

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1067
103RD GENERAL ASSEMBLY

5144H.02C

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 57.540, 287.200, 287.470, 347.143, 347.186, 476.055, 478.003, 478.385, 478.387, 478.550, 478.600, 478.630, 478.700, 478.705, 483.082, 487.020, 488.012, 488.027, 488.426, 506.290, 509.520, 510.030, 515.625, and 537.528, RSMo, and to enact in lieu thereof thirty-five new sections relating to civil jurisprudence.

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

Section A. Sections 57.540, 287.200, 287.470, 347.143, 347.186, 476.055, 478.003, 2 478.385, 478.387, 478.550, 478.600, 478.630, 478.700, 478.705, 483.082, 487.020, 488.012, 3 488.027, 488.426, 506.290, 509.520, 510.030, 515.625, and 537.528, RSMo, are repealed and 4 thirty-five new sections enacted in lieu thereof, to be known as sections 57.540, 287.200, 5 287.470, 347.044, 347.143, 347.186, 476.055, 478.003, 478.385, 478.387, 478.550, 478.600, 6 478.630, 478.700, 478.705, 483.005, 483.082, 487.020, 488.012, 488.027, 488.426, 506.290, 7 509.520, 510.030, 510.500, 510.503, 510.506, 510.509, 510.512, 510.515, 510.518, 510.521, 8 515.625, 537.529, and 610.144, to read as follows:

57.540. **1.** The sheriff of the City of St. Louis may employ an attorney at law to aid 2 and advise him in the discharge of his duties and to represent him in court~~], which said~~ 3 ~~attorney shall be known as "sheriff's attorney", and who shall receive as compensation for his~~ 4 ~~services as such sheriff's attorney a sum of not less than three thousand dollars and not more~~ 5 ~~than fifteen thousand dollars per annum, payable in semimonthly installments].~~ **The sheriff** 6 **shall set the compensation for an attorney hired pursuant to this section and such** 7 **compensation shall be paid** out of the same funds and revenue as the sheriff of such city is 8 paid.

9 **2.** **The attorney employed by a sheriff pursuant to subsection 1 of this section** 10 **shall be employed at the pleasure of the sheriff.**

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.

287.200. 1. Compensation for permanent total disability shall be paid during the
2 continuance of such disability from the date of maximum medical improvement for the
3 lifetime of the employee at the weekly rate of compensation in effect under this subsection on
4 the date of the injury for which compensation is being made. The word "employee" as used
5 in this section shall not include the injured worker's dependents, estate, or other persons to
6 whom compensation may be payable as provided in subsection 1 of section 287.020. The
7 amount of such compensation shall be computed as follows:

8 (1) For all injuries occurring on or after September 28, 1983, but before September
9 28, 1986, the weekly compensation shall be an amount equal to sixty-six and two-thirds
10 percent of the injured employee's average weekly earnings during the year immediately
11 preceding the injury, as of the date of the injury; provided that the weekly compensation paid
12 under this subdivision shall not exceed an amount equal to seventy percent of the state
13 average weekly wage, as such wage is determined by the division of employment security, as
14 of the July first immediately preceding the date of injury;

15 (2) For all injuries occurring on or after September 28, 1986, but before August 28,
16 1990, the weekly compensation shall be an amount equal to sixty-six and two-thirds percent
17 of the injured employee's average weekly earnings during the year immediately preceding the
18 injury, as of the date of the injury; provided that the weekly compensation paid under this
19 subdivision shall not exceed an amount equal to seventy-five percent of the state average
20 weekly wage, as such wage is determined by the division of employment security, as of the
21 July first immediately preceding the date of injury;

22 (3) For all injuries occurring on or after August 28, 1990, but before August 28, 1991,
23 the weekly compensation shall be an amount equal to sixty-six and two-thirds percent of the
24 injured employee's average weekly earnings as of the date of the injury; provided that the
25 weekly compensation paid under this subdivision shall not exceed an amount equal to one
26 hundred percent of the state average weekly wage;

27 (4) For all injuries occurring on or after August 28, 1991, the weekly compensation
28 shall be an amount equal to sixty-six and two-thirds percent of the injured employee's average
29 weekly earnings as of the date of the injury; provided that the weekly compensation paid
30 under this subdivision shall not exceed an amount equal to one hundred five percent of the
31 state average weekly wage;

32 (5) For all injuries occurring on or after September 28, 1981, the weekly
33 compensation shall in no event be less than forty dollars per week.

34 2. Permanent total disability benefits that have accrued through the date of the injured
35 employee's death are the only permanent total disability benefits that are to be paid in
36 accordance with section 287.230. The right to unaccrued compensation for permanent total
37 disability of an injured employee terminates on the date of the injured employee's death in

38 accordance with section 287.230, and does not survive to the injured employee's dependents,
39 estate, or other persons to whom compensation might otherwise be payable.

40 3. **(1)** All claims for permanent total disability shall be determined in accordance
41 with the facts. When an injured employee receives an award for permanent total disability
42 but by the use of glasses, prosthetic appliances, or physical rehabilitation the employee is
43 restored to his or her regular work or its equivalent, the life payment mentioned in subsection
44 1 of this section shall be suspended during the time in which the employee is restored to his or
45 her regular work or its equivalent. The employer and the division shall keep the file open in
46 the case during the lifetime of any injured employee who has received an award of permanent
47 total disability. In any case where the life payment is suspended under this subsection, the
48 commission may at reasonable times review the case and either the employee or the employer
49 may request an informal conference with the commission relative to the resumption of the
50 employee's weekly life payment in the case.

51 **(2) Upon the filing of a written agreement signed by the claimant and his or her**
52 **attorney, the commission shall change the name, information, or fee arrangement of the**
53 **attorney or law firm associated with the claimant's case.**

54 4. For all claims filed on or after January 1, 2014, for occupational diseases due to
55 toxic exposure which result in a permanent total disability or death, benefits in this chapter
56 shall be provided as follows:

57 (1) Notwithstanding any provision of law to the contrary, such amount as due to the
58 employee during said employee's life as provided for under this chapter for an award of
59 permanent total disability and death, except such amount shall only be paid when benefits
60 under subdivisions (2) and (3) of this subsection have been exhausted;

61 (2) For occupational diseases due to toxic exposure, but not including mesothelioma,
62 an amount equal to two hundred percent of the state's average weekly wage as of the date of
63 diagnosis for one hundred weeks paid by the employer; and

64 (3) In cases where occupational diseases due to toxic exposure are diagnosed to be
65 mesothelioma:

66 (a) For employers that have elected to accept mesothelioma liability under this
67 subsection, an additional amount of three hundred percent of the state's average weekly wage
68 for two hundred twelve weeks shall be paid by the employer or group of employers such
69 employer is a member of. Employers that elect to accept mesothelioma liability under this
70 subsection may do so by either insuring their liability, by qualifying as a self-insurer, or by
71 becoming a member of a group insurance pool. A group of employers may enter into an
72 agreement to pool their liabilities under this subsection. If such group is joined, individual
73 members shall not be required to qualify as individual self-insurers. Such group shall comply
74 with section 287.223. In order for an employer to make such an election, the employer shall

75 provide the department with notice of such an election in a manner established by the
76 department. The provisions of this paragraph shall expire on December 31, 2038; or

77 (b) For employers who reject mesothelioma under this subsection, then the exclusive
78 remedy provisions under section 287.120 shall not apply to such liability. The provisions of
79 this paragraph shall expire on December 31, 2038; and

80 (4) The provisions of subdivision (2) and paragraph (a) of subdivision (3) of this
81 subsection shall not be subject to suspension of benefits as provided in subsection 3 of this
82 section; and

83 (5) Notwithstanding any other provision of this chapter to the contrary, should the
84 employee die before the additional benefits provided for in subdivision (2) and paragraph (a)
85 of subdivision (3) of this subsection are paid, the additional benefits are payable to the
86 employee's spouse or children, natural or adopted, legitimate or illegitimate, in addition to
87 benefits provided under section 287.240. If there is no surviving spouse or children and the
88 employee has received less than the additional benefits provided for in subdivision (2) and
89 paragraph (a) of subdivision (3) of this subsection the remainder of such additional benefits
90 shall be paid as a single payment to the estate of the employee;

91 (6) The provisions of subdivision (1) of this subsection shall not be construed to
92 affect the employee's ability to obtain medical treatment at the employer's expense or any
93 other benefits otherwise available under this chapter.

94 5. Any employee who obtains benefits under subdivision (2) of subsection 4 of this
95 section for acquiring asbestosis who later obtains an award for mesothelioma shall not receive
96 more benefits than such employee would receive having only obtained benefits for
97 mesothelioma under this section.

287.470. 1. Upon its own motion or upon the application of any party in interest on
2 the ground of a change in condition, the commission may at any time upon a rehearing after
3 due notice to the parties interested review any award and on such review may make an award
4 ending, diminishing or increasing the compensation previously awarded, subject to the
5 maximum or minimum provided in this chapter, and shall immediately send to the parties and
6 the employer's insurer a copy of the award. No such review shall affect such award as regards
7 any moneys paid.

