

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 12, Page 4, Section 488.026, Line 12,
2 by inserting after all of said line the following:

3 "488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their
4 services rendered in criminal cases and in all proceedings for contempt or attachment, as required by
5 law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten
6 dollars for each misdemeanor case, and six dollars for each infraction, [excluding] including cases
7 disposed of by a [traffic] violations bureau established pursuant to law or supreme court rule. Such
8 charges shall be charged and collected in the manner provided by sections 488.010 to 488.020 and
9 shall be payable to the county treasury; except that, those charges from cases disposed of by a
10 violations bureau shall be distributed as follows: one-half of the charges collected shall be
11 forwarded and deposited to the credit of the MODEX fund established in subsection 6 of this section
12 for the operational cost of the Missouri data exchange (MODEX) system, and one-half of the charges
13 collected shall be deposited to the credit of the inmate security fund, established in section 488.5026,
14 of the county or municipal political subdivision from which the citation originated. If the county or
15 municipal political subdivision has not established an inmate security fund, all of the funds shall be
16 deposited in the MODEX fund.

17 2. Notwithstanding subsection 1 of this section to the contrary, sheriffs, county marshals, or
18 other officers in any county with a charter form of government and with more than nine hundred
19 fifty thousand inhabitants or in any city not within a county shall not be allowed a charge for their
20 services rendered in cases disposed of by a violations bureau established pursuant to law or supreme
21 court rule.

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

27 [3.] 4. The charges provided in subsection 1 of this section shall be taxed as other costs in
28 criminal proceedings immediately upon a plea of guilty or a finding of guilt of any defendant in any
29 criminal procedure. The clerk shall tax all the costs in the case against such defendant, which shall
30 be collected and disbursed as provided by sections 488.010 to 488.020; provided, that no such charge
31 shall be collected in any proceeding in any court when the proceeding or the defendant has been
32 dismissed by the court; provided further, that all costs, incident to the issuing and serving of writs of
33 scire facias and of writs of fieri facias, and of attachments for witnesses of defendant, shall in no case
34 be paid by the state, but such costs incurred under writs of fieri facias and scire facias shall be paid
35 by the defendant and such defendant's sureties, and costs for attachments for witnesses shall be paid
36 by such witnesses.

37 [4.] 5. Mileage shall be reimbursed to sheriffs, county marshals and guards for all services

Action Taken _____ Date _____

1 rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable
2 expenses for motor vehicle use expressed as an amount per mile.

3 6. (1) There is hereby created in the state treasury the "MODEX Fund", which shall consist
4 of money collected under subsection 1 of this section. The fund shall be administered by the Peace
5 Officers Standards and Training Commission established in section 590.120. The state treasurer
6 shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer
7 may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in
8 the fund shall be used solely for the operational support and expansion of the MODEX system.

9 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining
10 in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

11 (3) The state treasurer shall invest moneys in the fund in the same manner as other funds are
12 invested. Any interest and moneys earned on such investments shall be credited to the fund."; 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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