

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 186, Page 1, Section A, Line 6, by
2 inserting after said section and line the following:
3

4 "37.725. 1. Any files maintained by the advocate program shall be disclosed only at the
5 discretion of the child advocate; except that the identity of any complainant or recipient shall not be
6 disclosed by the office unless:

7 (1) The complainant or recipient, or the complainant's or recipient's legal representative,
8 consents in writing to such disclosure; ~~[or]~~

9 (2) Such disclosure is required by court order; or

10 (3) The disclosure is at the request of law enforcement as part of an investigation.

11 2. Any statement or communication made by the office relevant to a complaint received by,
12 proceedings before, or activities of the office and any complaint or information made or provided in
13 good faith by any person shall be absolutely privileged and such person shall be immune from suit.

14 3. Any representative of the office conducting or participating in any examination of a
15 complaint who knowingly and willfully discloses to any person other than the office, or those
16 persons authorized by the office to receive it, the name of any witness examined or any information
17 obtained or given during such examination is guilty of a class A misdemeanor. However, the office
18 conducting or participating in any examination of a complaint shall disclose the final result of the
19 examination with the consent of the recipient.

20 4. The office shall not be required to testify in any court with respect to matters held to be
21 confidential in this section except as the court may deem necessary to enforce the provisions of
22 sections 37.700 to 37.730, or where otherwise required by court order.

23 43.253. 1. Notwithstanding any other provision of law to the contrary, a minimum fee of six
24 dollars may be charged by the Missouri state highway patrol for a records request for a Missouri
25 Uniform Crash Report or Marine Accident Investigation Report where there are allowable fees of
26 less than six dollars under this chapter or chapter 610. Such six-dollar fee shall be in place of any
27 allowable fee of less than six dollars.

28 2. The superintendent of the Missouri state highway patrol may increase the minimum fee
29 described in this section by no more than one dollar every other year beginning August 28, 2024;
30 however, the minimum fee described in this section shall not exceed ten dollars.

31 43.400. As used in sections 43.400 to 43.410, the following terms mean:

Action Taken _____ Date _____

(1) "Missing child" or "missing juvenile", any person who is under the age of ~~seventeen~~ eighteen years or who is in foster care regardless of the person's age or who is an emancipated minor as defined in section 302.178, a homeless youth as defined in section 167.020, or an unaccompanied minor as defined in section 210.121, whose temporary or permanent residence is in the state of Missouri or who is believed to be within the state of Missouri, whose location has not been determined, and who has been reported as missing to a law enforcement agency;

(2) "Missing child report", a report prepared on a standard form supplied by the Missouri state highway patrol for the use by private citizens and law enforcement agencies to report missing children or missing juvenile information to the Missouri state highway patrol;

(3) "Missing person", a person who is missing and meets one of the following characteristics:

(a) Is physically or mentally disabled to the degree that the person is dependent upon an agency or another individual;

(b) Is missing under circumstances indicating that the missing person's safety may be in danger;

(c) Is missing under involuntary or unknown circumstances; subject to the provisions of (a), (b), (d), (e), and (f) of this subsection;

(d) Is a child or juvenile runaway from the residence of a parent, legal guardian, or custodian;

(e) Is a child and is missing under circumstances indicating that the person was or is in the presence of or under the control of a party whose presence or control was or is in violation of a permanent or temporary court order and fourteen or more days have elapsed, during which time the party has failed to file any pleading with the court seeking modification of the permanent or temporary court order;

(f) Is missing under circumstances indicating that the person was or is in the presence of or under the control of a party whose presence or control was or is in violation of a permanent or temporary court order and there are reasonable grounds to believe that the person may be taken outside of the United States;

(4) "Patrol", the Missouri state highway patrol;

(5) "Registrar", the state registrar of vital statistics.

