

SECOND REGULAR SESSION

# HOUSE BILL NO. 1246

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE THOMPSON.

Pre-filed December 17, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3332L.011

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### AN ACT

To repeal section 167.061, RSMo, and to enact in lieu thereof two new sections relating to truancy, with penalty provisions.

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

Section A. Section 167.061, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 167.061 and 578.161, to read as follows:

167.061. **1.** Any parent, guardian or other person having charge, control or custody of a child, who violates the provisions of section 167.031 is guilty of a class C misdemeanor. Upon conviction and pending any judicial appeal, the defendant shall be required to enroll the child in a public, private, parochial, parish or home school within three public school days, after which each successive school day shall constitute a separate violation of section 167.031. The fine or imprisonment, or both, may be suspended and finally remitted by the court, with or without the payment of costs, at the discretion of the court, if the child is immediately placed and kept in regular attendance at a public, private, parochial, parish or home school and if the fact of regular attendance is proved subsequently to the satisfaction of the court. A certificate stating that the child is regularly attending a public, private, parochial or parish school and properly attested by the superintendent, principal or person in charge of the school is prima facie evidence of regular attendance by the child.

**2. A school district may employ a truant officer. The truant officer's duties shall include finding pupils who are not in school and transporting them to school.**

**578.161. 1. No person shall allow four or more truants to loiter on such person's business premises during school hours.**

**2. Any person who violates the provisions of subsection 1 of this section is guilty of a class A misdemeanor.**