative
16 judge of the family court.

17 [5.] 4. In any circuit with a county with split venue,
18 there shall be at least one circuit judge assigned to the family
19 court for each block of one hundred sixty thousand persons, or
20 portion of such block, based upon the latest decennial national
21 census.

22 [6.] 5. Notwithstanding any other provision of this chapter
23 to the contrary, the judges of the court en banc may remove a
24 judge from his duties as a family court judge and may assign a
25 new judge to sit as the family court judge.

26 6. This section shall not be construed as eliminating any
27 family courts in existence as of December 31, 2019.

28 487.020. 1. In each circuit or a county having a family

1 court, a majority of the circuit and associate circuit judges en
2 banc, in the circuit, may appoint commissioners, subject to
3 appropriations, to hear family court cases and make findings as
4 provided for in sections 487.010 to 487.190. Any person serving
5 as a commissioner of the juvenile division of the circuit court
6 on August 28, 1993, shall become a commissioner of the family
7 court. In each circuit or a county therein having a family
8 court, a majority of the circuit and associate circuit judges en
9 banc may appoint, in addition to those commissioners serving as
10 commissioners of the juvenile division and becoming commissioners
11 of the family court pursuant to the provisions of sections
12 487.020 to 487.040, no more than three additional commissioners
13 to hear family court cases and make findings and recommendations
14 as provided in sections 487.010 to 487.190. The number of
15 additional commissioners added as a result of the provisions of
16 sections 487.010 to 487.190 may be appointed only to the extent
17 that the state is reimbursed for the salaries of the
18 commissioners as provided in sections 487.010 to 487.190 or by
19 federal or county funds or by gifts or grants made for such
20 purposes. A commissioner shall be appointed for a term of four
21 years. Commissioners appointed pursuant to sections 487.020 to
22 487.040 shall serve in addition to circuit judges, associate
23 circuit court judges and commissioners authorized to hear actions
24 classified under section 487.080.

25 2. The circuit **[court]** courts in the eleventh judicial
26 circuit, the thirteenth judicial circuit, and the thirty-first
27 judicial circuit may, in substitution of **[a]** each family court
28 commissioner currently appointed pursuant to this section whose

1 salary is reimbursable, appoint [one] a family court commissioner
2 whose compensation shall be payable by the state without
3 necessity of reimbursement. The provisions of this subsection
4 shall not be construed to allow appointment of a family court
5 commissioner in the eleventh judicial circuit in addition to the
6 number of such family court commissioners holding office in the
7 eleventh judicial circuit as of January 1, 1999[, and] . The
8 provisions of this subsection shall not be construed to allow
9 appointment of a family court commissioner in the thirteenth
10 judicial circuit or the thirty-first judicial circuit in addition
11 to the number of such family court commissioners holding office
12 in such circuits as of January 1, 2013. The appointment of the
13 state-paid commissioner shall be subject to appropriations for
14 such purpose.

15 3. Each commissioner of the family court shall possess the
16 same qualifications as a circuit judge. The compensation and
17 retirement benefits of each commissioner shall be the same as
18 that of an associate circuit judge, payable in the same manner
19 and from the same source as that of an associate circuit judge.

20 488.426. 1. The judges of the circuit court, en banc, in
21 any circuit in this state may require any party filing a civil
22 case in the circuit court, at the time of filing the suit, to
23 deposit with the clerk of the court a surcharge in addition to
24 all other deposits required by law or court rule. Sections
25 488.426 to 488.432 shall not apply to proceedings when costs are
26 waived or are to be paid by the county or state or any city.

27 2. The surcharge in effect on August 28, 2001, shall remain
28 in effect until changed by the circuit court. The circuit court

1 in any circuit, except the circuit court in Jackson County or the
2 circuit court in any circuit that reimburses the state for the
3 salaries of family court commissioners pursuant to section
4 487.020, may change the fee to any amount not to exceed fifteen
5 dollars. The circuit court in Jackson County or the circuit
6 court in any circuit that reimburses the state for the salaries
7 of family court commissioners pursuant to section 487.020 may
8 change the fee to any amount not to exceed twenty dollars. A
9 change in the fee shall become effective and remain in effect
10 until further changed.

11 3. Sections 488.426 to 488.432 shall not apply to
12 proceedings when costs are waived or are paid by the county or
13 state or any city.

14 4. In addition to any fee authorized by subsection 1 of
15 this section, any county of the first classification with more
16 than ninety-three thousand eight hundred but less than
17 ninety-three thousand nine hundred inhabitants may impose an
18 additional fee of ten dollars excluding cases concerning adoption
19 and those in small claims court. The provisions of this
20 subsection shall expire on December 31, 2014.

21 488.2250. [For all transcripts of testimony given or
22 proceedings had in any circuit court, the court reporter shall
23 receive the sum of two dollars per twenty-five-line page for the
24 original of the transcript, and the sum of thirty-five cents per
25 twenty-five-line page for each carbon copy thereof; the page to
26 be approximately eight and one-half inches by eleven inches in
27 size, with left-hand margin of approximately one and one-half
28 inches and the right-hand margin of approximately one-half inch;

1 answer to follow question on same line when feasible; such page
2 to be designated as a legal page. Any judge, in his or her
3 discretion, may order a transcript of all or any part of the
4 evidence or oral proceedings, and the court reporter's fees for
5 making the same shall be paid by the state upon a voucher
6 approved by the court, and taxed against the state. In criminal
7 cases where an appeal is taken by the defendant, and it appears
8 to the satisfaction of the court that the defendant is unable to
9 pay the costs of the transcript for the purpose of perfecting the
10 appeal, the court shall order the court reporter to furnish three
11 transcripts in duplication of the notes of the evidence, for the
12 original of which the court reporter shall receive two dollars
13 per legal page and for the copies twenty cents per page. The
14 payment of court reporter's fees provided in this section shall
15 be made by the state upon a voucher approved by the court] 1.

16 For all appeal transcripts of testimony given or proceedings in
17 any circuit court, the court reporter shall receive the sum of
18 three dollars and fifty cents per legal page for the preparation
19 of a paper and an electronic version of the transcript.

20 2. In criminal cases where an appeal is taken by the
21 defendant and it appears to the satisfaction of the court that
22 the defendant is unable to pay the costs of the transcript for
23 the purpose of perfecting the appeal, the court reporter shall
24 receive a fee of two dollars and sixty cents per legal page for
25 the preparation of a paper and an electronic version of the
26 transcript.

27 3. Any judge, in his or her discretion, may order a
28 transcript of all or any part of the evidence or oral proceedings

1 and the court reporter shall receive the sum of two dollars and
2 sixty cents per legal page for the preparation of a paper and an
3 electronic version of the transcript.

4 4. For purposes of this section, a legal page, other than
5 the first page and the final page of the transcript, shall be
6 twenty-five lines, approximately eight and one-half inches by
7 eleven inches in size, with the left-hand margin of approximately
8 one and one-half inches, and with the right-hand margin of
9 approximately one-half inch.

