

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 994

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CUNNINGHAM (145) (Sponsor), WILSON (119),
MILLER AND SELF (Co-sponsors).

Read 1st time January 8, 2004, and copies ordered printed.

Read 2nd time January 12, 2004, and referred to the Committee on Judiciary January 15, 2004.

Reported from the Committee on Judiciary January 29, 2004, with recommendation that the bill Do Pass by Consent.

Perfectured by Consent February 9, 2004.

STEPHEN S. DAVIS, Chief Clerk

3708L.01P

AN ACT

To repeal section 488.2205, RSMo, and to enact in lieu thereof one new section relating to court costs in the thirtieth judicial circuit.

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

Section A. Section 488.2205, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.2205, to read as follows:

488.2205. 1. In addition to all court fees and costs prescribed by law, a surcharge of up to ten dollars shall be assessed as costs in each court proceeding filed in any court within the thirtieth judicial circuit in all criminal cases including violations of any county or municipal ordinance or any violation of a criminal or traffic law of the state, including an infraction, except that no such surcharge shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance or resolution [adopted prior to January 1, 1997,] by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance or resolution [adopted prior to January 1, 1997,] by the municipal government where the violation occurred. Such surcharges shall be collected and disbursed by the clerk of each respective court responsible for collecting court costs in the manner provided

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

14 by sections 488.010 to 488.020, and shall be payable to the treasurer of the county where the
15 violation occurred.

16 2. Each county shall use all funds received pursuant to this section only to pay for the
17 costs associated with the construction, maintenance and operation of the county judicial facility
18 and the circuit juvenile detention center including, but not limited to, utilities, maintenance and
19 building security. The county shall maintain records identifying such operating costs, and any
20 moneys not needed for the operating costs of the county judicial facility shall be transmitted
21 quarterly to the general revenue fund of the county.

22 3. This section shall expire and be of no force and effect on and after January 1, [2005]
23 **2010.**