

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1759

98TH GENERAL ASSEMBLY

Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, April 28, 2016, with recommendation that the Senate Committee Substitute do pass.

ADRIANE D. CROUSE, Secretary.

4507S.04C

AN ACT

To repeal sections 478.430, 478.433, and 478.705, RSMo, and to enact in lieu thereof two new sections relating to circuit judges.

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

Section A. Section 478.705, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 478.330 and 478.705, to read as
3 follows:

478.330. 1. When an annual judicial performance report
2 **submitted pursuant to section 477.405 indicates for three consecutive**
3 **calendar years the need for two or more full-time judicial positions in**
4 **any judicial circuit there shall be one additional circuit judge position**
5 **authorized in such circuit, subject to appropriations made for that**
6 **purpose.**

7 **2. Except in circuits where circuit judges are selected under the**
8 **provisions of article V of sections 25(a) to 25(g) of the Missouri**
9 **Constitution, the election of circuit judges authorized by this section**
10 **shall be conducted in accordance with chapter 115.**

478.705. 1. There shall be [~~two~~] **three** circuit judges in the twenty-sixth
2 judicial circuit consisting of the counties of Camden, Laclede, Miller, Moniteau
3 and Morgan. These judges shall sit in divisions numbered one [~~and~~], two, **and**
4 **three.**

5 **2. The circuit judge in division two shall be elected in 1980. The circuit**
6 **judge in division one shall be elected in 1982. The governor shall appoint a**
7 **judge for division three and notwithstanding the provisions of section**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

8 **105.030, that judge shall serve until January 1, 2021, and such judge**
9 **shall not be eligible for election for the judicial position in division**
10 **three in 2020, but may be eligible for such judicial position in any**
11 **subsequent elections. A judge for division three shall be elected in**
12 **2020.**

[478.430. Each circuit judge of the circuit court of the city
2 of St. Louis who is visually impaired or otherwise physically
3 handicapped is hereby authorized to appoint one janitor-messenger
4 whose duty it shall be to keep in an orderly and cleanly manner the
5 chambers and other rooms used by such judge and his reporter in
6 the performance of their respective duties, and equipment in use
7 therein, and also the halls, stairways, and jury rooms used in
8 connection with the courtroom over which such judge presides, and
9 to perform such other duties as said judge shall direct from time to
10 time. And the judge making said appointment shall report the
11 same to the circuit court in general session for certification, and
12 such janitor-messenger shall hold his appointment during the
13 pleasure of the judge making the same.]

[478.433. The janitor-messenger appointed under section
2 478.430 shall receive and be paid, after proper appointment and
3 certification by said court, or the presiding judge thereof, an
4 annual salary of not less than two thousand two hundred
5 dollars. Said salary shall be payable at the end of each and every
6 month, in equal monthly installments, by the treasurer of the city
7 of St. Louis out of any moneys appropriated therefor by the
8 municipal assembly upon warrants drawn and countersigned by the
9 proper officers of said city, pursuant to the charter thereof. It shall
10 be the duty of the municipal assembly of said city to appropriate
11 the money necessary for the payment of such salaries; provided
12 further, that the court may, when sitting in general session,
13 recommend to the St. Louis board of estimate and apportionment
14 an increase in salary of janitor-messengers not exceeding two
15 hundred dollars per annum, subject to the approval of said board.
16 If said board of estimate and apportionment concur in such salary
17 increase, the municipal assembly shall appropriate additional
18 moneys for such salaries.]

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