10 5. Notwithstanding any law to the contrary, the payment of
11 court reporter's fees provided in subsections 2 and 3 of this
12 section shall be made by the state upon a voucher approved by the
13 court. The cost to prepare all other transcripts of testimony or
14 proceedings shall be borne by the party requesting their
15 preparation and production, who shall reimburse the court
16 reporter the sum provided in subsection 1 of this section.

17 488.5320. 1. Sheriffs, county marshals or other officers
18 shall be allowed a charge for their services rendered in criminal
19 cases and in all proceedings for contempt or attachment, as
20 required by law, the sum of seventy-five dollars for each felony
21 case or contempt or attachment proceeding, ten dollars for each
22 misdemeanor case, and six dollars for each infraction,
23 [excluding] including cases disposed of by a [traffic] violations
24 bureau established pursuant to law or supreme court rule. Such
25 charges shall be charged and collected in the manner provided by
26 sections 488.010 to 488.020 and shall be payable to the county
27 treasury; except that, those charges from cases disposed of by a
28 violations bureau shall be distributed as follows: one-half of

1 the charges collected shall be forwarded and deposited to the
2 credit of the MODEX fund established in subsection 6 of this
3 section for the operational cost of the Missouri data exchange
4 (MODEX) system, and one-half of the charges collected shall be
5 deposited to the credit of the inmate security fund, established
6 in section 488.5026, of the county or municipal political
7 subdivision from which the citation originated. If the county or
8 municipal political subdivision has not established an inmate
9 security fund, all of the funds shall be deposited in the MODEX
10 fund.

11 2. Notwithstanding subsection 1 of this section to the
12 contrary, sheriffs, county marshals, or other officers in any
13 county with a charter form of government and with more than nine
14 hundred fifty thousand inhabitants or in any city not within a
15 county shall not be allowed a charge for their services rendered
16 in cases disposed of by a violations bureau established pursuant
17 to law or supreme court rule.

18 3. The sheriff receiving any charge pursuant to subsection
19 1 of this section shall reimburse the sheriff of any other county
20 or the city of St. Louis the sum of three dollars for each
21 pleading, writ, summons, order of court or other document served
22 in connection with the case or proceeding by the sheriff of the
23 other county or city, and return made thereof, to the maximum
24 amount of the total charge received pursuant to subsection 1 of
25 this section.

26 [3.] 4. The charges provided in subsection 1 of this
27 section shall be taxed as other costs in criminal proceedings
28 immediately upon a plea of guilty or a finding of guilt of any

1 defendant in any criminal procedure. The clerk shall tax all the
2 costs in the case against such defendant, which shall be
3 collected and disbursed as provided by sections 488.010 to
4 488.020; provided, that no such charge shall be collected in any
5 proceeding in any court when the proceeding or the defendant has
6 been dismissed by the court; provided further, that all costs,
7 incident to the issuing and serving of writs of scire facias and
8 of writs of fieri facias, and of attachments for witnesses of
9 defendant, shall in no case be paid by the state, but such costs
10 incurred under writs of fieri facias and scire facias shall be
11 paid by the defendant and such defendant's sureties, and costs
12 for attachments for witnesses shall be paid by such witnesses.

13 [4.] 5. Mileage shall be reimbursed to sheriffs, county
14 marshals and guards for all services rendered pursuant to this
15 section at the rate prescribed by the Internal Revenue Service
16 for allowable expenses for motor vehicle use expressed as an
17 amount per mile.

18 6. (1) There is hereby created in the state treasury the
19 "MODEX Fund", which shall consist of money collected under
20 subsection 1 of this section. The fund shall be administered by
21 the Peace Officers Standards and Training Commission established
22 in section 590.120. The state treasurer shall be custodian of
23 the fund. In accordance with sections 30.170 and 30.180, the
24 state treasurer may approve disbursements. The fund shall be a
25 dedicated fund and, upon appropriation, money in the fund shall
26 be used solely for the operational support and expansion of the
27 MODEX system.

28 (2) Notwithstanding the provisions of section 33.080 to the

1 contrary, any moneys remaining in the fund at the end of the
2 biennium shall not revert to the credit of the general revenue
3 fund.

4 (3) The state treasurer shall invest moneys in the fund in
5 the same manner as other funds are invested. Any interest and
6 moneys earned on such investments shall be credited to the fund.

7 513.430. 1. The following property shall be exempt from
8 attachment and execution to the extent of any person's interest
9 therein:

10 (1) Household furnishings, household goods, wearing
11 apparel, appliances, books, animals, crops or musical instruments
12 that are held primarily for personal, family or household use of
13 such person or a dependent of such person, not to exceed three
14 thousand dollars in value in the aggregate;

15 (2) A wedding ring not to exceed one thousand five hundred
16 dollars in value and other jewelry held primarily for the
17 personal, family or household use of such person or a dependent
18 of such person, not to exceed five hundred dollars in value in
19 the aggregate;

20 (3) Any other property of any kind, not to exceed in value
21 six hundred dollars in the aggregate;

22 (4) Any implements or professional books or tools of the
23 trade of such person or the trade of a dependent of such person
24 not to exceed three thousand dollars in value in the aggregate;

25 (5) Any motor vehicles, not to exceed three thousand
26 dollars in value in the aggregate;

27 (6) Any mobile home used as the principal residence but not
28 attached to real property in which the debtor has a fee interest,

1 not to exceed five thousand dollars in value;

2 (7) Any one or more unmaturred life insurance contracts
3 owned by such person, other than a credit life insurance
4 contract;

5 (8) The amount of any accrued dividend or interest under,
6 or loan value of, any one or more unmaturred life insurance
7 contracts owned by such person under which the insured is such
8 person or an individual of whom such person is a dependent;
9 provided, however, that if proceedings under Title 11 of the
10 United States Code are commenced by or against such person, the
11 amount exempt in such proceedings shall not exceed in value one
12 hundred fifty thousand dollars in the aggregate less any amount
13 of property of such person transferred by the life insurance
14 company or fraternal benefit society to itself in good faith if
15 such transfer is to pay a premium or to carry out a nonforfeiture
16 insurance option and is required to be so transferred
17 automatically under a life insurance contract with such company
18 or society that was entered into before commencement of such
19 proceedings. No amount of any accrued dividend or interest
20 under, or loan value of, any such life insurance contracts shall
21 be exempt from any claim for child support. Notwithstanding
22 anything to the contrary, no such amount shall be exempt in such
23 proceedings under any such insurance contract which was purchased
24 by such person within one year prior to the commencement of such
25 proceedings;

26 (9) Professionally prescribed health aids for such person
27 or a dependent of such person;

28 (10) Such person's right to receive:

1 (a) A Social Security benefit, unemployment compensation or
2 a public assistance benefit;

3 (b) A veteran's benefit;

4 (c) A disability, illness or unemployment benefit;

5 (d) Alimony, support or separate maintenance, not to exceed
6 seven hundred fifty dollars a month;

