

FIRST REGULAR SESSION

HOUSE BILL NO. 128

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BARNES.

0668L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 488.432, RSMo, and to enact in lieu thereof one new section relating to recovery of deposits in certain cases.

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

Section A. Section 488.432, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.432, to read as follows:

488.432. **1.** If in any suit in which a deposit is provided for under sections 488.426 to 488.432, the party filing the suit shall prevail, the amount of said deposit required at the time of filing said suit shall be awarded and collectable as a judgment entered in said suit in favor of the prevailing party making said deposit.

2. If in any suit in which a deposit is not required by the filing party because that party is a city, county, or the state of Missouri under subsection 1 of section 488.426, the party filing the suit shall prevail, the amount of said deposit that would otherwise have been awarded and collectable as a judgment entered in said suit in favor of the prevailing party under subsection 1 of this section had the prevailing party been required to make a deposit shall be paid from the respondent to the prevailing party and the prevailing party shall then pay such amount collected to the clerk of the appropriate court.

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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.