

SECOND REGULAR SESSION

HOUSE BILL NO. 858

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DUSENBERG (Sponsor), LeVOTA, PRATT, RUESTMAN,
WALLACE AND MILLER (Co-sponsors).

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STEPHEN S. DAVIS, Chief Clerk

3019L.011

AN ACT

To repeal sections 302.181, 589.410, and 589.417, RSMo, and to enact in lieu thereof three new sections relating to sex offenders.

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

Section A. Sections 302.181, 589.410, and 589.417, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 302.181, 589.410, and 589.417, to read as follows:

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge or duplicate any license without ready detection. All licenses shall bear the licensee's Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph of the licensee, and a facsimile of the signature of the licensee. **The license shall also bear the words "SEX OFFENDER" printed or stamped across the top of the license if the licensee is a registered sex offender pursuant to section 589.400, RSMo, whose name appears on the sex offender list supplied to the department of revenue by the Missouri state highway patrol pursuant**

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

16 **to section 589.410, RSMo.** The director shall provide by administrative rule the procedure and
17 format for a licensee to indicate on the back of the license together with the designation for an
18 anatomical gift as provided in section 194.240, RSMo, the name and address of the person
19 designated pursuant to sections 404.800 to 404.865, RSMo, as the licensee's attorney in fact for
20 the purposes of a durable power of attorney for health care decisions. No license shall be valid
21 until it has been so signed by the licensee. If any portion of the license is prepared by a private
22 firm, any contract with such firm shall be made in accordance with the competitive purchasing
23 procedures as established by the state director of the division of purchasing. For all licenses
24 issued or renewed after March 1, 1992, the applicant's Social Security number shall serve as the
25 applicant's license number. Where the licensee has no Social Security number, or where the
26 licensee is issued a license without a Social Security number in accordance with subsection 4 of
27 this section, the director shall issue a license number for the licensee and such number shall also
28 include an indicator showing that the number is not a Social Security number.

29 2. All film involved in the production of photographs for licenses shall become the
30 property of the department of revenue.

31 3. The license issued shall be carried at all times by the holder thereof while driving a
32 motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any
33 police officer or peace officer, or any other duly authorized person, for inspection when demand
34 is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any
35 duly authorized officer shall be presumptive evidence that such person is not a duly licensed
36 operator.

37 4. The director of revenue shall issue a commercial or noncommercial driver's license
38 without a Social Security number to an applicant therefor, who is otherwise qualified to be
39 licensed, upon presentation to the director of a certified statement that the applicant objects to
40 the display of the Social Security number on the license. The director shall assign an
41 identification number, that is not based on a Social Security number, to the applicant which shall
42 be displayed on the license in lieu of the Social Security number.

43 5. The director of revenue shall issue a license without the photograph to an applicant
44 therefor, who is otherwise qualified to be licensed, upon presentation to the director of a
45 statement on forms prescribed and made available by the department of revenue which states that
46 the applicant is a member of a specified religious denomination which prohibits photographs of
47 members as being contrary to its religious tenets. The license shall state thereon that no
48 photograph is required because of the religious affiliation of the licensee. The director of
49 revenue shall establish guidelines and furnish to each circuit court such forms as the director
50 deems necessary to comply with this subsection. The circuit court shall not charge or receive any
51 fee or court cost for the performance of any duty or act pursuant to this subsection.

52 6. The department of revenue may issue a temporary license without the photograph to
53 out-of-state applicants and members of the armed forces, except that where such temporary
54 license is issued it shall be valid only until the applicant shall have had time to appear and have
55 his or her picture taken and a license with his or her photograph issued.

56 7. The department of revenue shall issue upon request a nondriver's license card
57 containing essentially the same information as the driver's license upon payment of six dollars
58 if the applicant is under the age of sixty-five. An applicant who is sixty-five years of age or older
59 may purchase a nondriver's license card without a photograph for one dollar or a nondriver's
60 license card with a photograph for six dollars. All nondriver's licenses shall expire on the
61 applicant's birthday in the sixth year after issuance. A person who has passed his or her
62 seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. The
63 nondriver's license card shall be used for identification purposes only and shall not be valid as
64 a license.

65 8. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall
66 become effective unless it is promulgated pursuant to the provisions of chapter 536, RSMo.

589.410. The chief law enforcement official shall forward the completed offender
2 registration form to the Missouri state highway patrol within three days. The patrol shall enter
3 the information into the Missouri uniform law enforcement system (MULES) where it is
4 available to members of the criminal justice system, and other entities as provided by law, upon
5 inquiry. **The patrol shall also compile a list of all registered sex offenders which includes**
6 **the offender's full name, address, and social security number and shall provide such list**
7 **to the department of revenue. Thereafter the patrol shall update such list on a quarterly**
8 **basis and shall provide such updates to the department of revenue.**

589.417. 1. Except for the specific information listed in [subsection 2] **subsections 2**
2 **and 3** of this section, the complete statements, photographs and fingerprints required by sections
3 589.400 to 589.425 shall not be subject to the provisions of chapter 610, RSMo, and are not
4 public records as defined in section 610.010, RSMo, and shall be available only to courts,
5 prosecutors and law enforcement agencies.

6 2. Notwithstanding any provision of law to the contrary, the chief law enforcement
7 official of the county shall maintain, for all offenders registered in such county, a complete list
8 of the names, addresses and crimes for which such offenders are registered. Any person may
9 request such list from the chief law enforcement official of the county.

10 **3. Notwithstanding any other provision of law the Missouri state highway patrol**
11 **may provide a list which includes the full name, address, and social security number of the**
12 **registered sex offenders to the department of revenue.**