

SECOND REGULAR SESSION

[CORRECTED]

[TRULY AGREED TO AND FINALLY PASSED]

SENATE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 1776

## 91ST GENERAL ASSEMBLY

4211S.03T

2002

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### AN ACT

To repeal sections 28.160 and 59.800, RSMo, and to enact in lieu thereof two new sections relating to certain state fund accounts.

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

Section A. Sections 28.160 and 59.800, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 28.160 and 59.800, to read as follows:

28.160. 1. The state shall be entitled to fees for services to be rendered by the secretary of state as follows:

3 For issuing commission to notary public	\$15.00
4 For countersigning and sealing certificates of	
5       official character	10.00
6 For all other certificates	5.00
7 For copying archive and state library records,	
8       papers or documents, for each page	
9       8 1/2 x 14 inches and smaller,	
10       not more than	.10
11 For duplicating microfilm, for each roll	15.00
12 For copying all other records, papers or documents,	
13       for each page 8 1/2 x 14 inches and smaller,	
14       not more than[.]	.10
15 For certifying copies of records and papers or	
16       documents	5.00

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

17 For causing service of process to be made 10.00

18 For electronic telephone transmittal, per page 2.00

19 2. There is hereby established the "Secretary of State's Technology Trust Fund Account"  
20 which shall be administered by the state treasurer. All yield, interest, income, increment, or gain  
21 received from time deposit of moneys in the state treasury to the credit of the secretary of state's  
22 technology trust fund account shall be credited by the state treasurer to the account. The  
23 provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys in the fund shall  
24 not be transferred and placed to the credit of general revenue until the amount in the fund at the  
25 end of a biennium exceeds five million dollars. In any such biennium the amount in the fund in  
26 excess of five million dollars shall be transferred to general revenue.

27 3. The secretary of state may collect an additional fee of ten dollars for the issuance of  
28 new and renewal notary commissions which shall be deposited in the state treasury and credited  
29 to the secretary of state's technology trust fund account.

30 4. The secretary of state may ask the general assembly to appropriate funds from the  
31 technology trust fund for the purposes of establishing, procuring, developing, modernizing and  
32 maintaining:

33 (1) An electronic data processing system and programs capable of maintaining a  
34 centralized database of all registered voters in the state;

35 (2) Library services offered to the citizens of this state;

36 (3) Administrative rules services, equipment and functions;

37 (4) Services, equipment and functions relating to securities;

38 (5) Services, equipment and functions relating to corporations and business  
39 organizations;

40 (6) Services, equipment and functions relating to the Uniform Commercial Code;

41 (7) Services, equipment and functions relating to archives; and

42 (8) Services, equipment and functions relating to record services.

43 **5. Notwithstanding any provision of this section to the contrary, the secretary of**  
44 **state shall not collect fees, for processing apostilles, certifications and authentications prior**  
45 **to the placement of a child for adoption, in excess of one hundred dollars per child per**  
46 **adoption, or per multiple children to be adopted at the same time.**

59.800. 1. Beginning on July 1, 2001, notwithstanding any other condition precedent  
2 required by law to the recording of any instrument specified in subdivisions (1) and (2) of section  
3 59.330, an additional fee of five dollars shall be charged and collected by every recorder of deeds  
4 in this state on each instrument recorded. The additional fee shall be distributed as follows:

5 (1) One dollar and twenty-five cents to the recorder's fund established pursuant to  
6 subsection 1 of section 59.319, provided, however, that all funds received pursuant to this section

7 shall be used exclusively for the purchase, installation, upgrade and maintenance of modern  
8 technology necessary to operate the recorder's office in an efficient manner;

9 (2) One dollar and seventy-five cents to the county general revenue fund; and

10 (3) Two dollars to the fund established in subsection 2 of this section.

11 2. There is hereby established [in the state treasury] a revolving fund known as the  
12 "Statutory County Recorder's Fund", which shall receive funds paid to the recorders of deeds of  
13 the counties of this state pursuant to subdivision (3) of subsection 1 of this section. The [state  
14 treasurer] **director of the department of revenue** shall be custodian of the fund and shall make  
15 disbursements from the fund for the purpose of subsidizing the fees collected by counties that  
16 hereafter elect or have heretofore elected to separate the offices of clerk of the circuit court and  
17 recorder. The subsidy shall consist of the total amount of moneys collected pursuant to  
18 subdivisions (1) and (2) of subsection 1 of this section subtracted from fifty-five thousand  
19 dollars. The moneys paid to qualifying counties pursuant to this subsection shall be deposited  
20 in the county general revenue fund. For purposes of this section a "qualified county" is a county  
21 that hereafter elects or has heretofore elected to separate the offices of clerk of the circuit court  
22 and recorder and in which the office of the recorder of deeds collects less than fifty-five thousand  
23 dollars in fees pursuant to subdivisions (1) and (2) of subsection 1 of this section, on an annual  
24 basis. **Moneys in the statutory county recorder's fund shall not be considered state funds.**

25 [3. Any unexpended balance in the fund at the end of any biennium is exempt from the  
26 provisions of section 33.080, RSMo, relating to transfer of unexpended balances to the general  
27 revenue fund.]