

HOUSE AMENDMENT NO. ____
TO
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Offered By

AMEND House Amendment No. ____ to Senate Committee Substitute No. 2 for Senate Bill No. 128, Page 1, Line 6, by inserting immediately after said line the following:

"Further amend said bill and page, Section 478.463, Line 9, by inserting immediately after said section and line the following:

"589.660. As used in sections 589.660 to 589.681, the following terms mean:

(1) "Address", a residential street address, school address, or work address of a person, as specified on the person's application to be a program participant;

(2) "Application assistant", an employee of a state or local agency, or of a nonprofit program that provides counseling, referral, shelter, or other specialized service to crime victims [of domestic violence, rape, sexual assault, human trafficking, or stalking] who has been designated by the respective agency or program, and who has been trained and registered by the secretary of state to assist individuals in the completion of program participation applications;

(3) "Designated address", the address assigned to a program participant by the secretary;

(4) "Mailing address", an address that is recognized for delivery by the United States Postal Service;

(5) "Program", the address confidentiality program established in section 589.663;

(6) "Program participant", a person certified by the secretary of state as eligible to participate in the address confidentiality program;

(7) "Secretary", the secretary of state;

(8) "Victim", a natural person who suffers direct or threatened physical, emotional, or financial harm as the result of the commission or attempted commission of an offense. The term "victim" also includes family members of the victim who are minors or incapacitated; or a family member of a homicide victim;

(9) "Witness", any victim who has been or is expected to be summoned to testify for the prosecution in any felony proceeding regardless of whether any action or proceeding has yet been commenced.

589.663. There is created in the office of the secretary of state a program to be known as the "Address Confidentiality Program" to protect victims ~~[of domestic violence, rape, sexual assault, human trafficking, or stalking]~~, individuals residing in the same household of a victim, and witnesses by authorizing the use of designated addresses for such ~~[victims and their minor children]~~ individuals. The program shall be administered by the secretary under the following application and

Action Taken _____ Date _____

1 certification procedures:

2 (1) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting
3 on behalf of an incapacitated person may apply to the secretary to have a designated address
4 assigned by the secretary to serve as the person's address or the address of the minor or incapacitated
5 person;

6 (2) The secretary may approve an application only if it is filed with the office of the
7 secretary in the manner established by rule and on a form prescribed by the secretary. A completed
8 application shall contain:

9 (a) The application preparation date, the applicant's signature, and the signature and
10 registration number of the application assistant who assisted the applicant in applying to be a
11 program participant;

12 (b) A designation of the secretary as agent for purposes of service of process and for receipt
13 of first-class mail, legal documents, and certified mail;

14 (c) ~~[A sworn statement by the applicant that the applicant]~~ Either an application signed by
15 the applicant before an application assistant that the applicant has good reason to believe that he or
16 she:

17 a. Is a victim ~~[of domestic violence, rape, sexual assault, human trafficking, or stalking];~~
18 and

19 b. Fears ~~[further violent acts from his or her assailant]~~ future harm; or

20 (c) Has been certified by a prosecuting attorney that the individual is a witness;

21 (d) The mailing address where the applicant may be contacted by the secretary or a designee
22 and the telephone number or numbers where the applicant may be called by the secretary or the
23 secretary's designee; and

24 (e) One or more addresses that the applicant requests not be disclosed for the reason that
25 disclosure will jeopardize the applicant's safety or increase the risk of violence to the applicant or
26 members of the applicant's household;

27 (3) Upon receipt of a properly completed application, the secretary may certify the applicant
28 as a program participant. A program participant is certified for four years following the date of
29 initial certification unless the certification is withdrawn or cancelled before that date. The secretary
30 shall send notification of lapsing certification and a reapplication form to a program participant at
31 least four weeks prior to the expiration of the program participant's certification;

32 (4) The secretary shall forward first class mail, legal documents, and certified mail to the
33 appropriate program participants."; and"; and

34
35 Further amend said bill by amending the title, enacting clause, and intersectional references
36 accordingly.

37
38 THIS AMENDS 0528S03.14H.