

FIRST REGULAR SESSION

HOUSE BILL NO. 83

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE VEIT.

0112H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

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

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:

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

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

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

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

34 **5. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
35 **created under the authority delegated in this section shall become effective only if it**
36 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
37 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
38 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
39 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
40 **then the grant of rulemaking authority and any rule proposed or adopted after August**
41 **28, 2023, shall be invalid and void.**

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