8 **2. Upon the filing of a written agreement signed by the claimant and his or her**
9 **attorney and the new attorney, the commission shall change the name, information, or**
10 **fee arrangement of the attorney or law firm associated with the claimant's case.**

347.044. 1. Any person may apply to the secretary of state for a certificate of
2 **good standing for a domestic limited liability company or a foreign limited liability**
3 **company.**

4 **2. A certificate of good standing for a domestic limited liability company shall**
5 **include:**

6 **(1) The domestic limited liability company's name;**

7 **(2) When the limited liability company was formed;**

8 **(3) That the limited liability company was formed under the laws of this state;**

9 **and**

10 **(4) That the limited liability company has complied with all the requirements of**
11 **the corporation division of the secretary of state.**

12 **3. A certificate of good standing for a foreign limited liability company shall**
13 **include:**

14 **(1) The name of the limited liability company as registered in the company's**
15 **home state;**

16 **(2) The name the foreign limited liability company uses in this state;**

17 **(3) The name of the state or jurisdiction the limited liability company was**
18 **formed in; and**

19 **(4) That the limited liability company has complied with all the requirements of**
20 **the corporation division of the secretary of state.**

21 **4. Subject to any qualification stated in the certificate, a certificate of good**
22 **standing issued by the secretary of state shall be prima facie evidence that the domestic**
23 **or foreign limited liability company exists and is authorized to transact business in this**
24 **state.**

25 **5. Any person may apply to the secretary of state for a certificate of good**
26 **standing for any individual domestic limited liability company series or a foreign limited**
27 **liability company series.**

28 **6. A certificate of good standing for a domestic limited liability company series**
29 **shall include:**

30 **(1) The domestic limited liability company series' name;**

31 **(2) When the limited liability company series was formed;**

32 **(3) That the limited liability company series was formed under the laws of this**
33 **state; and**

34 **(4) That the limited liability company series has complied with all the**
35 **requirements of the corporation division of the secretary of state.**

36 **7. A certificate of good standing for a foreign limited liability company series**
37 **shall include:**

38 **(1) The name of the limited liability company series as registered in the**
39 **company's home state;**

40 **(2) The name the foreign limited liability company series uses in this state;**

41 **(3) The name of the state or jurisdiction the limited liability company series was**
42 **formed in; and**

43 **(4) That the limited liability company series has complied with all the**
44 **requirements of the corporation division of the secretary of state.**

45 **8. Subject to any qualification stated in the certificate, a certificate of good**
46 **standing issued by the secretary of state shall be prima facie evidence that the domestic**
47 **or foreign limited liability company series exists and is authorized to transact business**
48 **in this state.**

347.143. 1. A limited liability company may be dissolved involuntarily by a decree
2 of the circuit court for the county in which the registered office of the limited liability
3 company is situated in an action filed by the attorney general when it is established that the
4 limited liability company:

5 (1) Has procured its articles of organization through fraud;

6 (2) Has exceeded or abused the authority conferred upon it by law;

7 (3) Has carried on, conducted, or transacted its business in a fraudulent or illegal
8 manner; or

9 (4) By the abuse of its powers contrary to the public policy of the state, has become
10 liable to be dissolved.

11 2. On application by or for a member, the circuit court for the county in which the
12 registered office of the limited liability company is located may decree dissolution of a
13 limited liability company ~~[whenever]~~ **if the court determines:**

14 (1) It is not reasonably practicable to carry on the business in conformity with the
15 operating agreement;

16 (2) **Dissolution is reasonably necessary for the protection of the rights or**
17 **interests of the complaining members;**

18 (3) **The business of the limited liability company has been abandoned;**

19 (4) **The management of the limited liability company is deadlocked or subject to**
20 **internal dissension;**

21 (5) **The business operations of the limited liability company are substantially**
22 **impaired; or**

23 (6) **Those in control of the limited liability company have been found guilty of, or**
24 **have knowingly countenanced, persistent and pervasive fraud, mismanagement, or**
25 **abuse of authority.**

347.186. 1. An operating agreement may establish or provide for the establishment
2 of a designated series of members, managers, or limited liability company interests having
3 separate rights, powers, or duties with respect to specified property or obligations of the
4 limited liability company or profits and losses associated with specified property or

5 obligations. To the extent provided in the operating agreement, any such series may have a
6 separate business purpose or investment objective.

7 2. (1) Notwithstanding any other provisions of law to the contrary, the debts,
8 liabilities, and obligations incurred, contracted for, or otherwise existing with respect to a
9 particular series shall be enforceable against the assets of such series only, and not against the
10 assets of the limited liability company generally or any other series thereof. Such particular
11 series shall be deemed to have possession, custody, and control only of the books, records,
12 information, and documentation related to such series and not of the books, records,
13 information, and documentation related to the limited liability company as a whole or any
14 other series thereof if all of the following apply:

15 (a) The operating agreement creates one or more series;

16 (b) Separate and distinct records are maintained for or on behalf of any such series;

17 (c) The assets associated with any such series, whether held directly or indirectly,
18 including through a nominee or otherwise, are accounted for separately from the other assets
19 of the limited liability company or of any other series;

20 (d) The operating agreement provides for the limitations on liabilities of a series
21 described in this subdivision;

22 (e) Notice of the limitation on liabilities of a series described in this subdivision is
23 included in the limited liability company's articles of organization; and

24 (f) The limited liability company has filed articles of organization that separately
25 identify each series which is to have limited liability under this section.

26 (2) With respect to a particular series, unless otherwise provided in the operating
27 agreement, none of the debts, liabilities, obligations, and expenses incurred, contracted for or
28 otherwise existing with respect to a limited liability company generally, or any other series
29 thereof, shall be enforceable against the assets of such series, subject to the provisions of
30 subdivision (1) of this subsection.

31 (3) Compliance with paragraphs (e) and (f) of subdivision (1) of this subsection shall
32 constitute notice of such limitation of liability of a series.

33 (4) A series with limited liability shall be treated as a separate entity to the extent set
34 forth in the articles of organization. Each series with limited liability may, in its own name,
35 contract, hold title to assets, grant security interests, sue and be sued, and otherwise conduct
36 business and exercise the powers of a limited liability company under this chapter. The
37 limited liability company and any of its series may elect to consolidate its operations as a
38 single taxpayer to the extent permitted under applicable law, elect to work cooperatively, elect
39 to contract jointly, or elect to be treated as a single business for the purposes of qualification
40 or authorization to do business in this or any other state. Such elections shall not affect the
41 limitation of liability set forth in this section except to the extent that the series have

42 specifically accepted joint liability by contract. **Not later than January 31, 2027, each**
43 **series shall be individually profiled, maintained, and searchable as a business entity on**
44 **the secretary of state's business services website in the same manner that a non-series**
45 **entity is profiled, maintained, and searchable.**

46 3. Except in the case of a foreign limited liability company that has adopted a name
47 that is not the name under which it is registered in its jurisdiction of organization, as permitted
48 under sections 347.153 and 347.157, the name of the series with limited liability is required to
49 contain the entire name of the limited liability company and be distinguishable from the
50 names of the other series set forth in the articles of organization. In the case of a foreign
51 limited liability company that has adopted a name that is not the name under which it is
52 registered in its jurisdiction of organization, as permitted under sections 347.153 and 347.157,
53 the name of the series with limited liability must contain the entire name under which the
54 foreign limited liability company has been admitted to transact business in this state.

55 4. (1) (a) Upon filing of articles of organization setting forth the name of each series
56 with limited liability, in compliance with section 347.037 or amendments under section
57 347.041, the series' existence shall begin.

58 (b) Each copy of the articles of organization stamped "Filed" and marked with the
59 filing date shall be conclusive evidence that all required conditions have been met and that the
60 series has been or shall be legally organized and formed under this section and is notice for all
61 purposes of all other facts required to be set forth therein.

62 (c) The name of a series with limited liability under this section may be changed by
63 filing articles of amendment with the secretary of state pursuant to section 347.041,
64 identifying the series whose name is being changed and the new name of such series. If not
65 the same as the limited liability company, the names of the members of a member-managed
66 series or of the managers of a manager-managed series may be changed by an amendment to
67 the articles of organization with the secretary of state.

68 (d) A series with limited liability under this section may be dissolved by filing with
69 the secretary of state articles of amendment pursuant to section 347.041 identifying the series
70 being dissolved or by the dissolution of the limited liability company as provided in section
71 347.045. Except to the extent otherwise provided in the operating agreement, a series may be
72 dissolved and its affairs wound up without causing the dissolution of the limited liability
73 company. The dissolution of a series established in accordance with subsection 2 of this
74 section shall not affect the limitation on liabilities of such series provided by subsection 2 of
75 this section. A series is terminated and its affairs shall be wound up upon the dissolution of
76 the limited liability company under section 347.045.

