

FIRST REGULAR SESSION

HOUSE BILL NO. 1210

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COOPER (158).

Read 1st time March 29, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2764L.01I

AN ACT

To repeal section 210.487, RSMo, and to enact in lieu thereof one new section relating to foster care licensing.

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

Section A. Section 210.487, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 210.487, to read as follows:

210.487. 1. When conducting investigations of persons for the purpose of foster parent licensing, the division shall:

- (1) Conduct a search for all persons over the age of seventeen in the applicant's household and for any child less than seventeen years of age residing in the applicant's home who the division has determined has been certified as an adult for the commission of a crime for evidence of full orders of protection. The office of state courts administrator shall allow access to the automated court information system by the division. The clerk of each court contacted by the division shall provide the division information within ten days of a request; and
- (2) Obtain two sets of fingerprints for any person over the age of seventeen in the applicant's household and for any child less than seventeen years of age residing in the applicant's home who the division has determined has been certified as an adult for the commission of a crime in the same manner set forth in subsection 2 of section 210.482. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal

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

15 history files. The highway patrol shall assist the division and provide the criminal fingerprint
16 background information, upon request; and

17 (3) Determine whether any person over the age of seventeen residing in the home and
18 any child less than seventeen years of age residing in the applicant's home who the division has
19 determined has been certified as an adult for the commission of a crime is listed on the child
20 abuse and neglect registry.

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22 For any children less than seventeen years of age residing in the applicant's home, the children's
23 division shall inquire of the applicant whether any children less than seventeen years of age
24 residing in the home have ever been certified as an adult and been convicted of or pled guilty or
25 nolo contendere to any crime.

26 **2. After the initial investigation is completed under subsection 1 of this section, the**
27 **children's division and the department of health and senior services may waive the**
28 **requirement for a fingerprint background check for any subsequent recertification.**

29 **3.** Subject to appropriation, the total cost of fingerprinting required by this section may
30 be paid by the state, including reimbursement of persons incurring fingerprinting costs under this
31 section.

32 [3.] **4.** The division may make arrangements with other executive branch agencies to
33 obtain any investigative background information.

34 [4.] **5.** The division may promulgate rules that are necessary to implement the provisions
35 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
36 that is created under the authority delegated in this section shall become effective only if it
37 complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable,
38 section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of
39 the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay
40 the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
41 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall
42 be invalid and void.

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