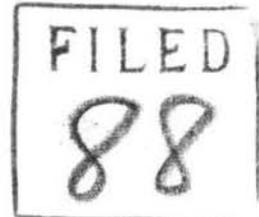


SHERIFFS: It is the duty of a sheriff to collect and account for all fines, penalties, forfeitures and other sums of money accruing to the state or any county in virtue of any order, judgment or decree of a court of record.

January 26, 1953



Honorable O. J. Taylor
Assistant Prosecuting Attorney
Greene County Courthouse
Springfield, Missouri

Dear Sir:

This department is in receipt of your recent request for an official opinion. You thus state your opinion request:

"I have been requested by the sheriff of this county to secure an opinion from your office with regard to his responsibility for the collection of fines. Under section 57.130 of the Revised Statutes of Missouri the sheriff is required to collect and account for all fines accruing to the county or state by virtue of any court order. Also under section 55.240 he is required to submit monthly statements to the county auditor regarding such collections.

"It has been a practice of long standing in this county for the clerks of the circuit and magistrate courts to collect all fines and costs and to transfer them to the county treasurer.

"We would appreciate an opinion as to whether or not the present practice followed in this county is permissible and whether under this present arrangement the sheriff is responsible for all such fines even though they are collected by the clerks of the courts."

Section 57.130, RSMo 1949, to which you refer, reads as follows:

Honorable O. J. Taylor

"57.130. Sheriffs to collect fines, penalties and forfeitures.--The sheriffs of the several counties shall collect and account for all the fines, penalties, forfeitures and other sums of money, by whatever name designated, accruing to the state or any county in virtue of any order, judgment or decree of a court of record."

From the above it seems to us to be clear that it is the duty of the sheriff to collect and account for all fines, penalties, forfeitures and other sums of money accruing to the state or county by virtue of any order, judgment or decree of any court of record.

CONCLUSION

It is the opinion of this department that it is the duty of a sheriff to collect and account for all the fines, penalties, forfeitures and other sums of money accruing to the state or any county in virtue of any order, judgment or decree of a court of record.

Respectfully submitted,

HUGH P. WILLIAMSON
Assistant Attorney General

APPROVED:

JOHN M. DALTON
Attorney General

HPW:sw