

# HOUSE BILL NO. 2312

## 102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BROWN (149).

4906H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 56.265 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 56.265 as enacted by senate bill no. 275, ninetieth general assembly, first regular session, and to enact in lieu thereof one new section relating to the compensation of prosecuting attorneys.

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

Section A. Section 56.265 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 56.265 as enacted by senate bill no. 275, ninetieth general assembly, first regular session, are repealed and one new section enacted in lieu thereof, to be known as section 56.265, to read as follows:

~~56.265. 1. The county prosecuting attorney in any county, other than in a chartered county, shall receive an annual salary computed using the following schedule, when applicable. The assessed valuation factor shall be the amount thereof as shown for the year immediately preceding the year for which the computation is done.~~

~~(1) For a full time prosecutor the prosecutor shall receive compensation equal to the compensation of an associate circuit judge;~~

~~(2) For a part time prosecutor:~~

| Assessed Valuation         | Amount   |
|----------------------------|----------|
| \$18,000,000 to 40,999,999 | \$37,000 |
| 41,000,000 to 53,999,999   | 38,000   |
| 54,000,000 to 65,999,999   | 39,000   |
| 66,000,000 to 85,999,999   | 41,000   |
| 86,000,000 to 99,999,999   | 43,000   |

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.

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| 100,000,000 to 130,999,999 | 45,000 |
| 131,000,000 to 159,999,999 | 47,000 |
| 160,000,000 to 189,999,999 | 49,000 |
| 190,000,000 to 249,999,999 | 51,000 |
| 250,000,000 to 299,999,999 | 53,000 |
| 300,000,000 or more        | 55,000 |

~~2. Two thousand dollars of the salary authorized in this section shall be payable to the prosecuting attorney only if the prosecuting attorney has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the prosecuting attorney's office when approved by a professional association of the county prosecuting attorneys of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each prosecuting attorney who completes the training program and shall send a list of certified prosecuting attorneys to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the county prosecuting attorney in the same manner as other expenses as may be appropriated for that purpose.~~

~~3. As used in this section, the term "prosecuting attorney" includes the circuit attorney of any city not within a county.~~

~~4. The prosecuting attorney of any county which becomes a county of the first classification during a four year term of office or a county which passed the proposition authorized by subsection 1 of section 56.363 shall not be required to devote full time to such office pursuant to section 56.067 until the beginning of the prosecuting attorney's next term of office or until the proposition otherwise becomes effective.~~

~~5. The provisions of section 56.066 shall not apply to full-time prosecutors who are compensated pursuant to subdivision (1) of subsection 1 of this section.]~~

56.265. 1. The county prosecuting attorney in any county, other than in a chartered county, shall receive an annual salary computed using the following schedule, when applicable. The assessed valuation factor shall be the amount thereof as shown for the year immediately preceding the year for which the computation is done.

(1) For a full-time prosecutor the prosecutor shall receive compensation equal to the compensation of an associate circuit judge;

(2) For a part-time prosecutor:

| Assessed Valuation         | Amount   |
|----------------------------|----------|
| \$18,000,000 to 40,999,999 | \$37,000 |
| 41,000,000 to 53,999,999   | 38,000   |
| 54,000,000 to 65,999,999   | 39,000   |

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| 66,000,000 to 85,999,999   | 41,000 |
| 86,000,000 to 99,999,999   | 43,000 |
| 100,000,000 to 130,999,999 | 45,000 |
| 131,000,000 to 159,999,999 | 47,000 |
| 160,000,000 to 189,999,999 | 49,000 |
| 190,000,000 to 249,999,999 | 51,000 |
| 250,000,000 to 299,999,999 | 53,000 |
| 300,000,000 or more        | 55,000 |

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2. Two thousand dollars of the salary authorized in this section shall be payable to the prosecuting attorney only if the prosecuting attorney has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the prosecuting attorney's office when approved by a professional association of the county prosecuting attorneys of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each prosecuting attorney who completes the training program and shall send a list of certified prosecuting attorneys to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the county prosecuting attorney in the same manner as other expenses as may be appropriated for that purpose.

3. As used in this section, the term "prosecuting attorney" includes the circuit attorney of any city not within a county.

4. The prosecuting attorney of any county which becomes a county of the first classification during a four-year term of office or a county which passed the proposition authorized by section 56.363 shall not be required to devote full time to such office pursuant to section 56.067 until the beginning of the prosecuting attorney's next term of office or until the proposition otherwise becomes effective.

5. The provisions of section 56.066 shall not apply to full-time prosecutors who are compensated pursuant to subdivision (1) of subsection 1 of this section.

**6. The state shall reimburse, through an appropriation, at least fifty percent of the salary of the prosecuting attorney in each county of the third classification as computed under this section.**

