

SECOND REGULAR SESSION

# HOUSE BILL NO. 1703

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SMITH (46).

4341H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 544, RSMo, by adding thereto one new section relating to the refiling of cases dismissed by a court.

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

Section A. Chapter 544, RSMo, is amended by adding thereto one new section, to be  
2 known as section 544.255, to read as follows:

3 **544.255. If a case is set for preliminary hearing but is dismissed by the court**  
4 **prior to the hearing being held, the case may be refiled by the prosecuting attorney. If**  
5 **the case is refiled, a warrant for the arrest of the defendant shall not be issued, but a**  
6 **summons for the defendant to appear in court may be issued. The defendant shall not**  
7 **be required to post bond. If the case is dismissed by the court a second time, the**  
8 **prosecuting attorney is prohibited from refiling the case.**

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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.