

HCS HB 1686 -- ACCESS TO COURT RECORDS

SPONSOR: DeGroot

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 13 to 3.

The following is a summary of the House Committee Substitute for HB 1686.

This bill specifies that the record for any offense reportable under Section 43.506, RSMo, or any ordinance violation must not be made available to the public unless a member of the public is using a kiosk at a particular courthouse. Such record may be included in any state courts automated case management system accessible to certain individuals as specified in the bill.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that any misdemeanor that does not involve violence will be moved to a higher security level so it will not be accessible to the public. CaseNet has turned into a big government database and people can access it for free and they can forever find out about charges that have been filed against everyone. This includes matters that have been nolle prossed. This can affect people's future employment and housing among other things.

Testifying for the bill was Representative Degroot.

OPPONENTS: Those who oppose the bill say that there is concern about the bill that when credit bureaus and employers do searches on Casenet, they do it after someone applying for a job gives consent to the background check. The concern is that maybe there can be an exemption to allow these searches for certain employers and bureaus. They are required by federal law to use this information for consumer reporting purposes and background checks; they are not allowed to use it for nefarious purposes. Witnesses ask the committee to consider additional legitimate exemptions like identity verification and for insurance purposes.

Testifying against the bill were RELX Inc. and Consumer Data Industry Association.

OTHERS: Others testifying on the bill say there is a way for insurance companies to get records already and they do not want

records that were dismissed; they want records for violations that include points.

Testifying on the bill was Missouri Insurance Coalition.