

FIRST REGULAR SESSION

SENATE BILL NO. 31

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR CIERPIOT.

0088S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 192.300, RSMo, and to enact in lieu thereof one new section relating to political subdivisions, with existing penalty provisions.

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

Section A. Section 192.300, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 192.300,
3 to read as follows:

192.300. 1. The county commissions and the county
2 health center boards of the several counties may make and
3 promulgate orders, ordinances, rules or regulations,
4 respectively as will tend to enhance the public health and
5 prevent the entrance of infectious, contagious, communicable
6 or dangerous diseases into such county, but any orders,
7 ordinances, rules or regulations shall not:

8 (1) Be in conflict with any rules or regulations
9 authorized and made by the department of health and senior
10 services in accordance with this chapter or by the
11 department of social services under chapter 198; or

12 (2) Impose standards or requirements on an
13 agricultural operation and its appurtenances, as such term
14 is defined in section 537.295, that are inconsistent with or
15 more stringent than any provision of this chapter or
16 chapters 260, 640, 643, and 644, or any rule or regulation
17 promulgated under such chapters.

18 2. The county commissions and the county health center
19 boards of the several counties may establish reasonable fees
20 to pay for any costs incurred in carrying out such orders,
21 ordinances, rules or regulations, however, the establishment
22 of such fees shall not deny personal health services to
23 those individuals who are unable to pay such fees or impede
24 the prevention or control of communicable disease. Fees
25 generated shall be deposited in the county treasury. All
26 fees generated under the provisions of this section shall be
27 used to support the public health activities for which they
28 were generated.

29 3. After the promulgation and adoption of such orders,
30 ordinances, rules or regulations by such county commission
31 or county health board, such commission or county health
32 board shall make and enter an order or record declaring such
33 orders, ordinances, rules or regulations to be printed and
34 available for distribution to the public in the office of
35 the county clerk, and shall require a copy of such order to
36 be published in some newspaper in the county in three
37 successive weeks, not later than thirty days after the entry
38 of such order, ordinance, rule or regulation.

39 4. Any person, firm, corporation, or association which
40 violates any of the orders or ordinances adopted,
41 promulgated and published by such county commission is
42 guilty of a misdemeanor and shall be prosecuted, tried and
43 fined as otherwise provided by law. **Upon conviction, such**
44 **person, firm, corporation, or association shall be punished**
45 **by a fine not to exceed twenty-five dollars.** The county
46 commission or county health board of any such county has
47 full power and authority to initiate the prosecution of any
48 action under this section.

49 5. After the promulgation and adoption of such orders,
50 ordinances, rules or regulations by such county commission
51 or county health board, the governing body of the county or
52 political subdivision shall, within thirty days, have the
53 authority to adopt, reject, or modify such orders,
54 ordinances, rules or regulations.

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