

HCS HB 424 -- SHERIFFS

SPONSOR: Jones (50)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on General Laws by a vote of 12 to 0.

This substitute changes the laws regarding sheriffs. In its main provisions, the substitute:

(1) Specifies that no person will be eligible for the office of sheriff unless he or she holds a valid peace officer license under Chapter 590, RSMo. The substitute requires any person filing for the office to have the license at the time of filing. This provision does not apply to the sheriffs of St. Louis County or St. Louis City (Section 57.010);

(2) Allows the sheriff of any county, regardless of classification, to employ an attorney to aid and advise in the discharge of his or her duties and to represent him or her in court (Section 57.104);

(3) Decreases from \$3 to \$2 the surcharge that is assessed in all civil actions and criminal cases, including violations of county ordinances, criminal laws, or traffic laws and infractions, and made payable to the credit of the Sheriff's Retirement Fund. The substitute also allows the surcharge to be collected for violations of municipal ordinances (Section 488.024); and

(4) Allows the City of Kansas City to charge, in addition to all other court costs for municipal ordinance violations, additional court costs of up to \$7 per case for each municipal ordinance violation case, except the additional cost cannot be collected when the proceeding or the defendant is dismissed by the court. The judge may waive the assessment if the defendant is found to be indigent and unable to pay the costs. The city must use the money to fund special mental health, drug, and veterans courts, including indigent defense and ancillary services associated with the special courts (Section 488.2230).

PROPOSERS: Supporters say that the bill will increase funding for sheriff's offices by collecting the surcharge for municipal ordinance violations. Lowering the fee from \$3 to \$2 will adequately fund the system with the inclusion of municipal ordinances.

Testifying for the bill were Representative McCaherty; and Clarence F. Barnes.

OPPONENTS: There was no opposition voiced to the committee.