

HB 1045 -- MUNICIPAL ORDINANCE VIOLATIONS

SPONSOR: Falkner III

This bill modifies provisions relating to the administrative adjudication of certain municipal ordinance violations.

Currently, only the cities of St. Louis, Kansas City, St. Joseph, and Springfield are authorized to establish, by order or ordinance, an administrative system for adjudicating housing, property maintenance, nuisance, parking, and other civil, nonmoving municipal code violations. This bill allows any city or village to establish, by ordinance, an administrative adjudication system for certain municipal code violations.

The administrative tribunal shall operate under the supervision of the municipal court. Currently, the administrative tribunal may operate under the supervision of the municipal court, parking commission, or other entity designated by order or ordinance. This bill provides that administrative law judges may be municipal court judges or other persons qualified to be a municipal court judge.

Points for driving violations shall be assessed by the Department of Revenue in the same manner as municipal court proceedings.

Currently, any final determination of a code violation by an administrative tribunal may be reviewed under the Administrative Procedure and Review Act or by a trial de novo in circuit court, at the request of the defendant within 10 days. This bill repeals the availability of review by a trial de novo in circuit court and only provides for judicial review under the Administrative Procedure and Review Act.

This bill is similar to SCS SB 207 (2019).