

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 245, Page 1, In the
2 title, Line 3, by deleting the words, "and expenses in civil cases"; and

3
4 Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said line the following:

5 "56.807. 1. Beginning August 28, 1989, and continuing monthly thereafter until August 27,
6 2003, the funds for prosecuting attorneys and circuit attorneys provided for in subsection 2 of this
7 section shall be paid from county or city funds.

8 2. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003,
9 each county treasurer shall pay to the system the following amounts to be drawn from the general
10 revenues of the county:

11 (1) For counties of the third and fourth classification except as provided in subdivision (3) of
12 this subsection, three hundred seventy-five dollars;

13 (2) For counties of the second classification, five hundred forty-one dollars and sixty-seven
14 cents;

15 (3) For counties of the first classification, counties which pursuant to section 56.363 elect to
16 make the position of prosecuting attorney a full-time position after August 28, 2001, or whose
17 county commission has elected a full-time retirement benefit pursuant to subsection 3 of section
18 56.363, and the city of St. Louis, one thousand two hundred ninety-one dollars and sixty-seven cents.

19 3. Beginning August 28, 1989, and continuing until August 27, 2003, the county treasurer
20 shall at least monthly transmit the sums specified in subsection 2 of this section to the Missouri
21 office of prosecution services for deposit to the credit of the "Missouri Prosecuting Attorneys and
22 Circuit Attorneys' Retirement System Fund", which is hereby created. All moneys held by the state
23 treasurer on behalf of the system shall be paid to the system within ninety days after August 28,
24 1993. Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund
25 shall be used only for the purposes provided in sections 56.800 to 56.840 and for no other purpose.

26 4. Beginning August 28, 2003, the funds for prosecuting attorneys and circuit attorneys
27 provided for in this section shall be paid from county or city funds and the surcharge established in
28 this section and collected as provided by this section and sections 488.010 to 488.020.

29 5. (1) Beginning August 28, 2003, each county treasurer shall pay to the system the
30 following amounts to be drawn from the general revenues of the county:

31 [(1)] (a) For counties of the third and fourth classification except as provided in [subdivision
32 (3)] paragraph (c) of this [subsection] subdivision, one hundred eighty-seven dollars;

33 [(2)] (b) For counties of the second classification, two hundred seventy-one dollars;

34 [(3)] (c) For counties of the first classification, counties which pursuant to section 56.363
35 elect to make the position of prosecuting attorney a full-time position after August 28, 2001, or
36 whose county commission has elected a full-time retirement benefit pursuant to subsection 3 of
37 section 56.363, and the city of St. Louis, six hundred forty-six dollars.

Action Taken _____ Date _____

1 (2) Beginning August 28, 2013, the county contribution set forth in paragraphs (a) to (c) of
 2 subdivision (1) of this subsection shall be adjusted in accordance with the following schedule based
 3 upon the prosecuting attorneys and circuit attorneys' retirement system's annual actuarial valuation
 4 report. If the system's funding ratio is:

5 (a) One hundred twenty percent or more, no monthly sum shall be transmitted;

6 (b) More than one hundred ten percent but less than one hundred twenty percent, the monthly
 7 sum transmitted shall be reduced fifty percent;

8 (c) At least ninety percent and up to and including one hundred ten percent, the monthly sum
 9 transmitted shall remain the same;

10 (d) At least eighty percent and less than ninety percent, the monthly sum transmitted shall be
 11 increased fifty percent; and

12 (e) Less than eighty percent, the monthly sum transmitted shall be increased one hundred
 13 percent.

14 6. Beginning August 28, 2003, the county treasurer shall at least monthly transmit the sums
 15 specified in subsection 5 of this section to the Missouri office of prosecution services for deposit to
 16 the credit of the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

17 Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund shall be
 18 used only for the purposes provided in sections 56.800 to 56.840, and for no other purpose.

19 7. Beginning August 28, 2003, the following surcharge for prosecuting attorneys and circuit
 20 attorneys shall be collected and paid as follows:

21 (1) There shall be assessed and collected a surcharge of four dollars in all criminal cases filed
 22 in the courts of this state including violation of any county ordinance [or] , any violation of criminal
 23 or traffic laws of this state, including infractions, and against any person who pled guilty and paid a
 24 fine through a fine collection center, but no such surcharge shall be assessed when the costs are
 25 waived or are to be paid by the state, county, or municipality or when a criminal proceeding or the
 26 defendant has been dismissed by the court [or against any person who has pled guilty and paid their
 27 fine pursuant to subsection 4 of section 476.385]. For purposes of this section, the term "county
 28 ordinance" shall include any ordinance of the city of St. Louis;

29 (2) The clerk responsible for collecting court costs in criminal cases shall collect and
 30 disburse such amounts as provided by sections 488.010 to 488.026. Such funds shall be payable to
 31 the prosecuting attorneys and circuit attorneys' retirement fund. Moneys credited to the prosecuting
 32 attorneys and circuit attorneys' retirement fund shall be used only for the purposes provided for in
 33 sections 56.800 to 56.840 and for no other purpose.

34 8. The board may accept gifts, donations, grants and bequests from private or public sources
 35 to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

36 9. No state moneys shall be used to fund section 56.700 and sections 56.800 to 56.840 unless
 37 provided for by law."; and

38
 39 Further amend said bill, Page 2, Section 488.024, Line 10, by inserting after all of said line the
 40 following:

41 "488.026. As provided by section 56.807, there shall be assessed and collected a surcharge of
 42 four dollars in all criminal cases filed in the courts of this state, including violations of any county
 43 ordinance [or] , any violation of criminal or traffic laws of this state, including infractions, or against
 44 any person who pled guilty and paid a fine through a fine collection center, but no such surcharge
 45 shall be assessed when the costs are waived or are to be paid by the state, county, or municipality or
 46 when a criminal proceeding or the defendant has been dismissed by the court [or against any person
 47 who has pled guilty and paid their fine pursuant to subsection 4 of section 476.385]. For purposes of
 48 this section, the term "county ordinance" shall include any ordinance of the city of St. Louis. The

1 clerk responsible for collecting court costs in criminal cases shall collect and disburse such amounts
2 as provided by sections 488.010 to 488.020. Such funds shall be payable to the prosecuting
3 attorneys and circuit attorneys' retirement fund."; and
4 Further amend said bill by amending the title, enacting clause, and intersectional references
5 accordingly.

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