43.401. 1. The reporting of missing persons by law enforcement agencies, private citizens, and the responsibilities of the patrol in maintaining accurate records of missing persons are as follows:

(1) A person may file a complaint of a missing person with a law enforcement agency having jurisdiction. The complaint shall include, but need not be limited to, the following information:

(a) The name of the complainant;

(b) The name, address, and phone number of the guardian, if any, of the missing person;

(c) The relationship of the complainant to the missing person;

1 (d) The name, age, address, and all identifying characteristics of the missing person;
 2 (e) The length of time the person has been missing; and
 3 (f) All other information deemed relevant by either the complainant or the law enforcement
 4 agency;

5 (2) A report of the complaint of a missing person shall be immediately entered into the
 6 Missouri uniform law enforcement system (MULES) and the National Crime Information Center
 7 (NCIC) system by the law enforcement agency receiving the complaint, and disseminated to other
 8 law enforcement agencies who may come in contact with or be involved in the investigation or
 9 location of a missing person;

10 (3) A law enforcement agency with which a complaint of a missing child has been filed
 11 shall prepare, as soon as practicable, a standard missing child report. The missing child report shall
 12 be maintained as a record by the reporting law enforcement agency during the course of an active
 13 investigation;

14 (4) Upon the location of a missing person, or the determination by the law enforcement
 15 agency of jurisdiction that the person is no longer missing, the law enforcement agency which
 16 reported the missing person shall immediately remove the record of the missing person from the
 17 MULES and NCIC files.

18 2. No law enforcement agency shall prevent an immediate active investigation on the basis
 19 of an agency rule which specifies an automatic time limitation for a missing person investigation.

20 3. Any agency or placement provider with the care and custody of a child who is missing
 21 shall file a missing child complaint with the appropriate law enforcement agency within two hours
 22 of determining the child to be missing. The law enforcement agency shall immediately submit
 23 information as to the missing child to the National Center for Missing and Exploited Children
 24 (NCMEC) including, but not limited to, the name, date of birth, sex, race, height, weight, and eye
 25 and hair color of the child; a recent photograph of the child; and the date and location of the last
 26 known contact with the child. The law enforcement agency shall institute a proper investigation and
 27 search for the missing child and maintain contact with the agency or placement provider making the
 28 missing child complaint. The missing child's entry shall not be removed from any database or
 29 system until the child is found or the case is closed.

30 43.539. 1. As used in this section, the following terms mean:

31 (1) "Applicant", a person who:

- 32 (a) Is actively employed by or seeks employment with a qualified entity;
- 33 (b) Is actively licensed or seeks licensure with a qualified entity;
- 34 (c) Actively volunteers or seeks to volunteer with a qualified entity;
- 35 (d) Is actively contracted with or seeks to contract with a qualified entity; or
- 36 (e) Owns or operates a qualified entity;

37 (2) "Care", the provision of care, treatment, education, training, instruction, supervision, or
 38 recreation to children, the elderly, or disabled persons;

1 (3) "Missouri criminal record review", a review of criminal history records and sex offender
2 registration records under sections 589.400 to 589.425 maintained by the Missouri state highway
3 patrol in the Missouri criminal records repository;

4 (4) "Missouri Rap Back program", any type of automatic notification made by the Missouri
5 state highway patrol to a qualified entity indicating that an applicant who is employed, licensed, or
6 otherwise under the purview of that entity has been arrested for a reported criminal offense in
7 Missouri as required under section 43.506;

8 (5) "National criminal record review", a review of the criminal history records maintained
9 by the Federal Bureau of Investigation;

10 (6) "National Rap Back program", any type of automatic notification made by the Federal
11 Bureau of Investigation through the Missouri state highway patrol to a qualified entity indicating
12 that an applicant who is employed, licensed, or otherwise under the purview of that entity has been
13 arrested for a reported criminal offense outside the state of Missouri and the fingerprints for that
14 arrest were forwarded to the Federal Bureau of Investigation by the arresting agency;

15 (7) "Patient or resident", a person who by reason of age, illness, disease, or physical or
16 mental infirmity receives or requires care or services furnished by an applicant, as defined in this
17 section, or who resides or boards in, or is otherwise kept, cared for, treated, or accommodated in a
18 facility as defined in section 198.006, for a period exceeding twenty-four consecutive hours;

19 (8) "Qualified entity", a person, business, or organization that provides care, care placement,
20 or educational services for children, the elderly, or persons with disabilities as patients or residents,
21 including a business or organization that licenses or certifies others to provide care or care
22 placement services;

23 (9) "Youth services agency", any agency, school, or association that provides programs,
24 care, or treatment for or exercises supervision over minors.

