

FIRST REGULAR SESSION
[PERFECTED]
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 90
102ND GENERAL ASSEMBLY

0814H.02P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 217.785, 476.055, 485.060, and 509.520, RSMo, and to enact in lieu thereof three new sections relating to court operations.

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

Section A. Sections 217.785, 476.055, 485.060, and 509.520, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 476.055, 485.060, and
3 509.520, to read as follows:

476.055. 1. There is hereby established in the state treasury the "Statewide Court
2 Automation Fund". All moneys collected pursuant to section 488.027, as well as gifts,
3 contributions, devises, bequests, and grants received relating to automation of judicial record
4 keeping, and moneys received by the judicial system for the dissemination of information and
5 sales of publications developed relating to automation of judicial record keeping, shall be
6 credited to the fund. Moneys credited to this fund may only be used for the purposes set forth
7 in this section and as appropriated by the general assembly. Any unexpended balance
8 remaining in the statewide court automation fund at the end of each biennium shall not be
9 subject to the provisions of section 33.080 requiring the transfer of such unexpended balance
10 to general revenue; except that, any unexpended balance remaining in the fund on September
11 1, [~~2023~~] **2029**, shall be transferred to general revenue.

12 2. The statewide court automation fund shall be administered by a court automation
13 committee consisting of the following: the chief justice of the supreme court, a judge from
14 the court of appeals, four circuit judges, four associate circuit judges, four employees of the
15 circuit court, **two municipal employees who work full time in a municipal division of a**
16 **circuit court**, the commissioner of administration, two members of the house of

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 representatives appointed by the speaker of the house, two members of the senate appointed
18 by the president pro tem of the senate, the executive director of the Missouri office of
19 prosecution services, the director of the state public defender system, and two members of the
20 Missouri Bar. The judge members and employee members shall be appointed by the chief
21 justice. The commissioner of administration shall serve ex officio. The members of the
22 Missouri Bar shall be appointed by the board of governors of the Missouri Bar. Any member
23 of the committee may designate another person to serve on the committee in place of the
24 committee member.

25 3. The committee shall develop and implement a plan for a statewide court
26 automation system. The committee shall have the authority to hire consultants, review
27 systems in other jurisdictions and purchase goods and services to administer the provisions of
28 this section. The committee may implement one or more pilot projects in the state for the
29 purposes of determining the feasibility of developing and implementing such plan. The
30 members of the committee shall be reimbursed from the court automation fund for their actual
31 expenses in performing their official duties on the committee.

32 4. Any purchase of computer software or computer hardware that exceeds five
33 thousand dollars shall be made pursuant to the requirements of the office of administration for
34 lowest and best bid. Such bids shall be subject to acceptance by the office of administration.
35 The court automation committee shall determine the specifications for such bids.

36 5. The court automation committee shall not require any circuit court to change any
37 operating system in such court, unless the committee provides all necessary personnel, funds
38 and equipment necessary to effectuate the required changes. No judicial circuit or county
39 may be reimbursed for any costs incurred pursuant to this subsection unless such judicial
40 circuit or county has the approval of the court automation committee prior to incurring the
41 specific cost.

42 6. Any court automation system, including any pilot project, shall be implemented,
43 operated and maintained in accordance with strict standards for the security and privacy of
44 confidential judicial records. Any person who knowingly releases information from a
45 confidential judicial record is guilty of a class B misdemeanor. Any person who, knowing
46 that a judicial record is confidential, uses information from such confidential record for
47 financial gain is guilty of a class E felony.

48 7. On the first day of February, May, August and November of each year, the court
49 automation committee shall file a report on the progress of the statewide automation system
50 with:

- 51 (1) The chair of the house budget committee;
- 52 (2) The chair of the senate appropriations committee;
- 53 (3) The chair of the house judiciary committee; and

54 (4) The chair of the senate judiciary committee.

55 8. Section 488.027 shall expire on September 1, ~~[2023]~~ **2029**. The court automation
56 committee established pursuant to this section may continue to function until completion of
57 its duties prescribed by this section~~[-but shall complete its duties prior to September 1, 2025-~~

58 ~~9. This section shall expire on September 1, 2025].~~

485.060. 1. Each court reporter for a circuit judge shall receive an annual salary of
2 twenty-six thousand nine hundred dollars beginning January 1, 1985, until December 31,
3 1985, and beginning January 1, 1986, an annual salary of thirty thousand dollars.

4 2. Such annual salary shall be modified by any salary adjustment provided by section
5 476.405.

6 3. Beginning January 1, 2022, the annual salary, as modified under section 476.405,
7 shall be adjusted upon meeting the minimum number of cumulative years of service as a court
8 reporter with a circuit court of this state by the following schedule:

9 (1) For each court reporter with zero to five years of service: the annual salary shall
10 be increased only by any salary adjustment provided by section 476.405;

11 (2) For each court reporter with six to ten years of service: the annual salary shall be
12 increased by **the whole sum of five and one-quarter percent in addition to the increase**
13 **provided by subdivision (1) of this subsection;**

14 (3) For each court reporter with eleven to fifteen years of service: the annual salary
15 shall be increased by **the whole sum of eight and one-quarter percent in addition to the**
16 **increase provided by subdivision (2) of this subsection;**

17 (4) For each court reporter with sixteen to twenty years of service: the annual salary
18 shall be increased by **the whole sum of eight and one-half percent in addition to the**
19 **increase provided by subdivision (3) of this subsection;** or

20 (5) For each court reporter with twenty-one or more years of service: the annual
21 salary shall be increased by **the whole sum of eight and three-quarters percent in addition to**
22 **the increase provided by subdivision (4) of this subsection.**

23

24 ~~[A court reporter may receive multiple adjustments under this subsection as his or her~~
25 ~~cumulative years of service increase, but only one percentage listed in subdivisions (1) to (5)~~
26 ~~of this subsection shall apply to the annual salary at a time.]~~

27 4. Salaries shall be payable in equal monthly installments on the certification of the
28 judge of the court or division in whose court the reporter is employed. If paid by the state, the
29 salaries of such court reporters shall be paid in semimonthly or monthly installments, as
30 designated by the commissioner of administration.

