

SECOND REGULAR SESSION

HOUSE BILL NO. 1351

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RICHARDSON.

4722H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 516.350, RSMo, and to enact in lieu thereof one new section relating to judgments.

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

Section A. Section 516.350, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 516.350 to read as follows:

516.350. 1. Every judgment, order or decree of any court of record of the United States, or of this or any other state, territory or country, except for any judgment, order, or decree awarding child support or maintenance or dividing pension, retirement, life insurance, or other employee benefits in connection with a dissolution of marriage, legal separation or annulment which mandates the making of payments over a period of time or payments in the future, shall be presumed to be paid and satisfied after the expiration of ten years from the date of the original rendition thereof, or if the same has been revived upon personal service duly had upon the defendant or defendants therein, then after ten years from and after such revival, or in case a payment has been made on such judgment, order or decree, and duly entered upon the record thereof, after the expiration of ten years from the last payment so made, and after the expiration of ten years from the date of the original rendition or revival upon personal service, or from the date of the last payment, such judgment shall be conclusively presumed to be paid, and no execution, order or process shall issue thereon, nor shall any suit be brought, had or maintained thereon for any purpose whatever. An action to emancipate a child, and any personal service or order rendered thereon, shall not act to revive the support order.

2. In any judgment, order, or decree awarding child support or maintenance, each periodic payment shall be presumed paid and satisfied after the expiration of ten years from the

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 date that periodic payment is due, unless the judgment has been otherwise revived as set out in
19 subsection 1 of this section. This subsection shall take effect as to all such judgments, orders,
20 or decrees which have not been presumed paid pursuant to subsection 1 of this section as of
21 August 31, 1982.

22 3. In any judgment, order, or decree dividing pension, retirement, life insurance, or other
23 employee benefits in connection with a dissolution of marriage, legal separation or annulment,
24 each periodic payment shall be presumed paid and satisfied after the expiration of ten years from
25 the date that periodic payment is due, unless the judgment has been otherwise revived as set out
26 in subsection 1 of this section. This subsection shall take effect as to all such judgments, orders,
27 or decrees which have not been presumed paid pursuant to subsection 1 of this section as of
28 August 28, 2001.

29 4. In any judgment, order or decree awarding child support or maintenance, payment
30 duly entered on the record as provided in subsection 1 of this section shall include recording of
31 payments or credits in the automated child support system created pursuant to chapter 454 by the
32 division of child support enforcement or payment center pursuant to chapter 454.

33 **5. Any judgment, order, or decree awarding unpaid rent may be revived upon**
34 **publication consistent with the publication requirements of section 506.160 and need not**
35 **be personally served on the defendant.**

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