

SECOND REGULAR SESSION

# HOUSE BILL NO. 1698

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE STEVENSON.

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D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 455.501, RSMo, and to enact in lieu thereof one new section relating to child orders of protection.

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

Section A. Section 455.501, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 455.501, to read as follows:

455.501. As used in sections 455.500 to 455.538, the following terms mean:

- (1) "Abuse", any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by an adult household member, or stalking of a child. Discipline including spanking, administered in a reasonable manner shall not be construed to be abuse;
- (2) "Adult household member", any person [eighteen] **seventeen** years of age or older or an emancipated child who resides with the child in the same dwelling unit;
- (3) "Child", any person under [eighteen] **seventeen** years of age;
- (4) "Court", the circuit or associate circuit judge or a family court commissioner;
- (5) "Ex parte order of protection", an order of protection issued by the court before the respondent has received notice of the petition or an opportunity to be heard on it;
- (6) "Full order of protection", an order of protection issued after a hearing on the record where the respondent has received notice of the proceedings and has had an opportunity to be heard;
- (7) "Order of protection", either an ex parte order of protection or a full order of protection;
- (8) "Petitioner", a person authorized to file a verified petition under the provisions of sections 455.503 and 455.505;

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.

18 (9) "Respondent", the adult household member, emancipated child or person stalking the  
19 child against whom a verified petition has been filed;

20 (10) "Stalking", when an adult purposely and repeatedly engages in an unwanted course  
21 of conduct with regard to a child that causes another adult to believe that a child would suffer  
22 alarm by the conduct. As used in this subdivision:

23 (a) "Course of conduct" means a pattern of conduct composed of repeated acts over a  
24 period of time, however short, that serves no legitimate purpose. Such conduct may include, but  
25 is not limited to, following the other person or unwanted communication or contact;

26 (b) "Repeated" means two or more incidents evidencing a continuity of purpose; and

27 (c) "Alarm" means to cause fear of danger of physical harm;

28 (11) "Victim", a child who is alleged to have been abused by an adult household  
29 member.

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