

FIRST REGULAR SESSION

SENATE BILL NO. 56

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR O'LAUGHLIN.

0979S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 192.300, RSMo, and to enact in lieu thereof one new section relating to public health, 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Section A. Section 192.300, RSMo, is repealed and one new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.

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 2. The county commissions [and the county health
19 center boards] of the several counties may establish
20 reasonable fees to pay for any costs incurred in carrying
21 out such orders, ordinances, rules or regulations, however,
22 the establishment of such fees shall not deny personal
23 health services to those individuals who are unable to pay
24 such fees or impede the prevention or control of
25 communicable disease. Fees generated shall be deposited in
26 the county treasury. All fees generated under the
27 provisions of this section shall be used to support the
28 public health activities for which they 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
33 such orders, ordinances, rules or regulations to be printed
34 and available for distribution to the public in the office
35 of the county clerk, and shall require a copy of such order
36 to 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. The county commission
44 [or county health board] of any such county has full power
45 and authority to initiate the prosecution of any action
46 under this section.

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