

FIRST REGULAR SESSION

HOUSE BILL NO. 444

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGIRL.

1251H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 192.300, RSMo, and to enact in lieu thereof one new section relating to county public health orders.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 192.300, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 192.300, to read as follows:

192.300. 1. The county commissions and the county health center boards of the several counties may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not:

(1) Be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198; or

(2) Impose standards or requirements on an agricultural operation and its appurtenances, as such term is defined in section 537.295, that are inconsistent with or more stringent than any provision of this chapter or chapters 260, 640, 643, and 644, or any rule or regulation promulgated under such chapters.

2. The county commissions and the county health center boards of the several counties may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 fees generated under the provisions of this section shall be used to support the public health
19 activities for which they were generated.

20 3. After the promulgation and adoption of such orders, ordinances, rules or regulations
21 by such county commission or county health board, such commission or county health board
22 shall make and enter an order or record declaring such orders, ordinances, rules or regulations
23 to be printed and available for distribution to the public in the office of the county clerk, and
24 shall require a copy of such order to be published in some newspaper in the county in three
25 successive weeks, not later than thirty days after the entry of such order, ordinance, rule or
26 regulation.

27 4. Any person, firm, corporation or association which violates any of the orders or
28 ordinances adopted, promulgated and published by such county commission is guilty of a
29 misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county
30 commission or county health board of any such county has full power and authority to initiate
31 the prosecution of any action under this section.

32 **5. Before the promulgation and adoption of such orders, ordinances, rules, or**
33 **regulations, the county health board shall submit such orders, ordinances, rules, or**
34 **regulations to the governing body of the county or political subdivision. The governing**
35 **body shall, within thirty days, have the authority to reject or modify such orders,**
36 **ordinances, rules or regulations.**

37 **6. Before the promulgation of any orders, ordinances, rules, or regulations under**
38 **this section, a county commission or county health center board shall issue a public notice**
39 **of the proposed orders, ordinances, rules, or regulations allowing comment for thirty days.**
40 **A county commission or county health center board may hold a noncontested hearing on**
41 **any such proposed orders, ordinances, rules, or regulations. The provisions of this**
42 **subsection shall not apply during a declared state of emergency.**

✓