

HCS SB 615 -- JUDICIAL PROCEDURES

SPONSOR: Dixon (Austin)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Judiciary by a vote of 8 to 1.

This bill changes the laws relating to court costs.

CIVIL FINES FOR COUNTY ORDINANCE VIOLATIONS (Section 49.272, RSMo)

Adds Buchanan County to the list of counties authorized to impose, by rule, regulation, or ordinance a civil fine of up to \$1,000 for each violation of any county rule, regulation, or ordinance.

RETIREMENT BENEFITS FOR PROSECUTORS (Section 56.807 and 488.026)

Currently, each county treasurer must transfer a specified sum of money each month to the Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund for use by the fund. Beginning August 28, 2015, the bill requires that the county contribution be adjusted in accordance with the following schedule based on the retirement system's annual actuarial valuation report:

- (1) If the system's funding ratio is 120% or more, no monthly sum must be transmitted;
- (2) If the system's funding ratio is more than 110% but less than 120%, the monthly sum transmitted must be reduced 50%;
- (3) If the system's funding ratio is at least 90% and up to 110%, the monthly sum transmitted must remain the same;
- (4) If the system's funding ratio is at least 80% and less than 90%, the monthly sum transmitted must be increased 50%; and
- (5) If the system's funding ratio is less than 80%, the monthly sum transmitted must be increased 100%.

Currently, a surcharge of \$4 is assessed and collected in all criminal cases filed in court, including any violation of a county ordinance or any violation of the state's criminal or traffic laws, including infractions. The bill adds any person who pleads guilty and pays a fine through a fine collection center to the list of those who are to be assessed the surcharge.

SURCHARGES (Sections 476.056, 476.385, and 488.014)

Currently, a committee consisting of Associate Circuit Judges

establishes and maintains a schedule of fines to be paid for the violation of certain sections of law. This bill repeals from this list Section 210.104, which was repealed in 2006 by Senate Bill 872. The bill also provides that municipalities may retain the court costs that have been overpaid to the municipal court and do not exceed \$5.

COURT FEES (Section 488.426)

Currently, Franklin County may impose an additional court fee of \$10, excluding cases concerning adoption and those in small claims court. This bill extends the expiration date of this section from December 31, 2014, to December 31, 2019.

DOMESTIC VIOLENCE SHELTERS (Section 488.607)

Currently, cities or counties with domestic violence shelters can add a surcharge of \$2 for criminal cases. This act states that a surcharge of up to \$4 may be collected for each criminal case in cities or counties with domestic violence shelters.

GREENE COUNTY SURCHARGE (Section 488.2206)

Provides that a surcharge of up to \$10 may be collected in all criminal proceedings filed in the 31st Judicial Circuit if the surcharge is authorized by a county or municipal order, ordinance, or resolution. The moneys collected from the surcharge must be used for the costs associated with the construction, maintenance, and operation of any county or municipal judicial facility.

MUNICIPAL ORDINANCE VIOLATIONS (Section 488.2240)

This bill allows the City of Springfield to impose an additional court cost of up to \$10 for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge. The city can only use the additional costs for land assemblage and purchase, construction, maintenance, and upkeep of a municipal courthouse.

PROPONENTS: Supporters say that this is a clean-up bill. Municipalities may retain court costs that have been overpaid that do not exceed \$5.

Testifying for the bill was Senator Dixon.

OPPONENTS: There was no opposition voiced to the committee.