

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1179
92ND GENERAL ASSEMBLY

3842L.02T

2004

AN ACT

To repeal section 488.5026, RSMo, and to enact in lieu thereof one new section relating to a surcharge in criminal cases.

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

Section A. Section 488.5026, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.5026, to read as follows:

488.5026. 1. Upon approval of the governing body of a city, county, or a city not within a county, a surcharge of two dollars shall be assessed as costs in each court proceeding filed in any court in any city, county, or city not within a county adopting such a surcharge, in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of two dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031, RSMo.

2. Notwithstanding any other provision of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable to the treasurer of the governmental unit authorizing such surcharge.

3. The treasurer shall deposit funds generated by the surcharge into the "Inmate Security Fund". Funds deposited shall be utilized to develop biometric [identification] **verification** systems to ensure that inmates can be properly identified and tracked within the local jail system.

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.

18 **Upon the installation of the biometric verification system, funds in the inmate security fund**
19 **may be used for the maintenance of the biometric verification system, and to pay for any**
20 **expenses related to custody and housing and other expenses for prisoners.**