

FIRST REGULAR SESSION

# HOUSE BILL NO. 944

98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE CURTIS.

0824L.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 56.265, RSMo, and to enact in lieu thereof three new sections relating to prosecuting attorneys.

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

Section A. Section 56.265, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 56.025, 56.027, and 56.265, to read as follows:

**56.025. Any person elected to the position of county prosecuting attorney after December 31, 2015, shall not serve more than two four-year terms.**

**56.027. 1. Whenever the governing body of a county with a charter form of government and with more than nine hundred fifty thousand inhabitants receives a petition, signed by a number of registered voters of the county equal to at least fifteen percent of the number of registered voters of the county voting in the last gubernatorial election, expressing poor public perception in the county prosecuting attorney's office or that such office acted unfairly, ten percent of such county prosecuting attorney's office budget shall be deducted from its budget during the next fiscal year. Moneys deducted from the budget shall go into a fund created in subsection 2 of this section and be used to establish community outreach programs with such county prosecuting attorney's office.**

**2. There is hereby created in the state treasury the "Public Perception Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining**

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.

16 **in the fund at the end of the biennium shall not revert to the credit of the general revenue**  
 17 **fund. The state treasurer shall invest moneys in the fund in the same manner as other**  
 18 **funds are invested. Any interest and moneys earned on such investments shall be credited**  
 19 **to the fund.**

20 56.265. 1. **Notwithstanding any provision of law,** the county prosecuting attorney in  
 21 any county[, other than in a chartered county,] **and any assistant prosecuting attorney who are**  
 22 **employed full time** shall receive an annual salary [computed using the following schedule, when  
 23 applicable. The assessed valuation factor shall be the amount thereof as shown for the year  
 24 immediately preceding the year for which the computation is done.

25 (1) For a full-time prosecutor the prosecutor shall receive compensation equal to the  
 26 compensation of an associate circuit judge;

27 (2) For a part-time prosecutor:

Assessed Valuation	Amount
\$18,000,000 to 40,999,999	\$37,000
41,000,000 to 53,999,999	38,000
54,000,000 to 65,999,999	39,000
66,000,000 to 85,999,999	41,000
86,000,000 to 99,999,999	43,000
100,000,000 to 130,999,999	45,000
131,000,000 to 159,999,999	47,000
160,000,000 to 189,999,999	49,000
190,000,000 to 249,999,999	51,000
250,000,000 to 299,999,999	53,000
300,000,000 or more	55,000]

28 **equal to the compensation of a member of the general assembly. Any part-time prosecuting attorney**  
 29 **shall receive an annual salary of no more than thirty thousand dollars per year. attorney**  
 30 **shall receive an annual salary of no more than thirty thousand dollars per year.**

31 2. Two thousand dollars of the salary authorized in this section shall be payable to the  
 prosecuting attorney only if the prosecuting attorney has completed at least twenty hours of  
 classroom instruction each calendar year relating to the operations of the prosecuting attorney's  
 office when approved by a professional association of the county prosecuting attorneys of  
 Missouri unless exempted from the training by the professional association. The professional  
 association approving the program shall provide a certificate of completion to each prosecuting  
 attorney who completes the training program and shall send a list of certified prosecuting  
 attorneys to the treasurer of each county. Expenses incurred for attending the training session

32 may be reimbursed to the county prosecuting attorney in the same manner as other expenses as  
33 may be appropriated for that purpose.

34 3. As used in this section, the term "prosecuting attorney" includes the circuit attorney  
35 of any city not within a county.

36 4. The prosecuting attorney of any county which becomes a county of the first  
37 classification during a four-year term of office or a county which passed the proposition  
38 authorized by subsection 1 of section 56.363 shall not be required to devote full time to such  
39 office pursuant to section 56.067 until the beginning of the prosecuting attorney's next term of  
40 office or until the proposition otherwise becomes effective.

41 [5. The provisions of section 56.066 shall not apply to full-time prosecutors who are  
42 compensated pursuant to subdivision (1) of subsection 1 of this section.]

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