77 (e) Articles of organization, amendment, or termination described under this
78 subdivision may be executed by the limited liability company or any manager, person, or
79 entity designated in the operating agreement for the limited liability company.

80 (2) If different from the limited liability company, the articles of organization shall
81 list the names of the members for each series if the series is member-managed or the names of
82 the managers if the series is manager-managed.

83 (3) A series of a limited liability company shall be deemed to be in good standing as
84 long as the limited liability company is in good standing. **A series of a limited liability**
85 **company that is in good standing shall be able to obtain a stand-alone certificate of good**
86 **standing from the secretary of state under section 347.044.**

87 (4) The registered agent and registered office for the limited liability company
88 appointed under section 347.033 shall serve as the agent and office for service of process for
89 each series in this state.

90 5. (1) An operating agreement may provide for classes or groups of members or
91 managers associated with a series having such relative rights, powers, and duties as an
92 operating agreement may provide and may make provision for the future creation of
93 additional classes or groups of members or managers associated with the series having such
94 relative rights, powers, and duties as may from time to time be established, including rights,
95 powers, and duties senior and subordinate to or different from existing classes and groups of
96 members or managers associated with the series.

97 (2) A series may be managed either by the member or members associated with the
98 series or by the manager or managers chosen by the members of such series, as provided in
99 the operating agreement. Unless otherwise provided in an operating agreement, the
100 management of a series shall be vested in the members associated with such series.

101 (3) An operating agreement may grant to all or certain identified members or
102 managers, or to a specified class or group of the members or managers associated with a
103 series, the right to vote separately or with all or any class or group of the members or
104 managers associated with the series, on any matter. An operating agreement may provide that
105 any member or class or group of members associated with a series shall have no voting rights
106 or ability to otherwise participate in the management or governance of such series, but any
107 such member or class or group of members are owners of the series.

108 (4) Except as modified in this section, the provisions of this chapter which are
109 generally applicable to limited liability companies and their managers, members, and
110 transferees shall be applicable to each particular series with respect to the operation of such
111 series.

112 (5) Except as otherwise provided in an operating agreement, any event specified in
113 this chapter or in an operating agreement that causes a manager to cease to be a manager with

114 respect to a series shall not, in itself, cause such manager to cease to be a manager of the
115 limited liability company or with respect to any other series thereof.

116 (6) Except as otherwise provided in an operating agreement, any event specified in
117 this chapter or in an operating agreement that causes a member to cease to be associated with
118 a series shall not, in itself, cause such member to cease to be associated with any other series,
119 terminate the continued membership of a member in the limited liability company, or cause
120 the termination of the series, regardless of whether such member was the last remaining
121 member associated with such series.

122 (7) An operating agreement may impose restrictions, duties, and obligations on
123 members of the limited liability company or any series thereof as a matter of internal
124 governance, including, without limitation, those with regard to:

- 125 (a) Choice of law, forum selection, or consent to personal jurisdiction;
- 126 (b) Capital contributions;
- 127 (c) Restrictions on, or terms and conditions of, the transfer of membership interests;
- 128 (d) Restrictive covenants, including noncompetition, nonsolicitation, and
129 confidentiality provisions;
- 130 (e) Fiduciary duties; and
- 131 (f) Restrictions, duties, or obligations to or for the benefit of the limited liability
132 company, other series thereof, or their affiliates.

133 6. (1) If a limited liability company with the ability to establish series does not
134 register to do business in a foreign jurisdiction for itself and its series, a series of a limited
135 liability company may itself register to do business as a limited liability company in the
136 foreign jurisdiction in accordance with the laws of the foreign jurisdiction.

137 (2) If a foreign limited liability company, as permitted in the jurisdiction of its
138 organization, has established a series having separate rights, powers, or duties and has limited
139 the liabilities of such series so that the debts, liabilities, and obligations incurred, contracted
140 for, or otherwise existing with respect to a particular series are enforceable against the assets
141 of such series only, and not against the assets of the limited liability company generally or any
142 other series thereof, or so that the debts, liabilities, obligations, and expenses incurred,
143 contracted for, or otherwise existing with respect to the limited liability company generally or
144 any other series thereof are not enforceable against the assets of such series, then the limited
145 liability company, on behalf of itself or any of its series, or any of its series on its own behalf
146 may register to do business in this state in accordance with this chapter. The limitation of
147 liability shall also be stated on the application for registration. As required under section
148 347.153, the registration application filed shall identify each series being registered to do
149 business in the state by the limited liability company. Unless otherwise provided in the
150 operating agreement, the debts, liabilities, and obligations incurred, contracted for, or

151 otherwise existing with respect to a particular series of such a foreign limited liability
 152 company shall be enforceable against the assets of such series only and not against the assets
 153 of the foreign limited liability company generally or any other series thereof, and none of the
 154 debts, liabilities, obligations, and expenses incurred, contracted for, or otherwise existing with
 155 respect to such a foreign limited liability company generally or any other series thereof shall
 156 be enforceable against the assets of such series.

157 7. Nothing in sections 347.039, 347.153, or 347.186 shall be construed to alter
 158 existing Missouri statute or common law providing any cause of action for fraudulent
 159 conveyance, including but not limited to chapter 428, or any relief available under existing
 160 law that permits a challenge to limited liability.

476.055. 1. There is hereby established in the state treasury the "Statewide Court
 2 Automation Fund". All moneys collected pursuant to section 488.027, as well as gifts,
 3 contributions, devises, bequests, and grants received relating to **statewide court** automation
 4 ~~[of judicial record keeping]~~, and moneys received by the ~~[judicial system]~~ **judiciary** for the
 5 dissemination of information ~~[and]~~, sales of publications, **or other provision of electronic**
 6 **services** developed relating to **statewide court** automation ~~[of judicial record keeping]~~, as
 7 **authorized by the court automation committee**, shall be credited to the fund. Moneys
 8 credited to this fund may only be used for the purposes set forth in this section and as
 9 appropriated by the general assembly. Any unexpended balance remaining in the statewide
 10 court automation fund at the end of each biennium shall not be subject to the provisions of
 11 section 33.080 requiring the transfer of such unexpended balance to general revenue.

12 2. The statewide court automation fund shall be administered by a court automation
 13 committee consisting of the following~~[- the chief justice of the supreme court,]~~ **members:**

14 (1) A judge from the court of appeals, four circuit judges, four associate circuit
 15 judges, four employees of ~~[the circuit court,]~~ **circuit courts**, and two employees who work
 16 full time in a municipal division of a circuit court, ~~[the commissioner of administration,]~~ **each**
 17 **of whom shall be appointed by the chief justice of the Missouri supreme court;**

18 (2) **Two members of the Missouri Bar, appointed by the board of governors of**
 19 **the Missouri Bar;**

20 (3) Two members of the house of representatives appointed by the speaker of the
 21 house, **with one member being from the majority party and one member being from the**
 22 **minority party;**

23 (4) Two members of the senate appointed by the president pro ~~[tem]~~ **tempore** of the
 24 senate, **with one member being from the majority party and one member being from the**
 25 **minority party; and**

26 (5) **Four additional ex officio members as follows:**

- 27 **(a) The chief justice of the Missouri supreme court, or the chief justice's**
28 **designee;**
- 29 **(b) The commissioner of administration, or the commissioner's designee;**
- 30 **(c) The executive director of the Missouri [Office of Prosecution Services,] office of**
31 **prosecution services, or the executive director's designee; and**
- 32 **(d) The director of the state public defender system, [and two members of the**
33 ~~Missouri Bar. The judge members and employee members shall be appointed by the chief~~
34 ~~justice. The commissioner of administration shall serve ex officio. The members of the~~
35 ~~Missouri Bar shall be appointed by the board of governors of the Missouri Bar. Any member~~
36 ~~of the committee may designate another person to serve on the committee in place of the~~
37 ~~committee member] or the director's designee.~~

38

39 **The appointed members of the committee shall serve for terms of two years and until**
40 **their successors are appointed and qualified. The members of the committee shall be**
41 **reimbursed from the statewide court automation fund for their actual expenses in**
42 **performing their official duties on the committee.**

43 3. The committee shall develop and [~~implement a plan for~~] **maintain** a statewide
44 court automation system. The committee shall have the authority to hire consultants, review
45 systems in other jurisdictions, and purchase goods and services to administer the provisions of
46 this section. The committee may implement [~~one or more~~] pilot projects in the state [~~for the~~
47 ~~purposes of determining the feasibility of developing and implementing such plan. The~~
48 ~~members of the committee shall be reimbursed from the court automation fund for their actual~~
49 ~~expenses in performing their official duties on the committee] **at any time.**~~

50 4. Any purchase of computer software or computer hardware that exceeds five
51 thousand dollars shall be made pursuant to the requirements of the office of administration for
52 lowest and best bid. Such bids shall be subject to acceptance by the office of administration.
53 The court automation committee shall determine the specifications for such bids.

