

SECOND REGULAR SESSION

SENATE BILL NO. 860

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RIDDLE.

Read 1st time January 6, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5643S.011

AN ACT

To repeal section 476.083, RSMo, and to enact in lieu thereof one new section relating to circuit court marshals.

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

Section A. Section 476.083, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 476.083, to read as follows:

476.083. 1. In addition to any appointments made pursuant to section
2 485.010, the presiding judge of each circuit containing one or more facilities
3 operated by the department of corrections with an average total inmate
4 population in all such facilities in the circuit over the previous two years of more
5 than two thousand five hundred inmates **or containing, as of January 1,**
6 **2016, a diagnostic and reception center operated by the department of**
7 **corrections and a mental health facility operated by the department of**
8 **mental health which houses persons found not guilty of a crime by**
9 **reason of mental disease or defect under chapter 552 and provides sex**
10 **offender rehabilitation and treatment services (SORTS)** may appoint a
11 circuit court marshal to aid the presiding judge in the administration of the
12 judicial business of the circuit by overseeing the physical security of the
13 courthouse, serving court-generated papers and orders, and assisting the judges
14 of the circuit as the presiding judge determines appropriate. Such circuit court
15 marshal appointed pursuant to the provisions of this section shall serve at the
16 pleasure of the presiding judge. The circuit court marshal authorized by this
17 section is in addition to staff support from the circuit clerks, deputy circuit clerks,
18 division clerks, municipal clerks, and any other staff personnel which may
19 otherwise be provided by law.

20 2. The salary of a circuit court marshal shall be established by the

21 presiding judge of the circuit within funds made available for that purpose, but
22 such salary shall not exceed ninety percent of the salary of the highest paid
23 sheriff serving a county wholly or partially within that circuit. Personnel
24 authorized by this section shall be paid from state funds or federal grant moneys
25 which are available for that purpose and not from county funds.

26 3. Any person appointed as a circuit court marshal pursuant to this
27 section shall have at least five years' prior experience as a law enforcement
28 officer. In addition, any such person shall within one year after appointment, or
29 as soon as practicable, attend a court security school or training program
30 operated by the United States Marshal Service. In addition to all other powers
31 and duties prescribed in this section, a circuit court marshal may:

- 32 (1) Serve process;
- 33 (2) Wear a concealable firearm; and
- 34 (3) Make an arrest based upon local court rules and state law, and as
35 directed by the presiding judge of the circuit.

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Bill

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