

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53
by inserting after all of said section and line the following:

“71.220. 1. The various cities, towns and villages in this state, whether organized under special charter or under the general laws of the state, are hereby authorized and empowered to, by ordinance, cause all persons who have been convicted and sentenced by the court having jurisdiction, for violation of ordinance of such city, town or village, whether the punishment be by fine or imprisonment, or by both, to be put to work and perform labor on the public streets, highways and alleys or other public works or buildings of such city, town or village, for such purposes as such city, town or village may deem necessary. And the marshal, constable, street commissioner, or other proper officer of such city, town or village, shall have power and be authorized and required to have or cause all such prisoners as may be directed by the mayor, or other chief officer of such city, town or village, to work out the full number of days for which they may have been sentenced, at breaking rock, or at working upon such public streets, highways or alleys or other public works or buildings of such city, town or village as may have been designated. And if the punishment is by fine, and the fine be not paid, then for [every ten dollars of such judgment] a portion of such judgment that is equal to the greater of the actual daily cost of incarcerating the prisoner or the amount the municipality is reimbursed by the state for incarcerating the prisoner, the prisoner shall work one day. And it shall be deemed a part of the judgment and sentence of the court that such prisoner may be worked as herein provided.

2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge, or other official, assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.”; and

Further amend said bill, Page 6, Section 488.026, Line 12 by inserting after all of said section and line the following:

“488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County

1 may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become
2 effective and remain in effect until further changed.

3 3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or
4 are paid by the county or state or any city.

5 4. In addition to any fee authorized by subsection 1 of this section, any county of the first
6 classification with more than ninety-three thousand eight hundred but less than ninety-three
7 thousand nine hundred inhabitants may impose an additional fee of ten dollars excluding cases
8 concerning adoption and those in small claims court. The provisions of this subsection shall
9 expire on December 31, 2014.

10 5. Any county of the first classification with more than two hundred forty thousand three
11 hundred but fewer than two hundred forty thousand four hundred inhabitants may charge an
12 additional five dollars if approved by the county commission.”; and

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14 Further amend said bill by amending the title, enacting clause, and intersectional references
15 accordingly.
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