54 5. The court automation committee shall not require any circuit court to change any
55 operating system in such court, unless the committee provides all [~~necessary~~] personnel,
56 funds, and equipment necessary to effectuate the required changes. No judicial circuit or
57 county may be reimbursed for any costs incurred pursuant to this subsection unless such
58 judicial circuit or county has the approval of the court automation committee prior to
59 incurring the specific cost.

60 6. [~~Any~~] **The court automation system, including any pilot project, shall be**
61 **[implemented,] operated and maintained in accordance with strict standards for the security**
62 **and privacy of confidential judicial records, as provided by supreme court rule.** Any
63 person who knowingly releases information from a confidential judicial record is guilty of a

64 class B misdemeanor. Any person who, knowing that a judicial record is confidential, uses
65 information from such confidential record for financial gain is guilty of a class E felony.

66 7. ~~[On the first day of February, May, August and November]~~ **No later than the**
67 **fifteenth of January** of each year, the court automation committee shall **electronically** file a
68 report on the progress of the statewide **court** automation system with **the chairs of the**
69 **following committees:**

- 70 (1) The ~~[chair of the]~~ house budget committee, **or its successor committee;**
71 (2) The ~~[chair of the]~~ senate appropriations committee, **or its successor committee;**
72 (3) The ~~[chair of the]~~ house judiciary committee, **or its successor committee;** and
73 (4) The ~~[chair of the]~~ senate judiciary committee, **or its successor committee.**

74 ~~[8. The court automation committee established pursuant to this section may continue~~
75 ~~to function until completion of its duties prescribed by this section.]~~

478.003. 1. In any judicial circuit of this state, a majority of the judges of the circuit
2 court may designate a judge to hear cases arising in the circuit subject to the provisions of
3 sections 478.001 to 478.009. In lieu thereof and subject to appropriations or other funds
4 available for such purpose, a majority of the judges of the circuit court may appoint a person
5 or persons to act as treatment court commissioners. Each commissioner shall be appointed
6 for a term of four years, but may be removed at any time by a majority of the judges of the
7 circuit court. The qualifications, compensation, and retirement benefits of the commissioner
8 shall be the same as that of an associate circuit judge. If the compensation of a commissioner
9 appointed pursuant to this section is provided from other than state funds, the source of such
10 fund shall pay to and reimburse the state for the actual costs of the salary and benefits of the
11 commissioner. The commissioner shall have all the powers and duties of a circuit judge,
12 except that any order, judgment or decree of the commissioner shall be confirmed or rejected
13 by an associate circuit or circuit judge by order of record entered within the time the judge
14 could set aside such order, judgment or decree had the same been made by the judge. If so
15 confirmed, the order, judgment or decree shall have the same effect as if made by the judge on
16 the date of its confirmation.

17 2. The Missouri supreme court may assign a treatment court commissioner to serve in
18 the treatment court division of a circuit other than the circuit in which the commissioner is
19 appointed. The transfer shall only be ordered with the consent and approval of the presiding
20 judge of the circuit to which the commissioner is to be assigned.

21 3. A treatment court commissioner may serve as a commissioner in any treatment
22 court as designated by the treatment court coordinating commission, subject to local court
23 rules.

24 **4. In each circuit having a treatment court division that has neither a treatment**
25 **court administrator nor a treatment court commissioner, the court shall employ a**

26 **treatment court administrator, subject to appropriations or other funds available for**
27 **such purpose. If the compensation of an administrator employed pursuant to this**
28 **subsection is provided from other than state funds, the source of such funds shall pay to**
29 **and reimburse the state for the actual costs of the salary and benefits of the**
30 **administrator.**

478.385. There shall be four circuit judges in the seventh judicial circuit [~~consisting~~
2 ~~of the county of Clay~~]. **Beginning in fiscal year 2028, there shall be five circuit judges in**
3 **the seventh judicial circuit.**

478.387. There shall be twenty-four circuit judges in the twenty-second judicial
2 circuit [~~consisting of the city of St. Louis~~].

478.550. 1. There shall be four circuit judges in the twenty-third judicial circuit
2 [~~consisting of the county of Jefferson~~]. These judges shall sit in divisions numbered one, two,
3 three and four. Beginning on January 1, 2007, there shall be six circuit judges in the twenty-
4 third judicial district and these judges shall sit in divisions numbered one, two, three, four,
5 five, and six. The division eleven associate circuit judge position and the division twelve
6 associate circuit judge shall become circuit judge positions beginning January 1, 2007. The
7 division eleven associate circuit judge shall be numbered as division five and the division
8 twelve associate circuit judge shall be numbered as division six.

9 2. The circuit judge in division three shall be elected in 1980. The circuit judges in
10 divisions one and four shall be elected in 1982. The circuit judge in division two shall be
11 elected in 1984. The circuit judges in divisions five and six shall be elected for a six-year
12 term in 2006.

13 3. Beginning January 1, 2007, the family court commissioner position in the twenty-
14 third judicial district appointed under section 487.020 shall become an associate circuit judge
15 position in all respects and shall be designated as division eleven. This position may retain
16 the duties and responsibilities with regard to the family court. The associate circuit judge in
17 division eleven shall be elected in 2006 for a full four-year term. This associate circuit
18 judgeship shall not be included in the statutory formula for authorizing additional associate
19 circuit judgeships per county under section 478.320.

20 4. Beginning January 1, 2007, the treatment court commissioner position in the
21 twenty-third judicial district appointed under section 478.003 shall become an associate
22 circuit judge position in all respects and shall be designated as division twelve. This position
23 may retain the duties and responsibilities with regard to the treatment court. The associate
24 circuit judge in division twelve shall be elected in 2006 for a full four-year term. This
25 associate circuit judgeship shall not be included in the statutory formula for authorizing
26 additional associate circuit judgeships per county under section 478.320.

27 **5. Beginning in fiscal year 2028, there shall be one additional associate circuit**
28 **judgeship in the twenty-third judicial circuit. This associate circuit judgeship shall not**
29 **be included in the statutory formula for authorizing additional associate circuit**
30 **judgeships per county under section 478.320. The governor shall appoint such judge,**
31 **and that judge shall serve until January 1, 2029. An associate circuit judge shall be**
32 **elected in 2028 and every four years thereafter.**

 478.600. 1. There shall be four circuit judges in the eleventh judicial circuit. These
2 judges shall sit in divisions numbered one, two, three and four. Beginning on January 1,
3 2007, there shall be six circuit judges in the eleventh judicial circuit and these judges shall sit
4 in divisions numbered one, two, three, four, five, and seven. The division five associate
5 circuit judge position and the division seven associate circuit judge position shall become
6 circuit judge positions beginning January 1, 2007, and shall be numbered as divisions five and
7 seven. **Beginning January 1, 2029, there shall be seven circuit judges in the eleventh**
8 **judicial circuit, and these judges shall sit in divisions numbered one, two, three, four,**
9 **five, seven, and seventeen.**

10 2. The circuit judge in division two shall be elected in 1980. The circuit judge in
11 division four shall be elected in 1982. The circuit judge in division one shall be elected in
12 1984. The circuit judge in division three shall be elected in 1992. The circuit judges in
13 divisions five and seven shall be elected for a six-year term in 2006. **The circuit judge in**
14 **division seventeen shall be elected in 2028 for a two-year term and thereafter in 2030 for**
15 **a six-year term and every six years thereafter.**

16 3. Beginning January 1, 2007, the family court commissioner positions in the
17 eleventh judicial circuit appointed under section 487.020 shall become associate circuit judge
18 positions in all respects and shall be designated as divisions nine and ten respectively. These
19 positions may retain the duties and responsibilities with regard to the family court. The
20 associate circuit judges in divisions nine and ten shall be elected in 2006 for full four-year
21 terms.

22 4. Beginning on January 1, 2007, the treatment court commissioner position in the
23 eleventh judicial circuit appointed under section 478.003 shall become an associate circuit
24 judge position in all respects. Such associate circuit judge shall be elected in 2006 for a full
25 four-year term. This associate circuit judgeship shall not be included in the statutory formula
26 for authorizing additional associate circuit judgeships per county under section 478.320.

27 5. Beginning in fiscal year 2015, there shall be one additional associate circuit judge
28 position in the eleventh judicial circuit. The associate circuit judge shall be elected in 2016.
29 This associate circuit judgeship shall not be included in the statutory formula for authorizing
30 additional circuit judgeships per county under section 478.320. Beginning in fiscal year
31 2019, there shall be one additional associate circuit judge position in the eleventh judicial

32 circuit. The associate circuit judge shall be elected in 2020. This associate circuit judgeship
33 shall not be included in the statutory formula for authorizing additional circuit judgeships per
34 county under section 478.320. **Beginning in fiscal year 2028, there shall be two additional**
35 **associate circuit judge positions in the eleventh judicial circuit. The associate circuit**
36 **judges shall be elected in 2028 and every four years thereafter. These associate circuit**
37 **judgeships shall not be included in the statutory formula for authorizing additional**
38 **associate circuit judgeships per county under section 478.320.**

478.630. 1. There shall be two circuit judges in the twentieth judicial circuit
2 [~~consisting of the counties of Franklin, Gasconade and Osage~~]. These judges shall sit in
3 divisions numbered one and two.

