

SECOND REGULAR SESSION

HOUSE BILL NO. 1893

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DETHROW (Sponsor) AND PARSON (Co-sponsor).

Read 1st time February 28, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5176L.01I

AN ACT

To repeal section 488.5320, RSMo, and to enact in lieu thereof one new section relating to a charge for sheriff's services rendered in criminal cases.

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

Section A. Section 488.5320, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.5320, to read as follows:

488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their services rendered in criminal cases and in all proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case, and six dollars for each infraction[, excluding cases disposed of by a traffic violations bureau established pursuant to law or supreme court rule]. Such charges shall be charged and collected in the manner provided by sections 488.010 to 488.020 and shall be payable to the county treasury.

2. The sheriff receiving any charge pursuant to subsection 1 of this section shall reimburse the sheriff of any other county or the city of St. Louis the sum of three dollars for each pleading, writ, summons, order of court or other document served in connection with the case or proceeding by the sheriff of the other county or city, and return made thereof, to the maximum amount of the total charge received pursuant to subsection 1 of this section.

3. The charges provided in subsection 1 of this section shall be taxed as other costs in criminal proceedings immediately upon a plea of guilty or a finding of guilt of any defendant in any criminal procedure. The clerk shall tax all the costs in the case against such defendant,

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.

16 which shall be collected and disbursed as provided by sections 488.010 to 488.020; provided,
17 that no such charge shall be collected in any proceeding in any court when the proceeding or the
18 defendant has been dismissed by the court; provided further, that all costs, incident to the issuing
19 and serving of writs of scire facias and of writs of fieri facias, and of attachments for witnesses
20 of defendant, shall in no case be paid by the state, but such costs incurred under writs of fieri
21 facias and scire facias shall be paid by the defendant and such defendant's sureties, and costs for
22 attachments for witnesses shall be paid by such witnesses.

23 4. Mileage shall be reimbursed to sheriffs, county marshals and guards for all services
24 rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for
25 allowable expenses for motor vehicle use expressed as an amount per mile.

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