

SECOND REGULAR SESSION

HOUSE BILL NO. 2772

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WALTON GRAY.

5432H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 544, RSMo, by adding thereto one new section relating to transportation of certain fugitives or other persons taken into custody with outstanding arrest warrants from another jurisdiction within this state.

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 544.105, to read as follows:

**544.105. 1. If any peace or law enforcement officer, agency, or department of the
2 state of Missouri or any political subdivision or jurisdiction thereof, shall take into custody
3 any fugitive from justice or person with an outstanding arrest warrant or who is wanted
4 by another political subdivision or jurisdiction of the state of Missouri, which is located in
5 the state of Missouri and within thirty miles of the political subdivision or jurisdiction in
6 which the fugitive or person is taken into custody, but who is not being held in custody on
7 any charges pending in the political subdivision or jurisdiction in which such fugitive or
8 wanted person has been taken into custody, such fugitive or wanted person shall not be
9 transported to a holding cell within the political subdivision or jurisdiction that has taken
10 such fugitive or wanted person into custody, but instead such fugitive or wanted person
11 shall be expeditiously transported by the peace or law enforcement officer, agency, or
12 department, that shall have taken the fugitive or wanted person into custody, and
13 surrendered to the nearest political subdivision or jurisdiction within the state of Missouri
14 that is located within thirty miles of the transporting political subdivision or jurisdiction
15 in which such fugitive or wanted person is wanted.**

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.

16 **2. If such fugitive or wanted person is also wanted by the jurisdiction that has**
17 **taken the fugitive or wanted person into custody, immediately subsequent to the fugitive**
18 **or wanted person meeting or satisfying any conditions for release from custody of the**
19 **holding jurisdiction, the holding jurisdiction shall notify, in the order of the least distance**
20 **from the holding jurisdiction, each political subdivision or jurisdiction, within the state of**
21 **Missouri that is located within thirty miles of the holding jurisdiction, in which the fugitive**
22 **or wanted person is wanted of the fugitive or wanted person's impending release;**
23 **whereupon, such political subdivision or jurisdiction of the state of Missouri in which such**
24 **fugitive or wanted person is wanted shall notify the holding jurisdiction of its intent to**
25 **retrieve the fugitive or incarcerated person. If the political subdivision or jurisdiction,**
26 **which has notified the holding jurisdiction of its intent to retrieve the fugitive or wanted**
27 **person, fails to retrieve the fugitive or wanted person within four hours after being notified**
28 **of the fugitive or wanted person's impending release, the holding jurisdiction may**
29 **transport and surrender the fugitive or wanted person to the nearest political subdivision**
30 **or jurisdiction, within the state of Missouri that is located within thirty miles of the**
31 **transporting jurisdiction, in which the fugitive or wanted person is wanted.**

32 **3. Any fugitive or wanted person who was being held in custody under a warrant**
33 **of arrest may, upon conviction of any of the charges incorporated in the warrant of arrest**
34 **or of such other charge as may be bargained by the parties, be assessed or charged one**
35 **dollar per mile and twenty-five dollars per hour or fraction thereof, or such other**
36 **reasonable fee as may from time to time be established by the supreme court of Missouri,**
37 **for their transportation which shall be taxed by the political subdivision or jurisdiction in**
38 **which the fugitive or person is wanted as court costs and shall be remitted to the**
39 **transporting jurisdiction upon such fugitive or person paying the costs.**

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