25 2. The central repository shall have the authority to submit applicant fingerprints to the
26 National Rap Back program to be retained for the purpose of being searched against future
27 submissions to the National Rap Back program, including latent fingerprint searches. Qualified
28 entities may conduct Missouri and national criminal record reviews on applicants and participate in
29 Missouri and National Rap Back programs for the purpose of determining suitability or fitness for a
30 permit, license, or employment, and shall abide by the following requirements:

31 (1) The qualified entity shall register with the Missouri state highway patrol prior to
32 submitting a request for screening under this section. As part of the registration, the qualified entity
33 shall indicate if it chooses to enroll applicants in the Missouri and National Rap Back programs;

34 (2) Qualified entities shall notify applicants subject to a criminal record review under this
35 section that the applicant's fingerprints shall be retained by the state central repository and the
36 Federal Bureau of Investigation and shall be searched against other fingerprints on file, including
37 latent fingerprints;

38 (3) Qualified entities shall notify applicants subject to enrollment in the National Rap Back
39 program that the applicant's fingerprints, while retained, may continue to be compared against other

1 fingerprints submitted or retained by the Federal Bureau of Investigation, including latent
2 fingerprints;

3 (4) The criminal record review and Rap Back process described in this section shall be
4 voluntary and conform to the requirements established in the National Child Protection Act of 1993,
5 as amended, and other applicable state or federal law. As a part of the registration, the qualified
6 entity shall agree to comply with state and federal law and shall indicate so by signing an agreement
7 approved by the Missouri state highway patrol. The Missouri state highway patrol may periodically
8 audit qualified entities to ensure compliance with federal law and this section;

9 (5) A qualified entity shall submit to the Missouri state highway patrol a request for
10 screening on applicants covered under this section using a completed fingerprint card;

11 (6) Each request shall be accompanied by a reasonable fee, as provided in section 43.530,
12 plus the amount required, if any, by the Federal Bureau of Investigation for the national criminal
13 record review and enrollment in the National Rap Back program in compliance with the National
14 Child Protection Act of 1993, as amended, and other applicable state or federal laws;

15 (7) The Missouri state highway patrol shall provide, directly to the qualified entity, the
16 applicant's state criminal history records that are not exempt from disclosure under chapter 610 or
17 otherwise confidential under law;

18 (8) The national criminal history data shall be available to qualified entities to use only for
19 the purpose of screening applicants as described under this section. The Missouri state highway
20 patrol shall provide the applicant's national criminal history record information directly to the
21 qualified entity;

22 (9) The determination whether the criminal history record shows that the applicant has been
23 convicted of or has a pending charge for any crime that bears upon the fitness of the applicant to
24 have responsibility for the safety and well-being of children, the elderly, or disabled persons shall be
25 made solely by the qualified entity. This section shall not require the Missouri state highway patrol
26 to make such a determination on behalf of any qualified entity;

27 (10) The qualified entity shall notify the applicant, in writing, of his or her right to obtain a
28 copy of any criminal record review, including the criminal history records, if any, contained in the
29 report and of the applicant's right to challenge the accuracy and completeness of any information
30 contained in any such report and obtain a determination as to the validity of such challenge before a
31 final determination regarding the applicant is made by the qualified entity reviewing the criminal
32 history information. A qualified entity that is required by law to apply screening criteria, including
33 any right to contest or request an exemption from disqualification, shall apply such screening
34 criteria to the state and national criminal history record information received from the Missouri state
35 highway patrol for those applicants subject to the required screening; and

36 (11) Failure to obtain the information authorized under this section, with respect to an
37 applicant, shall not be used as evidence in any negligence action against a qualified entity. The
38 state, any political subdivision of the state, or any agency, officer, or employee of the state or a

1 political subdivision shall not be liable for damages for providing the information requested under
2 this section.

