

**HOUSE** \_\_\_\_\_ **AMENDMENT NO.** \_\_\_\_\_

**Offered By**

AMEND House Committee Substitute for House Bill No. 111, Page 4, Section 56.089, Line 93,  
by inserting after all of said section and line the following:

“211.031. 1. Except as otherwise provided in this chapter, the juvenile court or the family  
court in circuits that have a family court as provided in sections 487.010 to 487.190, shall have  
exclusive original jurisdiction in proceedings:

(1) Involving any child or person seventeen years of age who may be a resident of or  
found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child  
or person seventeen years of age, neglect or refuse to provide proper support, education which is  
required by law, medical, surgical or other care necessary for his or her well-being; except that  
reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical  
treatment for a child or person seventeen years of age shall not be construed as neglect when the  
treatment is recognized or permitted pursuant to the laws of this state;

(b) The child or person seventeen years of age is otherwise without proper care, custody  
or support; or

(c) The child or person seventeen years of age was living in a room, building or other  
structure at the time such dwelling was found by a court of competent jurisdiction to be a public  
nuisance pursuant to section 195.130;

(d) The child or person seventeen years of age is a child in need of mental health services  
and the parent, guardian or custodian is unable to afford or access appropriate mental health  
treatment or care for the child;

(2) Involving any child who may be a resident of or found within the county and who is  
alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without  
justification absent from school; or

(b) The child disobeys the reasonable and lawful directions of his or her parents or other  
custodian and is beyond their control; or

(c) The child is habitually absent from his or her home without sufficient cause,

1 permission, or justification; or

2 (d) The behavior or associations of the child are otherwise injurious to his or her welfare  
3 or to the welfare of others; or

4 (e) The child is charged with an offense not classified as criminal, or with an offense  
5 applicable only to children; except that, the juvenile court shall not have jurisdiction over any  
6 child fifteen and one-half years of age who is alleged to have violated a state or municipal traffic  
7 ordinance or regulation, the violation of which does not constitute a felony, or any child who is  
8 alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use  
9 of any tobacco product;

10 (3) Involving any child who is alleged to have violated a state law or municipal ordinance,  
11 or any person who is alleged to have violated a state law or municipal ordinance prior to attaining  
12 the age of seventeen years, in which cases jurisdiction may be taken by the court of the circuit in  
13 which the child or person resides or may be found or in which the violation is alleged to have  
14 occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen [and  
15 one-half] years of age who is alleged to have violated a state or municipal traffic ordinance or  
16 regulation, the violation of which does not constitute a felony, and except that the juvenile court  
17 shall have concurrent jurisdiction with the municipal court over any child who is alleged to have  
18 violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent  
19 jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal  
20 ordinance or regulation prohibiting possession or use of any tobacco product;

21 (4) For the adoption of a person;

22 (5) For the commitment of a child or person seventeen years of age to the guardianship of  
23 the department of social services as provided by law.

24 2. Transfer of a matter, proceeding, jurisdiction or supervision for a child or person  
25 seventeen years of age who resides in a county of this state shall be made as follows:

26 (1) Prior to the filing of a petition and upon request of any party or at the discretion of the  
27 juvenile officer, the matter in the interest of a child or person seventeen years of age may be  
28 transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving  
29 court, to the county of the child's residence or the residence of the person seventeen years of age  
30 for future action;

31 (2) Upon the motion of any party or on its own motion prior to final disposition on the  
32 pending matter, the court in which a proceeding is commenced may transfer the proceeding of a  
33 child or person seventeen years of age to the court located in the county of the child's residence or  
34 the residence of the person seventeen years of age, or the county in which the offense pursuant to  
35 subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

36 (3) Upon motion of any party or on its own motion, the court in which jurisdiction has

1 been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction  
2 of a child or person seventeen years of age to the court located in the county of the child's  
3 residence or the residence of the person seventeen years of age for further action with the prior  
4 consent of the receiving court;

5 (4) Upon motion of any party or upon its own motion at any time following a judgment of  
6 disposition or treatment pursuant to section 211.181, the court having jurisdiction of the cause  
7 may place the child or person seventeen years of age under the supervision of another juvenile  
8 court within or without the state pursuant to section 210.570, with the consent of the receiving  
9 court;

10 (5) Upon motion of any child or person seventeen years of age or his or her parent, the  
11 court having jurisdiction shall grant one change of judge pursuant to Missouri Supreme Court  
12 Rules;

13 (6) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child or  
14 person seventeen years of age, certified copies of all legal and social documents and records  
15 pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the  
16 transfer.

17 3. In any proceeding involving any child or person seventeen years of age taken into  
18 custody in a county other than the county of the child's residence or the residence of a person  
19 seventeen years of age, the juvenile court of the county of the child's residence or the residence of  
20 a person seventeen years of age shall be notified of such taking into custody within seventy-two  
21 hours.

22 4. When an investigation by a juvenile officer pursuant to this section reveals that the only  
23 basis for action involves an alleged violation of section 167.031, involving a child who alleges to  
24 be home schooled, the juvenile officer shall contact a parent or parents of such child to verify that  
25 the child is being home schooled and not in violation of section 167.031, before making a report  
26 of such a violation. Any report of a violation of section 167.031, made by a juvenile officer  
27 regarding a child who is being home schooled shall be made to the prosecuting attorney of the  
28 county where the child legally resides.”; and

29  
30 Further amend said bill by amending the title, enacting clause, and intersectional references  
31 accordingly.