

HB 1451 -- Restitution

Sponsor: Lipke

This bill requires any restitution ordered by the court or agreed to by the parties to be paid through the office of the prosecuting or circuit attorney. Any prosecuting or circuit attorney who collects restitution will also collect from the person paying restitution an administrative handling cost in addition to all other costs and fees allowed by law. The cost will be \$25 for restitution of less than \$100 and \$50 for restitution between \$100 and \$249. For restitution of \$250 or more, the cost will be 10% of the total restitution, not to exceed \$75. In addition to the administrative handling cost, an installment cost will be assessed in the amount of \$2 for each restitution payment except for the first payment. The county treasurer is to deposit the costs collected and the restitution payments received into a separate interest-bearing administrative handling cost fund.

The prosecuting or circuit attorney is required to collect from the person paying restitution an additional \$5 per crime victim to whom restitution is being paid. Those funds must be deposited into the Missouri Office of Prosecution Services Fund and transmitted at least monthly to the Director of the Department of Revenue. The bill specifies how the moneys are to be used and that the fund may be audited by the State Auditor or the appropriate auditing agency.

The court may set an amount of restitution to be paid by a defendant who is incarcerated. The amount will be taken from the inmate's account at the Department of Corrections.