

FIRST REGULAR SESSION

HOUSE BILL NO. 952

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HELMS.

1968H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 511.350, 511.480, 517.141, and 517.151, RSMo, and to enact in lieu thereof two new sections relating to judgments in civil actions.

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

Section A. Sections 511.350, 511.480, 517.141, and 517.151, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 511.350 and 511.480, to read as follows:

511.350. 1. Judgments and decrees entered by the supreme court, by any United States district or circuit court held within this state, by any district of the court of appeals, by any **division of the circuit court** [~~and any probate division of the circuit court~~], except judgments and decrees [~~rendered~~] **entered** by [~~associate,~~] small claims and municipal divisions of the circuit courts, shall be liens on the real estate of the person against whom they are entered, situate in the county for which or in which the court is held. **Judgments entered by the associate division of the circuit court that are entitled to a trial de novo under section 512.180 shall be a lien upon final judgment if an application is not filed or, alternatively, upon final judgment of the trial de novo if an application is filed.**

2. [~~Judgments and decrees rendered by the associate divisions of the circuit courts shall not be liens on the real estate of the person against whom they are rendered until such judgments or decrees are filed with the clerk of the circuit court pursuant to sections 517.141 and 517.151.~~

3.] Judgments and decrees entered by the small claims and municipal divisions of the circuit court shall not constitute liens against the real estate of the person against whom they are rendered.

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.] 3. Notwithstanding any other provision of law, no judgments or decrees entered by
17 any court of competent jurisdiction may be amended or modified by any administrative agency
18 without the approval of a court of competent jurisdiction.

19 [5.] 4. Notwithstanding subsection [4] 3 of this section or any other law to the contrary,
20 no judgments or decrees entered by any court of competent jurisdiction relating to child support
21 orders may be amended or modified by any administrative agency without the approval of a court
22 of competent jurisdiction.

511.480. ~~[1. Sections 511.460 to 511.480 shall be deemed to authorize the court where
2 such transcript shall be filed to issue executions on such judgment or decree and to exercise all
3 powers incident to the judgment including judgment debtor proceedings, and a scire facias to
4 revive such judgment or decree or lien.~~

~~————2.]~~ Transcripts of judgments described in section 511.440 shall not authorize the courts
6 where such transcripts shall be filed to issue executions thereon or to issue a scire facias to revive
7 such judgments, but they shall issue and be sued out of the court where the original judgment or
8 decree was rendered.

~~[517.141. On demand of any person interested therein, whether by
2 assignment or otherwise, every clerk or officer who shall be in possession of the
3 record of judgment shall give to such person a certified transcript of such
4 judgment. Upon production of any such transcript, the clerk of the circuit court
5 of the county in which the judgment was rendered shall record the same in his
6 permanent record of circuit court judgments, and note therein the date and hour
7 of its filing.]~~

~~[517.151. From the time of filing the transcript, every such judgment
2 shall have the same lien on the real estate of the defendant in the county as is
3 given judgments rendered by circuit judges. The circuit clerk shall collect fees
4 in such amounts as are determined pursuant to sections 488.010 to 488.020 for
5 each transcript filed. The revival of any such lien upon real estate shall be under
6 the same procedures as with judgments originally rendered by a circuit judge,
7 shall be made from the record of the transcribed judgment so filed in the office
8 of circuit clerk, and may be revived under proceedings before either a circuit or
9 an associate circuit judge. The foregoing provisions shall not apply with respect
10 to any judgment of a small claims court nor shall any judgment of a small claims
11 court be a lien upon real estate.]~~

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