4 2. The circuit judge in division two shall be elected in 1980. The circuit judge in
5 division one shall be elected in 1982.

6 **3. Beginning in fiscal year 2028, there shall be one additional associate circuit**
7 **judgeship in Franklin County. This associate circuit judgeship shall not be included in**
8 **the statutory formula for authorizing additional associate circuit judges per county as**
9 **provided under section 478.320. The governor shall appoint such judge, and that judge**
10 **shall serve until January 1, 2029. An associate circuit judge shall be elected in 2028 and**
11 **every four years thereafter.**

478.700. 1. There shall be [~~two~~] **three** circuit judges in the twenty-fifth judicial
2 circuit [~~consisting of the counties of Maries, Phelps, Pulaski and Texas~~]. These judges shall
3 sit in divisions numbered one [~~and~~], two, **and three. These judgeships shall include the**
4 **circuit judgeship created in fiscal year 2026 under section 478.330.**

5 2. The circuit judge in division two shall be elected in 1980. The circuit judge in
6 division one shall be elected in 1982. **The circuit judge appointed by the governor in 2025**
7 **for division three shall serve until January 1, 2029. A circuit judge for division three**
8 **shall be elected in 2028 for a four-year term and in 2032 for a full six-year term and**
9 **every six years thereafter.**

478.705. 1. There shall be three circuit judges in the twenty-sixth judicial circuit
2 [~~consisting of the counties of Camden, Laclede, Miller, Moniteau and Morgan~~]. These judges
3 shall sit in divisions numbered one, two, and three.

4 2. The circuit judge in division two shall be elected in 1980. The circuit judge in
5 division one shall be elected in 1982. The governor shall appoint a judge for division three
6 and notwithstanding the provisions of section 105.030, that judge shall serve until January 1,
7 2021. A judge for division three shall be elected in 2020.

8 **3. Beginning in fiscal year 2028, there shall be one additional associate circuit**
9 **judgeship in Miller County. This associate circuit judgeship shall not be included in the**
10 **statutory formula for authorizing additional associate circuit judges per county as**

11 **provided under section 478.320. The governor shall appoint such judge, and that judge**
12 **shall serve until January 1, 2029. An associate circuit judge shall be elected in 2028 and**
13 **every four years thereafter.**

483.005. As used in this chapter and section 476.055, the following terms mean:

2 **(1) "Case record", all records in a case file relating to a specific case or**
3 **controversy, as defined in supreme court rule;**

4 **(2) "Confidential information":**

5 **(a) The full date of birth of any party or minor child;**

6 **(b) The full Social Security number of any party or any minor child;**

7 **(c) The driver's license number, state identification number, taxpayer**
8 **identification number, and passport number of any party;**

9 **(d) The full financial institution account number, credit or debit card number,**
10 **personal identification number, or password used to secure any such accounts or cards,**
11 **of any party;**

12 **(e) The name and address of any individual who is known to be a minor child**
13 **and, if applicable, any next friend of the minor child; or**

14 **(f) Any other information sealed, expunged, or closed under statute, supreme**
15 **court rule, or order of a court of record;**

16 **(3) "Confidential record" or "confidential judicial record", as such term is**
17 **defined in Missouri supreme court rules;**

18 **(4) "Minor child", a person under eighteen years of age, except for:**

19 **(a) An emancipated minor as defined in section 302.178;**

20 **(b) A juvenile who has been certified to stand trial as an adult for offenses under**
21 **section 211.071; or**

22 **(c) A juvenile fifteen and one-half years of age or older who is alleged to have**
23 **violated a state or municipal traffic ordinance or regulation.**

483.082. 1. Notwithstanding ~~the provision of~~ any other ~~statute~~ provision of law
2 **to the contrary, it shall be the duty of the clerks of all courts to keep such records of the courts**
3 **and in such a manner as may be directed by rule of the supreme court so that they shall**
4 **accurately record all essential matters relating to the causes and matters within the jurisdiction**
5 **of the court which are and have been pending before the court, including pleadings, motions**
6 **and related documents, transactions, orders and judgments or decrees related thereto showing**
7 **the course and disposition of causes and matters, the taxing and collection of court costs, and**
8 **the setting of trial calendars or dockets of pending cases.**

9 **2. Recognizing that improved methods and systems of keeping records and data have**
10 **been and will continue to be developed from time to time and that all court clerks should be**
11 **empowered to utilize improved methods, systems, and techniques of keeping records of**

12 essential matters, and notwithstanding [~~the provisions of any other statute~~] **any other**
13 **provision of law** to the contrary, the methods, form, and systems of keeping all such files and
14 records shall be as directed and approved by rule of the supreme court.

15 **3. Subject to the provisions of the supreme court rules and the supervisory**
16 **jurisdiction of the supreme court, confidential information and confidential records in a**
17 **case record shall be maintained so as to be inaccessible to the general public under**
18 **supreme court rules governing access to records of the judicial branch of Missouri.**

487.020. 1. In each circuit or a county having a family court, a majority of the circuit
2 and associate circuit judges en banc, in the circuit, may appoint commissioners, subject to
3 appropriations, to hear family court cases and make findings as provided for in sections
4 487.010 to 487.190. Any person serving as a commissioner of the juvenile division of the
5 circuit court on August 28, 1993, shall become a commissioner of the family court. In each
6 circuit or a county therein having a family court, a majority of the circuit and associate circuit
7 judges en banc may appoint, in addition to those commissioners serving as commissioners of
8 the juvenile division and becoming commissioners of the family court pursuant to the
9 provisions of sections 487.020 to 487.040, no more than three additional commissioners to
10 hear family court cases and make findings and recommendations as provided in sections
11 487.010 to 487.190, **except that, beginning in fiscal year 2028, the twenty-fifth judicial**
12 **circuit may instead appoint no more than four additional commissioners.** The number of
13 additional commissioners added as a result of the provisions of sections 487.010 to 487.190
14 may be appointed only to the extent that the state is reimbursed for the salaries of the
15 commissioners as provided in sections 487.010 to 487.190 or by federal or county funds or by
16 gifts or grants made for such purposes. A commissioner shall be appointed for a term of four
17 years. Commissioners appointed pursuant to sections 487.020 to 487.040 shall serve in
18 addition to circuit judges, associate circuit court judges and commissioners authorized to hear
19 actions classified under section 487.080.

20 2. The circuit courts in the **seventh judicial circuit, the** eleventh judicial circuit, the
21 thirteenth judicial circuit, and the thirty-first judicial circuit may, in substitution of each
22 family court commissioner currently appointed pursuant to this section whose salary is
23 reimbursable, appoint a family court commissioner whose compensation shall be payable by
24 the state without necessity of reimbursement. The provisions of this subsection shall not be
25 construed to allow appointment of a family court commissioner in the eleventh judicial circuit
26 in addition to the number of such family court commissioners holding office in the eleventh
27 judicial circuit as of January 1, 1999. The provisions of this subsection shall not be construed
28 to allow appointment of a family court commissioner in the thirteenth judicial circuit or the
29 thirty-first judicial circuit in addition to the number of such family court commissioners
30 holding office in such circuits as of January 1, 2013. **The provisions of this subsection shall**

31 **not be construed to allow appointment of a family court commissioner in the seventh**
32 **judicial circuit in addition to the number of such family court commissioners holding**
33 **office in the seventh judicial circuit as of January 1, 2027.** The appointment of the state-
34 paid commissioner shall be subject to appropriations for such purpose.

35 3. Each commissioner of the family court shall possess the same qualifications as a
36 circuit judge. The compensation and retirement benefits of each commissioner shall be the
37 same as that of an associate circuit judge, payable in the same manner and from the same
38 source as that of an associate circuit judge.

