GOVERNOR OF MISSOURI

JEFFERSON CITY
65102

JEREMIAH W. (JAY) NIXON
GOVERNOR

P.O. Box 720
(573) 751-3222

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for House Bill No. 799 (House Bill No. 799) entitled:

AN ACT

To repeal sections 67.320, 211.393, 476.083, 478.170, 478.191, 478.430, 478.433, 478.463, 478.740, 488.2206, and 600.042, RSMo, and to enact in lieu thereof sixteen new sections relating to judicial circuits.

I disapprove of House Bill No. 799. My reasons for disapproval are as follows:

House Bill No. 799 would authorize more court fees to fund an array of local capital projects. In doing so, it continues what has evolved into a regular legislative exercise of imposing additional court fees. Local capital projects should be funded through existing local revenues or, with voter approval, new revenue sources rather than through a back-door tax in the form of court user fees. For that reason, House Bill No. 799 cannot receive my support.

House Bill No. 799 would authorize new court fees and expand existing court fees in specific judicial circuits to be used by jurisdictions identified in the legislation. These new and expanded court fees, ranging from ten to fifty dollars, would be in addition to the myriad of court fees already imposed in criminal and civil cases across our state. Moreover, these court fees would not be limited to state courts. House Bill No. 799 would authorize these fees be imposed on many county and municipal ordinance violations. The cumulative impact of these court fees is harmful to those that find themselves involved in court proceedings and could pose a barrier to court access for civil litigants.

The proliferation of excessive court fees is recasting the role of the courts into revenue generators for special projects. Court fees and surcharges should not be used as an alternative form of taxation. If a local government wants to raise revenue for its building projects, that question should be submitted to the voters for their approval rather than using the courts as a back-door revenue source. The increasingly common practice of looking to the courts to raise funds must stop. I previously approved Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5 based on

the belief that our courts should serve justice rather than generate revenue, and for those same reasons the court fee increases in House Bill No. 799 will not receive my approval.

In accordance with the above stated reasons for disapproval, I am returning you Senate Substitute for Senate Committee Substitute for House Bill No. 799 without my approval.

Respectfully submitted,

Jeremiah W. (Jay) Nixon
Governor