

# SENATE BILL NO. 946

## 102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR THOMPSON REHDER.

3365S.01H

KRISTINA MARTIN, Secretary

### AN ACT

To repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the expiration date of funding of basic civil legal services for certain persons.

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

Section A. Section 477.650, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 477.650,  
3 to read as follows:

477.650. 1. There is hereby created in the state  
2 treasury the "Basic Civil Legal Services Fund", to be  
3 administered by, or under the direction of, the Missouri  
4 supreme court. All moneys collected under section 488.031  
5 shall be credited to the fund. In addition to the court  
6 filing surcharges, funds from other public or private  
7 sources also may be deposited into the fund and all earnings  
8 of the fund shall be credited to the fund. The purpose of  
9 this section is to increase the funding available for basic  
10 civil legal services to eligible low-income persons as such  
11 persons are defined by the Federal Legal Services  
12 Corporation's Income Eligibility Guidelines.

13 2. Funds in the basic civil legal services fund shall  
14 be allocated annually and expended to provide legal  
15 representation to eligible low-income persons in the state  
16 in civil matters. Moneys, funds, or payments paid to the  
17 credit of the basic civil legal services fund shall, at  
18 least as often as annually, be distributed to the legal

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

19 services organizations in this state which qualify for  
20 Federal Legal Services Corporation funding. The funds so  
21 distributed shall be used by legal services organizations in  
22 this state solely to provide legal services to eligible low-  
23 income persons as such persons are defined by the Federal  
24 Legal Services Corporation's Income Eligibility Guidelines.  
25 Fund money shall be subject to all restrictions imposed on  
26 such legal services organizations by law. Funds shall be  
27 allocated to the programs according to the funding formula  
28 employed by the Federal Legal Services Corporation for the  
29 distribution of funds to this state. Notwithstanding the  
30 provisions of section 33.080, any balance remaining in the  
31 basic civil legal services fund at the end of any year shall  
32 not be transferred to the state's general revenue fund.  
33 Moneys in the basic civil legal services fund shall not be  
34 used to pay any portion of a refund mandated by Article X,  
35 Section 15 of the Missouri Constitution. State legal  
36 services programs shall represent individuals to secure  
37 lawful state benefits, but shall not sue the state, its  
38 agencies, or its officials, with any state funds.

39 3. Contracts for services with state legal services  
40 programs shall provide eligible low-income Missouri citizens  
41 with equal access to the civil justice system, with a high  
42 priority on families and children, domestic violence, the  
43 elderly, and qualification for benefits under the Social  
44 Security Act. State legal services programs shall abide by  
45 all restrictions, requirements, and regulations of the Legal  
46 Services Corporation regarding their cases.

47 4. The Missouri supreme court, or a person or  
48 organization designated by the court, is the administrator  
49 and shall administer the fund in such manner as determined  
50 by the Missouri supreme court, including in accordance with

51 any rules and policies adopted by the Missouri supreme court  
52 for such purpose. Moneys from the fund shall be used to pay  
53 for the collection of the fee and the implementation and  
54 administration of the fund.

55 5. Each recipient of funds from the basic civil legal  
56 services fund shall maintain appropriate records accounting  
57 for the receipt and expenditure of all funds distributed and  
58 received pursuant to this section. These records must be  
59 maintained for a period of five years from the close of the  
60 fiscal year in which such funds are distributed or received  
61 or until audited, whichever is sooner. All funds  
62 distributed or received pursuant to this section are subject  
63 to audit by the Missouri supreme court or the state auditor.

64 6. The Missouri supreme court, or a person or  
65 organization designated by the court, shall, by January  
66 thirty-first of each year, report to the general assembly on  
67 the moneys collected and disbursed pursuant to this section  
68 and section 488.031 by judicial circuit.

69 [7. The provisions of this section shall expire on  
70 December 31, 2025.]

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