

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 2,
2 Section 304.125, Line 4, by inserting after all of said section and line the following:

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4 "476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven
5 associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for
6 violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and 390,
7 with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each
8 county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant
9 to this section. Notice of such adoption and participation shall be given in the manner provided by supreme
10 court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc
11 and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities,
12 towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges,
13 pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500. The
14 schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the
15 associate circuit judges of each county en banc deem advisable. No fine established pursuant to this
16 subsection may exceed the maximum amount specified by statute or [ordinance] the Missouri Fine
17 Collection Center for such violation.

18 2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving
19 the following:

- 20 (1) Any violation resulting in personal injury or property damage to another person;
- 21 (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
- 22 (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- 23 (4) Fleeing or attempting to elude an officer.

24 3. There shall be a centralized bureau to be established by supreme court rule in order to accept
25 pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances
26 described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this
27 section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs
28 which would have been collected by the court of the jurisdiction from which the violation originated.

29 4. If a person elects not to contest the alleged violation, the person shall send payment in the amount
30 of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be
31 payable to the central violations bureau, shall be made by mail or in any other manner established by the
32 centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of
33 section 302.302, and for purposes of imposing any collateral consequence of a criminal conviction provided
34 by law. By paying the fine and costs, the person also consents to attendance either online or in person at any
35 driver-improvement program or motorcycle-rider training course ordered by the court and consents to
36 verification of such attendance as directed by the bureau. Notwithstanding any provision of law to the
37 contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is
38 made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit
39 card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction

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1 cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

2 5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the
3 centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original
4 jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk
5 of the court in which the case is to be heard shall notify in writing such person of the date certain for the
6 disposition of such charges. The prosecutor shall not be required to sign any information, ticket or
7 indictment until the commencement of any proceeding by the prosecutor with respect to the notice of
8 violation.

9 6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of
10 violation pursuant to this section shall also receive written notification of the following:

11 (1) The fine and court costs established pursuant to this section for the violation or information
12 regarding how the person may obtain the amount of the fine and court costs for the violation;

13 (2) That the person must respond to the notice of violation by paying the prescribed fine and court
14 costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach
15 for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for
16 uniform complaint and summons for use in courts adopting the procedures provided by this section, in order
17 to accommodate such required written notifications.

18 7. Any moneys received in payment of fines and court costs pursuant to this section shall not be
19 considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons
20 or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized
21 bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer
22 for state funds by sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution
23 and laws of this state. Any interest earned on such fund shall be payable to the director of the department of
24 revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer
25 shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful
26 appropriations, only to the judicial branch of state government for goods and services related to the
27 administration of the judicial system.

28 8. Any person who receives a notice of violation subject to this section who fails to dispose of such
29 violation as provided by this section shall be guilty of failure to appear provided by section 544.665; and
30 may be subject to suspension of driving privileges in the manner provided by section 302.341. The
31 centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed
32 fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for
33 purposes of application of section 544.665. The centralized bureau shall also notify the department of
34 revenue of any failure to appear subject to section 302.341, and the department shall thereupon suspend the
35 license of the driver in the manner provided by section 302.341, as if notified by the court.

36 9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and
37 the courts may use the remedies provided by sections 488.010 to 488.020 for the collection of court costs
38 payable to courts, in order to collect fines and court costs for violations subject to this section."; and
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40 Further amend said bill, Page 4, Section 575.320, Line 31, by inserting after all of said section and line the
41 following:

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43 ""575.353. 1. A person commits the offense of assault on a police animal if he or she knowingly
44 attempts to kill or disable or knowingly causes or attempts to cause serious physical injury to a police animal
45 when that animal is involved in law enforcement investigation, apprehension, tracking, or search, or the
46 animal is in the custody of or under the control of a law enforcement officer, department of corrections
47 officer, municipal police department, fire department or a rescue unit or agency.

48 2. The offense of assault on a police animal [is a class C misdemeanor], [unless] regardless of
49 whether the assault results in the death of such animal or disables such animal to the extent it is unable to be
50 utilized as a police animal, [in which case it] is a class [E] A felony."; and
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52 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.