

Request for Legislative Action

Res. #5525
Sponsor: Dan Tarwater III
Date: July 12, 2021

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5525
Sponsor(s):	Dan Tarwater III	Legislature Meeting Date:	7/12/2021

Introduction
Action Items: ['Repeal']
Project/Title:
repealing section 1810., Jackson County Code 1984, relating to costs in the County Municipal Court, and enacting in lieu thereof, one new section relating to the same subject.

Request Summary
By its opinion in the case of Fowler v. <u>Missouri Sheriffs' Retirement System</u> , Case No. SC 98484, (Mo. Banc 2021), the Supreme Court of Missouri held that the Missouri statute that authorized a \$3.00 Court cost to be imposed in County Municipal Court for the benefit of the Sheriffs' Retirement System resulted in a sale of justice in violation of article I, section 14 of the Missouri Constitution. In view of this ruling it is appropriate that the County Code Chapter setting out the allowable costs in County Municipal Court be revised to delete the reference to this now improper element of costs.

Contact Information			
Department:	County Counselor	Submitted Date:	7/7/2021
Name:	Elizabeth Freeland	Email:	EFreeland@jacksongov.org
Title:	Litigation Paralegal	Phone:	816-824-7150

Budget Information			
Amount authorized by this legislation this fiscal year:	\$ 0		
Amount previously authorized this fiscal year:	\$ 0		
Total amount authorized after this legislative action:	\$		
Is it transferring fund?	No		
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
5355	June 8, 2020
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information	
<ul style="list-style-type: none"> This legislative action does not impact the County financially and does not require Finance/Budget approval. 	

Request for Legislative Action

History

Elizabeth Freeland at 7/7/2021 9:55:48 AM - [Submitted | Plz approve ASAP for introduction 7/12. No money/services/compliance, just an adjustment to the County Code. Thanks!]

Department Director: Elizabeth Freeland at 7/7/2021 10:06:28 AM - [Approved | on behalf of JH]

Finance (Purchasing): Barbara J. Casamento at 7/7/2021 11:00:24 AM - [Not applicable |]

Compliance: Jaime Guillen at 7/7/2021 12:44:01 PM - [Approved |]

Finance (Budget): Mark Lang at 7/7/2021 1:24:51 PM - [Not applicable |]

Executive: Troy Schulte at 7/7/2021 1:46:33 PM - [Approved |]

Legal: Elizabeth Freeland at 7/8/2021 8:39:02 AM - [Approved |]