

FIRST REGULAR SESSION

# HOUSE BILL NO. 927

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES McDONALD (Sponsor), LASATER, ANDERS, McMANUS, CROSS, LAUER, TALBOY, RIZZO, KRATKY, HUGHES, BROWN (50), CONWAY (27), BLACK, CIERPIOT, CASEY, HODGES, MOLENDORP, COLONA, FALLERT AND WEBB (Co-sponsors).

1473L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 488, RSMo, by adding thereto one new section relating to a surcharge for violations of ordinances or criminal and traffic laws.

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

Section A. Chapter 488, RSMo, is amended by adding thereto one new section, to be known as section 488.5322, to read as follows:

**488.5322. 1. In addition to all other court costs prescribed by law, a surcharge of up to six percent shall be assessed as costs in each court proceeding filed in any court in the state in all criminal cases including violations of any county or municipal ordinance or any violation of criminal or traffic laws of the state, including infractions, except that no such surcharge shall be collected in any proceeding involving a violation of an ordinance or state law in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized by the municipal government where the violation occurred. Such surcharges collected by municipal clerks in municipalities electing or required to have violations of municipal ordinances tried before a municipal judge under section 479.020, or to employ judicial personnel under section 479.060, shall be disbursed to the city at least monthly, and such surcharges collected by circuit court clerks shall be collected and disbursed as provided**

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 by sections 488.010 to 488.020 and shall be payable to the county or municipality where the  
17 violation occurred.

18 **2. Each county or municipality shall use all funds received under this section only**  
19 **to pay for the costs associated with the construction and operation of a multi-jurisdictional**  
20 **detention facility including, but not limited to, utilities, maintenance and building security,**  
21 **or to help offset the cost of incarceration of defendants. The county or municipality shall**  
22 **maintain records identifying such operating costs, and any moneys not needed for such**  
23 **costs shall be transmitted quarterly to the general revenue fund of the county municipality.**  
24 **The costs collected may be pledged to directly or indirectly secure bonds for the cost of**  
25 **construction, restoration, maintenance and upkeep of the multi-jurisdictional detention**  
26 **facilities.**

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