7 (e) Any payment under a stock bonus plan, pension plan,
8 disability or death benefit plan, profit-sharing plan, nonpublic
9 retirement plan or any plan described, defined, or established
10 pursuant to section 456.072, the person's right to a participant
11 account in any deferred compensation program offered by the state
12 of Missouri or any of its political subdivisions, or annuity or
13 similar plan or contract on account of illness, disability,
14 death, age or length of service, to the extent reasonably
15 necessary for the support of such person and any dependent of
16 such person unless:

17 a. Such plan or contract was established by or under the
18 auspices of an insider that employed such person at the time such
19 person's rights under such plan or contract arose;

20 b. Such payment is on account of age or length of service;
21 and

22 c. Such plan or contract does not qualify under Section
23 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue
24 Code of 1986, as amended, (26 U.S.C. 401(a), 403(a), 403(b), 408,
25 408A or 409); except that any such payment to any person shall be
26 subject to attachment or execution pursuant to a qualified
27 domestic relations order, as defined by Section 414(p) of the
28 Internal Revenue Code of 1986, as amended, issued by a court in

1 any proceeding for dissolution of marriage or legal separation or
2 a proceeding for disposition of property following dissolution of
3 marriage by a court which lacked personal jurisdiction over the
4 absent spouse or lacked jurisdiction to dispose of marital
5 property at the time of the original judgment of dissolution;

6 (f) Any money or assets, payable to a participant or
7 beneficiary from, or any interest of any participant or
8 beneficiary in, a retirement plan [or] profit-sharing plan,
9 health savings plan, or similar plan, including an inherited
10 account or plan, that is qualified under Section 401(a), 403(a),
11 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as
12 amended, whether such participant's or beneficiary's interest
13 arises by inheritance, designation, appointment, or otherwise,
14 except as provided in this paragraph. Any plan or arrangement
15 described in this paragraph shall not be exempt from the claim of
16 an alternate payee under a qualified domestic relations order;
17 however, the interest of any and all alternate payees under a
18 qualified domestic relations order shall be exempt from any and
19 all claims of any creditor, other than the state of Missouri
20 through its division of family services. As used in this
21 paragraph, the terms "alternate payee" and "qualified domestic
22 relations order" have the meaning given to them in Section 414(p)
23 of the Internal Revenue Code of 1986, as amended.

24
25 If proceedings under Title 11 of the United States Code are
26 commenced by or against such person, no amount of funds shall be
27 exempt in such proceedings under any such plan, contract, or
28 trust which is fraudulent as defined in subsection 2 of section

1 428.024 and for the period such person participated within three
2 years prior to the commencement of such proceedings. For the
3 purposes of this section, when the fraudulently conveyed funds
4 are recovered and after, such funds shall be deducted and then
5 treated as though the funds had never been contributed to the
6 plan, contract, or trust;

7 (11) The debtor's right to receive, or property that is
8 traceable to, a payment on account of the wrongful death of an
9 individual of whom the debtor was a dependent, to the extent
10 reasonably necessary for the support of the debtor and any
11 dependent of the debtor.

12 2. Nothing in this section shall be interpreted to exempt
13 from attachment or execution for a valid judicial or
14 administrative order for the payment of child support or
15 maintenance any money or assets, payable to a participant or
16 beneficiary from, or any interest of any participant or
17 beneficiary in, a retirement plan which is qualified pursuant to
18 Section 408A of the Internal Revenue Code of 1986, as amended.

19 514.040. 1. Except as provided in subsection 3 of this
20 section, if any court shall, before or after the commencement of
21 any suit pending before it, be satisfied that the plaintiff is a
22 poor person, and unable to prosecute his or her suit, and pay all
23 or any portion of the costs and expenses thereof, such court may,
24 in its discretion, permit him or her to commence and prosecute
25 his or her action as a poor person, and thereupon such poor
26 person shall have all necessary process and proceedings as in
27 other cases, without fees, tax or charge as the court determines
28 the person cannot pay; and the court may assign to such person

1 counsel, who, as well as all other officers of the court, shall
2 perform their duties in such suit without fee or reward as the
3 court may excuse; but if judgment is entered for the plaintiff,
4 costs shall be recovered, which shall be collected for the use of
5 the officers of the court.

6 2. In any civil action brought in a court of this state by
7 any offender convicted of a crime who is confined in any state
8 prison or correctional center, the court shall not reduce the
9 amount required as security for costs upon filing such suit to an
10 amount of less than ten dollars pursuant to this section. This
11 subsection shall not apply to any action for which no sum as
12 security for costs is required to be paid upon filing such suit.

13 3. Where a party is represented in a civil action by a
14 legal aid society or a legal services or other nonprofit
15 organization funded in whole or substantial part by moneys
16 appropriated by the general assembly of the state of Missouri,
17 which has as its primary purpose the furnishing of legal services
18 to indigent persons, by a law school clinic which has as its
19 primary purpose educating law students through furnishing legal
20 services to indigent persons, or by private counsel working on
21 behalf of or under the auspices of such society, all costs and
22 expenses related to the prosecution of the suit may be waived
23 without the necessity of a motion and court approval, provided
24 that a determination has been made by such society or
25 organization that such party is unable to pay the costs, fees and
26 expenses necessary to prosecute or defend the action, and that a
27 certification that such determination has been made is filed with
28 the clerk of the court.

1 544.455. 1. Any person charged with a bailable offense, at
2 his or her appearance before an associate circuit judge or judge
3 may be ordered released pending trial, appeal, or other stage of
4 the proceedings against him on his personal recognizance, unless
5 the associate circuit judge or judge determines, in the exercise
6 of his discretion, that such a release will not reasonably assure
7 the appearance of the person as required. When such a
8 determination is made, the associate circuit judge or judge may
9 either in lieu of or in addition to the above methods of release,
10 impose any or any combination of the following conditions of
11 release which will reasonably assure the appearance of the person
12 for trial:

13 (1) Place the person in the custody of a designated person
14 or organization agreeing to supervise him;

15 (2) Place restriction on the travel, association, or place
16 of abode of the person during the period of release;

17 (3) Require the execution of a bail bond with sufficient
18 solvent sureties, or the deposit of cash in lieu thereof;

19 (4) Require the person to report regularly to some officer
20 of the court, or peace officer, in such manner as the associate
21 circuit judge or judge directs;

22 (5) Require the execution of a bond in a given sum and the
23 deposit in the registry of the court of ten percent, or such
24 lesser percent as the judge directs, of the sum in cash or
25 negotiable bonds of the United States or of the state of Missouri
26 or any political subdivision thereof;

27 (6) Place the person on house arrest with electronic
28 monitoring[,] ; except that all costs associated with the

1 electronic monitoring shall be charged to the person on house
2 arrest. If the judge finds the person unable to afford the costs
3 associated with electronic monitoring, [then] the judge [shall
4 not] may order that the person be placed on house arrest with
5 electronic monitoring if the county commission agrees to pay from
6 the general revenue of the county the costs of such monitoring.
7 If the person on house arrest is unable to afford the costs
8 associated with electronic monitoring and the county commission
9 does not agree to pay the costs of such electronic monitoring,
10 the judge shall not order that the person be placed on house
11 arrest with electronic monitoring;

12 (7) Impose any other condition deemed reasonably necessary
13 to assure appearance as required, including a condition requiring
14 that the person return to custody after specified hours.

