

SENATE BILL NO. 38: Senate Bill No. 38 of the 66th General Assembly of Missouri shall take effect and be in force on and after the 9th day of October, 1951.

August 8, 1951

8-8-51

Honorable Philip A. Grimes
Prosecuting Attorney
Boone County
Columbia, Missouri



Dear Sir:

Your recent request for an official opinion has been assigned to me to answer. You thus state your opinion request:

"The Probate Judge of this county has just requested that I determine the effective date of the law which started as Senate Bill No. 38 of the last or present session. This bill has to do with the salary of the clerk of the Probate Court.

"I have tried to contact our representative and upon this failure I am writing to your office. When does the law become effective, or when does the salary change?"

Senate Bill No. 38 of the 66th General Assembly of Missouri was finally passed on May 23, 1951. It was approved by the Governor on June 16, 1951.

On June 15, 1951, there was passed by the General Assembly of Missouri, House Concurrent Resolution No. 12, which reads:

"Whereas, Section 29, Article II of the Constitution of 1945 provides that if the General Assembly recesses for thirty days or more it may prescribe by joint resolution that laws previously passed and not effective, shall take effect ninety days from the beginning of such recess and,

Honorable Philip A. Grimes

"Whereas, the 66th General Assembly has resolved to recess for a period beginning July 11, 1951, and ending August 15, 1951,

"Now, therefore, be it resolved by the House of Representatives and Senate jointly, that all laws passed by the 66th General Assembly of the State of Missouri, on or before the 11th day of July, 1951, and not effective, shall take effect ninety days from the beginning of said recess, that is to say, shall take effect and be in force on the 9th day of October, 1951."

Senate Bill No. 38 was not passed with an emergency clause and therefore, was not in effect on or before the 11th of July, 1951.

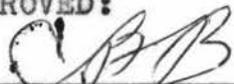
CONCLUSION.

It is the opinion of this department that Senate Bill No. 38 of the 66th General Assembly of Missouri will take effect and be in force on and after the 9th day of October, 1951.

Respectfully submitted,

HUGH P. WILLIAMSON
Assistant Attorney General

APPROVED:



J. E. TAYLOR
Attorney General

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