

SECOND REGULAR SESSION

HOUSE BILL NO. 1066

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BAKER (Sponsor) AND DAVIS (122) (Co-sponsor).

Read 1st time January 13, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3786L.011

AN ACT

To repeal section 488.447, RSMo, and to enact in lieu thereof one new section relating to surcharges in civil cases.

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

Section A. Section 488.447, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.447, to read as follows:

488.447. 1. The circuit and associate circuit judges of the circuit court in any city not within a county, **and in any county of the first classification having a population of at least eighty-two thousand inhabitants, but less than eighty-two thousand one hundred inhabitants**, shall require any party filing a civil case in the circuit court, at the time of filing suit, to deposit with the circuit clerk a surcharge in the amount of forty-five dollars, in addition to all other court costs now or hereafter required by law or court rule, and no summons shall be issued until such surcharge has been paid. This section shall not apply to proceedings when costs are waived or paid by the state, county or municipality.

2. Such funds shall be payable to the treasury of any city not within a county, **or to the treasurer of any county of the first classification having a population of at least eighty-two thousand inhabitants, but less than eighty-two thousand one hundred inhabitants**, to be credited to a courthouse restoration fund, which shall bear interest, to be used by any city not within a county only for the restoration, maintenance and upkeep of the courthouses; provided, that the courthouse restoration fund may be pledged to directly or indirectly secure bonds to fund such costs. All funds collected pursuant to this section before August 28, 1995, shall be credited to the courthouse restoration fund provided for in this section, to be used pursuant to the provisions of this section.

3. This section shall expire on August 28, 2033.