

HB 286 -- MISSOURI CHILD PROTECTION REGISTRY

SPONSOR: Beard

This bill establishes the Missouri Child Protection Registry composed of a secure list of contact points belonging or accessible to minors. Contact points may include instant messaging identities, wireless telephones, pagers, facsimiles, or email addresses. Parents, guardians, schools, and other entities may add contact points to the registry by registering the contact points with the Attorney General. The registration is for three years, and can be revoked or renewed upon notification to the Attorney General. The Attorney General shall take certain steps, as specified, to ensure the security of the registry.

The bill bans any person from sending a message to a contact point that has been registered for 30 days or more if the primary purpose of the message is to advertise or otherwise link to a message that advertises gambling, intoxicating liquor, tobacco products, vapor products, controlled substances, or material pornographic for minors. Sending this type of message is not prohibited if certain procedures are followed, as specified in the bill. The Attorney General is required to establish a mechanism for senders of such messages to verify compliance with the registry. If a person desires to send such a message, they must pay the Attorney General a fee for access to the mechanism for verifying compliance at a rate of 7/10 of one cent for each time a contact is checked. The revenues generated from these provisions will be disbursed as follows: 85% to the Child Protection Registry Fund and 15% to the Attorney General to investigate, enforce, and defend these provisions.

A person committing the offense of tampering with the Missouri Child Protection Registry shall be guilty of a class A misdemeanor. Additionally, civil action may be brought by certain individuals, as specified, who may recover either actual damages or the lesser of \$5,000 for each message received by the recipient or transmitted or \$250,000 for each day the violation occurs.

This bill shall become effective on January 1, 2018.

This bill is the same as HB 2636 (2016).