

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 157**  
**101ST GENERAL ASSEMBLY**

0259H.02C

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To amend chapter 550, RSMo, by adding thereto one new section relating to change of venue costs for capital cases.

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

Section A. Chapter 550, RSMo, is amended by adding thereto one new section, to be  
2 known as section 550.125, to read as follows:

**550.125. 1. There is hereby created in the state treasury the "Change of Venue for  
2 Capital Cases Fund", which shall consist of moneys appropriated to the fund by the  
3 general assembly. The office of state courts administrator shall administer and disburse  
4 moneys in the fund in accordance with subsection 2 of this section. The fund shall be a  
5 dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the  
6 administration of this section. Notwithstanding the provisions of section 33.080, any  
7 moneys remaining in the fund at the end of the biennium shall not revert to the credit of  
8 the general revenue fund. The state treasurer shall invest moneys in the fund in the same  
9 manner as other funds are invested. Any interest and moneys earned on such investments  
10 shall be credited to the fund.**

**11 2. In a capital case in which a change of venue is taken from one county to any  
12 other county, at the conclusion of such case the county from which the case was transferred  
13 may apply to the office of state courts administrator for the county to which the case was  
14 transferred to be reimbursed from the change of venue for capital cases fund any costs  
15 associated with the sequestering of jurors. The costs of reimbursement shall not exceed the  
16 then-approved state rates for travel reimbursement for lodging and meals.**

**17 3. Except as provided under subsection 4 of this section, the office of state courts  
18 administrator shall develop an application process and other procedures to determine if**

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.

19 a county is eligible for reimbursement under this section. If a county is eligible for  
20 reimbursement, the office of state courts administrator shall disburse such moneys to the  
21 county as provided under subsection 4 of this section. In the event the amount disbursed  
22 is less than the county's actual costs associated with sequestering jurors, the original county  
23 shall reimburse the county to which the case was transferred for the difference. If the  
24 office of state courts administrator determines a county is not eligible for reimbursement  
25 under this section, the county in which the capital case originated shall be responsible for  
26 reimbursement.

27 4. Applications for reimbursement shall be submitted by May first of the current  
28 fiscal year, and disbursements shall be made by June thirtieth of the current fiscal year.  
29 Applications submitted after May first of the current fiscal year shall be reimbursed in the  
30 following fiscal year. If the total dollar amount of the claims in a given year exceeds the  
31 amount of money in the fund in the same year, the claims shall be reimbursed on a pro rata  
32 basis.

33 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
34 created under the authority delegated in this section shall become effective only if it  
35 complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
36 section 536.028. This section and chapter 536 are nonseverable, and if any of the powers  
37 vested with the general assembly pursuant to chapter 536 to review, to delay the effective  
38 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the  
39 grant of rulemaking authority and any rule proposed or adopted after August 28, 2021,  
40 shall be invalid and void.

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