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

9 3. Prior to adjustment by the supreme court, the following fees, costs and charges
10 shall 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~~ **Ten** dollars for the statewide court automation fund, pursuant to section
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
21 de 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
26 novo, 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
32 to 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
37 483.530;
- 38 (15) One dollar and fifty cents for a certificate of naturalization, pursuant to section
39 483.535;
- 40 (16) When letters are applied for in probate proceedings, pursuant to section 483.580,
41 when the value of the estate is:
- 42 (a) Less than \$10,000 \$ 75.00
43 (b) From \$10,000 to \$25,000 115.00
44 (c) From \$25,000 to \$50,000 155.00
45 (d) From \$50,000 to \$100,000 245.00
46 (e) From \$100,000 to \$500,000 305.00
47 (f) More than \$500,000 365.00;
- 48 (17) Thirty dollars for each additional twelve months a decedent's estate remains
49 open, pursuant to section 483.580;
- 50 (18) In proceedings regarding guardianships and conservatorships, pursuant to
51 section 483.580:
- 52 (a) Twenty-five dollars for each grant of letters for guardianship of a minor;
53 (b) Fifty dollars for each grant of letters for guardianship of an incapacitated person;
54 (c) Sixty dollars for each grant of letters for guardianship of the person and
55 conservatorship of the estate of a minor;
- 56 (d) Twenty-five dollars for each additional twelve months a conservatorship of a
57 minor's estate case remains open;
- 58 (e) Seventy-five dollars for each grant of letters in guardianship and conservatorship
59 of incapacitated persons and their estates;
- 60 (f) Thirty dollars for each additional twelve months an incapacitated person's case
61 remains open;
- 62 (19) Fifteen dollars for issuing orders refusing to grant letters to a spouse or an
63 unmarried minor child and thirty dollars for a certified copy of such orders, pursuant to
64 section 483.580;
- 65 (20) In probate proceedings, pursuant to section 483.580:

- 66 (a) Thirty-five dollars for the collection of small estates;
67 (b) Thirty-five dollars for involuntary hospitalization proceedings;
68 (c) Thirty dollars for proceedings to determine heirship;
69 (d) Fifteen dollars for assessment of estate taxes where no letters are granted;
70 (e) Fifty dollars for proceedings for the sale of real estate by a nonresident
71 conservator;
72 (f) Forty dollars for proceedings to dispense with administration;
73 (g) Twenty dollars for proceedings to dispense with conservatorship;
74 (h) Twenty-five dollars for admitting a will to probate;
75 (i) One dollar per copied page and one dollar and fifty cents per certificate;
76 (21) One dollar and fifty cents per page for testimony transcription, pursuant to
77 section 488.2250;
78 (22) Fifteen dollars for court reporters, pursuant to section 488.2253;
79 (23) Three dollars for witness fees per day, and four dollars when the witness must
80 travel to another county, pursuant to section 491.280.

488.027. 1. In addition to all other court costs provided by law, in all civil cases filed
2 in the circuit courts of this state and in all criminal cases including violations of any
3 municipal or county ordinance heard by an associate circuit judge or any violation of criminal
4 or traffic laws of this state, including an infraction, a fee in an amount determined pursuant to
5 sections 488.015 to 488.020 shall be assessed as costs, except that, no such fee shall be
6 collected in any proceeding involving a violation of an ordinance or state law when a criminal
7 proceeding or defendant has been dismissed by the court or when costs are waived or are to
8 be paid by the state, county or municipality.

9 2. The moneys collected by clerks of the courts pursuant to the provisions of this
10 section shall be collected and disbursed as provided by sections 488.010 to 488.020. All such
11 moneys shall be payable to the director of revenue, who shall deposit all amounts collected
12 pursuant to this section to the credit of the statewide court automation fund which is
13 established in section 476.055.

14 3. The assessment of court costs authorized by this section shall apply to all cases
15 filed on or after September 1, 1994.

16 **4. Beginning July 1, 2027, and on July first of each year thereafter, apart from**
17 **any adjustment as provided in section 488.012, the fee authorized under subsection 1 of**
18 **this section shall be adjusted annually for inflation based on the Consumer Price Index**
19 **for All Urban Consumers, as defined and officially recorded by the United States**
20 **Department of Labor or its successor. Such annual adjustment shall apply to all cases**
21 **filed on or after July first of the year in which the adjustment was made.**

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
5 are 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,
8 **the circuit court in the city of St. Louis**, or the circuit court in any circuit that reimburses the
9 state for the salaries of family court commissioners under and pursuant to section 487.020,
10 may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson
11 County, **the circuit court in the city of St. Louis**, or the circuit court in any circuit that
12 reimburses the state for the salaries of family court commissioners under and pursuant to
13 section 487.020 may change the fee to any amount not to exceed twenty dollars. A change in
14 the fee shall become effective and remain in effect until further changed.

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

17 ~~[4. In addition to any fee authorized by subsection 1 of this section, any county of the~~
18 ~~first classification with more than 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, 2019.]~~

506.290. 1. Any suit under the provisions of sections 506.200 to ~~[506.320]~~ **506.310**
2 shall be filed in the county in which the cause of action accrues or in the county where the
3 plaintiff resides, and if there be other defendants in such action who are residents of the state
4 of Missouri, then such action shall be brought in any county in which any one of said
5 defendants resides, or in the county within which the plaintiff resides and the defendant may
6 be found.

7 2. Any civil suit under the provisions of section 570.223 for a person charged with
8 identity theft may be filed:

- 9 (1) In the county in which the offense is committed;
- 10 (2) If the offense is committed partly in one county and partly in another, or if the
11 elements of the offense occur in more than one county, then in any of the counties where any
12 element of the offense occurred;
- 13 (3) In the county in which the defendant resides;
- 14 (4) In the county in which the victim resides; or
- 15 (5) In the county in which the property obtained or attempted to be obtained was
16 located.

509.520. 1. Notwithstanding any **other** provision of law to the contrary, beginning
2 August 28, ~~[2023]~~ **2026**, pleadings, attachments, **or** exhibits filed with the court in any case,
3 as well as any judgments ~~[or orders]~~ issued by the court, ~~[or other records of the court]~~ shall
4 not include ~~[the following confidential and personal identifying information]:~~

5 (1) The full Social Security number of any party or any child **who is the subject of**
6 **an order of custody or support; or**

7 (2) The full credit card number~~], financial institution account number, personal~~
8 ~~identification number, or password used to secure an account]~~ **or other financial account**
9 **number** of any party~~];~~

10 (3) ~~The full motor vehicle operator license number;~~

11 (4) ~~Victim information, including the name, address, and other contact information of~~
12 ~~the victim;~~

13 (5) ~~Witness information, including the name, address, and other contact information~~
14 ~~of the witness;~~

15 (6) ~~Any other full state identification number;~~

16 (7) The name, address, and date of birth of a minor and, if applicable, any next friend;

17 **or**

18 (8) ~~The full date of birth of any party; however, the year of birth shall be made~~
19 ~~available, except for a minor.~~

20 ~~2. The information provided under subsection 1 of this section shall be provided in a~~
21 ~~confidential information filing sheet contemporaneously filed with the court or entered by the~~
22 ~~court, which shall not be subject to public inspection or availability.~~

23 ~~3. Nothing in this section shall preclude an entity including, but not limited to, a~~
24 ~~financial institution, insurer, insurance support organization, or consumer reporting agency~~
25 ~~that is otherwise permitted by law to access state court records from using a person's unique~~
26 ~~identifying information to match such information contained in a court record to validate that~~
27 ~~person's record.~~

28 ~~4. The Missouri supreme court shall promulgate rules to administer this section].~~

29 ~~[5.]~~ **2.** Contemporaneously with the filing of every petition for dissolution of
30 marriage, legal separation, motion for modification, action to establish paternity, and petition
31 or motion for support or custody of a minor child, the filing party shall file a confidential case
32 filing sheet with the court which shall not be subject to public inspection and which provides:

33 (1) The name and address of the current employer and the Social Security number of
34 the petitioner or movant, if a person;

35 (2) If known to the petitioner or movant, the name and address of the current
36 employer and the Social Security number of the respondent; and

37 (3) The names, dates of birth, and Social Security numbers of any children subject to
38 the action.

39 ~~[6-]~~ 3. Contemporaneously with the filing of every responsive pleading petition for
40 dissolution of marriage, legal separation, motion for modification, action to establish
41 paternity, and petition or motion for support or custody of a minor child, the responding party
42 shall file a confidential case filing sheet with the court which shall not be subject to public
43 inspection and which provides:

44 (1) The name and address of the current employer and the Social Security number of
45 the responding party, if a person;

46 (2) If known to the responding party, the name and address of the current employer
47 and the Social Security number of the petitioner or movant; and

48 (3) The names, dates of birth, and Social Security numbers of any children subject to
49 the action.

50 ~~[7-]~~ 4. The full Social Security number of any party or child subject to an order of
51 custody or support shall be retained by the court on the confidential case filing sheet or other
52 confidential record maintained in conjunction with the administration of the case. The full
53 credit card number or other financial account number of any party may be retained by the
54 court on a confidential record if it is necessary to maintain the number in conjunction with the
55 administration of the case.

56 ~~[8-]~~ 5. Any document described in subsection 1 of this section shall, in lieu of the full
57 number, include only the last four digits of any such number.

58 ~~[9-]~~ 6. Except as provided in section 452.430, the clerk shall not be required to redact
59 any document described in subsection 1 of this section issued or filed before August 28, 2009,
60 prior to releasing the document to the public.

61 ~~[10-]~~ 7. For good cause shown, the court may release information contained on the
62 confidential case filing sheet; except that, any state agency acting under authority of chapter
63 454 shall have access to information contained herein without court order in carrying out their
64 official duty.