15 2. In determining which conditions of release will
16 reasonably assure appearance, the associate circuit judge or
17 judge shall, on the basis of available information, take into
18 account the nature and circumstances of the offense charged, the
19 weight of the evidence against the accused, the accused's family
20 ties, employment, financial resources, character and mental
21 condition, the length of his residence in the community, his
22 record of convictions, and his record of appearance at court
23 proceedings or flight to avoid prosecution or failure to appear
24 at court proceedings.

25 3. An associate circuit judge or judge authorizing the
26 release of a person under this section shall issue an appropriate
27 order containing a statement of the conditions imposed, if any,
28 shall inform such person of the penalties applicable to

1 violations of the conditions of his release and shall advise him
2 that a warrant for his arrest will be issued immediately upon any
3 such violation.

4 4. A person for whom conditions of release are imposed and
5 who after twenty-four hours from the time of the release hearing
6 continues to be detained as a result of his inability to meet the
7 conditions of release, shall, upon application, be entitled to
8 have the condition reviewed by the associate circuit judge or
9 judge who imposed them. The motion shall be determined promptly.

10 5. An associate circuit judge or judge ordering the release
11 of a person on any condition specified in this section may at any
12 time amend his order to impose additional or different conditions
13 of release; except that, if the imposition of such additional or
14 different conditions results in the detention of the person as a
15 result of his inability to meet such conditions or in the release
16 of the person on a condition requiring him to return to custody
17 after specified hours, the provisions of subsection 4 of this
18 section shall apply.

19 6. Information stated in, or offered in connection with,
20 any order entered pursuant to this section need not conform to
21 the rules pertaining to the admissibility of evidence in a court
22 of law.

23 7. Nothing contained in this section shall be construed to
24 prevent the disposition of any case or class of cases by
25 forfeiture of collateral security where such disposition is
26 authorized by the court.

27 8. Persons charged with violations of municipal ordinances
28 may be released by a municipal judge or other judge who hears and

1 determines municipal ordinance violation cases of the
2 municipality involved under the same conditions and in the same
3 manner as provided in this section for release by an associate
4 circuit judge.

5 9. A circuit court may adopt a local rule authorizing the
6 pretrial release on electronic monitoring pursuant to subdivision
7 (6) of subsection 1 of this section in lieu of incarceration of
8 individuals charged with offenses specifically identified
9 therein.

10 557.011. 1. Every person found guilty of an offense shall
11 be dealt with by the court in accordance with the provisions of
12 this chapter, except that for offenses defined outside this code
13 and not repealed, the term of imprisonment or the fine that may
14 be imposed is that provided in the statute defining the offense;
15 however, the conditional release term of any sentence of a term
16 of years shall be determined as provided in subsection 4 of
17 section 558.011.

18 2. Whenever any person has been found guilty of a felony or
19 a misdemeanor the court shall make one or more of the following
20 dispositions of the offender in any appropriate combination. The
21 court may:

22 (1) Sentence the person to a term of imprisonment as
23 authorized by chapter 558;

24 (2) Sentence the person to pay a fine as authorized by
25 chapter 560;

26 (3) Suspend the imposition of sentence, with or without
27 placing the person on probation;

28 (4) Pronounce sentence and suspend its execution, placing

1 the person on probation;

2 (5) Impose a period of detention as a condition of
3 probation, as authorized by section 559.026.

4 3. Whenever any person has been found guilty of an
5 infraction, the court shall make one or more of the following
6 dispositions of the offender in any appropriate combination. The
7 court may:

8 (1) Sentence the person to pay a fine as authorized by
9 chapter 560;

10 (2) Suspend the imposition of sentence, with or without
11 placing the person on probation;

12 (3) Pronounce sentence and suspend its execution, placing
13 the person on probation.

14 4. Whenever any organization has been found guilty of an
15 offense, the court shall make one or more of the following
16 dispositions of the organization in any appropriate combination.
17 The court may:

18 (1) Sentence the organization to pay a fine as authorized
19 by chapter 560;

20 (2) Suspend the imposition of sentence, with or without
21 placing the organization on probation;

22 (3) Pronounce sentence and suspend its execution, placing
23 the organization on probation;

24 (4) Impose any special sentence or sanction authorized by
25 law.

26 5. This chapter shall not be construed to deprive the court
27 of any authority conferred by law to decree a forfeiture of
28 property, suspend or cancel a license, remove a person from

1 office, or impose any other civil penalty. An appropriate order
2 exercising such authority may be included as part of any
3 sentence.

4 6. In the event a sentence of confinement is ordered
5 executed, a court may order that an individual serve all or any
6 portion of such sentence on electronic monitoring[,] ; except
7 that all costs associated with the electronic monitoring shall be
8 charged to the person on house arrest. If the judge finds the
9 person unable to afford the costs associated with electronic
10 monitoring, [then] the judge [shall not] may order that the
11 person be placed on house arrest with electronic monitoring if
12 the county commission agrees to pay the costs of such
13 monitoring. If the person on house arrest is unable to afford
14 the costs associated with electronic monitoring and the county
15 commission does not agree to pay from the general revenue of the
16 county the costs of such electronic monitoring, the judge shall
17 not order that the person be placed on house arrest with
18 electronic monitoring.

19 559.036. 1. A term of probation commences on the day it is
20 imposed. Multiple terms of Missouri probation, whether imposed at
21 the same time or at different times, shall run concurrently.
22 Terms of probation shall also run concurrently with any federal
23 or other state jail, prison, probation or parole term for another
24 offense to which the defendant is or becomes subject during the
25 period, unless otherwise specified by the Missouri court.

26 2. The court may terminate a period of probation and
27 discharge the defendant at any time before completion of the
28 specific term fixed under section 559.016 if warranted by the

1 conduct of the defendant and the ends of justice. The court may
2 extend the term of the probation, but no more than one extension
3 of any probation may be ordered except that the court may extend
4 the term of probation by one additional year by order of the
5 court if the defendant admits he or she has violated the
6 conditions of probation or is found by the court to have violated
7 the conditions of his or her probation. Total time on any
8 probation term, including any extension shall not exceed the
9 maximum term established in section 559.016. Procedures for
10 termination, discharge and extension may be established by rule
11 of court.

12 3. If the defendant violates a condition of probation at
13 any time prior to the expiration or termination of the probation
14 term, the court may continue him on the existing conditions, with
15 or without modifying or enlarging the conditions or extending the
16 term.

