

SCS HB 1238 -- COURT COSTS

This bill changes the laws regarding court costs. In its main provisions, the bill:

- (1) Extends, from December 31, 2014, to December 31, 2019, the expiration date of the provisions authorizing Franklin County to impose an additional court fee of \$10 on any party filing a civil case in the circuit court with the exception of cases concerning adoption and those in small claims court;
- (2) Increases, from \$2 to up to \$4, the surcharge that may be collected for each criminal case in cities or counties with a domestic violence shelter;
- (3) Specifies that in addition to all court fees and costs, a surcharge of up to \$10 must be assessed as costs in each criminal proceeding filed in the 31st Judicial Circuit except in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when the costs are to be paid by the state, county, or municipality. For violations of the general criminal laws of the state or county ordinances, a surcharge must not be collected unless it is authorized by the county government where the violation occurred. For violations of municipal ordinances, a surcharge must not be collected unless it is authorized by the municipal government where the violation occurred. The moneys collected from the surcharge must only be used for the costs associated with the land assemblage and purchase, construction, maintenance, and operation of any county or municipal judicial facility; and
- (4) Allows the City of Kansas City to impose an additional court cost of up to \$5 for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge. The judge may waive the assessment of the additional cost if the judge finds the defendant to be indigent and unable to pay the costs. The city can only use the additional costs for the restoration, maintenance, and upkeep of the municipal courthouse. These provisions will expire on August 28, 2021.