510.030. 1. Upon motion of any party showing good cause therefor and upon notice
2 to all other parties, the court in which an action is pending may:

3 (1) Order any party to produce and permit the inspection and copying or
4 photographing, by or on behalf of the moving party, of any designated documents, papers,
5 books, accounts, letters, photographs, objects, or tangible things, not privileged, which
6 constitute or contain evidence material to any matter involved in the action and which are in
7 his **or her** possession, custody, or control; or

8 (2) Order any party to permit entry upon designated land or other property in his **or**
9 **her** possession or control for the purpose of inspecting, measuring, surveying, sampling, or

10 photographing the property or any designated relevant object or operation thereon. The order
11 shall specify the time, place, and manner of making the inspection and taking the copies and
12 photographs and may prescribe such terms and conditions as are just.

13 2. A party may obtain without the required showing a statement concerning the action
14 or its subject matter previously made by that party. For purposes of this subsection, a
15 statement previously made is a written statement signed or otherwise adopted or approved by
16 the person making it, or a stenographic, mechanical, electrical, audio, video, motion picture or
17 other recording, or a transcription thereof, of the party or of a statement made by the party and
18 contemporaneously recorded.

510.500. Sections 510.500 to 510.521 shall be known and may be cited as the
2 **"Uniform Interstate Depositions and Discovery Act".**

510.503. As used in sections 510.500 to 510.521, the following terms mean:

2 **(1) "Foreign jurisdiction", a state other than this state;**

3 **(2) "Foreign subpoena", a subpoena issued under authority of a court of record**
4 **of a foreign jurisdiction;**

5 **(3) "Person", an individual, corporation, business trust, estate, trust,**
6 **partnership, limited liability company, association, joint venture, public corporation,**
7 **government or political subdivision, agency or instrumentality, or any other legal or**
8 **commercial entity;**

9 **(4) "State", a state of the United States, the District of Columbia, Puerto Rico,**
10 **the United States Virgin Islands, a federally recognized Indian tribe, or any territory or**
11 **insular possession subject to the jurisdiction of the United States;**

12 **(5) "Subpoena", a document, however denominated, issued under authority of a**
13 **court of record requiring a person to:**

14 **(a) Attend and give testimony at a deposition;**

15 **(b) Produce and permit inspection and copying of designated books, documents,**
16 **records, electronically stored information, or tangible items in the possession, custody,**
17 **or control of the person; or**

18 **(c) Permit inspection of premises under the control of the person.**

510.506. 1. To request issuance of a subpoena under this section, a party shall
2 **submit a foreign subpoena to a clerk of court in the county in which discovery is sought**
3 **to be conducted in this state. A request for the issuance of a subpoena under sections**
4 **510.500 to 510.521 shall not constitute an appearance in the courts of this state.**

5 **2. If a party submits a foreign subpoena to a clerk of court in this state, the clerk,**
6 **in accordance with such court's procedure, shall promptly issue a subpoena for service**
7 **upon the person to which the foreign subpoena is directed.**

8 **3. A subpoena under subsection 2 of this section shall:**

- 9 **(1) Incorporate the terms used in the foreign subpoena; and**
10 **(2) Contain or be accompanied by the names, addresses, and telephone numbers**
11 **of all counsel of record in the proceeding to which the subpoena relates and of any party**
12 **not represented by counsel.**

510.509. A subpoena issued by a clerk of court under section 510.506 shall be
2 **served in compliance with the Missouri supreme court rules of civil procedure and laws**
3 **of this state.**

510.512. The Missouri supreme court rules of civil procedure and laws of this
2 **state, and any amendments thereto, apply to subpoenas issued under section 510.506.**

510.515. An application to the court for a protective order or to enforce, quash,
2 **or modify a subpoena issued by a clerk of court under section 510.506 shall comply with**
3 **the Missouri supreme court rules of civil procedure and statutes of this state and be**
4 **submitted to the court in the county in which discovery is to be conducted.**

510.518. In applying and construing sections 510.500 to 510.521, consideration
2 **shall be given to the need to promote uniformity of the law with respect to its subject**
3 **matter among states that enact it.**

510.521. Sections 510.500 to 510.521 apply to requests for discovery in cases
2 **pending on August 28, 2026.**

 515.625. 1. Claims not disallowed by the court shall receive distribution under
2 sections 515.500 to 515.665 in the order of priority under subdivisions (1) to (8) of this
3 subsection and, with the exception of subdivisions (1) to (3) of this subsection, on a pro rata
4 basis:

5 (1) Any secured creditor that is duly perfected under applicable law, whether or not
6 such secured creditor has filed a proof of claim, shall receive the proceeds from the
7 disposition of the estate property that secures its claim. However, the receiver may recover
8 from estate property secured by a lien or the proceeds thereof the reasonable, necessary
9 expenses of preserving, protecting, or disposing of the estate property to the extent of any
10 benefit to a duly perfected secured creditor. If and to the extent that the proceeds are less than
11 the amount of a duly perfected secured creditor's claim or a duly perfected secured creditor's
12 lien is avoided on any basis, the duly perfected secured creditor's claim is an unsecured claim
13 under subdivision (8) of this subsection. Duly perfected secured claims shall be paid from the
14 proceeds in accordance with their respective priorities under otherwise applicable law;

15 (2) Actual, necessary costs, and expenses incurred during the administration of the
16 receivership, other than those expenses allowable under subdivision (1) of this subsection,
17 including allowed fees and reimbursement of reasonable charges and expenses of the receiver
18 and professional persons employed by the receiver. Notwithstanding subdivision (1) of this
19 subsection, expenses incurred during the administration of the estate have priority over the

20 secured claim of any secured creditor obtaining or consenting to the appointment of the
21 receiver;

22 (3) A secured creditor that is not duly perfected under applicable law shall receive the
23 proceeds from the disposition of the estate property that secures its claim if and to the extent
24 that unsecured claims are made subject to those liens under applicable law;

25 (4) Claims for wages, salaries, or commissions, including vacation, severance, and
26 sick leave pay, or contributions to an employee benefit plan earned by the claimant within one
27 hundred eighty days of the date of appointment of the receiver or the cessation of any
28 business relating to the receivership, whichever occurs first, but only to the extent of ten
29 thousand nine hundred fifty dollars;

30 (5) Unsecured claims, to the extent of two thousand four hundred twenty-five dollars
31 for each natural person, arising from the deposit with the person debtor before the date of
32 appointment of the receiver of money in connection with the purchase, lease, or rental of
33 estate property or the purchase of services for personal, family, or household use that were not
34 delivered or provided;

35 (6) Claims for a marital, family, or other support debt, but not to the extent that the
36 debt is assigned to another person, voluntarily, by operation of law, or otherwise; or includes
37 a liability designated as a support obligation unless that liability is actually in the nature of a
38 support obligation;

39 (7) Unsecured claims of governmental units for taxes which accrued prior to the date
40 of appointment of the receiver;

41 (8) Other unsecured claims.

42 2. If all of the classes under subsection 1 of this section have been paid in full, any
43 residue shall be paid to the debtor.

**537.529. 1. This section shall be known and may be cited as the "Uniform Public
2 Expression Protection Act".**

3 2. As used in this section, the following terms mean:

**4 (1) "Governmental unit", any city, county, or other political subdivision of this
5 state, or any department, division, board, or other agency of any political subdivision of
6 this state;**

**7 (2) "Person", an individual, estate, trust, partnership, business or nonprofit
8 entity, governmental unit, or other legal entity.**

**9 3. Except as otherwise provided in subsection 4 of this section, the provisions of
10 this section shall apply to any cause of action asserted in a civil action against a person
11 based on the person's:**

**12 (1) Communication in a legislative, executive, judicial, administrative, or other
13 governmental proceeding;**

14 **(2) Communication on an issue under consideration or review in a legislative,**
15 **executive, judicial, administrative, or other governmental proceeding; or**

16 **(3) Exercise of the right of freedom of speech or of the press, the right to**
17 **assemble or petition, or the right of association, guaranteed by the Constitution of the**
18 **United States or the Constitution of the state of Missouri, on a matter of public concern.**

19 **4. The provisions of this section shall not apply to a cause of action asserted:**

20 **(1) Against a governmental unit or an employee or agent of a governmental unit**
21 **acting or purporting to act in an official capacity;**

22 **(2) By a governmental unit or an employee or agent of a governmental unit**
23 **acting in an official capacity to enforce a law to protect against an imminent threat to**
24 **public health or safety; or**

25 **(3) Against a person primarily engaged in the business of selling or leasing goods**
26 **or services if the cause of action arises out of a communication related to the person's**
27 **sale or lease of the goods or services.**

28

29 **As used in this subsection, the term "goods or services" shall not include any dramatic,**
30 **literary, musical, political, journalistic, or artistic work.**

31 **5. No later than sixty days after a party is served with a complaint, crossclaim,**
32 **counterclaim, third-party claim, or other pleading that asserts a cause of action to which**
33 **this section applies, or at a later time upon a showing of good cause, a party may file a**
34 **special motion to dismiss the cause of action or part of the cause of action.**