17 4. (1) Unless the defendant consents to the revocation of
18 probation, if a continuation, modification, enlargement or
19 extension is not appropriate under this section, the court shall
20 order placement of the offender in one of the department of
21 corrections' one hundred twenty-day programs so long as:

22 (a) The underlying offense for the probation is a class C
23 or D felony or an offense listed in chapter 195; except that, the
24 court may, upon its own motion or a motion of the prosecuting or
25 circuit attorney, make a finding that an offender is not eligible
26 if the underlying offense is involuntary manslaughter in the
27 first degree, involuntary manslaughter in the second degree,
28 aggravated stalking, assault in the second degree, sexual

1 assault, domestic assault in the second degree, assault of a law
2 enforcement officer in the second degree, statutory rape in the
3 second degree, statutory sodomy in the second degree, deviate
4 sexual assault, sexual misconduct involving a child, incest,
5 endangering the welfare of a child in the first degree under
6 subdivision (1) or (2) of subsection 1 of section 568.045, abuse
7 of a child, invasion of privacy or any case in which the
8 defendant is found guilty of a felony offense under chapter 571;

9 (b) The probation violation is not the result of the
10 defendant being an absconder or being found guilty of, pleading
11 guilty to, or being arrested on suspicion of any felony,
12 misdemeanor, or infraction. For purposes of this subsection,
13 "absconder" shall mean an offender under supervision who has left
14 such offender's place of residency without the permission of the
15 offender's supervising officer for the purpose of avoiding
16 supervision;

17 (c) The defendant has not violated any conditions of
18 probation involving the possession or use of weapons, or a
19 stay-away condition prohibiting the defendant from contacting a
20 certain individual; and

21 (d) The defendant has not already been placed in one of the
22 programs by the court for the same underlying offense or during
23 the same probation term.

24 (2) Upon receiving the order, the department of corrections
25 shall conduct an assessment of the offender and place such
26 offender in the appropriate one hundred twenty-day program under
27 subsection 3 of section 559.115.

28 (3) Notwithstanding any of the provisions of subsection 3

1 of section 559.115 to the contrary, once the defendant has
2 successfully completed the program under this subsection, the
3 court shall release the defendant to continue to serve the term
4 of probation, which shall not be modified, enlarged, or extended
5 based on the same incident of violation. Time served in the
6 program shall be credited as time served on any sentence imposed
7 for the underlying offense.

8 5. If the defendant consents to the revocation of probation
9 or if the defendant is not eligible under subsection 4 of this
10 section for placement in a program and a continuation,
11 modification, enlargement, or extension of the term under this
12 section is not appropriate, the court may revoke probation and
13 order that any sentence previously imposed be executed. If
14 imposition of sentence was suspended, the court may revoke
15 probation and impose any sentence available under section
16 557.011. The court may mitigate any sentence of imprisonment by
17 reducing the prison or jail term by all or part of the time the
18 defendant was on probation. The court may, upon revocation of
19 probation, place an offender on a second term of probation. Such
20 probation shall be for a term of probation as provided by section
21 559.016, notwithstanding any amount of time served by the
22 offender on the first term of probation.

23 6. Probation shall not be revoked without giving the
24 probationer notice and an opportunity to be heard on the issues
25 of whether he violated a condition of probation and, if he did,
26 whether revocation is warranted under all the circumstances.

27 7. The prosecuting or circuit attorney may file a motion to
28 revoke probation or at any time during the term of probation, the

1 court may issue a notice to the probationer to appear to answer a
2 charge of a violation, and the court may issue a warrant of
3 arrest for the violation. Such notice shall be personally served
4 upon the probationer. The warrant shall authorize the return of
5 the probationer to the custody of the court or to any suitable
6 detention facility designated by the court. Upon the filing of
7 the prosecutor's or circuit attorney's motion or on the court's
8 own motion, the court may immediately enter an order suspending
9 the period of probation and may order a warrant for the
10 defendant's arrest. The probation shall remain suspended until
11 the court rules on the prosecutor's or circuit attorney's motion,
12 or until the court otherwise orders the probation reinstated.

13 8. The power of the court to revoke probation shall extend
14 for the duration of the term of probation designated by the court
15 and for any further period which is reasonably necessary for the
16 adjudication of matters arising before its expiration, provided
17 that some affirmative manifestation of an intent to conduct a
18 revocation hearing occurs prior to the expiration of the period
19 and that every reasonable effort is made to notify the
20 probationer and to conduct the hearing prior to the expiration of
21 the period.

22 559.115. 1. Neither probation nor parole shall be granted
23 by the circuit court between the time the transcript on appeal
24 from the offender's conviction has been filed in appellate court
25 and the disposition of the appeal by such court.

26 2. Unless otherwise prohibited by subsection [5] 8 of this
27 section, a circuit court only upon its own motion and not that of
28 the state or the offender shall have the power to grant probation

1 to an offender anytime up to one hundred twenty days after such
2 offender has been delivered to the department of corrections but
3 not thereafter. The court may request information and a
4 recommendation from the department concerning the offender and
5 such offender's behavior during the period of incarceration.
6 Except as provided in this section, the court may place the
7 offender on probation in a program created pursuant to section
8 217.777, or may place the offender on probation with any other
9 conditions authorized by law.

10 3. The court may recommend placement of an offender in a
11 department of corrections one hundred twenty-day program under
12 this [section] subsection or order such placement under
13 subsection 4 of section 559.036. Upon the recommendation or
14 order of the court, the department of corrections shall assess
15 each offender to determine the appropriate one hundred twenty-day
16 program in which to place the offender, [including] which may
17 include placement in the shock incarceration program or
18 institutional treatment program. When the court recommends and
19 receives placement of an offender in a department of corrections
20 one hundred twenty-day program, the offender shall be released on
21 probation if the department of corrections determines that the
22 offender has successfully completed the program except as
23 follows. Upon successful completion of a [treatment] program
24 under this subsection, the board of probation and parole shall
25 advise the sentencing court of an offender's probationary release
26 date thirty days prior to release. [The court shall release the
27 offender unless such release constitutes an abuse of discretion.
28 If the court determined that there is an abuse of discretion, the

1 court may order the execution of the offender's sentence only
2 after conducting a hearing on the matter within ninety to one
3 hundred twenty days of the offender's sentence. If the court
4 does not respond when an offender successfully completes the
5 program, the offender shall be released on probation. Upon
6 successful completion of a shock incarceration program, the board
7 of probation and parole shall advise the sentencing court of an
8 offender's probationary release date thirty days prior to
9 release.】 The court shall follow the recommendation of the
10 department unless the court determines that probation is not
11 appropriate. If the court determines that probation is not
12 appropriate, the court may order the execution of the offender's
13 sentence only after conducting a hearing on the matter within
14 ninety to one hundred twenty days [of the offender's sentence.
15 If the department determines that an offender is not successful
16 in a program, then after one hundred days of incarceration the
17 circuit court shall receive from] from the date the offender was
18 delivered to the department of corrections. If the department
19 determines the offender has not successfully completed a one
20 hundred twenty-day program under this subsection, the offender
21 shall be removed from the program and the court shall be advised
22 of the removal. The department [of corrections a] shall report
23 on the offender's participation in the program and [department]
24 may provide recommendations for terms and conditions of an
25 offender's probation. The court shall then [release the offender
26 on probation or order the offender to remain in the department to
27 serve the sentence imposed] have the power to grant probation or
28 order the execution of the offender's sentence.

