

SECOND REGULAR SESSION

HOUSE BILL NO. 1620

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MUCKLER.

Read 1st time March 3, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2808L.021

AN ACT

To repeal sections 455.200 and 488.445, RSMo, and to enact in lieu thereof two new sections relating to domestic violence.

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

Section A. Sections 455.200 and 488.445, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 455.200 and 488.445, to read as follows:

455.200. As used in sections 455.200 to 455.230, unless the context clearly requires
2 otherwise, the following words and phrases mean:

3 (1) "Designated authority", the board, commission, agency, or other body designated
4 under the provisions of section 455.210 as the authority to administer the allocation and
5 distribution of funds to shelters;

6 (2) "Domestic violence", attempting to cause or causing bodily injury to a family or
7 household member, or placing a family or household member by threat of force in fear of
8 imminent physical harm;

9 (3) "Family or household member", a spouse, a former spouse, person living with
10 another person whether or not as spouses, parent, or other adult person related by consanguinity
11 or affinity, who is residing or has resided with the person committing the domestic violence and
12 dependents of such persons;

13 (4) "Shelter for victims of domestic violence" or "shelter"[,]:

14 (a) A facility established for the purpose of providing temporary residential service or
15 facilities to family or household members who are victims of domestic violence; or

16 (b) **A shelter for the homeless where at least twenty percent of the persons receiving**

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.

17 **services at the shelter are women and children who are victims of domestic violence.**

2 488.445. 1. The governing body of any county, or of any city not within a county, by
3 order or ordinance to be effective prior to January 1, 2001, may impose a fee upon the issuance
4 of a marriage license and may impose a surcharge upon any civil case filed in the circuit court.
5 The surcharge shall not be charged when costs are waived or are to be paid by the state, county
6 or municipality.

7 2. The fee imposed upon the issuance of a marriage license shall be [five] **six** dollars,
8 shall be paid by the person applying for the license and shall be collected by the recorder of
9 deeds at the time the license is issued. The surcharge imposed upon the filing of a civil action
10 shall be [two] **three** dollars, shall be paid by the party who filed the petition and shall be
11 collected and disbursed by the clerk of the court in the manner provided by sections 488.010 to
12 488.020. Such amounts shall be payable to the treasuries of the counties from which such
13 surcharges were paid.

14 3. At the end of each month, the recorder of deeds shall file a verified report with the
15 county commission of the fees collected pursuant to the provisions of subsection 2 of this
16 section. **The report shall contain the amount collected from the marriage license fees and**
17 **the amount collected from the surcharge on the filing of civil actions pursuant to this**
18 **section.** The report may be consolidated with the monthly report of other fees collected by such
19 officers. Upon the filing of the reports the recorder of deeds shall forthwith pay over to the
20 county treasurer all fees collected pursuant to subsection 2 of this section, **with a delineation**
21 **of the amount collected from the marriage license fees and the amount collected from the**
22 **surcharges for the filing of civil actions.** The county treasurer shall deposit [all such fees] **five-**
23 **sixths of the marriage license fees and two-thirds of the civil action fees** upon receipt in a
24 special fund to be expended only to provide financial assistance to shelters for victims of
25 domestic violence, **defined in paragraph (a) of subdivision (4) of section 455.200, RSMo,** as
26 provided in sections 455.200 to 455.230, RSMo. **The county treasurer shall deposit one-sixth**
27 **of the marriage license fees and one-third of the civil action surcharge upon receipt in a**
28 **special fund to be expended only to provide financial assistance to shelters for victims of**
29 **domestic violence, defined in paragraph (b) of subdivision (4) of section 455.200, RSMo,**
as provided in sections 455.200 to 455.230, RSMo.