

SECOND REGULAR SESSION

SENATE BILL NO. 950

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WHITE.

Read 1st time January 30, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5225S.011

AN ACT

To repeal section 488.012, RSMo, and to enact in lieu thereof one new section relating to court costs.

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

Section A. Section 488.012, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 488.012, to read as follows:

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

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

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

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

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

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

17 (4) Three dollars for receiving and keeping a will, pursuant to section
18 474.510;

19 (5) **[Seven] Twelve** dollars for the statewide court automation fund,

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

20 pursuant to section 488.027;

21 (6) Twelve dollars for municipal court costs, fifteen dollars for municipal
22 ordinance violations filed before an associate circuit judge and thirty dollars for
23 applications for a trial de novo of a municipal ordinance violation, pursuant to
24 section 479.260;

25 (7) Five dollars for small claims court cases where less than one hundred
26 dollars is in dispute, and ten dollars in all other small claims court cases,
27 pursuant to section 482.345;

28 (8) Fifty dollars for appeals, pursuant to section 483.500;

29 (9) Fifteen dollars in misdemeanor cases where there is no application for
30 trial de novo, pursuant to section 483.530;

31 (10) Forty-five dollars for applications for a trial de novo for misdemeanor
32 cases, pursuant to section 483.530;

33 (11) Fifteen dollars for each preliminary hearing in felony cases, pursuant
34 to section 483.530;

35 (12) Thirty dollars for each information or indictment filed in felony cases,
36 pursuant to section 483.530;

37 (13) Fifteen dollars for each associate circuit court case filed, and one
38 dollar for each additional summons issued in such cases, pursuant to section
39 483.530;

40 (14) Forty-five dollars for applications for trial de novo from small claims
41 court and associate circuit court and forty-five dollars for filing of other cases,
42 pursuant to section 483.530;

43 (15) One dollar and fifty cents for a certificate of naturalization, pursuant
44 to section 483.535;

45 (16) When letters are applied for in probate proceedings, pursuant to
46 section 483.580, when the value of the estate is:

47 (a) Less than \$10,000 \$ 75.00

48 (b) From \$10,000 to \$25,000 115.00

49 (c) From \$25,000 to \$50,000 155.00

50 (d) From \$50,000 to \$100,000 245.00

51 (e) From \$100,000 to \$500,000 305.00

52 (f) More than \$500,000 365.00;

53 (17) Thirty dollars for each additional twelve months a decedent's estate
54 remains open, pursuant to section 483.580;

55 (18) In proceedings regarding guardianships and conservatorships,

56 pursuant to section 483.580:

57 (a) Twenty-five dollars for each grant of letters for guardianship of a
58 minor;

59 (b) Fifty dollars for each grant of letters for guardianship of an
60 incapacitated person;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

90 **4. The fee authorized pursuant to subdivision (5) of subsection**
91 **3 of this section shall be effective August 28, 2020, and shall expire on**

92 August 28, 2025, unless reauthorized by an act of the general assembly.
93 If no reauthorization by the general assembly occurs, then a fee of
94 twelve dollars shall be collected for the statewide court automation
95 fund, pursuant to section 488.027. The twelve dollar fee shall be
96 adjusted annually on January 1, 2026, and on January first of
97 successive years, by the same percentage as the increase in the general
98 price level as measured by the Consumer Price Index for All Urban
99 Consumers (CPI-U) or successor index as published by the U.S.
100 Department of Labor or its successor agency, with the amount of fee
101 increase rounded to the nearest five cents. Any change in the fee
102 amount made by the court pursuant to this subsection shall be
103 published as a supreme court rule or amendment to a supreme court
104 rule.

✓

Bill

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