

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1728
97TH GENERAL ASSEMBLY

5614H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 192.300, RSMo, and to enact in lieu thereof one new section relating to public health orders, with a penalty provision.

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

Section A. Section 192.300, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 192.300, to read as follows:

192.300. **1.** The county commissions and the county health center boards of the several counties, **together in agreement**, may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198. The county commissions and the county health center boards of the several counties, **together in agreement**, may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities for which they were generated. After the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission [or] **and** county health board, such commission [or] **and** county health board shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 newspaper in the county in three successive weeks, not later than thirty days after the entry of
20 such order, ordinance, rule or regulation. Any person, firm, corporation or association which
21 violates any of the orders or ordinances adopted, promulgated and published by such county
22 commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise
23 provided by law. The county commission or county health board of any such county has full
24 power and authority to initiate the prosecution of any action under this section.

25 **2. (1) The provision in subsection 1 that requires county commissions and county**
26 **health boards to make and promulgate orders, ordinances, rules, or regulations together**
27 **in agreement shall apply only to orders, ordinances, rules, or regulations made after the**
28 **effective date of this act;**

29 **(2) The provision in subsection 1 that requires county commissions and county**
30 **health boards to establish reasonable fees to pay for the costs incurred in carrying out**
31 **orders, ordinances, rules, or regulations together in agreement shall apply only to fees**
32 **changed or established after the effective date of this act.**

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