

SECOND REGULAR SESSION

HOUSE BILL NO. 1391

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ELMER (Sponsor), FRAKER, MOLENDORP, LONG, LEACH,
HOUGH, DIECKHAUS, DENISON, SCHOELLER AND LAMPE (Co-sponsors).

5219L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 488.426, RSMo, and to enact in lieu thereof one new section relating to a surcharge on civil court cases.

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

Section A. Section 488.426, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.426, to read as follows:

488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County **or the circuit court in any circuit that reimburses the state for the salaries of family court commissioners under section 487.020**, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County **or the circuit court in any circuit that reimburses the state for the salaries of family court commissioners under section 487.020** may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

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

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.

16 4. In addition to any fee authorized by subsection 1 of this section, any county of the first
17 classification with more than ninety-three thousand eight hundred but less than ninety-three
18 thousand nine hundred inhabitants may impose an additional fee of ten dollars excluding cases
19 concerning adoption and those in small claims court. The provisions of this subsection shall
20 expire on December 31, 2014.

✓