FIRST REGULAR SESSION

SENATE BILL NO. 230

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHAMPION.

Read 1st time January 25, 2005, and ordered printed.

AN ACT

To repeal section 488.029, RSMo, and to enact in lieu thereof one new section relating to a surcharge in criminal controlled substance cases.

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

Section A. Section 488.029, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.029, to read as follows:

488.029. There shall be assessed and collected a surcharge of one hundred fifty dollars in all criminal cases for any violation of chapter 195, RSMo, **[**in which a crime laboratory makes analysis of a controlled substance,**]** but no such surcharge shall be assessed when the costs are waived or are to be paid by the state or when a criminal proceeding or the defendant has been dismissed by the court. The moneys collected by clerks of the courts pursuant to the provisions of this section shall be collected and disbursed as provided by sections 488.010 to 488.020. **Ten dollars of the surcharge shall be payable to the clerk of the county where the case is filed, who shall deposit such moneys into the county treasury. Ten dollars of the surcharge shall be payable to the county treasurer in the county where the case is filed, who shall deposit such moneys into the separate fund as provided in section 56.765, RSMo, for additional training for circuit and prosecuting attorneys and their staffs.** All **[**such**] remaining** moneys shall be payable to the director of revenue, who shall deposit all amounts collected pursuant to this section to the credit of

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

the state forensic laboratory account to be administered by the department of public safety pursuant to section 650.105, RSMo.

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