

FIRST REGULAR SESSION

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 1044

98TH GENERAL ASSEMBLY

2271H.03C

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To amend chapter 478, RSMo, by adding thereto one new section relating to an armed offender docket in the circuit court of Jackson County.

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

Section A. Chapter 478, RSMo, is amended by adding thereto one new section, to be known as section 478.252, to read as follows:

**478.252. 1. The circuit court of Jackson County may establish the "Armed Offender Docket Pilot Project". The armed offender docket shall have dedicated judges and other personnel for all matters of hearing, setting of bail or other pretrial matters, trial, sentencing, and supervision of the accused or convicted in all actions in which the lead charge has been brought under subdivision (2) of subsection 1 of section 569.020 prior to December 31, 2016, or, beginning January 1, 2017, subdivision (1) of subsection 1 of section 569.160, subdivision (2) of subsection 1 of section 570.023, 571.015, subdivisions (1), (2), (3), or (6), of subsection 1 of section 571.020, 571.030, 571.045, 571.050, subdivision (1) of subsection 1 of section 571.060, 571.063, 571.070, 571.072, or 571.150. For purposes of this section, a "lead charge", means the highest grade of a charge against a defendant. Charges tried by the docket shall arise from lead charges brought on or after the effective date of the creation of the docket.**

**2. The circuit court may impose a thirty dollar surcharge for each criminal case assigned to the armed offender docket. Moneys from such surcharge shall be collected in the manner provided in sections 488.010 to 488.020 and shall be used solely to defray the costs of prosecution, pretrial supervision, and statistical analysis of such cases. No such surcharge shall be collected in any proceeding if the proceeding or the defendant has been dismissed by the court or if costs are to be paid by the state, county, or municipality.**

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.

3. The presiding judge of the circuit court, along with the prosecuting attorney and all law enforcement agencies in such circuit, shall assist in the coordinating and sharing of court and law enforcement data and information that is relevant to the operation and evaluation of the armed offender docket. Such information shall include, but not be limited to, the following:

(1) The number of cases in which the court ordered the defendant to be confined pretrial;

(2) The number of cases in which the court ordered release of the defendant pretrial;

(3) The range of bond amounts in cases in which the defendant was released pretrial;

(4) The number of cases in which the court revoked the defendant's release prior to trial;

(5) The number of cases dismissed by the court;

(6) The number of cases disposed of by plea and the range of sentences imposed in such cases;

(7) The number of cases resulting in jury verdicts, including acquittals;

(8) The number of cases resulting in a sentence of confinement and the range of sentences imposed;

(9) The number of cases in which the court granted probation and release after a judgment of conviction either by plea or verdict;

(10) The number of cases in which probation revocation was sought and is pending;

(11) The number of cases in which probation revocation was granted; and

(12) Any nonprivileged information reasonably requested by such agencies or by a research university in Missouri with an accredited program in criminology, criminal justice, public health, or social work. Any information that is protected from disclosure by a recognized privilege or statute shall be disclosed only by court order or as provided by statute.

4. Within six months after each anniversary of the creation of the armed offender docket, the circuit court shall provide and publish a public report on the operations of the armed offender docket during the year immediately preceding the anniversary, including any commentary on such operations as may be offered by a research university in Missouri, prosecuting attorney or public defender in such circuit, or law enforcement agency in such circuit.

5. The provisions of this section shall expire on December 31, 2021.

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