

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 361

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES LIPKE (Sponsor), YATES, NIEVES, JOLLY, DUSENBERG,  
HUBBARD AND FLOOK (Co-sponsors).

Read 1st time January 26, 2005 and copies ordered printed.

Read 2nd time January 27, 2005 and referred to the Committee on Judiciary February 17, 2005.

Reported from the Committee on Judiciary March 1, 2005 with recommendation that the bill Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

Reported from the Committee on Rules March 3, 2005 with recommendation that the bill Do Pass by Consent with no time limit for debate.

Perfected by Consent March 14, 2005.

STEPHEN S. DAVIS, Chief Clerk

1072L.01P

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## AN ACT

To repeal section 488.5050, RSMo, and to enact in lieu thereof one new section relating to the surcharge for DNA profiling analysis.

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

Section A. Section 488.5050, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.5050, to read as follows:

488.5050. 1. In addition to any other surcharges authorized by statute, the clerk of each court of this state shall collect the surcharges provided for in subsection 2 of this section.

2. A surcharge of thirty dollars shall be assessed as costs in each circuit court proceeding filed within this state in all criminal cases in which the defendant pleads guilty or nolo contendere to or is convicted of a felony. A surcharge of fifteen dollars shall be assessed as costs in each court proceeding filed within this state in all criminal cases, **except for traffic violations cases**, in which the defendant pleads guilty or nolo contendere to or is convicted of a misdemeanor.

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.

9           3. Notwithstanding any other provisions of law, the moneys collected by clerks of the  
10 courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed  
11 in accordance with section 488.010 to 488.020, and shall be payable to the state treasurer.

12           4. The state treasurer shall deposit such moneys or other gifts, grants, or moneys received  
13 on a monthly basis into the "DNA Profiling Analysis Fund", which is hereby created in the state  
14 treasury. The fund shall be administered by the department of public safety. The moneys  
15 deposited into the DNA profiling analysis fund shall be used only for DNA profiling analysis of  
16 convicted offender samples performed to fulfill the purposes of the DNA profiling system  
17 pursuant to section 650.052, RSMo.

18           5. The provisions of subsections 1 and 2 of this section shall expire on August 28, 2006.