

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 998
102ND GENERAL ASSEMBLY

2227H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 483.075 and 483.083, RSMo, and to enact in lieu thereof two new sections relating to the salaries of circuit clerks.

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

Section A. Sections 483.075 and 483.083, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 483.075 and 483.083, to read as follows:

483.075. 1. Every clerk shall record the judgments, rules, orders and other
2 proceedings of the court; issue and attest all process when required by law and affix the seal
3 of his **or her** office thereto, or if none be provided, then his **or her** private seal; keep a perfect
4 account of all moneys coming into his **or her** hands on account of costs or otherwise, and
5 punctually pay over the same.

6 2. Provided, that where the clerk of the circuit court is a party, plaintiff or defendant,
7 whether singly or jointly with others, to a suit or action, the writ of summons and all other
8 process shall be issued by the clerk of the county commission, the reason therefor being noted
9 on said process, and said latter named clerk shall, on the trial of said cause, act as temporary
10 clerk of the circuit court and otherwise perform in said cause all the duties of the circuit court
11 clerk. This subsection shall not apply where the clerk of the circuit court is named as a party
12 under sections 610.130 to 610.145 or other sections relating to the expungement of criminal
13 records.

483.083. 1. **(1)** Each circuit clerk [~~shall annually receive as compensation the~~
2 ~~following amounts as base salary:~~

3 ~~(1) In counties of the first classification, thirty-six thousand one hundred forty-five~~
4 ~~dollars; except those counties where court is held in two cities, in which instance an~~
5 ~~additional four thousand dollars shall be added to the base salary;~~

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.

6 ~~(2) In all counties of the second or fourth classification, thirty one thousand nine~~
7 ~~hundred seventy eight dollars; except those counties where court is held in two cities, thirty-~~
8 ~~five thousand five hundred forty nine dollars;~~

9 ~~(3) In the counties of the third classification, twenty seven thousand two hundred~~
10 ~~eighteen dollars except those counties where court is held in two cities; thirty thousand three~~
11 ~~hundred eight dollars; except Marion County circuit clerks, district one and district two in~~
12 ~~Hannibal, thirty one thousand three hundred eighty three dollars;~~

13 ~~(4)~~ in the city of St. Louis[;] **shall annually receive as compensation** sixty-seven
14 thousand three hundred sixty dollars[;] **as the base salary.**

15 ~~[(5)]~~ **(2)** The compensation of circuit clerks provided by this subsection shall annually
16 be increased by an amount equivalent to the annual salary adjustment approved pursuant to
17 section 476.405 for employees of the judicial department.

18 ~~[2-]~~ **(3)** Such circuit clerks shall receive in addition to any salary provided by this
19 section any salary adjustment provided pursuant to section 476.405.

20 **2. (1) Each circuit clerk in a noncharter county shall annually receive as**
21 **compensation an amount equal to sixty-five percent of the annual salary of an associate**
22 **circuit judge as described in section 478.018.**

23 **(2) If associate circuit judges receive salary adjustments under section 476.405,**
24 **circuit clerks shall receive corresponding salary adjustments under section 476.405 in a**
25 **manner that ensures that the salary of each circuit clerk is at all times sixty-five percent**
26 **of the annual salary of an associate circuit judge.**

27 **(3) Salaries for circuit clerks in noncharter counties shall be subject to the**
28 **requirements of this subsection and shall not vary based on the classification of the**
29 **county.**

30 3. In the event the judge orders child support payments in Marion County to be made
31 through the clerk, the clerk shall annually, on or before February first of each year, charge ten
32 dollars per year to each such person so obligated to make child support payments, which fee
33 shall be paid to the state.

34 4. Payment of the compensation provided in this section shall be payable in equal
35 monthly installments, except that the salary of the circuit clerk of the city of St. Louis shall be
36 paid in semimonthly installments and except that all such compensation paid by the state shall
37 be paid in installments as provided in section 33.100. The compensation of all circuit clerks
38 shall be paid by the state and they shall be considered state employees for all purposes except
39 the manner of their selection, appointment or removal from office; except that, the circuit
40 clerk of the city of St. Louis, the circuit clerk of St. Louis County and the court administrator
41 of Jackson County shall continue to be paid by the city and those counties and shall not
42 become state employees, but the city of St. Louis, St. Louis County and Jackson County shall

43 each be paid an amount which is equivalent to a circuit clerk's salary as provided in
44 subsection 3 of section 483.015.

45 5. The compensation provided in this section shall be in lieu of all fees, and all fees
46 collected shall be paid over to the state or to the counties and the city of St. Louis as otherwise
47 provided by law.

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