3 3. The criminal record review shall include the submission of fingerprints to the Missouri
4 state highway patrol, who shall conduct a Missouri criminal record review, including closed record
5 information under section 610.120. The Missouri state highway patrol shall also forward a copy of
6 the applicant's fingerprints to the Federal Bureau of Investigation for a national criminal record
7 review.

8 4. The applicant subject to a criminal record review shall provide the following information
9 to the qualified entity:

10 (1) Consent to obtain the applicant's fingerprints, conduct the criminal record review, and
11 participate in the Missouri and National Rap Back programs;

12 (2) Consent to obtain the identifying information required to conduct the criminal record
13 review, which may include, but not be limited to:

14 (a) Name;

15 (b) Date of birth;

16 (c) Height;

17 (d) Weight;

18 (e) Eye color;

19 (f) Hair color;

20 (g) Gender;

21 (h) Race;

22 (i) Place of birth;

23 (j) Social Security number; and

24 (k) The applicant's photo.

25 5. Any information received by an authorized state agency or a qualified entity under the
26 provisions of this section shall be used solely for internal purposes in determining the suitability of
27 an applicant. The dissemination of criminal history information from the Federal Bureau of
28 Investigation beyond the authorized state agency or related governmental entity is prohibited. All
29 criminal record check information shall be confidential, and any person who discloses the
30 information beyond the scope allowed is guilty of a class A misdemeanor.

31 6. A qualified entity enrolled in either the Missouri or National Rap Back program shall be
32 notified by the Missouri state highway patrol that a new arrest has been reported on an applicant
33 who is employed, licensed, or otherwise under the purview of the qualified entity. Upon receiving
34 the Rap Back notification, if the qualified entity deems that the applicant is still serving in an active
35 capacity, the entity may request and receive the individual's updated criminal history record. This
36 process shall only occur if:

37 (1) The entity has abided by all procedures and rules promulgated by the Missouri state
38 highway patrol and Federal Bureau of Investigation regarding the Missouri and National Rap Back
39 programs;

(2) The individual upon whom the Rap Back notification is being made has previously had a Missouri and national criminal record review completed for the qualified entity under this section [~~within the previous six years~~]; and

(3) The individual upon whom the Rap Back notification is being made is a current employee, licensee, or otherwise still actively under the purview of the qualified entity.

7. The Missouri state highway patrol shall make available or approve the necessary forms, procedures, and agreements necessary to implement the provisions of this section.

43.540. 1. As used in this section, the following terms mean:

(1) "Applicant", a person who:

(a) Is actively employed by or seeks employment with a qualified entity;

(b) Is actively licensed or seeks licensure with a qualified entity;

(c) Actively volunteers or seeks to volunteer with a qualified entity; or

(d) Is actively contracted with or seeks to contract with a qualified entity;

(2) "Missouri criminal record review", a review of criminal history records and sex offender registration records pursuant to sections 589.400 to 589.425 maintained by the Missouri state highway patrol in the Missouri criminal records repository;

(3) "Missouri Rap Back program", shall include any type of automatic notification made by the Missouri state highway patrol to a qualified entity indicating that an applicant who is employed, licensed, or otherwise under the purview of that entity has been arrested for a reported criminal offense in Missouri as required under section 43.506;

(4) "National criminal record review", a review of the criminal history records maintained by the Federal Bureau of Investigation;

(5) "National Rap Back program", shall include any type of automatic notification made by the Federal Bureau of Investigation through the Missouri state highway patrol to a qualified entity indicating that an applicant who is employed, licensed, or otherwise under the purview of that entity has been arrested for a reported criminal offense outside the state of Missouri and the fingerprints for that arrest were forwarded to the Federal Bureau of Investigation by the arresting agency;

(6) "Qualified entity", an entity that is:

(a) An office or division of state, county, or municipal government, including a political subdivision or a board or commission designated by statute or approved local ordinance, to issue or renew a license, permit, certification, or registration of authority;

(b) An office or division of state, county, or municipal government, including a political subdivision or a board or commission designated by statute or approved local ordinance, to make fitness determinations on applications for state, county, or municipal government employment; or

(c) Any entity that is authorized to obtain criminal history record information under 28 CFR 20.33.