1 4. If the court is advised that an offender is not eligible
2 for placement in a one hundred twenty-day program under
3 subsection 3 of this section, the court shall consider other
4 authorized dispositions. If the department of corrections one
5 hundred twenty-day program under subsection 3 of this section is
6 full, the court may place the offender in a private program
7 approved by the department of corrections or the court, the
8 expenses of such program to be paid by the offender, or in an
9 available program offered by another organization. If the
10 offender is convicted of a class C or class D nonviolent felony,
11 the court may order probation while awaiting appointment to
12 treatment.

13 5. Except when the offender has been found to be a
14 predatory sexual offender pursuant to section 558.018, the court
15 shall request [that the offender be placed in the sexual offender
16 assessment unit of the department of corrections] the department
17 of corrections to conduct a sexual offender assessment if the
18 defendant has pleaded guilty to or has been found guilty of
19 sexual abuse when classified as a class B felony. Upon
20 completion of the assessment, the department shall provide to the
21 court a report on the offender and may provide recommendations
22 for terms and conditions of an offender's probation. The
23 assessment shall not be considered a one hundred twenty-day
24 program as provided under subsection 3 of this section. The
25 process for granting probation to an offender who has completed
26 the assessment shall be as provided under subsections 2 and 6 of
27 this section.

28 6. Unless the offender is being granted probation pursuant

1 to successful completion of a one hundred twenty-day program the
2 circuit court shall notify the state in writing when the court
3 intends to grant probation to the offender pursuant to the
4 provisions of this section. The state may, in writing, request a
5 hearing within ten days of receipt of the court's notification
6 that the court intends to grant probation. Upon the state's
7 request for a hearing, the court shall grant a hearing as soon as
8 reasonably possible. If the state does not respond to the
9 court's notice in writing within ten days, the court may proceed
10 upon its own motion to grant probation.

11 7. An offender's first incarceration [for one hundred
12 twenty days for participation in a department of corrections
13 program] under this section prior to release on probation shall
14 not be considered a previous prison commitment for the purpose of
15 determining a minimum prison term under the provisions of section
16 558.019.

17 8. Notwithstanding any other provision of law, probation
18 may not be granted pursuant to this section to offenders who have
19 been convicted of murder in the second degree pursuant to section
20 565.021; forcible rape pursuant to section 566.030; forcible
21 sodomy pursuant to section 566.060; statutory rape in the first
22 degree pursuant to section 566.032; statutory sodomy in the first
23 degree pursuant to section 566.062; child molestation in the
24 first degree pursuant to section 566.067 when classified as a
25 class A felony; abuse of a child pursuant to section 568.060 when
26 classified as a class A felony; an offender who has been found to
27 be a predatory sexual offender pursuant to section 558.018; or
28 any offense in which there exists a statutory prohibition against

1 either probation or parole.

2 632.498. 1. Each person committed pursuant to sections
3 632.480 to 632.513 shall have a current examination of the
4 person's mental condition made once every year by the director of
5 the department of mental health or designee. The yearly report
6 shall be provided to the court that committed the person pursuant
7 to sections 632.480 to 632.513. The court shall conduct an
8 annual review of the status of the committed person. The court
9 shall not conduct an annual review of a person's status if he or
10 she has been conditionally released pursuant to section 632.505.

11 2. Nothing contained in sections 632.480 to 632.513 shall
12 prohibit the person from otherwise petitioning the court for
13 release. The director of the department of mental health shall
14 provide the committed person who has not been conditionally
15 released with an annual written notice of the person's right to
16 petition the court for release over the director's objection.
17 The notice shall contain a waiver of rights. The director shall
18 forward the notice and waiver form to the court with the annual
19 report.

20 3. If the committed person petitions the court for
21 conditional release over the director's objection, the petition
22 shall be served upon the court that committed the person, the
23 prosecuting attorney of the jurisdiction into which the committed
24 person is to be released, the director of the department of
25 mental health, the head of the facility housing the person, and
26 the attorney general.

27 4. The committed person shall have a right to have an
28 attorney represent the person at the hearing but the person is

1 not entitled to be present at the hearing. If the court at the
2 hearing determines by a preponderance of the evidence that the
3 person no longer suffers from a mental abnormality that makes the
4 person likely to engage in acts of sexual violence if released,
5 then the court shall set a trial on the issue.

6 5. The trial shall be governed by the following provisions:

7 (1) The committed person shall be entitled to be present
8 and entitled to the benefit of all constitutional protections
9 that were afforded the person at the initial commitment
10 proceeding;

11 (2) The attorney general shall represent the state and
12 shall have a right to a jury trial and to have the committed
13 person evaluated by a psychiatrist or psychologist not employed
14 by the department of mental health or the department of
15 corrections. In addition, the person may be examined by a
16 consenting psychiatrist or psychologist of the person's choice at
17 the person's own expense;

18 (3) The burden of proof at the trial shall be upon the
19 state to prove by clear and convincing evidence that the
20 committed person's mental abnormality remains such that the
21 person is not safe to be at large and if released is likely to
22 engage in acts of sexual violence. If such determination is made
23 by a jury, the verdict must be unanimous;

24 (4) If the court or jury finds that the person's mental
25 abnormality remains such that the person is not safe to be at
26 large and if released is likely to engage in acts of sexual
27 violence, the person shall remain in the custody of the
28 department of mental health in a secure facility designated by

1 the director of the department of mental health. If the court or
2 jury finds that the person's mental abnormality has so changed
3 that the person is not likely to commit acts of sexual violence
4 if released, the person shall be conditionally released as
5 provided in section 632.505.

6 632.505. 1. Upon determination by a court or jury that the
7 person's mental abnormality has so changed that the person is not
8 likely to commit acts of sexual violence if released, the court
9 shall place the person on conditional release pursuant to the
10 terms of this section. The primary purpose of conditional
11 release is to provide outpatient treatment and monitoring to
12 prevent the person's condition from deteriorating to the degree
13 that the person would need to be returned to a secure facility
14 designated by the director of the department of mental health.

15 2. The department of mental health is authorized to enter
16 into an interagency agreement with the department of corrections
17 for the supervision of persons granted a conditional release by
18 the court. In conjunction with the department of corrections,
19 the department of mental health shall develop a conditional
20 release plan which contains appropriate conditions for the person
21 to be released. The plan shall address the person's need for
22 supervision, counseling, medication, community support services,
23 residential services, vocational services, and alcohol and drug
24 treatment. The department of mental health shall submit the
25 proposed plan for conditional release to the court.

