

SECOND REGULAR SESSION

HOUSE BILL NO. 1800

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PACE.

4117H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 479.359, RSMo, and to enact in lieu thereof one new section relating to the annual general operating revenue from traffic fines.

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

Section A. Section 479.359, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 479.359, to read as follows:

479.359. 1. Every county, city, town, and village shall annually calculate the percentage of its annual general operating revenue received from fines, bond forfeitures, and court costs for minor traffic violations, including amended charges for any minor traffic violations, whether the violation was prosecuted in municipal court, associate circuit court, or circuit court, occurring within the county, city, town, or village. If the percentage is more than thirty percent, the excess amount shall be sent to the director of the department of revenue. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth in this section shall be sent to the department of revenue. The department of revenue shall distribute these moneys annually to the schools of the county in the same manner that proceeds of all fines collected for any breach of the penal laws of this state are distributed.

2. Beginning January 1, 2016, the percentage specified in subsection 1 of this section shall be reduced from thirty percent to twenty percent, unless any county, city, town, or village has a fiscal year beginning on any date other than January first, in which case the reduction shall begin on the first day of the immediately following fiscal year except that any county with a charter form of government and with more than nine hundred fifty thousand inhabitants and any city, town, or village with boundaries found within such county shall be reduced from thirty percent to [twelve and one-half] **twenty** percent.

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.

18 3. An addendum to the annual financial report submitted to the state auditor by the
19 county, city, town, or village under section 105.145 shall contain an accounting of:

20 (1) Annual general operating revenue [as defined in section 479.350] ;

21 (2) The total revenues from fines, bond forfeitures, and court costs for minor traffic
22 violations occurring within the county, city, town, or village, including amended charges from
23 any minor traffic violations;

24 (3) The percent of annual general operating revenue from fines, bond forfeitures, and
25 court costs for minor traffic violations occurring within the county, city, town, or village,
26 including amended charges from any charged minor traffic violation, charged in the municipal
27 court of that county, city, town, or village; and

28 (4) Said addendum shall be certified and signed by a representative with knowledge of
29 the subject matter as to the accuracy of the addendum contents, under oath and under the penalty
30 of perjury, and witnessed by a notary public.

31 4. On or before December 31, 2015, the state auditor shall set forth by rule a procedure
32 for including the addendum information required by this section. The rule shall also allow
33 reasonable opportunity for demonstration of compliance without unduly burdensome
34 calculations.

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