

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 615
97TH GENERAL ASSEMBLY

4248H.05C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 49.272, 56.807, 476.056, 476.385 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, 476.385 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session, 488.012, 488.014, 488.026, 488.426, and 488.607, RSMo, and to enact in lieu thereof eleven new sections relating to court costs.

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

Section A. Sections 49.272, 56.807, 476.056, 476.385 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, 476.385 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session, 488.012, 488.014, 488.026, 488.426, and 488.607, RSMo, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 49.272, 56.807, 476.056, 476.385, 488.012, 488.014, 488.026, 488.426, 488.607, 488.2206, and 488.2240, to read as follows:

49.272. The county commission of any county of the first classification without a charter form of government and with more than one hundred thirty-five thousand four hundred but less than one hundred thirty-five thousand five hundred inhabitants, [and in] any county of the first classification without a charter form of government having a population of at least eighty-two thousand inhabitants, but less than eighty-two thousand one hundred inhabitants, any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants, any county of the first classification with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two

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.

9 hundred inhabitants, [and] any county of the first classification with more than two hundred forty
10 thousand three hundred but less than two hundred forty thousand four hundred inhabitants, **and**
11 **any county of the first classification with more than eighty-three thousand but fewer than**
12 **ninety-two thousand inhabitants and with a home rule city with more than seventy-six**
13 **thousand but fewer than ninety-one thousand inhabitants as the county seat**, which has an
14 appointed county counselor and which adopts or has adopted rules, regulations or ordinances
15 under authority of a statute which prescribes or authorizes a violation of such rules, regulations
16 or ordinances to be a misdemeanor punishable as provided by law, may by rule, regulation or
17 ordinance impose a civil fine not to exceed one thousand dollars for each violation. Any fines
18 imposed and collected under such rules, regulations or ordinances shall be payable to the county
19 general fund to be used to pay for the cost of enforcement of such rules, regulations or
20 ordinances.

56.807. 1. Beginning August 28, 1989, and continuing monthly thereafter until August
2 27, 2003, the funds for prosecuting attorneys and circuit attorneys provided for in subsection 2
3 of this section shall be paid from county or city funds.

4 2. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003,
5 each county treasurer shall pay to the system the following amounts to be drawn from the general
6 revenues of the county:

7 (1) For counties of the third and fourth classification except as provided in subdivision
8 (3) of this subsection, three hundred seventy-five dollars;

9 (2) For counties of the second classification, five hundred forty-one dollars and sixty-
10 seven cents;

11 (3) For counties of the first classification, counties which pursuant to section 56.363
12 elect to make the position of prosecuting attorney a full-time position after August 28, 2001, or
13 whose county commission has elected a full-time retirement benefit pursuant to subsection 3 of
14 section 56.363, and the city of St. Louis, one thousand two hundred ninety-one dollars and sixty-
15 seven cents.

16 3. Beginning August 28, 1989, and continuing until August 27, 2003, the county
17 treasurer shall at least monthly transmit the sums specified in subsection 2 of this section to the
18 Missouri office of prosecution services for deposit to the credit of the "Missouri Prosecuting
19 Attorneys and Circuit Attorneys' Retirement System Fund", which is hereby created. All moneys
20 held by the state treasurer on behalf of the system shall be paid to the system within ninety days
21 after August 28, 1993. Moneys in the Missouri prosecuting attorneys and circuit attorneys'
22 retirement system fund shall be used only for the purposes provided in sections 56.800 to 56.840
23 and for no other purpose.

24 4. Beginning August 28, 2003, the funds for prosecuting attorneys and circuit attorneys
25 provided for in this section shall be paid from county or city funds and the surcharge established
26 in this section and collected as provided by this section and sections 488.010 to 488.020.

27 5. **(1)** Beginning August 28, 2003, each county treasurer shall pay to the system the
28 following amounts to be drawn from the general revenues of the county:

29 ~~[(1)]~~ **(a)** For counties of the third and fourth classification except as provided in
30 ~~[subdivision (3)]~~ **paragraph (c)** of this ~~[subsection]~~ **subdivision**, one hundred eighty-seven
31 dollars;

32 ~~[(2)]~~ **(b)** For counties of the second classification, two hundred seventy-one dollars;

33 ~~[(3)]~~ **(c)** For counties of the first classification, counties which pursuant to section 56.363
34 elect to make the position of prosecuting attorney a full-time position after August 28, 2001, or
35 whose county commission has elected a full-time retirement benefit pursuant to subsection 3 of
36 section 56.363, and the city of St. Louis, six hundred forty-six dollars.

