

ORIGINAL



5581H02.01F

House _____ Amendment NO. _____

GRASCHENBERGER

Offered By

108

1 AMEND ~~HOUSE~~ ¹⁵⁵⁷ ~~NO. 108~~ ¹⁵⁵⁷ Page 1, Section A, Line 2, by inserting
2 after all of said section and line the following:
3

4 "304.028. 1. There is hereby created in the state treasury for use by the department of health
5 and senior services a fund to be known as the "Brain Injury Fund". All judgments collected pursuant
6 to this section, federal grants, private donations and any other moneys designated for the brain injury
7 fund shall be deposited in the fund. Moneys deposited in the fund shall, upon appropriation by the
8 general assembly to the department of health and senior services, be received and expended by the
9 department for the purpose of transition [and] , integration, and provision of [medical,]
10 community-based services in comprehensive brain injury day rehabilitation therapy programs; home
11 and community support; and social and educational [services or] activities for purposes of outreach
12 and [supports] support to enable individuals with [traumatic] brain injury and their families to live in
13 the community. Notwithstanding the provisions of section 33.080 to the contrary, any unexpended
14 balance in the brain injury fund at the end of any biennium shall not be transferred to the general
15 revenue fund.

16 2. In all criminal cases including violations of any county or municipal ordinance or any
17 violation of criminal or traffic laws of this state, any county, or any municipality, including an
18 infraction, there shall be assessed as costs a surcharge in the amount of two dollars. The surcharge
19 shall not be waived, except no such surcharge shall be collected in any proceeding involving a
20 violation of an ordinance or state law when the proceeding or defendant has been dismissed by the
21 court or when costs are to be paid by the state, county or municipality.

22 3. Such surcharge shall be collected and distributed by the clerk of the court as provided in
23 sections 488.010 to 488.020. The surcharge collected pursuant to this section shall be paid to the
24 state treasury to the credit of the brain injury fund established in this section."; and
25

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

Action Taken _____ Date _____

SECRET