

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852,
2 Page 4, Section 105.935, Line 54, by inserting after all of said line the following:

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

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

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

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

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1 by such witnesses.

2 [5.] 4. Mileage shall be reimbursed to sheriffs, county marshals and guards for all services
3 rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable
4 expenses for motor vehicle use expressed as an amount per mile.

5 [6.] 5. (1) There is hereby created in the state treasury the "MODEX Fund", which shall
6 consist of money collected under subsection 1 of this section. The fund shall be administered by the
7 peace officers standards and training commission established in section 590.120. The state treasurer
8 shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer
9 may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in
10 the fund shall be used solely for the operational support and expansion of the MODEX system.

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

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

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