

HB 2855 -- PROSECUTING ATTORNEYS

SPONSOR: Hovis

This bill specifies that two or more contiguous counties in a judicial circuit may act cooperatively to employ a prosecuting attorney pursuant to procedures under current law allowing cooperation among counties. The shared prosecuting attorney is to be elected at the 2026 general election and every four years thereafter.

The bill allows any prosecuting attorney to represent state agencies in debt collection cases and provide at least six hours of continuing education to police officers. Unless there is a different agreement, the prosecuting attorney retains 20% of all debt collected on behalf of state agencies with one-half of the fee to go to the Missouri Office of Prosecution Services Fund and one-half to go to the county treasurer to be used solely for the prosecutor's office. If the prosecutor is a shared prosecutor, then the retained fee goes to each county on a pro rata basis.

Under these provisions, prosecuting attorneys representing multiple counties must receive compensation equal to that of an associate circuit judge, which is prorated among the counties.

Current law provides that part-time prosecutors are to be paid according to a scale set in statute that is based on the assessed valuation of the county. The scale ranges from \$37,000 to \$55,000. This bill provides that part-time prosecutors will receive a salary equal to 67% of the compensation of an associate circuit judge and must devote a minimum of 25 hours per week to the duties of the prosecuting attorney.

When the counties adopt a proposition to cooperate to employ a prosecutor, the commissioners of all the counties must approve a joint agreement that includes a formula for calculating each county's costs and procedures for the approval of the prosecutor's annual budget.

This bill is similar to HB 2920 (2024).