509.520. 1. Notwithstanding any provision of law to the contrary, beginning August 28, ~~2009~~ **2023**, pleadings, attachments, or exhibits filed with the court in any case, as well as any judgments issued by the court, shall not include:

(1) The full Social Security number of any party or any child who is the subject to an order of custody or support;

(2) The full credit card number or other financial account number of any party; **and**

(3) Any personal identifying information, including name, address, and year of birth, of a minor and, if applicable, any next friend. Such information shall be provided in a confidential information filing sheet contemporaneously filed with the court or entered by the court, which shall not be subject to public inspection or availability.

2. Contemporaneously with the filing of every petition for dissolution of marriage, legal separation, motion for modification, action to establish paternity, and petition or motion for support or custody of a minor child, the filing party shall file a confidential case filing sheet with the court which shall not be subject to public inspection and which provides:

(1) The name and address of the current employer and the Social Security number of the petitioner or movant, if a person;

(2) If known to the petitioner or movant, the name and address of the current employer and the Social Security number of the respondent; and

(3) The names, dates of birth, and Social Security numbers of any children subject to the action.

3. Contemporaneously with the filing of every responsive pleading petition for dissolution of marriage, legal separation, motion for modification, action to establish paternity, and petition or motion for support or custody of a minor child, the responding party shall file a confidential case filing sheet with the court which shall not be subject to public inspection and which provides:

(1) The name and address of the current employer and the Social Security number of the responding party, if a person;

(2) If known to the responding party, the name and address of the current employer and the Social Security number of the petitioner or movant; and

(3) The names, dates of birth, and Social Security numbers of any children subject to the action.

4. The full Social Security number of any party or child subject to an order of custody or support shall be retained by the court on the confidential case filing sheet or other confidential record maintained in conjunction with the administration of the case. The full credit card number or other financial account number of any party may be retained by the court on a confidential record if it is necessary to maintain the number in conjunction with the administration of the case.

38 5. Any document described in subsection 1 of this section shall, in lieu of the full
39 number, include only the last four digits of any such number.

40 6. Except as provided in section 452.430, the clerk shall not be required to redact any
41 document described in subsection 1 of this section issued or filed before August 28, 2009,
42 prior to releasing the document to the public.

43 7. For good cause shown, the court may release information contained on the
44 confidential case filing sheet; except that, any state agency acting under authority of chapter
45 454 shall have access to information contained herein without court order in carrying out their
46 official duty.

2 ~~[217.785. 1. As used in this section, the term "Missouri~~
3 ~~postconviction drug treatment program" means a program of noninstitutional~~
4 ~~and institutional correctional programs for the monitoring, control and~~
5 ~~treatment of certain drug abuse offenders.~~

6 ~~2. The department of corrections shall establish by regulation the~~
7 ~~"Missouri Postconviction Drug Treatment Program". The program shall~~
8 ~~include noninstitutional and institutional placement. The institutional phase of~~
9 ~~the program may include any offender under the supervision and control of the~~
10 ~~department of corrections. The department shall establish rules determining~~
11 ~~how, when and where an offender shall be admitted into or removed from the~~
12 ~~program.~~

13 ~~3. Any first-time offender who has been found guilty of violating the~~
14 ~~provisions of chapter 195 or 579, or whose controlled substance abuse was a~~
15 ~~precipitating or contributing factor in the commission of his offense, and who~~
16 ~~is placed on probation may be required to participate in the noninstitutional~~
17 ~~phase of the program, which may include education, treatment and~~
18 ~~rehabilitation programs. Persons required to attend a program pursuant to~~
19 ~~this section may be charged a reasonable fee to cover the costs of the program.~~
20 ~~Failure of an offender to complete successfully the noninstitutional phase of~~
21 ~~the program shall be sufficient cause for the offender to be remanded to the~~
22 ~~sentencing court for assignment to the institutional phase of the program or~~
23 ~~any other authorized disposition.~~

24 ~~4. A probationer shall be eligible for assignment to the institutional~~
25 ~~phase of the postconviction drug treatment program if he has failed to~~
26 ~~complete successfully the noninstitutional phase of the program. If space is~~
27 ~~available, the sentencing court may assign the offender to the institutional~~
28 ~~phase of the program as a special condition of probation, without the necessity~~
29 ~~of formal revocation of probation.~~

30 ~~5. The availability of space in the institutional program shall be~~
31 ~~determined by the department of corrections. If the sentencing court is advised~~
32 ~~that there is no space available, then the court shall consider other authorized~~
33 ~~dispositions.~~

34 ~~6. Any time after ninety days and prior to one hundred twenty days~~
35 ~~after assignment of the offender to the institutional phase of the program, the~~
36 ~~department shall submit to the court a report outlining the performance of the~~
~~offender in the program. If the department determines that the offender will~~

37 ~~not participate or has failed to complete the program, the department shall~~
38 ~~advise the sentencing court, who shall cause the offender to be brought before~~
39 ~~the court for consideration of revocation of the probation or other authorized~~
40 ~~disposition. If the offender successfully completes the program, the~~
41 ~~department shall release the individual to the appropriate probation and~~
42 ~~parole district office and so advise the court.~~
43 ~~7. Time spent in the institutional phase of the program shall count as~~
44 ~~time served on the sentence.]~~

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