2. The central repository shall have the authority to submit applicant fingerprints to the National Rap Back program to be retained for the purpose of being searched against future submissions to the National Rap Back program, including latent fingerprint searches. Qualified

1 entities may conduct Missouri and national criminal record reviews on applicants and participate in
2 Missouri and National Rap Back programs for the purpose of determining suitability or fitness for a
3 permit, license, or employment, and shall abide by the following requirements:

4 (1) The qualified entity shall register with the Missouri state highway patrol prior to
5 submitting a request for screening under this section. As part of such registration, the qualified
6 entity shall indicate if it chooses to enroll their applicants in the Missouri and National Rap Back
7 programs;

8 (2) Qualified entities shall notify applicants subject to a criminal record review under this
9 section that the applicant's fingerprints shall be retained by the state central repository and the
10 Federal Bureau of Investigation and shall be searched against other fingerprints on file, including
11 latent fingerprints;

12 (3) Qualified entities shall notify applicants subject to enrollment in the National Rap Back
13 program that the applicant's fingerprints, while retained, may continue to be compared against other
14 fingerprints submitted or retained by the Federal Bureau of Investigation, including latent
15 fingerprints;

16 (4) The criminal record review and Rap Back process described in this section shall be
17 voluntary and conform to the requirements established in Pub. L. 92-544 and other applicable state
18 or federal law. As a part of the registration, the qualified entity shall agree to comply with state and
19 federal law and shall indicate so by signing an agreement approved by the Missouri state highway
20 patrol. The Missouri state highway patrol may periodically audit qualified entities to ensure
21 compliance with federal law and this section;

22 (5) A qualified entity shall submit to the Missouri state highway patrol a request for
23 screening on applicants covered under this section using a completed fingerprint card;

24 (6) Each request shall be accompanied by a reasonable fee, as provided in section 43.530,
25 plus the amount required, if any, by the Federal Bureau of Investigation for the national criminal
26 record review and enrollment in the National Rap Back program in compliance with applicable state
27 or federal laws;

28 (7) The Missouri state highway patrol shall provide, directly to the qualified entity, the
29 applicant's state criminal history records that are not exempt from disclosure under chapter 610 or
30 are otherwise confidential under law;

31 (8) The national criminal history data shall be available to qualified entities to use only for
32 the purpose of screening applicants as described under this section. The Missouri state highway
33 patrol shall provide the applicant's national criminal history record information directly to the
34 qualified entity;

35 (9) This section shall not require the Missouri state highway patrol to make an eligibility
36 determination on behalf of any qualified entity;

37 (10) The qualified entity shall notify the applicant, in writing, of his or her right to obtain a
38 copy of any criminal record review, including the criminal history records, if any, contained in the
39 report, and of the applicant's right to challenge the accuracy and completeness of any information

1 contained in any such report and to obtain a determination as to the validity of such challenge before
2 a final determination regarding the applicant is made by the qualified entity reviewing the criminal
3 history information. A qualified entity that is required by law to apply screening criteria, including
4 any right to contest or request an exemption from disqualification, shall apply such screening
5 criteria to the state and national criminal history record information received from the Missouri state
6 highway patrol for those applicants subject to the required screening; and

7 (11) Failure to obtain the information authorized under this section with respect to an
8 applicant shall not be used as evidence in any negligence action against a qualified entity. The state,
9 any political subdivision of the state, or any agency, officer, or employee of the state or a political
10 subdivision shall not be liable for damages for providing the information requested under this
11 section.

12 3. The criminal record review shall include the submission of fingerprints to the Missouri
13 state highway patrol, who shall conduct a Missouri criminal record review, including closed record
14 information under section 610.120. The Missouri state highway patrol shall also forward a copy of
15 the applicant's fingerprints to the Federal Bureau of Investigation for a national criminal record
16 review.

