

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

Offered By  
\_\_\_\_\_

1 AMEND House Bill No. 1249, Page 2, Section 479.020, Line 41, by inserting immediately after all  
2 of said section and line the following:

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4 "479.190. 1. Any judge hearing violations of municipal ordinances may, when in his  
5 judgment it may seem advisable, grant a parole or probation to any person who shall plead guilty or  
6 who shall be convicted after a trial before such judge. When a person is placed on probation he  
7 shall be given a certificate explicitly stating the conditions on which he is being released.

8 2. In addition to such other authority as exists to order conditions of probation, the court  
9 may order conditions which the court believes will serve to compensate the victim of the crime, any  
10 dependent of the victim, or society in general. Such conditions may include, but need not be limited  
11 to:

12 (1) Restitution to the victim or any dependent of the victim, in an amount to be determined  
13 by the judge; and

14 (2) The performance of a designated amount of free work for a public or charitable purpose,  
15 or purposes, as determined by the judge.

16 3. A person may refuse probation conditioned on the performance of free work. If he does  
17 so, the court shall decide the extent or duration of sentence or other disposition to be imposed and  
18 render judgment accordingly. Any county, city, person, organization, or agency, or employee of a  
19 county, city, organization or agency charged with the supervision of such free work or who benefits  
20 from its performance shall be immune from any suit by the person placed on parole or probation or  
21 any person deriving a cause of action from him if such cause of action arises from such supervision  
22 of performance, except for intentional torts or gross negligence. The services performed by the  
23 probationer or parolee shall not be deemed employment within the meaning of the provisions of  
24 chapter 288.

25 4. The court may modify or enlarge the conditions of probation at any time prior to the  
26 expiration or termination of the probation term.

27 5. No municipal judge, municipal court personnel, or any prosecutor designated by the  
28 municipality or personnel assigned thereto shall supervise or have authority to hire, fire, or  
29 discipline any probation officer or probation personnel assigned by the municipality to perform the  
30 duties of probation or parole."; and

31  
32 Further amend said bill by amending the title, enacting clause, and intersectional references  
33 accordingly.

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