

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 67
98TH GENERAL ASSEMBLY

0535H.05C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 488, RSMo, by adding thereto three new sections relating to court costs.

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

Section A. Chapter 488, RSMo, is amended by adding thereto three new sections, to be
2 known as sections 488.2244, 488.2257, and 488.2258, to read as follows:

**488.2244. 1. There is hereby created in the state treasury the "Jasper County
2 Judicial Fund", which shall consist of moneys collected under subsection 2 of this section.
3 The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and
4 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund
5 and, upon appropriation, moneys in the fund shall be used solely as described under
6 subsection 4 of this section. The state treasurer shall invest moneys in the fund in the same
7 manner as other funds are invested. Any interest and moneys earned on such investments
8 shall be credited to the fund.**

9 **2. In addition to any other court costs prescribed by law, court proceedings in the
10 twenty-ninth judicial circuit shall have additional court costs assessed in the following
11 manner, except that no such additional costs shall be collected for any violation of a traffic
12 law or in any proceeding when the proceeding or defendant has been dismissed by the
13 court or when costs are to be paid by the state, county, or municipality:**

14 **(1) All civil cases filed shall be assessed a surcharge of ten dollars;**

15 **(2) All misdemeanor criminal cases filed shall be assessed a surcharge of twenty-
16 five dollars; and**

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.

17 **(3) All felony criminal cases filed shall be assessed a surcharge of fifty dollars.**

18 **3. The judge may waive the assessment of the surcharge in those cases where the**
19 **defendant is found by the judge to be indigent and unable to pay the costs.**

20 **4. Any county of the first classification with more than one hundred fifteen**
21 **thousand but fewer than one hundred fifty thousand inhabitants shall use moneys in the**
22 **Jasper County judicial fund to pay for the costs associated with the purchase, lease, and**
23 **operation of a county juvenile center and the county judicial facility including, but not**
24 **limited to, utilities, maintenance, and building security. The county shall maintain records**
25 **identifying such operating costs, and any moneys not needed for the operation and**
26 **maintenance of a county juvenile center or county judicial facility shall revert to the credit**
27 **of the general revenue fund.**

28 **5. The provisions of this section shall expire on August 28, 2025.**

488.2257. 1. In addition to all other court costs prescribed by law, a surcharge of
2 **up to ten dollars shall be assessed as costs in each court proceeding filed in any court in the**
3 **state located in any county of the third classification without a township form of**
4 **government and with more than thirty-seven thousand but fewer than forty-one thousand**
5 **inhabitants and with a city of the third classification with more than eleven thousand five**
6 **hundred but fewer than thirteen thousand inhabitants as the county seat in all civil and**
7 **criminal cases including violations of any county or municipal ordinance or infractions,**
8 **except that no such surcharge shall be collected for any violation of a traffic law or**
9 **ordinance or in any proceeding when the proceeding or defendant has been dismissed by**
10 **the court or when costs are to be paid by the state, county, or municipality. For violations**
11 **of the criminal laws of the state or county ordinances, including infractions, no such**
12 **surcharge shall be collected unless it is authorized by order, ordinance, or resolution by the**
13 **county government where the violation occurred. For violations of municipal ordinances,**
14 **no such surcharge shall be collected unless it is authorized by order, ordinance, or**
15 **resolution by the municipal government where the violation occurred. Such surcharges**
16 **shall be collected and disbursed by the clerk of each respective court responsible for**
17 **collecting court costs in the manner provided by sections 488.010 to 488.020, and shall be**
18 **payable to the treasurer of the political subdivision authorizing such surcharge.**

19 **2. Each county or municipality shall use all funds received pursuant to this section**
20 **only to pay for the costs associated with the land assemblage and purchase, planning, and**
21 **construction of a new facility, maintenance, and operation of any county or municipal**
22 **judicial facility or justice center including, but not limited to, architectural, engineering,**
23 **and other plans and studies, utilities, maintenance, and building security of any judicial**
24 **facility. The county or municipality shall establish and maintain a separate account known**

25 as the "justice center fund" limited to the uses authorized by this section. The county or
26 municipality shall maintain records identifying all surcharges and expenditures made from
27 the justice center fund.

28 3. The provisions of this section shall expire on August 28, 2025.

488.2258. 1. In addition to all other court costs prescribed by law, a surcharge of
2 one dollar shall be assessed as costs in each court proceeding filed in any court in the state
3 located in a regional juvenile detention district established under section 211.500 and made
4 up of the following counties:

5 (1) Any county with more than sixty-five thousand but fewer than eighty-five
6 thousand inhabitants and with a county seat with more than seventeen thousand but fewer
7 than nineteen thousand inhabitants;

8 (2) Any county of the third classification without a township form of government
9 and with more than twelve thousand but fewer than fourteen thousand inhabitants and
10 with a city of the fourth classification with more than two thousand seven hundred but
11 fewer than three thousand inhabitants as the county seat;

12 (3) Any county of the third classification without a township form of government
13 and with more than nine thousand but fewer than ten thousand inhabitants and with a city
14 of the fourth classification with more than seven hundred but fewer than eight hundred
15 inhabitants as the county seat;

16 (4) Any county of the first classification with more than fifty thousand but fewer
17 than seventy thousand inhabitants; and

18 (5) Any county of the third classification without a township form of government
19 and with more than eighteen thousand but fewer than twenty thousand inhabitants and
20 with a city of the fourth classification with more than five hundred fifty but fewer than six
21 hundred fifty inhabitants as the county seat;

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23 in all civil and criminal cases including violations of any county or municipal ordinance or
24 infractions, except that no such surcharge shall be collected for any violation of a traffic
25 law or ordinance or in any proceeding when the proceeding or defendant has been
26 dismissed by the court or when costs are to be paid by the state, county, or municipality.
27 For violations of the criminal laws of the state or county ordinances, including infractions,
28 no such surcharge shall be collected unless it is authorized by order, ordinance, or
29 resolution by the county government where the violation occurred. For violations of
30 municipal ordinances, no such surcharge shall be collected unless it is authorized by order,
31 ordinance, or resolution by the municipal government where the violation occurred. Such
32 surcharges shall be collected and disbursed by the clerk of each respective court

33 **responsible for collecting court costs in the manner provided by sections 488.010 to**
34 **488.020, and shall be payable to the director of the regional juvenile detention district.**

35 **2. The district shall use all funds received pursuant to this section only to pay for**
36 **the costs associated with the repair, maintenance, and operation of any regional juvenile**
37 **detention district facility including, but not limited to, utilities, maintenance, and building**
38 **security. The district shall establish and maintain a separate account known as the**
39 **"regional juvenile detention district fund" limited to the uses authorized by this section.**
40 **The district shall maintain records identifying all surcharges and expenditures made from**
41 **the regional juvenile detention district fund.**

42 **3. The provisions of this section shall expire on August 28, 2025.**

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