

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 572, Page 9, Section 82.148, Line 5, by inserting after all of said section and line  
3 the following:

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

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

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

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

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

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_