

SECOND REGULAR SESSION

HOUSE BILL NO. 1403

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEGROOT.

4902H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 479.170, RSMo, and to enact in lieu thereof one new section relating to municipal courts.

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

Section A. Section 479.170, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 479.170, to read as follows:

479.170. 1. If, in the progress of any trial before a municipal judge, it shall appear to the judge that the accused ought to be put upon trial for an offense against the criminal laws of the state and not cognizable before him **or her** as municipal judge, he **or she** shall immediately stop all further proceedings before him **or her** as municipal judge and cause the complaint to be made before some associate circuit judge within the county.

2. For purposes of this section, any offense involving the operation of a motor vehicle in an intoxicated condition as defined in section 577.001 shall not be cognizable in municipal court[;] if the defendant has been convicted, found guilty, or pled guilty to two or more previous intoxication-related traffic offenses as defined in section 577.001[;] or has had two or more previous alcohol-related enforcement contacts as defined in section 302.525, **unless the offense has been referred to a county prosecuting attorney's office for prosecution and the prosecuting attorney declines prosecution.**

✓

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.