

SECOND REGULAR SESSION

# HOUSE BILL NO. 1943

100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WOOD.

4702H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 208.100, RSMo, and to enact in lieu thereof one new section relating to the certification of certain hearing records.

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

Section A. Section 208.100, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.100, to read as follows:

208.100. 1. Any claimant aggrieved by the decision of the director of the family support division, children's division, or MO HealthNet division made under section 208.080 may appeal to the circuit court of the county in which such claimant resides within ninety days from the date of the action and decision appealed from.

2. The appropriate division shall furnish the claimant, upon request, with proper form of affidavit for appeal from the director of the appropriate division to the circuit court.

3. Upon the affidavit for appeal, duly executed by the claimant before an officer authorized to administer oaths, being filed with the appropriate division within ninety days from the date of the decision of the director of the appropriate division, the entire record preserved in the case at the time of the claimant's hearing, together with the hearing decision and the affidavit for appeal, shall be certified by the director of the appropriate division **or such director's designee** to the circuit court and the case shall be docketed as other civil cases except that neither party shall be required to give bond or deposit any money for docket fee on appeal to the circuit court.

4. Such appeal shall be tried in the circuit court upon the record of the proceedings had before and certified by the director of the appropriate division **or such director's designee**, which shall in such case be certified and included in the return of said director to the court.

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           5. Upon the record so certified by the director of the appropriate division **or such**  
19 **director's designee**, the circuit court shall review the action and decision of the director in  
20 accordance with the provisions of section 536.140; and the court shall render judgment  
21 affirming, reversing, or modifying the director's decision, and may order the reconsideration of  
22 the case in the light of the court's opinion and judgment, and may order the director to take such  
23 further action as it may be proper to require.

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