

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 215, Page 1, Section A, Line 4, by inserting after all
2 of said section and line the following:

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4 "56.807. 1. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003,
5 the funds for prosecuting attorneys and circuit attorneys provided for in subsection 2 of this section shall be
6 paid from county or city funds.

7 2. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003, each county
8 treasurer shall pay to the system the following amounts to be drawn from the general revenues of the county:

9 (1) For counties of the third and fourth classification except as provided in subdivision (3) of this
10 subsection, three hundred seventy-five dollars;

11 (2) For counties of the second classification, five hundred forty-one dollars and sixty-seven cents;

12 (3) For counties of the first classification, counties which pursuant to section 56.363 elect to make the
13 position of prosecuting attorney a full-time position after August 28, 2001, or whose county commission has
14 elected a full-time retirement benefit pursuant to subsection 3 of section 56.363, and the city of St. Louis, one
15 thousand two hundred ninety-one dollars and sixty-seven cents.

16 3. Beginning August 28, 1989, and continuing until August 27, 2003, the county treasurer shall at
17 least monthly transmit the sums specified in subsection 2 of this section to the Missouri office of prosecution
18 services for deposit to the credit of the "Missouri Prosecuting Attorneys and Circuit Attorneys' Retirement
19 System Fund", which is hereby created. All moneys held by the state treasurer on behalf of the system shall
20 be paid to the system within ninety days after August 28, 1993. Moneys in the Missouri prosecuting attorneys
21 and circuit attorneys' retirement system fund shall be used only for the purposes provided in sections 56.800
22 to 56.840 and for no other purpose.

23 4. Beginning August 28, 2003, the funds for prosecuting attorneys and circuit attorneys provided for
24 in this section shall be paid from county or city funds and the surcharge established in this section and
25 collected as provided by this section and sections 488.010 to 488.020.

26 5. (1) Beginning August 28, 2003, each county treasurer shall pay to the system the following
27 amounts to be drawn from the general revenues of the county:

28 [(1)] (a) For counties of the third and fourth classification except as provided in [subdivision (3)]
29 paragraph (c) of this [subsection] subdivision, one hundred eighty-seven dollars;

30 [(2)] (b) For counties of the second classification, two hundred seventy-one dollars;

31 [(3)] (c) For counties of the first classification, counties which pursuant to section 56.363 elect to
32 make the position of prosecuting attorney a full-time position after August 28, 2001, or whose county
33 commission has elected a full-time retirement benefit pursuant to subsection 3 of section 56.363, and the city
34 of St. Louis, six hundred forty-six dollars.

35 (2) Beginning August 28, 2013, the county contribution set forth in paragraphs (a) to (c) of subdivision (1) of
36 this subsection shall be adjusted in accordance with the following schedule based upon the prosecuting
37 attorneys and circuit attorneys' retirement system's annual actuarial valuation report. If the system's funding
38 ratio is:

39 (a) One hundred twenty percent or more, no monthly sum shall be transmitted;

40 (b) More than one hundred ten percent but less than one hundred twenty percent, the monthly sum
41 transmitted shall be reduced fifty percent;

42 (c) At least ninety percent and up to and including one hundred ten percent, the monthly sum

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transmitted shall remain the same;

(d) At least eighty percent and less than ninety percent, the monthly sum transmitted shall be increased fifty percent; and

(e) Less than eighty percent, the monthly sum transmitted shall be increased one hundred percent.

6. Beginning August 28, 2003, the county treasurer shall at least monthly transmit the sums specified in subsection 5 of this section to the Missouri office of prosecution services for deposit to the credit of the Missouri prosecuting attorneys and circuit attorneys' retirement system fund. Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund shall be used only for the purposes provided in sections 56.800 to 56.840, and for no other purpose.

7. Beginning August 28, 2003, the following surcharge for prosecuting attorneys and circuit attorneys shall be collected and paid as follows:

(1) There shall be assessed and collected a surcharge of four dollars in all criminal cases filed in the courts of this state including violation of any county ordinance [or] , any violation of criminal or traffic laws of this state, including infractions, and against any person who pled guilty and paid a fine through a fine collection center, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state, county, or municipality or when a criminal proceeding or the defendant has been dismissed by the court [or against any person who has pled guilty and paid their fine pursuant to subsection 4 of section 476.385]. For purposes of this section, the term "county ordinance" shall include any ordinance of the city of St. Louis;

(2) The clerk responsible for collecting court costs in criminal cases shall collect and disburse such amounts as provided by sections 488.010 to 488.026. Such funds shall be payable to the prosecuting attorneys and circuit attorneys' retirement fund. Moneys credited to the prosecuting attorneys and circuit attorneys' retirement fund shall be used only for the purposes provided for in sections 56.800 to 56.840 and for no other purpose.

8. The board may accept gifts, donations, grants and bequests from private or public sources to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

9. No state moneys shall be used to fund section 56.700 and sections 56.800 to 56.840 unless provided for by law.

488.026. As provided by section 56.807, there shall be assessed and collected a surcharge of four dollars in all criminal cases filed in the courts of this state, including violations of any county ordinance [or] , any violation of criminal or traffic laws of this state, including infractions, or against any person who pled guilty and paid a fine through a fine collection center, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state, county, or municipality or when a criminal proceeding or the defendant has been dismissed by the court [or against any person who has pled guilty and paid their fine pursuant to subsection 4 of section 476.385]. For purposes of this section, the term "county ordinance" shall include any ordinance of the city of St. Louis. The clerk responsible for collecting court costs in criminal cases shall collect and disburse such amounts as provided by sections 488.010 to 488.020. Such funds shall be payable to the prosecuting attorneys and circuit attorneys' retirement fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.