

FIRST REGULAR SESSION

HOUSE BILL NO. 211

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SMITH (46).

0828H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 544, RSMo, by adding thereto one new section relating to the refiling of cases dismissed by a court.

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 544.255, to read as follows:

3 **544.255. If a case is set for preliminary hearing but is dismissed by the court**
4 **prior to the hearing being held, the case may be refiled by the prosecuting attorney. If**
5 **the case is refiled, a warrant for the arrest of the defendant shall not be issued, but a**
6 **summons for the defendant to appear in court may be issued. The defendant shall not**
7 **be required to post bond. If the case is dismissed by the court a second time, the**
8 **prosecuting attorney is prohibited from refiling the case.**

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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.