

SECOND REGULAR SESSION

HOUSE BILL NO. 1755

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WALTON GRAY.

4660L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 512.180, RSMo, and to enact in lieu thereof one new section relating to direct appeals in certain civil cases.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 512.180, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 512.180, to read as follows:

512.180. 1. Any person aggrieved by a **final** judgment **entered** in a civil case, tried without a jury, **summarily or involuntarily, with prejudice**, before an associate circuit judge, other than an associate circuit judge sitting in the probate division or who has been assigned to hear the case on the record under procedures applicable before circuit judges, shall have the right of **either** a trial de novo in all cases tried before municipal court or under the provisions of chapters 482, 534, and 535 **or a direct appeal upon the record to the appropriate appellate court.**

2. In all other contested civil cases tried with or without a jury before an associate circuit judge or on assignment under such procedures applicable before circuit judges or in any misdemeanor case or county ordinance violation case a record shall be kept, and any person aggrieved by a judgment rendered in any such case may have an appeal upon that record to the appropriate appellate court. At the discretion of the judge, but in compliance with the rules of the supreme court, the record may be a stenographic record or one made by the utilization of electronic, magnetic, or mechanical sound or video recording devices.

3. **In all proceedings reviewable on appeal by trial de novo or by an appellate court, appeals shall go directly to the court having jurisdiction, but want of jurisdiction shall not be a ground for dismissal, and the proceeding shall be transferred to the circuit or**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 18 **appellate court having jurisdiction. An original action filed in a court lacking jurisdiction**
19 **or venue shall be transferred to the appropriate court.**

✓