

HCS HB 365 -- COUNTY SHERIFF'S REVOLVING FUNDS

SPONSOR: Lipke (Munzlinger)

COMMITTEE ACTION: Voted "do pass" by the Committee on Crime Prevention and Public Safety by a vote of 12 to 0.

This substitute repeals the provision in Section 50.535, RSMo, requiring money in a county sheriff's revolving fund to be used only for the purchase of equipment and to provide training for law enforcement officers. County sheriffs will be allowed to use moneys in the fund to cover the costs associated with the processing of concealed carry endorsements. If the actual expenses in a given year exceed the revenue generated by the statutory maximum application fee of \$100, a sheriff may present specific and verified evidence of the unreimbursed expenses to the Office of Administration. Upon certification by the Attorney General, the Office of Administration will reimburse the sheriff from an appropriation made for that purpose.

The substitute contains an emergency clause.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.

PROPOSERS: Supporters say that because of the ambiguities regarding funding in the concealed firearms bill passed in 2003 and the subsequent ruling of the Missouri Supreme Court on that legislation, the concealed carry endorsement provisions are being applied differently in some counties. Currently, county sheriffs, as the chief administrators of this permitting process, face lawsuits from both sides of this issue. The bill will clarify those ambiguities, make the law enforced uniformly throughout the state, and end the litigation on this issue.

Testifying for the bill were Representative Munzlinger; Office of the Attorney General; Johnson County Sheriff's Office; Missouri Sheriffs Association; National Rifle Association; and Missouri Family Network.

OPPOSERS: There was no opposition voiced to the committee.

Richard Smreker, Senior Legislative Analyst