17 4. The applicant subject to a criminal record review shall provide the following information
18 to the qualified entity:

19 (1) Consent to obtain the applicant's fingerprints, conduct the criminal record review, and
20 participate in the Missouri and National Rap Back programs;

21 (2) Consent to obtain the identifying information required to conduct the criminal record
22 review, which may include, but not be limited to:

23 (a) Name;

24 (b) Date of birth;

25 (c) Height;

26 (d) Weight;

27 (e) Eye color;

28 (f) Hair color;

29 (g) Gender;

30 (h) Race;

31 (i) Place of birth;

32 (j) Social Security number; and

33 (k) The applicant's photo.

34 5. Any information received by an authorized state agency or a qualified entity pursuant to
35 the provisions of this section shall be used solely for internal purposes in determining the suitability
36 of an applicant. The dissemination of criminal history information from the Federal Bureau of
37 Investigation beyond the authorized state agency or related governmental entity is prohibited. All
38 criminal record check information shall be confidential and any person who discloses the
39 information beyond the scope allowed is guilty of a class A misdemeanor.

6. A qualified entity enrolled in either the Missouri or National Rap Back programs shall be notified by the Missouri state highway patrol that a new arrest has been reported on an applicant who is employed, licensed, or otherwise under the purview of the qualified entity. Upon receiving the Rap Back notification, if the qualified entity deems that the applicant is still serving in an active capacity, the entity may request and receive the individual's updated criminal history record. This process shall only occur if:

(1) The agency has abided by all procedures and rules promulgated by the Missouri state highway patrol and Federal Bureau of Investigation regarding the Missouri and National Rap Back programs;

(2) The individual upon whom the Rap Back notification is being made has previously had a Missouri and national criminal record review completed for the qualified entity under this section ~~[within the previous six years]~~; and

(3) The individual upon whom the Rap Back notification is being made is a current employee, licensee, or otherwise still actively under the purview of the qualified entity.

7. The highway patrol shall make available or approve the necessary forms, procedures, and agreements necessary to implement the provisions of this section."; and

Further amend said bill, Page 3, Section 56.601, Line 50, by inserting after said section and line the following:

"57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section. The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars in any calendar year shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff[, or any other person specially appointed to serve in a county that receives funds under section 57.278,] shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff[, or any other person specially appointed to serve in a county that receives funds under section 57.278,] under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278. Any other person specially appointed to serve in a county shall execute and deliver to the circuit clerk, along with the confirmation of service, a signed and notarized affidavit of confirmation, made under penalty of perjury, that includes the amount, check number, and date of payment to evidence payment was made to the sheriff for the deputy sheriff salary supplementation fund as required by this subsection.

5. Notwithstanding the provisions of subsection 3 of this section, the court clerk shall collect ten dollars as a court cost for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section if any person other than a sheriff is specially appointed to serve in a county that receives funds under section 57.278. The moneys received by the court clerk under this subsection shall be paid into the county treasury and the county treasurer shall make such

1 moneys payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy
 2 sheriff salary supplementation fund created under section 57.278.

3 [5.] 6. Sheriffs shall receive up to fifty dollars for service of any summons, writ, or other
 4 order of the court in connection with any eviction proceeding, in addition to the charge for such
 5 service that each sheriff receives under this section. All of such charges shall be received by the
 6 sheriff who is requested to perform the service and shall be paid to the county treasurer in a fund
 7 established by the county treasurer, which may be expended at the discretion of the sheriff for the
 8 furtherance of the sheriff's set duties. All charges shall be payable prior to the time the service is
 9 rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff
 10 shall receive a deposit based upon the likely amount of such charge, and the balance of such charge
 11 shall be payable immediately upon ascertainment of the proper amount of said charge.

12 67.145. 1. No political subdivision of this state shall prohibit any first responder from
 13 engaging in any political activity while off duty and not in uniform, being a candidate for elected or
 14 appointed public office, or holding such office unless such political activity or candidacy is
 15 otherwise prohibited by state or federal law.

