

SECOND REGULAR SESSION

HOUSE BILL NO. 3443

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOLAN.

7370H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 488.012 and 488.027, RSMo, and to enact in lieu thereof two new sections relating to court costs.

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

Section A. Sections 488.012 and 488.027, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 488.012 and 488.027, to read as follows:

488.012. 1. Beginning July 1, 1997, the clerk of each court of this state responsible
2 for collecting court costs shall collect the court costs authorized by statute, in such amounts as
3 are authorized by supreme court rule adopted pursuant to sections 488.010 to 488.020. Court
4 costs due and payable prior to July 1, 1997, shall not be affected by the adoption of this rule.

5 2. The supreme court shall set the amount of court costs authorized by statute, at
6 levels to produce revenue which shall not substantially exceed the total of the proportion of
7 the costs associated with administration of the judicial system defrayed by fees,
8 miscellaneous charges and surcharges.

9 3. Prior to adjustment by the supreme court, the following fees, costs and charges
10 shall be collected:

11 (1) Five dollars for the filing of a lien, pursuant to section 429.090;

12 (2) Ten dollars for maintaining child support enforcement records, pursuant to section
13 452.345;

14 (3) Ten dollars for a notice to a judgment creditor of a distributee, pursuant to section
15 473.618;

16 (4) Three dollars for receiving and keeping a will, pursuant to section 474.510;

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 (5) ~~Seven~~ **Ten** dollars for the statewide court automation fund, pursuant to section
18 488.027;
- 19 (6) Twelve dollars for municipal court costs, fifteen dollars for municipal ordinance
20 violations filed before an associate circuit judge and thirty dollars for applications for a trial
21 de novo of a municipal ordinance violation, pursuant to section 479.260;
- 22 (7) Five dollars for small claims court cases where less than one hundred dollars is in
23 dispute, and ten dollars in all other small claims court cases, pursuant to section 482.345;
- 24 (8) Fifty dollars for appeals, pursuant to section 483.500;
- 25 (9) Fifteen dollars in misdemeanor cases where there is no application for trial de
26 novo, pursuant to section 483.530;
- 27 (10) Forty-five dollars for applications for a trial de novo for misdemeanor cases,
28 pursuant to section 483.530;
- 29 (11) Fifteen dollars for each preliminary hearing in felony cases, pursuant to section
30 483.530;
- 31 (12) Thirty dollars for each information or indictment filed in felony cases, pursuant
32 to section 483.530;
- 33 (13) Fifteen dollars for each associate circuit court case filed, and one dollar for each
34 additional summons issued in such cases, pursuant to section 483.530;
- 35 (14) Forty-five dollars for applications for trial de novo from small claims court and
36 associate circuit court and forty-five dollars for filing of other cases, pursuant to section
37 483.530;
- 38 (15) One dollar and fifty cents for a certificate of naturalization, pursuant to section
39 483.535;
- 40 (16) When letters are applied for in probate proceedings, pursuant to section 483.580,
41 when the value of the estate is:
- 42 (a) Less than \$10,000 \$ 75.00
- 43 (b) From \$10,000 to \$25,000 115.00
- 44 (c) From \$25,000 to \$50,000 155.00
- 45 (d) From \$50,000 to \$100,000 245.00
- 46 (e) From \$100,000 to \$500,000 305.00
- 47 (f) More than \$500,000 365.00;
- 48 (17) Thirty dollars for each additional twelve months a decedent's estate remains
49 open, pursuant to section 483.580;
- 50 (18) In proceedings regarding guardianships and conservatorships, pursuant to
51 section 483.580:
- 52 (a) Twenty-five dollars for each grant of letters for guardianship of a minor;
- 53 (b) Fifty dollars for each grant of letters for guardianship of an incapacitated person;

54 (c) Sixty dollars for each grant of letters for guardianship of the person and
55 conservatorship of the estate of a minor;

56 (d) Twenty-five dollars for each additional twelve months a conservatorship of a
57 minor's estate case remains open;

58 (e) Seventy-five dollars for each grant of letters in guardianship and conservatorship
59 of incapacitated persons and their estates;

60 (f) Thirty dollars for each additional twelve months an incapacitated person's case
61 remains open;

62 (19) Fifteen dollars for issuing orders refusing to grant letters to a spouse or an
63 unmarried minor child and thirty dollars for a certified copy of such orders, pursuant to
64 section 483.580;

65 (20) In probate proceedings, pursuant to section 483.580:

66 (a) Thirty-five dollars for the collection of small estates;

67 (b) Thirty-five dollars for involuntary hospitalization proceedings;

68 (c) Thirty dollars for proceedings to determine heirship;

69 (d) Fifteen dollars for assessment of estate taxes where no letters are granted;

70 (e) Fifty dollars for proceedings for the sale of real estate by a nonresident
71 conservator;

72 (f) Forty dollars for proceedings to dispense with administration;

73 (g) Twenty dollars for proceedings to dispense with conservatorship;

74 (h) Twenty-five dollars for admitting a will to probate;

75 (i) One dollar per copied page and one dollar and fifty cents per certificate;

76 (21) One dollar and fifty cents per page for testimony transcription, pursuant to
77 section 488.2250;

78 (22) Fifteen dollars for court reporters, pursuant to section 488.2253;

79 (23) Three dollars for witness fees per day, and four dollars when the witness must
80 travel to another county, pursuant to section 491.280.

488.027. 1. In addition to all other court costs provided by law, in all civil cases filed
2 in the circuit courts of this state and in all criminal cases including violations of any
3 municipal or county ordinance heard by an associate circuit judge or any violation of criminal
4 or traffic laws of this state, including an infraction, a fee in an amount determined pursuant to
5 sections 488.015 to 488.020 shall be assessed as costs, except that, no such fee shall be
6 collected in any proceeding involving a violation of an ordinance or state law when a criminal
7 proceeding or defendant has been dismissed by the court or when costs are waived or are to
8 be paid by the state, county or municipality.

9 2. The moneys collected by clerks of the courts pursuant to the provisions of this
10 section shall be collected and disbursed as provided by sections 488.010 to 488.020. All such

11 moneys shall be payable to the director of revenue, who shall deposit all amounts collected
12 pursuant to this section to the credit of the statewide court automation fund which is
13 established in section 476.055.

14 3. The assessment of court costs authorized by this section shall apply to all cases
15 filed on or after September 1, 1994.

16 **4. Beginning January 1, 2027, and on January first of each year thereafter, apart**
17 **from any adjustment as provided in section 488.012, the fee authorized under subsection**
18 **1 of this section shall be adjusted annually for inflation based on the Consumer Price**
19 **Index for All Urban Consumers, as defined and officially recorded by the United States**
20 **Department of Labor or its successor, provided the amount of the fee shall be rounded**
21 **down to the nearest whole dollar. Such annual adjustment shall apply to all cases filed**
22 **on or after January first of the year in which the adjustment was made.**

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