37 **(2) Beginning August 28, 2014, the county contribution set forth in paragraphs (a)**
38 **to (c) of subdivision (1) of this subsection shall be adjusted in accordance with the following**
39 **schedule based upon the prosecuting attorneys and circuit attorneys' retirement system's**
40 **annual actuarial valuation report. If the system's funding ratio is:**

41 **(a) One hundred twenty percent or more, no monthly sum shall be transmitted;**

42 **(b) More than one hundred ten percent but less than one hundred twenty percent,**
43 **the monthly sum transmitted shall be reduced fifty percent;**

44 **(c) At least ninety percent and up to and including one hundred ten percent, the**
45 **monthly sum transmitted shall remain the same;**

46 **(d) At least eighty percent and less than ninety percent, the monthly sum**
47 **transmitted shall be increased fifty percent; and**

48 **(e) Less than eighty percent, the monthly sum transmitted shall be increased one**
49 **hundred percent.**

50 6. Beginning August 28, 2003, the county treasurer shall at least monthly transmit the
51 sums specified in subsection 5 of this section to the Missouri office of prosecution services for
52 deposit to the credit of the Missouri prosecuting attorneys and circuit attorneys' retirement system
53 fund. Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund
54 shall be used only for the purposes provided in sections 56.800 to 56.840, and for no other
55 purpose.

56 7. Beginning August 28, 2003, the following surcharge for prosecuting attorneys and
57 circuit attorneys shall be collected and paid as follows:

58 (1) There shall be assessed and collected a surcharge of four dollars in all criminal cases
59 filed in the courts of this state including violation of any county ordinance [or] , any violation

60 of criminal or traffic laws of this state, including infractions, **and against any person who pled**
61 **guilty and paid a fine through a fine collection center**, but no such surcharge shall be assessed
62 when the costs are waived or are to be paid by the state, county, or municipality or when a
63 criminal proceeding or the defendant has been dismissed by the court [or against any person who
64 has pled guilty and paid their fine pursuant to subsection 4 of section 476.385]. For purposes of
65 this section, the term "county ordinance" shall include any ordinance of the city of St. Louis;

66 (2) The clerk responsible for collecting court costs in criminal cases shall collect and
67 disburse such amounts as provided by sections 488.010 to 488.026. Such funds shall be payable
68 to the prosecuting attorneys and circuit attorneys' retirement fund. Moneys credited to the
69 prosecuting attorneys and circuit attorneys' retirement fund shall be used only for the purposes
70 provided for in sections 56.800 to 56.840 and for no other purpose.

71 8. The board may accept gifts, donations, grants and bequests from private or public
72 sources to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

73 9. No state moneys shall be used to fund section 56.700 and sections 56.800 to 56.840
74 unless provided for by law.

476.056. 1. Any city, county, village or other municipality may provide for automation
2 of its municipal court pursuant to subsection 3 of section 476.055, in the manner provided in this
3 section. In order to make such provisions, such municipality must:

4 (1) Adopt an ordinance imposing the surcharge in the amount allowed, and payable in
5 the manner provided, by section [476.053] **488.027**, and sections 488.010 to 488.020;

6 (2) Enter into an agreement with the state courts administrator for automation of the
7 municipality's court. Such agreement may provide for continuation of the surcharge for a
8 minimum period of time, payable to the fund established by section 476.055, or a special fund
9 established in the state treasury for such purpose upon expiration of section 476.055, for payment
10 of a guaranteed minimum annual amount in the event that payment of such surcharges shall not
11 offset the cost of the automation of the municipality's court; and such other terms as may be
12 agreed on between the municipality and the state courts administrator.