16 2. As used in this section, "first responder" means any person trained and authorized by law
 17 or rule to render emergency medical assistance or treatment. Such persons may include, but shall
 18 not be limited to, emergency first responders, telecommunicator first responders, police officers,
 19 sheriffs, deputy sheriffs, firefighters, ambulance attendants and attendant drivers, emergency
 20 medical technicians, mobile emergency medical technicians, emergency medical technician-
 21 paramedics, registered nurses, or physicians.

22 70.631. 1. Each political subdivision may, by majority vote of its governing body, elect to
 23 cover ~~[emergency telecommunicators]~~ telecommunicator first responders, jailors, and emergency
 24 medical service personnel as public safety personnel members of the system. The clerk or secretary
 25 of the political subdivision shall certify an election concerning the coverage of ~~[emergency~~
 26 ~~telecommunicators]~~ telecommunicator first responders, jailors, and emergency medical service
 27 personnel as public safety personnel members of the system to the board within ten days after such
 28 vote. The date in which the political subdivision's election becomes effective shall be the first day
 29 of the calendar month specified by such governing body, the first day of the calendar month next
 30 following receipt by the board of the certification of the election, or the effective date of the political
 31 subdivision's becoming an employer, whichever is the latest date. Such election shall not be
 32 changed after the effective date. If the election is made, the coverage provisions shall be applicable
 33 to all past and future employment with the employer by present and future employees. If a political
 34 subdivision makes no election under this section, no ~~[emergency]~~ telecommunicator first responder,
 35 jailor, or emergency medical service personnel of the political subdivision shall be considered public
 36 safety personnel for purposes determining a minimum service retirement age as defined in section
 37 70.600.

38 2. If an employer elects to cover ~~[emergency telecommunicators]~~ telecommunicator first
 39 responders, jailors, and emergency medical service personnel as public safety personnel members of

1 the system, the employer's contributions shall be correspondingly changed effective the same date as
 2 the effective date of the political subdivision's election.

3 3. The limitation on increases in an employer's contributions provided by subsection 6 of
 4 section 70.730 shall not apply to any contribution increase resulting from an employer making an
 5 election under the provisions of this section.

6 84.344. 1. Notwithstanding any provisions of this chapter to the contrary, any city not
 7 within a county may establish a municipal police force on or after July 1, 2013, according to the
 8 procedures and requirements of this section. The purpose of these procedures and requirements is to
 9 provide for an orderly and appropriate transition in the governance of the police force and provide
 10 for an equitable employment transition for commissioned and civilian personnel.

11 2. Upon the establishment of a municipal police force by a city under sections 84.343 to
 12 84.346, the board of police commissioners shall convey, assign, and otherwise transfer to the city
 13 title and ownership of all indebtedness and assets, including, but not limited to, all funds and real
 14 and personal property held in the name of or controlled by the board of police commissioners
 15 created under sections 84.010 to 84.340. The board of police commissioners shall execute all
 16 documents reasonably required to accomplish such transfer of ownership and obligations.

17 3. If the city establishes a municipal police force and completes the transfer described in
 18 subsection 2 of this section, the city shall provide the necessary funds for the maintenance of the
 19 municipal police force.

20 4. Before a city not within a county may establish a municipal police force under this
 21 section, the city shall adopt an ordinance accepting responsibility, ownership, and liability as
 22 successor-in-interest for contractual obligations, indebtedness, and other lawful obligations of the
 23 board of police commissioners subject to the provisions of subsection 2 of section 84.345.

24 5. A city not within a county that establishes a municipal police force shall initially employ,
 25 without a reduction in rank, salary, or benefits, all commissioned and civilian personnel of the board
 26 of police commissioners created under sections 84.010 to 84.340 that were employed by the board
 27 immediately prior to the date the municipal police force was established. Such commissioned
 28 personnel who previously were employed by the board may only be involuntarily terminated by the
 29 city not within a county for cause. The city shall also recognize all accrued years of service that
 30 such commissioned and civilian personnel had with the board of police commissioners. Such
 31 personnel shall be entitled to the same holidays, vacation, and sick leave they were entitled to as
 32 employees of the board of police commissioners.

