

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 143, Page 1, Section A, Line 2, by inserting after said section and line the
2 following:

3
4 "66.010. 1. Any county framing and adopting a charter for its own government under the
5 provisions of Section 18, Article VI of the Constitution of this state, may prosecute and punish
6 violations of its county ordinances in the circuit court of such counties in the manner and to the
7 extent herein provided or in a county municipal court. In addition, the county may prosecute and
8 punish municipal ordinance violations in the county municipal court pursuant to a contract with any
9 municipality within the county. Any county municipal court established pursuant to the provisions
10 of this section shall have jurisdiction over violations of that county's ordinances and the ordinances
11 of municipalities with which the county has a contract to prosecute and punish violations of
12 municipal ordinances of the city. Costs and procedures in any such county municipal court shall be
13 governed by the provisions of law relating to municipal ordinance violations in municipal divisions
14 of circuit courts.

15 2. In any county which has elected to establish a county municipal court pursuant to this
16 section, the judges for such court shall be appointed by the county executive of such county, subject
17 to confirmation by the legislative body of such county in the same manner as confirmation for other
18 county appointed officers. The number of judges appointed, and qualifications for their
19 appointment, shall be established by ordinance of the county.

20 3. The number of divisions of such county municipal court and its term shall be established
21 by ordinance of the county.

22 4. Except in any county with a charter form of government and with more than six hundred
23 thousand but fewer than seven hundred thousand inhabitants, the ordinance of the county shall
24 provide for regular sessions of court in the evening hours after 6:00 p.m. and at locations outside the
25 county seat. In any county with a charter form of government and with more than six hundred
26 thousand but fewer than seven hundred thousand inhabitants, the ordinance of the county may
27 provide for regular sessions of court in the evening hours after 6:00 p.m. and at locations outside the
28 county seat.

29 5. Judges of the county municipal court shall be licensed to practice law in this state and
30 shall be residents of the county in which they serve. Municipal court judges shall not accept or
31 handle cases in their practice of law which are inconsistent with their duties as a municipal court
32 judge and municipal judges that are employed on a full-time basis shall not be a judge or prosecutor
33 for any other court.

34 6. In establishing the county municipal court, provisions shall be made for appropriate
35 circumstances whereby defendants may enter not guilty pleas and obtain trial dates by telephone or
36 written communication without personal appearance, or to plead guilty and deliver by mail or

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1 electronic transfer or other approved method the specified amount of the fine and costs as otherwise
2 provided by law, within a specified period of time.

3 7. In a county municipal court established pursuant to this section, the county may provide
4 by ordinance for court costs not to exceed the sum which may be provided by municipalities for
5 municipal violations before municipal courts. The county municipal judge may assess costs against
6 a defendant who pleads guilty or is found guilty except in those cases where the defendant is found
7 by the judge to be indigent and unable to pay the costs. The costs authorized in this subsection are
8 in addition to service costs, witness fees and jail costs that may otherwise be authorized to be
9 assessed, but are in lieu of other court or judge costs or fees. Such costs shall be collected by the
10 authorized clerk and deposited into the county treasury.

11 8. Provisions shall be made for recording of proceedings, except that if such proceedings are
12 not recorded, then, in that event, a person aggrieved by a judgment of a traffic judge or
13 commissioner shall have the right of a trial de novo. The procedures for perfecting the right of a
14 trial de novo shall be the same as that provided under sections 512.180 to 512.320, except that the
15 provisions of subsection 2 of section 512.180 shall not apply to such cases. In the event that such
16 proceedings are recorded, all final decisions of the county municipal court shall be appealable on
17 such record to the appellate court with appropriate jurisdiction.

18 9. Any person charged with the violation of a county ordinance in a county which has
19 established a county municipal court under the provisions of this section shall, upon request, be
20 entitled to a trial by jury before a county municipal court judge. Any jury trial shall be heard with a
21 record being made.

22 10. In the event that a court is established pursuant to this section, the circuit judges of the
23 judicial circuit with jurisdiction within that county may authorize the judges of the county municipal
24 court to act as commissioners to hear in the first instance nonfelony violations of state law involving
25 motor vehicles as provided by local rule."; and

26
27 Further amend said bill by amending the title, enacting clause, and intersectional references
28 accordingly.