

SECOND REGULAR SESSION

HOUSE BILL NO. 1853

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRAY.

3608H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapters 304 and 479, RSMo, by adding thereto two new sections relating to traffic-related offenses, with penalty provisions.

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

Section A. Chapters 304 and 479, RSMo, are amended by adding thereto two new sections, to be known as sections 304.825 and 479.012, to read as follows:

304.825. Notwithstanding any other provision of law, upon motion of the defendant, if the court finds that the defendant is indigent or is without sufficient disposable income to pay restitution, court costs, fees, expenses, or fines in whole or in installments over a period of one year, the court of jurisdiction shall be required to consider sentencing the defendant to perform community service under such conditions as may be established by the court in lieu of paying restitution, court costs, fees, expenses, or fines for all traffic offenses deemed infractions or class D misdemeanors under this chapter or violations of any ordinance of any political subdivision of this state. If a person is not indigent, the court of jurisdiction may offer community service in lieu of a fine for such offenses; however, the defendant shall be responsible for paying all court costs, fees, and expenses. Once a defendant is sentenced to perform community service in lieu of paying a fine under the provisions of this section, he or she shall be ineligible for a community service sentence for future traffic offenses within the same jurisdiction for one year from the date of the traffic offense for which community service was ordered.

479.012. Notwithstanding any provision of law, a person shall not be assessed any additional penalty and an arrest warrant shall not be issued if such person fails to

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.

3 appear in municipal court for any traffic or ordinance violation or violations if such
4 failure to appear occurs once in a twelve-month period in the same jurisdiction
5 following the date of the traffic or ordinance violation or violations. If such person fails
6 to appear two or more times in such twelve-month period for a traffic or ordinance
7 violation or violations, the municipal court may assess additional penalties, except no
8 arrest warrant shall be issued. In lieu of an arrest warrant, such court may decide to
9 use a collection agency to collect any moneys owed by such person.

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