13 2. Notwithstanding the provisions of section [476.053] **488.027**, the payment of any
14 surcharge provided by this section may continue for a period in excess of that allowed by section
15 [476.053] **488.027** for payment of surcharges in the circuit courts. The provisions of section
16 33.080 shall not apply to any special fund established pursuant to this section.

476.385. 1. The judges of the supreme court may appoint a committee consisting of at
2 least seven associate circuit judges, who shall meet en banc and establish and maintain a
3 schedule of fines to be paid for violations of sections [210.104,] 577.070[,] and 577.073, and
4 chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the
5 severity of the violation. The associate circuit judges of each county may meet en banc and

6 adopt the schedule of fines and participation in the centralized bureau pursuant to this section.
7 Notice of such adoption and participation shall be given in the manner provided by supreme
8 court rule. Upon order of the supreme court, the associate circuit judges of each county may
9 meet en banc and establish and maintain a schedule of fines to be paid for violations of
10 municipal ordinances for cities, towns and villages electing to have violations of its municipal
11 ordinances heard by associate circuit judges, pursuant to section 479.040; and for traffic court
12 divisions established pursuant to section 479.500. The schedule of fines adopted for violations
13 of municipal ordinances may be modified from time to time as the associate circuit judges of
14 each county en banc deem advisable. No fine established pursuant to this subsection may exceed
15 the maximum amount specified by statute or ordinance for such violation.

16 2. In no event shall any schedule of fines adopted pursuant to this section include
17 offenses involving the following:

- 18 (1) Any violation resulting in personal injury or property damage to another person;
- 19 (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or
20 drugs;
- 21 (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- 22 (4) Fleeing or attempting to elude an officer.

23 3. There shall be a centralized bureau to be established by supreme court rule in order
24 to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the
25 laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of
26 fines established pursuant to this section. The centralized bureau shall collect, with any plea of
27 guilty and payment of a fine, all court costs which would have been collected by the court of the
28 jurisdiction from which the violation originated.

29 4. If a person elects not to contest the alleged violation, the person shall send payment
30 in the amount of the fine and any court costs established for the violation to the centralized
31 bureau. Such payment shall be payable to the central violations bureau, shall be made by mail
32 or in any other manner established by the centralized bureau, and shall constitute a plea of guilty,
33 waiver of trial and a conviction for purposes of section 302.302, and for purposes of imposing
34 any collateral consequence of a criminal conviction provided by law. By paying the fine and
35 costs, the person also consents to attendance either online or in person at any driver-improvement
36 program or motorcycle-rider training course ordered by the court and consents to verification of
37 such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary,
38 the prosecutor shall not be required to sign any information, ticket or indictment if disposition
39 is made pursuant to this subsection. In the event that any payment is made pursuant to this
40 section by credit card or similar method, the centralized bureau may charge an additional fee in

41 order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card
42 payment by the credit card company.

43 5. If a person elects to plead not guilty, such person shall send the plea of not guilty to
44 the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor
45 having original jurisdiction over the offense. Any trial shall be conducted at the location
46 designated by the court. The clerk of the court in which the case is to be heard shall notify in
47 writing such person of the date certain for the disposition of such charges. The prosecutor shall
48 not be required to sign any information, ticket or indictment until the commencement of any
49 proceeding by the prosecutor with respect to the notice of violation.

50 6. In courts adopting a schedule of fines pursuant to this section, any person receiving
51 a notice of violation pursuant to this section shall also receive written notification of the
52 following:

53 (1) The fine and court costs established pursuant to this section for the violation or
54 information regarding how the person may obtain the amount of the fine and court costs for the
55 violation;

56 (2) That the person must respond to the notice of violation by paying the prescribed fine
57 and court costs, or pleading not guilty and appearing at trial, and that other legal penalties
58 prescribed by law may attach for failure to appear and dispose of the violation. The supreme
59 court may modify the suggested forms for uniform complaint and summons for use in courts
60 adopting the procedures provided by this section, in order to accommodate such required written
61 notifications.

