

SECOND REGULAR SESSION

SENATE BILL NO. 916

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATORS DOUGHERTY, BENTLEY AND SIMS.

Read 1st time January 10, 2002, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

3797S.011

AN ACT

To repeal section 488.445, RSMo, relating to surcharges on civil cases/marriages, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 488.445, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.445, to read as follows:

488.445. 1. The governing body of any county, or of any city not within a county, by order or ordinance [to be effective prior to January 1, 2001], may impose a fee upon the issuance of a marriage license and may impose a surcharge upon any civil case filed in the circuit court. The surcharge shall not be charged when costs are waived or are to be paid by the state, county or municipality.

2. The fee imposed upon the issuance of a marriage license shall be five dollars, shall be paid by the person applying for the license and shall be collected by the recorder of deeds at the time the license is issued. The surcharge imposed upon the filing of a civil action shall be two dollars, shall be paid by the party who filed the petition and shall be collected and disbursed by the clerk of the court in the manner provided by sections 488.010 to 488.020. Such amounts shall be payable to the treasuries of the counties from which such surcharges were paid.

3. At the end of each month, the recorder of deeds shall file a verified report with the county commission of the fees collected pursuant to the provisions of subsection 2 of this section. The report may be consolidated with the monthly report of other fees collected by such officers. Upon the filing of the reports the recorder of deeds shall forthwith pay over to the county treasurer all fees collected pursuant to subsection 2 of this section. The county treasurer

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

shall deposit all such fees upon receipt in a special fund to be expended only to provide financial assistance to shelters for victims of domestic violence as provided in sections 455.200 to 455.230, RSMo.

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