

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765,
2 Page 2, Section 304.125, Line 4, by inserting after all of said section and line the following:

3
4 "476.083. 1. In addition to any appointments made pursuant to section 485.010, the
5 presiding judge of each circuit containing one or more facilities operated by the department of
6 corrections with an average total inmate population in all such facilities in the circuit over the
7 previous two years of more than two thousand five hundred inmates or containing, as of January 1,
8 2016, a diagnostic and reception center operated by the department of corrections and a mental
9 health facility operated by the department of mental health which houses persons found not guilty of
10 a crime by reason of mental disease or defect under chapter 552 and provides sex offender
11 rehabilitation and treatment services (SORTS) may appoint a circuit court marshal to aid the
12 presiding judge in the administration of the judicial business of the circuit by overseeing the
13 physical security of the courthouse, serving court-generated papers and orders, and assisting the
14 judges of the circuit as the presiding judge determines appropriate. Such circuit court marshal
15 appointed pursuant to the provisions of this section shall serve at the pleasure of the presiding judge.
16 The circuit court marshal authorized by this section is in addition to staff support from the circuit
17 clerks, deputy circuit clerks, division clerks, municipal clerks, and any other staff personnel which
18 may otherwise be provided by law.

19 2. The salary of a circuit court marshal shall be established by the presiding judge of the
20 circuit within funds made available for that purpose, but such salary shall not exceed ninety percent
21 of the salary of the highest paid sheriff serving a county wholly or partially within that circuit.
22 Personnel authorized by this section shall be paid from state funds or federal grant moneys which
23 are available for that purpose and not from county funds.

24 3. Any person appointed as a circuit court marshal pursuant to this section shall have at least
25 five years' prior experience as a law enforcement officer. In addition, any such person shall within
26 one year after appointment, or as soon as practicable, attend a court security school or training
27 program operated by the United States Marshal Service. In addition to all other powers and duties
28 prescribed in this section, a circuit court marshal may:

- 29 (1) Serve process;
30 (2) Wear a concealable firearm; and
31 (3) Make an arrest based upon local court rules and state law, and as directed by the
32 presiding judge of the circuit."; and
33

34 Further amend said bill by amending the title, enacting clause, and intersectional references
35 accordingly.

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____