62 7. Any moneys received in payment of fines and court costs pursuant to this section shall
63 not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit
64 of those persons or entities entitled to receive such funds pursuant to this subsection. All
65 amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested
66 in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260
67 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest
68 earned on such fund shall be payable to the director of the department of revenue for deposit into
69 a revolving fund to be established pursuant to this subsection. The state treasurer shall be the
70 custodian of the revolving fund, and shall make disbursements, as allowed by lawful
71 appropriations, only to the judicial branch of state government for goods and services related to
72 the administration of the judicial system.

73 8. Any person who receives a notice of violation subject to this section who fails to
74 dispose of such violation as provided by this section shall be guilty of failure to appear provided
75 by section 544.665; and may be subject to suspension of driving privileges in the manner
76 provided by section 302.341. The centralized bureau shall notify the appropriate prosecutor of

77 any person who fails to either pay the prescribed fine and court costs, or plead not guilty and
78 request a trial within the time allotted by this section, for purposes of application of section
79 544.665. The centralized bureau shall also notify the department of revenue of any failure to
80 appear subject to section 302.341, and the department shall thereupon suspend the license of the
81 driver in the manner provided by section 302.341, as if notified by the court.

82 9. In addition to the remedies provided by subsection 8 of this section, the centralized
83 bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the
84 collection of court costs payable to courts, in order to collect fines and court costs for violations
85 subject to this section.

86

87 [476.385. 1. The judges of the supreme court may appoint a committee
88 consisting of at least seven associate circuit judges, who shall meet en banc and
89 establish and maintain a schedule of fines to be paid for violations of sections
90 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and
91 390, with such fines increasing in proportion to the severity of the violation. The
92 associate circuit judges of each county may meet en banc and adopt the schedule
93 of fines and participation in the centralized bureau pursuant to this section.
94 Notice of such adoption and participation shall be given in the manner provided
95 by supreme court rule. Upon order of the supreme court, the associate circuit
96 judges of each county may meet en banc and establish and maintain a schedule
97 of fines to be paid for violations of municipal ordinances for cities, towns and
98 villages electing to have violations of its municipal ordinances heard by associate
99 circuit judges, pursuant to section 479.040; and for traffic court divisions
100 established pursuant to section 479.500. The schedule of fines adopted for
101 violations of municipal ordinances may be modified from time to time as the
102 associate circuit judges of each county en banc deem advisable. No fine
103 established pursuant to this subsection may exceed the maximum amount
104 specified by statute or ordinance for such violation.

105 2. In no event shall any schedule of fines adopted pursuant to this section
106 include offenses involving the following:

107 (1) Any violation resulting in personal injury or property damage to
108 another person;

109 (2) Operating a motor vehicle while intoxicated or under the influence
110 of intoxicants or drugs;

111 (3) Operating a vehicle with a counterfeited, altered, suspended or
112 revoked license;

113 (4) Fleeing or attempting to elude an officer.

114 3. There shall be a centralized bureau to be established by supreme court
115 rule in order to accept pleas of not guilty or guilty and payments of fines and
116 court costs for violations of the laws and ordinances described in subsection 1 of
117 this section, made pursuant to a schedule of fines established pursuant to this
118 section. The centralized bureau shall collect, with any plea of guilty and payment

119 of a fine, all court costs which would have been collected by the court of the
120 jurisdiction from which the violation originated.

121 4. If a person elects not to contest the alleged violation, the person shall
122 send payment in the amount of the fine and any court costs established for the
123 violation to the centralized bureau. Such payment shall be payable to the central
124 violations bureau, shall be made by mail or in any other manner established by
125 the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a
126 conviction for purposes of section 302.302, and for purposes of imposing any
127 collateral consequence of a criminal conviction provided by law. By paying the
128 fine and costs, the person also consents to attendance at any driver-improvement
129 program or motorcycle-rider training course ordered by the court and consents to
130 verification of such attendance as directed by the bureau. Notwithstanding any
131 provision of law to the contrary, the prosecutor shall not be required to sign any
132 information, ticket or indictment if disposition is made pursuant to this
133 subsection. In the event that any payment is made pursuant to this section by
134 credit card or similar method, the centralized bureau may charge an additional fee
135 in order to reflect any transaction cost, surcharge or fee imposed on the recipient
136 of the credit card payment by the credit card company.

