

SECOND REGULAR SESSION

# HOUSE BILL NO. 1665

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES HOLT, LUETKENHAUS (Co-sponsors) AND BEARDEN.

Read 1<sup>st</sup> time January 28, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3386L.011

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### AN ACT

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

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*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Section A. Section 488.012, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.012, to read as follows: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 responsible for collecting court costs shall collect the court costs authorized by statute, in such amounts as are authorized by supreme court rule adopted pursuant to sections 488.010 to 488.020. Court costs due and payable prior to July 1, 1997, shall not be affected by the adoption of this rule.

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

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

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

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

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

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

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

17 (5) Seven dollars for the statewide court automation fund, pursuant to section 476.053,  
18 RSMo;

19 (6) [Twelve] **Twenty-five** dollars for municipal court costs, fifteen dollars for municipal  
20 ordinance violations filed before an associate circuit judge and thirty dollars for applications for  
21 a trial de novo of a municipal ordinance violation, pursuant to section 479.260, RSMo;

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, RSMo;

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

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

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

29 (11) Fifteen dollars for each preliminary hearing in felony cases, pursuant to section  
30 483.530, RSMo;

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

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, RSMo;

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 483.530,  
37 RSMo;

38 (15) One dollar and fifty cents for a certificate of naturalization, pursuant to section  
39 483.535, RSMo;

40 (16) When letters are applied for in probate proceedings, pursuant to section 483.580,  
41 RSMo, 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 open,  
49 pursuant to section 483.580, RSMo;

50 (18) In proceedings regarding guardianships and conservatorships, pursuant to section  
51 483.580, RSMo:

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 minor's  
57 estate case remains open;
- 58 (e) Seventy-five dollars for each grant of letters in guardianship and conservatorship of  
59 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 section  
64 483.580, RSMo;
- 65 (20) In probate proceedings, pursuant to section 483.580, RSMo:
- 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 conservator;  
71 (f) Forty dollars for proceedings to dispense with administration;  
72 (g) Twenty dollars for proceedings to dispense with conservatorship;  
73 (h) Twenty-five dollars for admitting a will to probate;  
74 (i) One dollar per copied page and one dollar and fifty cents per certificate;
- 75 (21) One dollar and fifty cents per page for testimony transcription, pursuant to section  
76 485.100, RSMo;
- 77 (22) Fifteen dollars for court reporters, pursuant to section 485.120, RSMo;  
78 (23) Three dollars for witness fees per day, and four dollars when the witness must travel  
79 to another county, pursuant to section 491.280, RSMo.