35 **6. (1) Except as otherwise provided in this subsection:**

36 **(a) All other proceedings between the moving party and responding party in an**
37 **action, including discovery and a pending hearing or motion, are stayed on the filing of a**
38 **motion under subsection 5 of this section; and**

39 **(b) On motion by the moving party, the court may stay:**

40 **a. A hearing or motion involving another party if the ruling on the hearing or**
41 **motion would adjudicate a legal or factual issue that is material to the motion under**
42 **subsection 5 of this section; or**

43 **b. Discovery by another party if the discovery relates to a legal or factual issue**
44 **that is material to the motion under subsection 5 of this section.**

45 **(2) A stay under subdivision (1) of this subsection remains in effect until entry of**
46 **an order ruling on the motion filed under subsection 5 of this section and the expiration**
47 **of the time to appeal the order.**

48 **(3) If a party appeals from an order ruling on a motion under subsection 5 of**
49 **this section, all proceedings between all parties in an action are stayed. The stay**
50 **remains in effect until the conclusion of the appeal.**

51 **(4) During a stay under subdivision (1) of this subsection, the court may allow**
52 **limited discovery if a party shows that specific information is necessary to establish**
53 **whether a party has satisfied or failed to satisfy a burden imposed by subdivision (1) of**
54 **subsection 9 of this section and is not reasonably available without discovery.**

55 **(5) A motion for costs and expenses under subsection 12 of this section shall not**
56 **be subject to a stay under this section.**

57 **(6) A stay under this subsection does not affect a party's ability to voluntarily**
58 **dismiss a cause of action or part of a cause of action or move to sever a cause of action.**

59 **(7) During a stay under this section, the court for good cause may hear and rule**
60 **on:**

61 **(a) A motion unrelated to the motion under subsection 5 of this section; and**

62 **(b) A motion seeking a special or preliminary injunction to protect against an**
63 **imminent threat to public health or safety.**

64 **7. (1) The court shall hear a motion under subsection 5 of this section no later**
65 **than sixty days after filing of the motion, unless the court orders a later hearing:**

66 **(a) To allow discovery under subdivision (4) of subsection 6 of this section; or**

67 **(b) For other good cause.**

68 **(2) If the court orders a later hearing under paragraph (a) of subdivision (1) of**
69 **this subsection, the court shall hear the motion under subsection 5 of this section no**
70 **later than sixty days after the court order allowing the discovery, subject to paragraph**
71 **(b) of subdivision (1) of this subsection.**

72 **8. In ruling on a motion under subsection 5 of this section, the court shall**
73 **consider the parties' pleadings, the motion, any replies and responses to the motion, and**
74 **any evidence that could be considered in ruling on a motion for summary judgment.**

75 **9. (1) In ruling on a motion under subsection 5 of this section, the court shall**
76 **dismiss with prejudice a cause of action or part of a cause of action if:**

77 **(a) The moving party establishes under subsection 3 of this section that this**
78 **section applies;**

79 **(b) The responding party fails to establish as provided in subsection 4 of this**
80 **section that this section does not apply; and**

81 **(c) Either:**

82 **a. The responding party fails to establish a prima facie case as to each essential**
83 **element of the cause of action; or**

84 **b. The moving party establishes that:**

85 **(i) The responding party failed to state a cause of action upon which relief can be**
86 **granted; or**

87 (ii) There is no genuine issue as to any material fact and the party is entitled to
88 judgment as a matter of law on the cause of action or part of the cause of action.

89 (2) A voluntary dismissal without prejudice of a responding party's cause of
90 action, or part of a cause of action, that is the subject of a motion under subsection 5 of
91 this section does not affect a moving party's right to obtain a ruling on the motion and
92 seek costs, reasonable attorney's fees, and reasonable litigation expenses under
93 subsection 12 of this section.

94 (3) A voluntary dismissal with prejudice of a responding party's cause of action,
95 or part of a cause of action, that is the subject of a motion under subsection 5 of this
96 section establishes for the purpose of subsection 12 of this section that the moving party
97 prevailed on the motion.

98 10. The court shall rule on a motion under subsection 5 of this section no later
99 than sixty days after the hearing under subsection 7 of this section.

100 11. A moving party may appeal within twenty-one days as a matter of right from
101 an order denying, in whole or in part, a motion under subsection 5 of this section.

102 12. On a motion under subsection 5 of this section, the court shall award costs,
103 reasonable attorney's fees, and reasonable litigation expenses related to the motion:

104 (1) To the moving party if the moving party prevails on the motion; or

105 (2) To the responding party if the responding party prevails on the motion and
106 the court finds that the motion was frivolous or filed solely with intent to delay the
107 proceeding.

108 13. This section shall be broadly construed and applied to protect the exercise of
109 the right of freedom of speech and of the press, the right to assemble and petition, and
110 the right of association, guaranteed by the Constitution of the United States or the
111 Constitution of the state of Missouri.

112 14. In applying and construing this section, consideration shall be given to the
113 need to promote uniformity of the law with respect to its subject matter among states
114 that enact it.

115 15. The provisions of this section shall apply to any civil action filed, or any
116 cause of action asserted in a civil action, on or after August 28, 2026.

610.144. 1. (1) There is hereby created in the state treasury the "Missouri
2 Expungement Fund", which shall consist of moneys deposited into the fund from any
3 source including, but not limited to, gifts, donations, grants, and bequests. The state
4 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180,
5 the state treasurer may approve disbursements. The fund shall be a dedicated fund and,
6 upon appropriation, moneys in this fund shall be used solely as provided in subsection 2
7 of this section.

8 **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
9 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
10 **general revenue fund.**

11 **(3) The state treasurer shall invest moneys in the fund in the same manner as**
12 **other funds are invested. Any interest and moneys earned on such investments shall be**
13 **credited to the fund.**

14 **2. The office of state courts administrator, the department of public safety, and**
15 **the information technology services division within the office of administration shall**
16 **expend moneys from the fund, upon appropriation, on the statewide court automation**
17 **system and the Missouri criminal history record information system established under**
18 **sections 43.500 to 43.530 for one or more of the following purposes:**

19 **(1) Expenses that may be incurred to develop, establish, maintain, or operate**
20 **any information technology equipment, software, systems, or services associated with**
21 **the expungement or closing of records under Missouri law, including the development**
22 **and implementation of any technology-assisted, state-initiated bulk expungement or**
23 **sealing of records under Missouri law; or**

24 **(2) The cost of necessary personnel or contractors.**

2 ~~[537.528. 1. Any action against a person for conduct or speech~~
3 ~~undertaken or made in connection with a public hearing or public meeting, in a~~
4 ~~quasi-judicial proceeding before a tribunal or decision-making body of the~~
5 ~~state or any political subdivision of the state is subject to a special motion to~~
6 ~~dismiss, motion for judgment on the pleadings, or motion for summary~~
7 ~~judgment that shall be considered by the court on a priority or expedited basis~~
8 ~~to ensure the early consideration of the issues raised by the motion and to~~
9 ~~prevent the unnecessary expense of litigation. Upon the filing of any special~~
10 ~~motion described in this subsection, all discovery shall be suspended pending a~~
11 ~~decision on the motion by the court and the exhaustion of all appeals regarding~~
12 ~~the special motion.~~

13 ~~2. If the rights afforded by this section are raised as an affirmative~~
14 ~~defense and if a court grants a motion to dismiss, a motion for judgment on the~~
15 ~~pleadings or a motion for summary judgment filed within ninety days of the~~
16 ~~filing of the moving party's answer, the court shall award reasonable attorney~~
17 ~~fees and costs incurred by the moving party in defending the action. If the~~
18 ~~court finds that a special motion to dismiss or motion for summary judgment is~~
19 ~~frivolous or solely intended to cause unnecessary delay, the court shall award~~
20 ~~costs and reasonable attorney fees to the party prevailing on the motion.~~

21 ~~3. Any party shall have the right to an expedited appeal from a trial~~
22 ~~court order on the special motions described in subsection 2 of this section or~~
23 ~~from a trial court's failure to rule on the motion on an expedited basis.~~

24 ~~4. As used in this section, a "public meeting in a quasi-judicial~~
25 ~~proceeding" means and includes any meeting established and held by a state or~~
~~local governmental entity, including without limitations meetings or~~

26 ~~presentations before state, county, city, town or village councils, planning~~
27 ~~commissions, review boards or commissions.~~

28 ~~5. Nothing in this section limits or prohibits the exercise of a right or~~
29 ~~remedy of a party granted pursuant to another constitutional, statutory,~~
30 ~~common law or administrative provision, including civil actions for~~
31 ~~defamation.~~

32 ~~6. If any provision of this section or the application of any provision of~~
33 ~~this section to a person or circumstance is held invalid, the invalidity shall not~~
34 ~~affect other provisions or applications of this section that can be given effect~~
35 ~~without the invalid provision or application, and to this end the provisions of~~
36 ~~this section are severable.~~

37 ~~7. The provisions of this section shall apply to all causes of actions.]~~

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