137 5. If a person elects to plead not guilty, such person shall send the plea
138 of not guilty to the centralized bureau. The bureau shall send such plea and
139 request for trial to the prosecutor having original jurisdiction over the offense.
140 Any trial shall be conducted at the location designated by the court. The clerk of
141 the court in which the case is to be heard shall notify in writing such person of the
142 date certain for the disposition of such charges. The prosecutor shall not be
143 required to sign any information, ticket or indictment until the commencement
144 of any proceeding by the prosecutor with respect to the notice of violation.

145 6. In courts adopting a schedule of fines pursuant to this section, any
146 person receiving a notice of violation pursuant to this section shall also receive
147 written notification of the following:

148 (1) The fine and court costs established pursuant to this section for the
149 violation or information regarding how the person may obtain the amount of the
150 fine and court costs for the violation;

151 (2) That the person must respond to the notice of violation by paying the
152 prescribed fine and court costs, or pleading not guilty and appearing at trial, and
153 that other legal penalties prescribed by law may attach for failure to appear and
154 dispose of the violation. The supreme court may modify the suggested forms for
155 uniform complaint and summons for use in courts adopting the procedures
156 provided by this section, in order to accommodate such required written
157 notifications.

158 7. Any moneys received in payment of fines and court costs pursuant to
159 this section shall not be considered to be state funds, but shall be held in trust by
160 the centralized bureau for benefit of those persons or entities entitled to receive
161 such funds pursuant to this subsection. All amounts paid to the centralized

162 bureau shall be maintained by the centralized bureau, invested in the manner
163 required of the state treasurer for state funds by sections 30.240, 30.250, 30.260
164 and 30.270, and disbursed as provided by the constitution and laws of this state.
165 Any interest earned on such fund shall be payable to the director of the
166 department of revenue for deposit into a revolving fund to be established
167 pursuant to this subsection. The state treasurer shall be the custodian of the
168 revolving fund, and shall make disbursements, as allowed by lawful
169 appropriations, only to the judicial branch of state government for goods and
170 services related to the administration of the judicial system.

171 8. Any person who receives a notice of violation subject to this section
172 who fails to dispose of such violation as provided by this section shall be guilty
173 of failure to appear provided by section 544.665; and may be subject to
174 suspension of driving privileges in the manner provided by section 302.341. The
175 centralized bureau shall notify the appropriate prosecutor of any person who fails
176 to either pay the prescribed fine and court costs, or plead not guilty and request
177 a trial within the time allotted by this section, for purposes of application of
178 section 544.665. The centralized bureau shall also notify the department of
179 revenue of any failure to appear subject to section 302.341, and the department
180 shall thereupon suspend the license of the driver in the manner provided by
181 section 302.341, as if notified by the court.

182 9. In addition to the remedies provided by subsection 8 of this section,
183 the centralized bureau and the courts may use the remedies provided by sections
184 488.010 to 488.020 for the collection of court costs payable to courts, in order to
185 collect fines and court costs for violations subject to this section.]
186

488.012. 1. Beginning July 1, 1997, the clerk of each court of this state responsible for
2 collecting court costs shall collect the court costs authorized by statute, in such amounts as are
3 authorized by supreme court rule adopted pursuant to sections 488.010 to 488.020. Court costs
4 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 levels
6 to produce revenue which shall not substantially exceed the total of the proportion of the costs
7 associated with administration of the judicial system defrayed by fees, miscellaneous charges and
8 surcharges.

9 3. Prior to adjustment by the supreme court, the following fees, costs and charges shall
10 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;
- 17 (5) Seven dollars for the statewide court automation fund, pursuant to section [476.053]
- 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 de
- 21 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 novo,
- 26 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 to
- 32 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 483.530;
- 37 (15) One dollar and fifty cents for a certificate of naturalization, pursuant to section
- 38 483.535;
- 39 (16) When letters are applied for in probate proceedings, pursuant to section 483.580,
- 40 when the value of the estate is:
- 41 (a) Less than \$10,000 \$ 75.00
- 42 (b) From \$10,000 to \$25,000 115.00
- 43 (c) From \$25,000 to \$50,000 155.00
- 44 (d) From \$50,000 to \$100,000 245.00
- 45 (e) From \$100,000 to \$500,000 305.00
- 46 (f) More than \$500,000 365.00;
- 47 (17) Thirty dollars for each additional twelve months a decedent's estate remains open,
- 48 pursuant to section 483.580;
- 49 (18) In proceedings regarding guardianships and conservatorships, pursuant to section
- 50 483.580:
- 51 (a) Twenty-five dollars for each grant of letters for guardianship of a minor;

