

FIRST REGULAR SESSION

SENATE BILL NO. 474

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARTLE.

Read 1st time February 11, 2003, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1634S.011

AN ACT

To repeal section 488.426, RSMo, and to enact in lieu thereof one new section relating to surcharges in civil case filings.

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

Section A. Section 488.426, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.426, to read as follows:

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

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed [beginning on January first if the office of state courts administrator is notified of the proposed change not later than the preceding September first].

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

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