

FIRST REGULAR SESSION

SENATE BILL NO. 455

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR WHITE.

2165S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 488.012, RSMo, and to enact in lieu thereof one new section relating to court costs.

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

Section A. Section 488.012, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 488.012,
3 to read as follows:

488.012. 1. Beginning July 1, 1997, the clerk of each
2 court of this state responsible for collecting court costs
3 shall collect the court costs authorized by statute, in such
4 amounts as are authorized by supreme court rule adopted
5 pursuant to sections 488.010 to 488.020. Court costs due
6 and payable prior to July 1, 1997, shall not be affected by
7 the adoption of this rule.

8 2. The supreme court shall set the amount of court
9 costs authorized by statute, at levels to produce revenue
10 which shall not substantially exceed the total of the
11 proportion of the costs associated with administration of
12 the judicial system defrayed by fees, miscellaneous charges
13 and surcharges.

14 3. Prior to adjustment by the supreme court, the
15 following fees, costs and charges shall be collected:

16 (1) Five dollars for the filing of a lien, pursuant to
17 section 429.090;

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

- 18 (2) Ten dollars for maintaining child support
19 enforcement records, pursuant to section 452.345;
- 20 (3) Ten dollars for a notice to a judgment creditor of
21 a distributee, pursuant to section 473.618;
- 22 (4) Three dollars for receiving and keeping a will,
23 pursuant to section 474.510;
- 24 (5) **[Seven] Twelve** dollars for the statewide court
25 automation fund, pursuant to section 488.027;
- 26 (6) Twelve dollars for municipal court costs, fifteen
27 dollars for municipal ordinance violations filed before an
28 associate circuit judge and thirty dollars for applications
29 for a trial de novo of a municipal ordinance violation,
30 pursuant to section 479.260;
- 31 (7) Five dollars for small claims court cases where
32 less than one hundred dollars is in dispute, and ten dollars
33 in all other small claims court cases, pursuant to section
34 482.345;
- 35 (8) Fifty dollars for appeals, pursuant to section
36 483.500;
- 37 (9) Fifteen dollars in misdemeanor cases where there
38 is no application for trial de novo, pursuant to section
39 483.530;
- 40 (10) Forty-five dollars for applications for a trial
41 de novo for misdemeanor cases, pursuant to section 483.530;
- 42 (11) Fifteen dollars for each preliminary hearing in
43 felony cases, pursuant to section 483.530;
- 44 (12) Thirty dollars for each information or indictment
45 filed in felony cases, pursuant to section 483.530;
- 46 (13) Fifteen dollars for each associate circuit court
47 case filed, and one dollar for each additional summons
48 issued in such cases, pursuant to section 483.530;

49 (14) Forty-five dollars for applications for trial de
50 novo from small claims court and associate circuit court and
51 forty-five dollars for filing of other cases, pursuant to
52 section 483.530;

53 (15) One dollar and fifty cents for a certificate of
54 naturalization, pursuant to section 483.535;

55 (16) When letters are applied for in probate
56 proceedings, pursuant to section 483.580, when the value of
57 the estate is:

58 (a) Less than \$10,000 \$ 75.00

59 (b) From \$10,000 to \$25,000 115.00

60 (c) From \$25,000 to \$50,000 155.00

61 (d) From \$50,000 to \$100,000 245.00

62 (e) From \$100,000 to \$500,000 305.00

63 (f) More than \$500,000 365.00;

64 (17) Thirty dollars for each additional twelve months
65 a decedent's estate remains open, pursuant to section
66 483.580;

67 (18) In proceedings regarding guardianships and
68 conservatorships, pursuant to section 483.580:

69 (a) Twenty-five dollars for each grant of letters for
70 guardianship of a minor;

71 (b) Fifty dollars for each grant of letters for
72 guardianship of an incapacitated person;

73 (c) Sixty dollars for each grant of letters for
74 guardianship of the person and conservatorship of the estate
75 of a minor;

76 (d) Twenty-five dollars for each additional twelve
77 months a conservatorship of a minor's estate case remains
78 open;

79 (e) Seventy-five dollars for each grant of letters in
80 guardianship and conservatorship of incapacitated persons
81 and their estates;

82 (f) Thirty dollars for each additional twelve months
83 an incapacitated person's case remains open;

84 (19) Fifteen dollars for issuing orders refusing to
85 grant letters to a spouse or an unmarried minor child and
86 thirty dollars for a certified copy of such orders, pursuant
87 to section 483.580;

88 (20) In probate proceedings, pursuant to section
89 483.580:

90 (a) Thirty-five dollars for the collection of small
91 estates;

92 (b) Thirty-five dollars for involuntary
93 hospitalization proceedings;

94 (c) Thirty dollars for proceedings to determine
95 heirship;

96 (d) Fifteen dollars for assessment of estate taxes
97 where no letters are granted;

98 (e) Fifty dollars for proceedings for the sale of real
99 estate by a nonresident conservator;

100 (f) Forty dollars for proceedings to dispense with
101 administration;

102 (g) Twenty dollars for proceedings to dispense with
103 conservatorship;

104 (h) Twenty-five dollars for admitting a will to
105 probate;

106 (i) One dollar per copied page and one dollar and
107 fifty cents per certificate;

108 (21) One dollar and fifty cents per page for testimony
109 transcription, pursuant to section 488.2250;

110 (22) Fifteen dollars for court reporters, pursuant to
111 section 488.2253;

112 (23) Three dollars for witness fees per day, and four
113 dollars when the witness must travel to another county,
114 pursuant to section 491.280.

115 4. The fee authorized pursuant to subdivision (5) of
116 subsection 3 of this section shall be effective August 28,
117 2021, and shall expire on August 28, 2026, unless
118 reauthorized by an act of the general assembly. If no
119 reauthorization by the general assembly occurs, then a fee
120 of twelve dollars shall be collected for the statewide court
121 automation fund, pursuant to section 488.027. The twelve
122 dollar fee shall be adjusted annually on January 1, 2027,
123 and on January first of successive years, by the same
124 percentage as the increase in the general price level as
125 measured by the Consumer Price Index for All Urban Consumers
126 (CPI-U) or successor index as published by the U.S.
127 Department of Labor or its successor agency, with the amount
128 of fee increase rounded to the nearest five cents. Any
129 change in the fee amount made by the court pursuant to this
130 subsection shall be published as a supreme court rule or
131 amendment to a supreme court rule.

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