- 52 (b) Fifty dollars for each grant of letters for guardianship of an incapacitated person;
 53 (c) Sixty dollars for each grant of letters for guardianship of the person and
 54 conservatorship of the estate of a minor;
 55 (d) Twenty-five dollars for each additional twelve months a conservatorship of a minor's
 56 estate case remains open;
 57 (e) Seventy-five dollars for each grant of letters in guardianship and conservatorship of
 58 incapacitated persons and their estates;
 59 (f) Thirty dollars for each additional twelve months an incapacitated person's case
 60 remains open;
 61 (19) Fifteen dollars for issuing orders refusing to grant letters to a spouse or an
 62 unmarried minor child and thirty dollars for a certified copy of such orders, pursuant to section
 63 483.580;
 64 (20) In probate proceedings, pursuant to section 483.580:
 65 (a) Thirty-five dollars for the collection of small estates;
 66 (b) Thirty-five dollars for involuntary hospitalization proceedings;
 67 (c) Thirty dollars for proceedings to determine heirship;
 68 (d) Fifteen dollars for assessment of estate taxes where no letters are granted;
 69 (e) Fifty dollars for proceedings for the sale of real estate by a nonresident conservator;
 70 (f) Forty dollars for proceedings to dispense with administration;
 71 (g) Twenty dollars for proceedings to dispense with conservatorship;
 72 (h) Twenty-five dollars for admitting a will to probate;
 73 (i) One dollar per copied page and one dollar and fifty cents per certificate;
 74 (21) One dollar and fifty cents per page for testimony transcription, pursuant to section
 75 [485.100] **488.2250**;
 76 (22) Fifteen dollars for court reporters, pursuant to section [485.120] **488.2253**;
 77 (23) Three dollars for witness fees per day, and four dollars when the witness must travel
 78 to another county, pursuant to section 491.280.

488.014. No court of record in this state, municipal division of the circuit court, or any
 2 entity collecting court costs on their behalf shall be required to refund any overpayment of court
 3 costs in an amount not exceeding five dollars or to collect any due court costs in an amount of
 4 less than five dollars. Any such overpaid funds may be retained by the county for the operation
 5 of the circuit court, **except any overpaid funds owed to a municipal division of the circuit**
 6 **court may be retained by the municipality for the operation of the municipal court.**

488.026. As provided by section 56.807, there shall be assessed and collected a
 2 surcharge of four dollars in all criminal cases filed in the courts of this state, including violations
 3 of any county ordinance [or] , any violation of criminal or traffic laws of this state, including

4 infractions, **or against any person who pled guilty and paid a fine through a fine collection**
5 **center**, but no such surcharge shall be assessed when the costs are waived or are to be paid by
6 the state, county, or municipality or when a criminal proceeding or the defendant has been
7 dismissed by the court [or against any person who has pled guilty and paid their fine pursuant
8 to subsection 4 of section 476.385]. For purposes of this section, the term "county ordinance"
9 shall include any ordinance of the city of St. Louis. The clerk responsible for collecting court
10 costs in criminal cases shall collect and disburse such amounts as provided by sections 488.010
11 to 488.020. Such funds shall be payable to the prosecuting attorneys and circuit attorneys'
12 retirement fund.

488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may
2 require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit
3 with the clerk of the court a surcharge in addition to all other deposits required by law or court
4 rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are
5 to be paid by the county or state or any city.

6 2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by
7 the circuit court. The circuit court in any circuit, except the circuit court in Jackson County or
8 the circuit court in any circuit that reimburses the state for the salaries of family court
9 commissioners under and pursuant to section 487.020, may change the fee to any amount not to
10 exceed fifteen dollars. The circuit court in Jackson County or the circuit court in any circuit that
11 reimburses the state for the salaries of family court commissioners under and pursuant to section
12 487.020 may change the fee to any amount not to exceed twenty dollars. A change in the fee
13 shall become effective and remain in effect until further changed.

