

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 8-56, OF THE CODE OF ORDINANCES CONCERNING COURT COSTS FOR THE CITY OF WARRENSBURG, MISSOURI.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WARRENSBURG, MISSOURI AS FOLLOWS:**

Section 1. Section 8-56 is hereby amended to read as follows:

**Sec. 8-56. Court costs.**

In addition to any fine that may be imposed by the municipal judge there shall be in all cases the following costs assessed:

- (1) *[Basic court costs.]* There shall be assessed as basic court costs an amount equal to the basic court costs in RSMo 479.260, as amended from time to time.
- (2) *[Surcharge.]* In addition to any other costs that may be imposed, there shall be assessed a surcharge in the amount authorized by RSMo 488.5336 and as amended from time to time in all municipal cases which shall be used as set forth in RSMo 488.5336. The collection, assessment and disbursement of this surcharge shall be made pursuant to the provisions of RSMo 488.5336, as amended from time to time.
- (3) *[Crime victims' compensation fund surcharge.]* In addition to any other costs that may be imposed, there shall be assessed a surcharge in the amount authorized by RSMo 595.045, and as amended from time to time, in all municipal cases for the benefits of the crime victims' compensation fund. The collection, assessment and disbursement of this charge shall be made pursuant to the provisions of RSMo 595.045, as amended from time to time.
- (4) *[Shelters for battered persons surcharge.]* In addition to any other costs that may be imposed, there shall be assessed a surcharge in the amount provided by section RSMo 479.261 and as amended from time to time in all municipal cases for the benefit of shelters for battered persons as defined in RSMo 455.200 to 455.230. The collection, assessment and disbursement of this surcharge shall be made pursuant to the provisions of RSMo 479.261, as amended from time to time.
- (5) *[Application fee for trial de novo.]* The filing fee for applications for a trial de novo shall be in an amount established pursuant to the provisions of RSMo 479.260, as amended from time to time.

- (6) *[Fees for incarceration in county jail.]* In addition to any fine or other costs that may be imposed, there may be assessed an additional cost in an amount equal to the actual costs assessed against the city by the sheriff for the incarceration of any convicted person in the county jail including any transportation costs associated with the incarceration.
- (7) *[Reimbursement of certain costs of arrest.]*
- a. Upon a plea of guilty, or finding of guilt, for violations of section 23-122 or 23-123 of this Code, the court may, in addition to the imposition of any penalties provided by law, order the defendant to reimburse the arresting entity for costs associated with the arrest as set forth below.
- b. Such costs include:
- (1) Reasonable costs incurred in making the arrest; and
- (2) Costs of any chemical test of the defendant's breath, blood or urine made pursuant to RSMo Ch. 577, and as amended; and
- (3) The costs of charging, processing, booking and holding the defendant in custody.
- c. For costs requested by the city, the chief of police shall submit to the city council a schedule of such costs to be approved by resolution from time to time. The court may order costs reduced if in any case they are determined to be excessive.
- (8) *[Inmate security fund surcharge.]* In addition to any other costs that may be imposed, there shall be assessed a surcharge in the amount of one dollar and fifty cents (\$1.50) as authorized by RSMo 488.5026, and as amended from time to time, in all municipal cases for the benefit of the inmate security fund. The collection, assessment and disbursement of this charge shall be made pursuant to the provisions of RSMo 488.5026, and as the same may be amended from time to time.
- (9) *[Court Automation surcharge]* During any time in which the municipal court participates in the Show Me Courts automated court system, in addition to any other costs that may be imposed, there shall be assessed a surcharge of seven dollars (\$7.00) to be collected and set aside for the Statewide Court Automation Fund, with such amounts to be remitted to the State as required by law.

Section 2. It is intended that all provisions of this Ordinance shall be incorporated into

the Code of Ordinances of the City of Warrensburg.

Section 4. This ordinance shall be in full force and effect from and after its passage.

Passed in open session this \_\_\_\_ day of \_\_\_\_\_, 2021.

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Scott Holmberg, Mayor

Attest:

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Cindy Gabel, City Clerk