26 3. The court shall review the plan and determine the
27 conditions that it deems necessary to meet the person's need for
28 treatment and supervision and to protect the safety of the

1 public. The court shall order that the person shall be subject
2 to the following conditions and other conditions as deemed
3 necessary:

4 (1) Maintain a residence approved by the department of
5 mental health and not change residence unless approved by the
6 department of mental health;

7 (2) Maintain employment unless engaged in other structured
8 activity approved by the department of mental health;

9 (3) Obey all federal and state laws;

10 (4) Not possess a firearm or dangerous weapon;

11 (5) Not be employed or voluntarily participate in an
12 activity that involves contact with children without approval of
13 the department of mental health;

14 (6) Not consume alcohol or use a controlled substance
15 except as prescribed by a treating physician and to submit, upon
16 request, to any procedure designed to test for alcohol or
17 controlled substance use;

18 (7) Not associate with any person who has been convicted of
19 a felony unless approved by the department of mental health;

20 (8) Not leave the state without permission of the
21 department of mental health;

22 (9) Not have contact with specific persons, including but
23 not limited to, the victim or victim's family, as directed by the
24 department of mental health;

25 (10) Not have any contact with any child without specific
26 approval by the department of mental health;

27 (11) Not possess material that is pornographic, sexually
28 oriented, or sexually stimulating;

1 (12) Not enter a business providing sexually stimulating or
2 sexually oriented entertainment;

3 (13) Submit to a polygraph, plethysmograph, or other
4 electronic or behavioral monitoring or assessment;

5 (14) Submit to electronic monitoring which may be based on
6 a global positioning system or other technology which identifies
7 and records a person's location at all times;

8 (15) Attend and fully participate in assessment and
9 treatment as directed by the department of mental health;

10 (16) Take all psychiatric medications as prescribed by a
11 treating physician;

12 (17) Authorize the department of mental health to access
13 and obtain copies of confidential records pertaining to
14 evaluation, counseling, treatment, and other such records and
15 provide the consent necessary for the release of any such
16 records;

17 (18) Pay fees to the department of mental health and the
18 department of corrections to cover the costs of services and
19 monitoring;

20 (19) Report to or appear in person as directed by the
21 department of mental health and the department of corrections,
22 and to follow all directives of such departments;

23 (20) Comply with any registration requirements under
24 sections 589.400 to 589.425; and

25 (21) Comply with any other conditions that the court
26 determines to be in the best interest of the person and society.

27 4. The court shall provide a copy of the order containing
28 the conditions of release to the person, the attorney general,

1 the department of mental health, the head of the facility housing
2 the person, and the department of corrections.

3 5. A person who is conditionally released and supervised by
4 a probation and parole officer employed by the department of
5 corrections remains under the control, care, and treatment of the
6 department of mental health.

7 6. The court may modify conditions of release upon its own
8 motion or upon the petition of the department of mental health,
9 the department of corrections, or the person on conditional
10 release.

11 7. The following provisions shall apply to violations of
12 conditional release:

13 (1) If any probation and parole officer has reasonable
14 cause to believe that a person on conditional release has
15 violated a condition of release or that the person is no longer a
16 proper subject for conditional release, the officer may issue a
17 warrant for the person's arrest. The warrant shall contain a
18 brief recitation of the facts supporting the officer's belief.
19 The warrant shall direct any peace officer to take the person
20 into custody immediately so that the person can be returned to a
21 secure facility;

22 (2) If the director of the department of mental health or
23 the director's designee has reasonable cause to believe that a
24 person on conditional release has violated a condition of release
25 or that the person is no longer a proper subject for conditional
26 release, the director or the director's designee may request that
27 a peace officer take the person into custody immediately, or
28 request that a probation and parole officer or the court which

1 ordered the release issue a warrant for the person's arrest so
2 that the person can be returned to a secure facility;

3 (3) At any time during the period of a conditional release,
4 the court which ordered the release may issue a notice to the
5 released person to appear to answer a charge of a violation of
6 the terms of the release and the court may issue a warrant of
7 arrest for the violation. Such notice shall be personally served
8 upon the released person. The warrant shall authorize the return
9 of the released person to the custody of the court or to the
10 custody of the director of mental health or the director's
11 designee;

12 (4) No peace officer responsible for apprehending and
13 returning the person to the facility upon the request of the
14 director of the department of mental health or the director's
15 designee or a probation and parole officer shall be civilly
16 liable for apprehending or transporting such person to the
17 facility so long as such duties were performed in good faith and
18 without negligence;

19 (5) The department of mental health shall promptly notify
20 the court that the person has been apprehended and returned to a
21 secure facility;

22 (6) Within seven days of the person's return to a secure
23 facility, the department of mental health must either request
24 that the attorney general file a petition to revoke the person's
25 conditional release or continue the person on conditional
26 release;

27 (7) If a petition to revoke conditional release is filed,
28 the person shall remain in custody until a hearing is held on the

1 petition. The hearing shall be given priority on the court's
2 docket. If upon hearing the evidence, the court finds by
3 preponderance of the evidence that the person has violated a
4 condition of release and that the violation of the condition was
5 sufficient to render the person no longer suitable for
6 conditional release, the court shall revoke the conditional
7 release and order the person returned to a secure facility
8 designated by the director of the department of mental health.
9 If the court determines that revocation is not required, the
10 court may modify or increase the conditions of release or order
11 the person's release on the existing conditions of release;

12 (8) A person whose conditional release has been revoked may
13 petition the court for subsequent release pursuant to sections
14 632.498, 632.501, and 632.504 no sooner than six months after the
15 person's return to a secure facility.

16 8. The department of mental health may enter into
17 agreements with the department of corrections and other
18 departments and may enter into contracts with private entities
19 for the purpose of supervising a person on conditional release.

20 9. The department of mental health and the department of
21 corrections may require a person on conditional release to pay a
22 reasonable fee to cover the costs of providing services and
23 monitoring while the person is released. Each department may
24 adopt rules with respect to establishing, waiving, collecting,
25 and using fees. Any rule or portion of a rule, as that term is
26 defined in section 536.010, that is created under the authority
27 delegated in this section shall become effective only if it
28 complies with and is subject to all of the provisions of chapter

1 536 and, if applicable, section 536.028. This section and
2 chapter 536 are nonseverable and if any of the powers vested with
3 the general assembly pursuant to chapter 536 to review, to delay
4 the effective date, or to disapprove and annul a rule are
5 subsequently held unconstitutional, then the grant of rulemaking
6 authority and any rule proposed or adopted after August 28, 2006,
7 shall be invalid and void.

8 10. In the event a person on conditional release escapes
9 from custody, the department of mental health shall notify the
10 court, the department of corrections, the attorney general, the
11 chief law enforcement officer of the county or city not within a
12 county from where the person escaped or absconded, and any other
13 persons necessary to protect the safety of the public or to
14 assist in the apprehension of the person. The attorney general
15 shall notify victims and witnesses. Upon receiving such notice,
16 the attorney general shall file escape from commitment charges
17 under section 575.195.

18 11. When a person who has been granted conditional release
19 under this section is being electronically monitored and remains
20 in the county, city, town, or village where the facility is
21 located that released the person, the department of corrections
22 shall provide, upon request, the chief of the local law
23 enforcement agency of such county, city, town, or village with
24 access to the information gathered by the global positioning
25 system or other technology used to monitor the person. This
26 access shall include, but not be limited to, any user name or
27 password needed to view any real-time or recorded information
28 about the person, and any alert or message generated by the

1 technology. The access shall continue while the person is being
2 electronically monitored and is living in the county, city, town,
3 or village where the facility that released the offender is
4 located. The information obtained by the chief of the local law
5 enforcement agency shall be closed and shall not be disclosed to
6 any person outside the law enforcement agency except upon an
7 order of the court supervising the conditional release.

