

# HOUSE COMMITTEE SUBSTITUTE #2 SS SB 327 (1595H.10C)

## Relating to the protection of children

Section	Original Bill	Status As of 4/27/21	Description
135.325, 135.326, 135.327, 135.335, 135.800, 143.1170, 191.975, 193.075, 210.150, 210.156, 211.447, 452.375, 453.014, 453.030, 453.040, 453.070, 37.710, 37.717	SS SB 327	Emerging Issues	This bill modifies several provisions relating to child placement, including: (1) Adoption tax credits; (2) Foster parent tax deductions; (3) Birth match; (4) Termination of parental rights; (5) Third party custody or visitation; (6) Adoption regulations; and (7) Adoption proceedings.
210.152	Similar in part to HCS HB 673 Coleman	Perfection Calendar Informal	This bill allows the office of Child Advocate to release findings for members of a multidisciplinary team relating to their professional performance.
160.263	HB 387 Bailey	Voted Do Pass out of Senate Education	This bill defines "restraint" and "seclusion" and requires school districts, charter schools, or publicly contracted private providers to include in policy a prohibition on the use of restraint and seclusion, including "prone restraint" as defined by the bill, for any purpose other than situations or conditions in which there is imminent danger of physical harm to self or others. Any incident requiring restraint or seclusion shall be monitored by school personnel with written observation The bill requires that before July 1, 2022 each school district, and charter school, or publicly contracted private providers policy shall include: (1) When to remove a child from restraint, seclusion, or isolation; (2) Requirement for annual mandatory training; (3) Reporting requirements for any occurrence of restraint, seclusion or isolation as outlined in the bill, including the reporting requirements for parental notification and providing a copy of each report to the Department of Elementary and Secondary Education (DESE); (4) Notification requirement for each occurrence of a restraint, seclusion, or isolation incident to parents or guardians within one hour after the end of school on the day the incident occurs. (5) Protections for individuals that report or provide information about violations of policy under this section.
210.115, 210.121	HCS HB 1276 Pike	Referred to Rules Legislative Oversight	This bill modifies mandated reporting for unaccompanied and homeless youth seeking supportive services so that the youth's status alone is not sufficient basis for reporting child abuse or neglect. The bill defines "supportive services" to include interventions, services, or resources necessary to assist unaccompanied youth, including food and shelter, counseling, case

			management, and legal services among other services outlined in the bill. The bill allows an unaccompanied youth to access supportive services as long as they are documented by a licensed mental health, counselor, or social worker as provided by the bill. The bill exempts persons who in good faith provided supportive services from civil and criminal action without permission from the youth's parent.
210.143, 210.493, 210.1250, 210.1253, 210.1256, 210.1259, 210.1262, 210.1263, 210.1264, 210.1265, 210.1268, 210.1271, 210.1274, 210.1280, 210.1283, 210.1286,	HB 557 Perfected Veit	Reported Do Pass out of Senate Seniors, Families, Veterans and Military Affairs	This bill adds a process by which an "exempt-from-licensure residential care facility", as defined in the bill, is required to notify the Department of Social Services (DSS) of their existence and compliance with provisions that protect the safety of the children in residence. These include: fire and safety inspections, local health department inspections, background checks, medical records for all residents, and information about schools serving the children. The bill provides courts the power to expand on orders to produce children in a facility if there is suspicion of abuse or neglect. This bill creates a process for DSS to provide background checks for licensed residential care facilities or child placing agencies and for residential care facilities subject to the notification requirements of 210.1250 to 210.1286 RSMo. Fingerprints are valid for 5 years and DSS will provide results to the applicant and to the facility or agency. The bill outlines what will make an applicant ineligible and provides applicants the right to appeal. When there are allegations of abuse or neglect in the residential facility, the bill outlines how the Department can petition a court for an order for a home to present a child that is the subject of a child abuse investigation. The bill specifies that any case in which a referral is made to a juvenile officer for removal of a child, a referral may also be made to the Attorney General. The bill further details that failure to comply with these provisions may result in fines, misdemeanor charges for failure to conduct background checks, and potential removal of children. The bill specifies that the Department may promulgate necessary rules that include a fee to cover the cost of the notification process. However, it is not permitted to regulate any religious program, curriculum, or ministry.
210.489	HB 1335 Sauls	Reported Do Pass out of Rules Administrative Oversight	This bill allows the Division of Children Services within the Department of Social Services to permit children to voluntarily reenter foster care if due to the child's age the child left care during the COVID-19 pandemic. The Division will provide children with notice of this option, facilitate the return to care, and conduct a public awareness campaign for children under 22 years of age, until September 30, 2021 or while there is a state of emergency due to the pandemic whichever is later.
211.261			This bill allows an appeal to the parent, guardian ad litem, or juvenile officer from any order changing or modifying the placement of a child.
452.410			Relates to the modification of custody orders.

568.045			Adds knowingly provides a controlled substance or a prescription drug without a prescription and creates a substantial risk to the life, body, or health of the child to the offense of endangering the welfare of a child in the first degree. Allows a child whose welfare is endangered, a parent or guardian of such a child, or a state agency that has custody of such a child, to bring a civil action against a person who plead guilty to or is found guilty of endangering the welfare of a child in the first degree.
589.042			Requires that a person required to register as a sexual offender give his or her probation or parole officer access to all of his or her personal devices capable of accessing the internet, not just his or her personal home computer as currently required by law.
Section B			The bill includes an emergency clause for immediate implementation to protect children.
210.143, 210.1256, 210.1271	HCA 2 Griesheimer		Adds circuit attorney where it currently only says prosecuting attorney. Clarifies that when requiring that a parent or guardian have access to children in a residential care facility that only applies to the children of the parent or guardian.
210.1300, 453.006, 475.056, 487.205	HCA 4 Aune  HB 1325 and HCS HB 485		<p>This bill prevents placement of a child in an adoptive, foster, or guardian's home to be denied or delayed due to use of medical marijuana or working in the industry in any capacity.</p> <p>This bill provides that a medical marijuana patient cannot be excluded from family court participation, including as a term or condition of successful completion, based solely on participation in Missouri's medical marijuana program. An individual's status as a qualified medical marijuana patient cannot be used to restrict or abridge custodial or parental rights to minor children in any family court proceeding.</p>
	HCA 5 Griesheimer		Changes the emergency clause to only apply to the language from HB 557, HB 1325, and HCS HB 485.