

SECOND REGULAR SESSION

HOUSE BILL NO. 2259

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JONES.

5761H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 50.565, RSMo, and to enact in lieu thereof one new section relating to the county law enforcement restitution fund.

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

Section A. Section 50.565, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 50.565, to read as follows:

50.565. 1. A county commission may establish by ordinance or order a fund whose proceeds may be expended only for the purposes provided for in subsection 3 of this section. The fund shall be designated as a county law enforcement restitution fund and shall be under the supervision of a board of trustees consisting of two citizens of the county appointed by the presiding commissioner of the county, two citizens of the county appointed by the sheriff of the county, **two citizens of the county appointed by the prosecuting attorney**, and one citizen of the county appointed by the county coroner or medical examiner. The citizens so appointed shall not be current or former elected officials, current or former employees of the sheriff's department, the office of the prosecuting attorney for the county, office of the county commissioners, or the county treasurer's office. If a county does not have a coroner or medical examiner, the county treasurer shall appoint one citizen to the board of trustees.

2. Money from the county law enforcement restitution fund shall only be expended upon the approval of a majority of the members of the county law enforcement restitution fund's board of trustees and only for the purposes provided for by subsection 3 of this section.

3. Money from the county law enforcement restitution fund shall only be expended for the following purposes **for the sheriff or prosecuting attorney**:

(1) Narcotics investigation, prevention, and intervention;

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 (2) Purchase of law enforcement-related equipment and supplies for the sheriff's office;
19 (3) Matching funds for federal or state law enforcement grants;
20 (4) Funding for the reporting of all state and federal crime statistics or information; and
21 (5) Any county law enforcement-related expense, including those of the prosecuting
22 attorney, approved by the board of trustees for the county law enforcement restitution fund that
23 is reasonably related to investigation, charging, preparation, trial, and disposition of criminal
24 cases before the courts of the state of Missouri.
- 25 4. The county commission may not reduce any law enforcement agency's budget as a
26 result of funds the law enforcement agency receives from the county law enforcement restitution
27 fund. The restitution fund is to be used only as a supplement to the law enforcement agency's
28 funding received from other county, state, or federal funds.
- 29 5. County law enforcement restitution funds shall be audited as are all other county
30 funds.
- 31 6. No court may order the assessment and payment authorized by this section if the plea
32 of guilty or the finding of guilt is to the charge of speeding, careless and imprudent driving, any
33 charge of violating a traffic control signal or sign, or any charge which is a class C misdemeanor
34 or an infraction. No assessment and payment ordered pursuant to this section may exceed three
35 hundred dollars for any charged offense.

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