8 Section 1. It is the intent of the legislature to reject
9 and abrogate earlier case law interpretations on the meaning of
10 or definition of "sexually violent offense" to include, but not
11 be limited to, holdings in: Robertson v. State, 392 S.W.3d 1 (Mo.
12 App. W.D., 2012); and State ex rel. Whitaker v. Satterfield, 386
13 S.W.3d 893 (Mo. App. S.D., 2012); and all cases citing,
14 interpreting, applying, or following those cases. It is the
15 intent of the legislature to apply these provisions
16 retroactively.

17 [478.075. Circuit number one shall consist of the
18 counties of Clark, Schuyler and Scotland.]
19

20 [478.077. Circuit number two shall consist of the
21 counties of Adair, Knox and Lewis.]
22

23 [478.080. Circuit number three shall consist of
24 the counties of Grundy, Harrison, Mercer and Putnam.]
25

26 [478.085. Circuit number four shall consist of
27 the counties of Holt, Atchison, Gentry, Nodaway and
28 Worth.]
29

30 [478.087. Circuit number five shall consist of
31 the counties of Buchanan and Andrew.]
32

33 [478.090. Circuit number six shall consist of the
34 county of Platte.]
35

36 [478.093. Circuit number seven shall consist of
37 the county of Clay.]

1 [478.095. Circuit number eight shall consist of
2 the counties of Carroll and Ray.]

3
4 [478.097. Circuit number nine shall consist of
5 the counties of Chariton, Linn and Sullivan.]

6
7 [478.100. Circuit number ten shall consist of the
8 counties of Marion, Monroe and Ralls.]

9
10 [478.103. 1. Until August 28, 1991, circuit
11 number eleven shall consist of the counties of Lincoln,
12 Pike and St. Charles.

13 2. Beginning August 29, 1991, circuit number
14 eleven shall consist of the county of St. Charles.]

15
16 [478.105. Circuit number twelve shall consist of
17 the counties of Audrain, Montgomery and Warren.]

18
19 [478.107. Circuit number thirteen shall consist
20 of the counties of Boone and Callaway.]

21
22 [478.110. Circuit number fourteen shall consist
23 of the counties of Howard and Randolph.]

24
25 [478.113. Circuit number fifteen shall consist of
26 the counties of Lafayette and Saline.]

27
28 [478.115. Circuit number sixteen shall consist of
29 the county of Jackson.]

30
31 [478.117. Circuit number seventeen shall consist
32 of the counties of Cass and Johnson.]

33
34 [478.120. Circuit number eighteen shall consist
35 of the counties of Cooper and Pettis.]

36
37 [478.123. Circuit number nineteen shall consist
38 of the county of Cole.]

39
40 [478.125. Circuit number twenty shall consist of
41 the counties of Franklin, Gasconade and Osage.]

42
43 [478.127. Circuit number twenty-one shall consist
44 of the county of St. Louis.]

45
46 [478.130. Circuit number twenty-two shall consist
47 of the city of St. Louis.]

48
49 [478.133. Circuit number twenty-three shall

1 consist of Jefferson County.]

2
3 [478.135. Circuit number twenty-four shall
4 consist of the counties of Madison, St. Francois, Ste.
5 Genevieve and Washington.]

6
7 [478.137. Circuit number twenty-five shall
8 consist of the counties of Maries, Phelps, Pulaski and
9 Texas.]

10
11 [478.140. Circuit number twenty-six shall consist
12 of the counties of Camden, Laclede, Miller, Moniteau
13 and Morgan.]

14
15 [478.143. Circuit number twenty-seven shall
16 consist of the counties of Bates, Henry and St. Clair.]

17
18 [478.145. Circuit number twenty-eight shall
19 consist of the counties of Barton, Cedar, Dade and
20 Vernon.]

21
22 [478.147. Circuit number twenty-nine shall
23 consist of the county of Jasper.]

24
25 [478.150. Circuit number thirty shall consist of
26 the counties of Benton, Dallas, Hickory, Polk and
27 Webster.]

28
29 [478.153. Circuit number thirty-one shall consist
30 of the county of Greene.]

31
32 [478.155. Circuit number thirty-two shall consist
33 of the counties of Perry, Bollinger and Cape
34 Girardeau.]

35
36 [478.157. Circuit number thirty-three shall
37 consist of the counties of Mississippi and Scott.]

38
39 [478.160. Circuit number thirty-four shall
40 consist of the counties of New Madrid and Pemiscot.]

41
42 [478.163. Circuit number thirty-five shall
43 consist of the counties of Dunklin and Stoddard.]

44
45 [478.165. Circuit number thirty-six shall consist
46 of the counties of Butler and Ripley.]

47
48 [478.167. Circuit number thirty-seven shall
49 consist of the counties of Carter, Howell, Oregon and

1 Shannon.]

2
3 [478.170. Circuit number thirty-eight shall
4 consist of the counties of Christian and Taney.]

5
6 [478.173. Circuit number thirty-nine shall
7 consist of the counties of Barry, Lawrence and Stone.]

8
9 [478.175. Circuit number forty shall consist of
10 the counties of McDonald and Newton.]

11
12 [478.177. Circuit number forty-one shall consist
13 of the counties of Macon and Shelby.]

14
15 [478.180. Circuit number forty-two shall consist
16 of the counties of Crawford, Dent, Iron, Reynolds and
17 Wayne.]

18
19 [478.183. Circuit number forty-three shall
20 consist of the counties of Clinton, Caldwell, Daviess,
21 Livingston, and DeKalb.]

22
23 [478.185. Circuit number forty-four shall consist
24 of the counties of Douglas, Ozark, and Wright.]

25
26 [478.186. 1. Beginning August 29, 1991, circuit
27 number forty-five shall consist of the counties of
28 Lincoln and Pike.

29 2. The circuit court judge who sat in division
30 three of the eleventh judicial circuit on August 28,
31 1991, shall beginning August 29, 1991, be the circuit
32 judge of the forty-fifth judicial circuit and shall
33 hold office for the remainder of the term to which he
34 was elected or appointed, and until his successor is
35 elected and qualified.]

36 Section B. The repeal of sections 478.075, 478.077,
37 478.080, 478.085, 478.087, 478.090, 478.093, 478.095, 478.097,
38 478.100, 478.103, 478.105, 478.107, 478.110, 478.113, 478.115,
39 478.117, 478.120, 478.123, 478.125, 478.127, 478.130, 478.133,
40 478.135, 478.137, 478.140, 478.143, 478.145, 478.147, 478.150,
41 478.153, 478.155, 478.157, 478.160, 478.163, 478.165, 478.167,
42 478.170, 478.173, 478.175, 478.177, 478.180, 478.183, 478.185,
43 478.186, and the repeal and reenactment of section 487.010 shall

1 become effective December 31, 2020.

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