

4702L05



4702L05.01F

HOUSE Brown AMENDMENT NO. 85Brown Offered By 85

1 Amend HCS SCS SB, No 591, Page 10,
 2 Section 34.057, Line 152, by inserting after all of said line the following:

3 "56.807. 1. Beginning August 28, 1989, and continuing monthly thereafter until August
 4 27, 2003, the funds for prosecuting attorneys and circuit attorneys provided for in subsection 2 of
 5 this section shall be paid from county or city funds.

6 2. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003,
 7 each county treasurer shall pay to the system the following amounts to be drawn from the general
 8 revenues of the county:

9 (1) For counties of the third and fourth classification except as provided in subdivision (3)
 10 of this subsection, three hundred seventy-five dollars;

11 (2) For counties of the second classification, five hundred forty-one dollars and sixty-seven
 12 cents;

13 (3) For counties of the first classification, counties which pursuant to section 56.363 elect
 14 to make the position of prosecuting attorney a full-time position after August 28, 2001, or whose
 15 county commission has elected a full-time retirement benefit pursuant to subsection 3 of section
 16 56.363, and the city of St. Louis, one thousand two hundred ninety-one dollars and sixty-seven
 17 cents.

18 3. Beginning August 28, 1989, and continuing until August 27, 2003, the county treasurer
 19 shall at least monthly transmit the sums specified in subsection 2 of this section to the Missouri
 20 office of prosecution services for deposit to the credit of the "Missouri Prosecuting Attorneys and
 21 Circuit Attorneys' Retirement System Fund", which is hereby created. All moneys held by the state
 22 treasurer on behalf of the system shall be paid to the system within ninety days after August 28,
 23 1993. Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund
 24 shall be used only for the purposes provided in sections 56.800 to 56.840 and for no other purpose.

25 4. Beginning August 28, 2003, the funds for prosecuting attorneys and circuit attorneys
 26 provided for in this section shall be paid from county or city funds and the surcharge established in
 27 this section and collected as provided by this section and sections 488.010 to 488.020.

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1 5. Beginning August 28, 2003, each county treasurer shall pay to the system the following
2 amounts to be drawn from the general revenues of the county:

3 (1) For counties of the third and fourth classification except as provided in subdivision (3)
4 of this subsection, one hundred eighty-seven dollars;

5 (2) For counties of the second classification, two hundred seventy-one dollars;

6 (3) For counties of the first classification, counties which pursuant to section 56.363 elect
7 to make the position of prosecuting attorney a full-time position after August 28, 2001, or whose
8 county commission has elected a full-time retirement benefit pursuant to subsection 3 of section
9 56.363, and the city of St. Louis, six hundred forty-six dollars.

10 6. Notwithstanding any law to the contrary, beginning August 28, 2012 the monthly sums
11 to be transmitted by each county treasurer as specified in subsection 5 of this section shall change
12 based on the funded ratio, as defined in section 105.660, of the system as follows:

13 (1) If the system's funding ratio is one hundred twenty percent or more, no monthly sum
14 shall be transmitted;

15 (2) If the system's funding ratio is more than one hundred ten percent but less than one
16 hundred twenty percent, the monthly sum transmitted shall be reduced fifty percent;

17 (3) If the system's funding ratio is between ninety percent and one hundred ten percent, the
18 monthly sum transmitted shall remain the same;

19 (4) If the system's funding ratio is at least eighty percent and less than ninety percent, the
20 monthly sum transmitted shall be increased fifty percent; and

21 (5) If the system's funding ratio is less than eighty percent, the monthly sum transmitted
22 shall be increased one hundred percent.

23 7. Beginning August 28, 2003, the county treasurer shall at least monthly transmit the sums
24 specified in subsection 5 of this section to the Missouri office of prosecution services for deposit to
25 the credit of the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.
26 Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund shall be
27 used only for the purposes provided in sections 56.800 to 56.840, and for no other purpose.

28 [7.] 8. Beginning August 28, 2003, the following surcharge for prosecuting attorneys and
29 circuit attorneys shall be collected and paid as follows:

30 (1) There shall be assessed and collected a surcharge of four dollars in all criminal cases
31 filed in the courts of this state including violation of any county ordinance or any violation of
32 criminal or traffic laws of this state, including infractions, but no such surcharge shall be assessed
33 when the costs are waived or are to be paid by the state, county, or municipality or when a criminal
34 proceeding or the defendant has been dismissed by the court or against any person who has pled
35 guilty and paid their fine pursuant to subsection 4 of section 476.385. For purposes of this section,
36 the term "county ordinance" shall include any ordinance of the city of St. Louis;

1 (2) The clerk responsible for collecting court costs in criminal cases shall collect and
2 disburse such amounts as provided by sections 488.010 to 488.026. Such funds shall be payable to
3 the prosecuting attorneys and circuit attorneys' retirement fund. Moneys credited to the
4 prosecuting attorneys and circuit attorneys' retirement fund shall be used only for the purposes
5 provided for in sections 56.800 to 56.840 and for no other purpose.

6 [8.] 9. The board may accept gifts, donations, grants and bequests from private or public
7 sources to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

8 [9.] 10. No state moneys shall be used to fund section 56.700 and sections 56.800 to
9 56.840 unless provided for by law.”; and

10
11 Further amend said bill by amending the title, enacting clause, and intersectional reference
12 accordingly.

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