

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 824,  
2 Page 42, Section 488.2235, Line 13, by inserting after all of said section and line the following:

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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

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

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.