

FIRST REGULAR SESSION

[PERFECTED]

SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 103

102ND GENERAL ASSEMBLY

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0795S.02P

KRISTINA MARTIN, Secretary

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## AN ACT

To repeal sections 476.055, 485.060, and 488.650, RSMo, and to enact in lieu thereof two new sections relating to court operations, with existing penalty provisions.

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

Section A. Sections 476.055, 485.060, and 488.650, RSMo,  
2 are repealed and two new sections enacted in lieu thereof, to  
3 be known as sections 476.055 and 485.060, to read as follows:

476.055. 1. There is hereby established in the state  
2 treasury the "Statewide Court Automation Fund". All moneys  
3 collected pursuant to section 488.027, as well as gifts,  
4 contributions, devises, bequests, and grants received  
5 relating to automation of judicial record keeping, and  
6 moneys received by the judicial system for the dissemination  
7 of information and sales of publications developed relating  
8 to automation of judicial record keeping, shall be credited  
9 to the fund. Moneys credited to this fund may only be used  
10 for the purposes set forth in this section and as  
11 appropriated by the general assembly. Any unexpended  
12 balance remaining in the statewide court automation fund at  
13 the end of each biennium shall not be subject to the  
14 provisions of section 33.080 requiring the transfer of such  
15 unexpended balance to general revenue; except that, any

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

16 unexpended balance remaining in the fund on September 1,  
17 **[2023] 2029**, shall be transferred to general revenue.

18 2. The statewide court automation fund shall be  
19 administered by a court automation committee consisting of  
20 the following: the chief justice of the supreme court, a  
21 judge from the court of appeals, four circuit judges, four  
22 associate circuit judges, four employees of the circuit  
23 court, **two employees who work full-time in a municipal**  
24 **division of a circuit court**, the commissioner of  
25 administration, two members of the house of representatives  
26 appointed by the speaker of the house, two members of the  
27 senate appointed by the president pro tem of the senate, the  
28 executive director of the Missouri office of prosecution  
29 services, the director of the state public defender system,  
30 and two members of the Missouri Bar. The judge members and  
31 employee members shall be appointed by the chief justice.  
32 The commissioner of administration shall serve ex officio.  
33 The members of the Missouri Bar shall be appointed by the  
34 board of governors of the Missouri Bar. Any member of the  
35 committee may designate another person to serve on the  
36 committee in place of the committee member.

37 3. The committee shall develop and implement a plan  
38 for a statewide court automation system. The committee  
39 shall have the authority to hire consultants, review systems  
40 in other jurisdictions and purchase goods and services to  
41 administer the provisions of this section. The committee  
42 may implement one or more pilot projects in the state for  
43 the purposes of determining the feasibility of developing  
44 and implementing such plan. The members of the committee  
45 shall be reimbursed from the court automation fund for their  
46 actual expenses in performing their official duties on the  
47 committee.

48           4. Any purchase of computer software or computer  
49 hardware that exceeds five thousand dollars shall be made  
50 pursuant to the requirements of the office of administration  
51 for lowest and best bid. Such bids shall be subject to  
52 acceptance by the office of administration. The court  
53 automation committee shall determine the specifications for  
54 such bids.

55           5. The court automation committee shall not require  
56 any circuit court to change any operating system in such  
57 court, unless the committee provides all necessary  
58 personnel, funds and equipment necessary to effectuate the  
59 required changes. No judicial circuit or county may be  
60 reimbursed for any costs incurred pursuant to this  
61 subsection unless such judicial circuit or county has the  
62 approval of the court automation committee prior to  
63 incurring the specific cost.

64           6. Any court automation system, including any pilot  
65 project, shall be implemented, operated and maintained in  
66 accordance with strict standards for the security and  
67 privacy of confidential judicial records. Any person who  
68 knowingly releases information from a confidential judicial  
69 record is guilty of a class B misdemeanor. Any person who,  
70 knowing that a judicial record is confidential, uses  
71 information from such confidential record for financial gain  
72 is guilty of a class E felony.

73           7. On the first day of February, May, August and  
74 November of each year, the court automation committee shall  
75 file a report on the progress of the statewide automation  
76 system with:

- 77           (1) The chair of the house budget committee;
- 78           (2) The chair of the senate appropriations committee;
- 79           (3) The chair of the house judiciary committee; and

80 (4) The chair of the senate judiciary committee.

81 8. Section 488.027 shall expire on September 1, [2023]  
82 **2029**. The court automation committee established pursuant  
83 to this section may continue to function until completion of  
84 its duties prescribed by this section[, but shall complete  
85 its duties prior to September 1, 2025].

86 9. This section shall expire on September 1, 2025].

485.060. 1. Each court reporter for a circuit judge  
2 shall receive an annual salary of twenty-six thousand nine  
3 hundred dollars beginning January 1, 1985, until December  
4 31, 1985, and beginning January 1, 1986, an annual salary of  
5 thirty thousand dollars.

6 2. Such annual salary shall be modified by any salary  
7 adjustment provided by section 476.405.

8 3. Beginning January 1, 2022, the annual salary, as  
9 modified under section 476.405, shall be adjusted upon  
10 meeting the minimum number of cumulative years of service as  
11 a court reporter with a circuit court of this state by the  
12 following schedule:

13 (1) For each court reporter with zero to five years of  
14 service: the annual salary shall be increased only by any  
15 salary adjustment provided by section 476.405;

16 (2) For each court reporter with six to ten years of  
17 service: the annual salary shall be increased by **the whole**  
18 **sum of** five and one-quarter percent **in addition to the**  
19 **increase provided by subdivision (1) of this subsection;**

20 (3) For each court reporter with eleven to fifteen  
21 years of service: the annual salary shall be increased by  
22 **the whole sum of** eight and one-quarter percent **in addition**  
23 **to the increase provided by subdivision (2) of this**  
24 **subsection;**

25           (4) For each court reporter with sixteen to twenty  
26 years of service: the annual salary shall be increased by  
27 **the whole sum of** eight and one-half percent **in addition to**  
28 **the increase provided by subdivision (3) of this subsection;**  
29 or

30           (5) For each court reporter with twenty-one or more  
31 years of service: the annual salary shall be increased by  
32 **the whole sum of** eight and three-quarters percent **in**  
33 **addition to the increase provided by subdivision (4) of this**  
34 **subsection.**

35 [A court reporter may receive multiple adjustments under  
36 this subsection as his or her cumulative years of service  
37 increase, but only one percentage listed in subdivisions (1)  
38 to (5) of this subsection shall apply to the annual salary  
39 at a time.]

40           4. Salaries shall be payable in equal monthly  
41 installments on the certification of the judge of the court  
42 or division in whose court the reporter is employed. If  
43 paid by the state, the salaries of such court reporters  
44 shall be paid in semimonthly or monthly installments, as  
45 designated by the commissioner of administration.

2           [488.650. There shall be assessed as costs  
3 a surcharge in the amount of two hundred fifty  
4 dollars on all petitions for expungement filed  
5 under the provisions of section 610.140. The  
6 judge may waive the surcharge if the petitioner  
7 is found by the judge to be indigent and unable  
8 to pay the costs. Such surcharge shall be  
9 collected and disbursed by the clerk of the  
10 court as provided by sections 488.010 to  
11 488.020. Moneys collected from this surcharge  
shall be payable to the general revenue fund.]

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