

SECOND REGULAR SESSION

# HOUSE BILL NO. 2446

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE TILLEY.

Read 1st time March 25, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 511.350 and 517.151, RSMo, and to enact in lieu thereof two new sections relating to small claims court judgments.

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

Section A. Sections 511.350 and 517.151, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 511.350 and 517.151, to read as follows:

511.350. 1. Judgments and decrees entered by the supreme court, by any United States  
2 district or circuit court held within this state, by any district of the court of appeals, by any circuit  
3 court and any probate division of the circuit court, except judgments and decrees rendered by  
4 associate[, small claims] and municipal divisions of the circuit courts, shall be liens on the real  
5 estate of the person against whom they are entered, situate in the county for which or in which  
6 the court is held.

7 2. Judgments and decrees rendered by the associate divisions of the circuit courts shall  
8 not be liens on the real estate of the person against whom they are rendered until such judgments  
9 or decrees are filed with the clerk of the circuit court pursuant to sections 517.141 and 517.151,  
10 RSMo.

11 3. Judgments and decrees entered by the [small claims and] municipal divisions of the  
12 circuit court shall not constitute liens against the real estate of the person against whom they are  
13 rendered.

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.

14           4. Notwithstanding any other provision of law, no judgments or decrees entered by any  
15 court of competent jurisdiction may be amended or modified by any administrative agency  
16 without the approval of a court of competent jurisdiction.

17           5. Notwithstanding subsection 4 of this section or any other law to the contrary, no  
18 judgments or decrees entered by any court of competent jurisdiction relating to child support  
19 orders may be amended or modified by any administrative agency without the approval of a court  
20 of competent jurisdiction.

          517.151. From the time of filing the transcript, every such judgment shall have the same  
2 lien on the real estate of the defendant in the county as is given judgments rendered by circuit  
3 judges. The circuit clerk shall collect fees in such amounts as are determined pursuant to  
4 sections 488.010 to 488.020, RSMo, for each transcript filed. The revival of any such lien upon  
5 real estate shall be under the same procedures as with judgments originally rendered by a circuit  
6 judge, shall be made from the record of the transcribed judgment so filed in the office of circuit  
7 clerk, and may be revived under proceedings before either a circuit or an associate circuit judge.  
8 [The foregoing provisions shall not apply with respect to any judgment of a small claims court  
9 nor shall any judgment of a small claims court be a lien upon real estate.]

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