14 3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or
15 are paid by the county or state or any city.

16 4. In addition to any fee authorized by subsection 1 of this section, any county of the first
17 classification with more than [ninety-three thousand eight hundred but less than ninety-three
18 thousand nine hundred inhabitants] **one hundred one thousand but fewer than one hundred**
19 **fifteen thousand inhabitants** may impose an additional fee of ten dollars excluding cases
20 concerning adoption and those in small claims court. The provisions of this subsection shall
21 expire on December 31, [2014] **2019**.

488.607. The governing body of any county or any city having a shelter for victims of
2 domestic violence established pursuant to sections 455.200 to 455.230, or any municipality
3 within a county which has such shelter, or any county or municipality whose residents are
4 victims of domestic violence and are admitted to such shelters in another county, may, by order
5 or ordinance provide for an additional surcharge in [the] **an** amount of [two] **up to four** dollars
6 per case for each criminal case, including violations of any county or municipal ordinance. No

7 surcharge shall be collected in any proceeding when the proceeding or defendant has been
8 dismissed by the court or when costs are to be paid by the state, county or municipality. Such
9 surcharges collected by municipal clerks in municipalities electing or required to have violations
10 of municipal ordinances tried before a municipal judge pursuant to section 479.020, or to employ
11 judicial personnel pursuant to section 479.060, shall be disbursed to the city at least monthly, and
12 such surcharges collected by circuit court clerks shall be collected and disbursed as provided by
13 sections 488.010 to 488.020. Such fees shall be payable to the city or county wherein such fees
14 originated. The county or city shall use such moneys only for the purpose of providing operating
15 expenses for shelters for battered persons as defined in sections 455.200 to 455.230.

**488.2206. 1. In addition to all court fees and costs prescribed by law, a surcharge
2 of up to ten dollars shall be assessed as costs in each court proceeding filed in any court
3 within the thirty-first judicial circuit in all criminal cases including violations of any county
4 or municipal ordinance or any violation of a criminal or traffic law of the state, including
5 an infraction, except that no such surcharge shall be collected in any proceeding in any
6 court when the proceeding or defendant has been dismissed by the court or when costs are
7 to be paid by the state, county, or municipality. For violations of the general criminal laws
8 of the state or county ordinances, no such surcharge shall be collected unless it is
9 authorized, by order, ordinance, or resolution by the county government where the
10 violation occurred. For violations of municipal ordinances, no such surcharge shall be
11 collected unless it is authorized, by order, ordinance, or resolution by the municipal
12 government where the violation occurred. Such surcharges shall be collected and
13 disbursed by the clerk of each respective court responsible for collecting court costs in the
14 manner provided by sections 488.010 to 488.020, and shall be payable to the treasurer of
15 the political subdivision authorizing such surcharge.**

**2. Each county or municipality shall use all funds received pursuant to this section
16 only to pay for the costs associated with the land assemblage and purchase, construction,
17 maintenance, and operation of any county or municipal judicial facility including, but not
18 limited to, debt service, utilities, maintenance, and building security. The county or
19 municipality shall maintain records identifying such operating costs, and any moneys not
20 needed for the operating costs of the county or municipal judicial facility shall be
21 transmitted quarterly to the general revenue fund of the county or municipality
22 respectively.
23**

**488.2240. 1. In addition to all other court costs for municipal ordinance violations,
2 any home rule city with more than one hundred fifty-five thousand but fewer than two
3 hundred thousand inhabitants may provide for additional court costs in an amount up to**

4 **ten dollars per case for each municipal ordinance violation case filed before a municipal**
5 **division judge or associate circuit judge.**

6 **2. Such cost shall be collected by the clerk and disbursed to the city at least monthly.**
7 **The city shall use such additional costs only for the land assemblage and purchase,**
8 **construction, maintenance, and upkeep of a municipal courthouse. The costs collected may**
9 **be pledged to directly or indirectly secure bonds for the cost of land assemblage and**
10 **purchase, construction, maintenance, and upkeep of the courthouse.**

✓