

FIRST REGULAR SESSION

HOUSE BILL NO. 1099

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SOMMER.

2394H.021

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 302.137, RSMo, and to enact in lieu thereof one new section relating to the motorcycle safety trust fund.

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

Section A. Section 302.137, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 302.137, to read as follows:

302.137. 1. There is hereby created in the state treasury for use by the commission a fund to be known as the "Motorcycle Safety Trust Fund". All judgments collected pursuant to this section, appropriations of the general assembly, federal grants, private donations and any other moneys designated for the motorcycle safety education program established pursuant to sections 302.133 to 302.138 shall be deposited in the fund. Moneys deposited in the fund shall, upon appropriation by the general assembly to the **commission**, be received and expended by the commission of public safety for the purpose of funding the motorcycle safety education program established under sections 302.133 to 302.138. Notwithstanding the provisions of section 33.080 to the contrary, any unexpended balance in the motorcycle safety trust fund at the end of any biennium shall not be transferred to the general revenue fund.

2. In all **state** criminal cases, including violations of any county **or municipal** ordinance [or] **which, if prosecuted under the laws of the state would be a felony or misdemeanor, and** any violation of [criminal or] **the** traffic laws of this state, **any county, or any municipality,** including an infraction, there shall be assessed as costs a surcharge in the amount of one dollar. **Such surcharge shall not be waived in any proceeding, except that** no such surcharge shall be collected in any proceeding involving a violation of an ordinance or state law when 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.

17 proceeding or defendant has been dismissed by the court or when costs are to be paid by the
18 state, county or municipality.

19 3. Such surcharge shall be collected and distributed by the clerk of the court as provided
20 in sections 488.010 to 488.020. The surcharge collected pursuant to this section shall be paid
21 to the state treasury to the credit of the motorcycle safety trust fund established in this section.

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