

FIRST REGULAR SESSION

SENATE BILL NO. 427

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODMAN.

Read 1st time February 1, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1926S.011

AN ACT

To repeal section 221.040, RSMo, and to enact in lieu thereof one new section relating to the responsibility of receiving prisoners, with penalty provisions.

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

Section A. Section 221.040, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 221.040, to read as follows:

221.040. 1. It shall be the duty of the sheriff and jailer to receive, from
2 constables and other officers, all persons, **except as provided in subsection**
3 **2 of this section**, who shall be apprehended by such constable or other officers,
4 for offenses against this state, or who shall be committed to such jail by any
5 competent authority; and if any sheriff or jailer shall refuse to receive any such
6 person or persons, he shall be adjudged guilty of a misdemeanor, and on
7 conviction shall be fined in the discretion of the court.

8 **2. The sheriff and jailer are not required to receive or detain a**
9 **prisoner in custody under subsection 1 of this section until the**
10 **arresting constable or other officer has had the prisoner examined by**
11 **a physician or competent medical personnel if the prisoner appears to**
12 **be:**

13 (1) **Unconscious;**

14 (2) **Suffering from a serious illness;**

15 (3) **Suffering from a serious injury; or**

16 (4) **Seriously impaired by alcohol, a controlled substance as**
17 **defined in section 195.017, RSMo, a drug other than a controlled**
18 **substance, or a combination of alcohol, a controlled substance, or**
19 **drugs.**

20 **3. The cost of examination and resulting treatment under**

21 subsection 2 of this section is the financial responsibility of the
22 prisoner receiving the examination or treatment.

✓

Unofficial

Bill

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