33 6. ~~[(4)]~~ Commissioned and civilian personnel of a municipal police force established under
 34 this section ~~[who are hired prior to September 1, 2023,]~~ shall not be subject to a residency
 35 requirement of retaining a primary residence in a city not within a county but may be required to
 36 maintain a primary residence located within a one-hour response time.

37 ~~[(2)]~~ Commissioned and civilian personnel of a municipal police force established under this
 38 section ~~who are hired after August 31, 2023, may be subject to a residency rule no more restrictive~~
 39 ~~than a requirement of retaining a primary residence in a city not within a county for a total of seven~~

1 ~~years and of then allowing the personnel to maintain a primary residence outside the city not within~~
2 ~~a county so long as the primary residence is located within a one-hour response time.]~~

3 7. The commissioned and civilian personnel who retire from service with the board of police
4 commissioners before the establishment of a municipal police force under subsection 1 of this
5 section shall continue to be entitled to the same pension benefits provided under chapter 86 and the
6 same benefits set forth in subsection 5 of this section.

7 8. If the city not within a county elects to establish a municipal police force under this
8 section, the city shall establish a separate division for the operation of its municipal police force.
9 The civil service commission of the city may adopt rules and regulations appropriate for the unique
10 operation of a police department. Such rules and regulations shall reserve exclusive authority over
11 the disciplinary process and procedures affecting commissioned officers to the civil service
12 commission; however, until such time as the city adopts such rules and regulations, the
13 commissioned personnel shall continue to be governed by the board of police commissioner's rules
14 and regulations in effect immediately prior to the establishment of the municipal police force, with
15 the police chief acting in place of the board of police commissioners for purposes of applying the
16 rules and regulations. Unless otherwise provided for, existing civil service commission rules and
17 regulations governing the appeal of disciplinary decisions to the civil service commission shall
18 apply to all commissioned and civilian personnel. The civil service commission's rules and
19 regulations shall provide that records prepared for disciplinary purposes shall be confidential, closed
20 records available solely to the civil service commission and those who possess authority to conduct
21 investigations regarding disciplinary matters pursuant to the civil service commission's rules and
22 regulations. A hearing officer shall be appointed by the civil service commission to hear any such
23 appeals that involve discipline resulting in a suspension of greater than fifteen days, demotion, or
24 termination, but the civil service commission shall make the final findings of fact, conclusions of
25 law, and decision which shall be subject to any right of appeal under chapter 536.

26 9. A city not within a county that establishes and maintains a municipal police force under
27 this section:

28 (1) Shall provide or contract for life insurance coverage and for insurance benefits providing
29 health, medical, and disability coverage for commissioned and civilian personnel of the municipal
30 police force to the same extent as was provided by the board of police commissioners under section
31 84.160;

32 (2) Shall provide or contract for medical and life insurance coverage for any commissioned
33 or civilian personnel who retired from service with the board of police commissioners or who were
34 employed by the board of police commissioners and retire from the municipal police force of a city
35 not within a county to the same extent such medical and life insurance coverage was provided by the
36 board of police commissioners under section 84.160;

37 (3) Shall make available medical and life insurance coverage for purchase to the spouses or
38 dependents of commissioned and civilian personnel who retire from service with the board of police
39 commissioners or the municipal police force and deceased commissioned and civilian personnel

1 who receive pension benefits under sections 86.200 to 86.366 at the rate that such dependent's or
 2 spouse's coverage would cost under the appropriate plan if the deceased were living; and

3 (4) May pay an additional shift differential compensation to commissioned and civilian
 4 personnel for evening and night tours of duty in an amount not to exceed ten percent of the officer's
 5 base hourly rate.

6 10. A city not within a county that establishes a municipal police force under sections
 7 84.343 to 84.346 shall establish a transition committee of five members for the purpose of:
 8 coordinating and implementing the transition of authority, operations, assets, and obligations from
 9 the board of police commissioners to the city; winding down the affairs of the board; making
 10 nonbinding recommendations for the transition of the police force from the board to the city; and
 11 other related duties, if any, established by executive order of the city's mayor. Once the ordinance
 12 referenced in this section is enacted, the city shall provide written notice to the board of police
 13 commissioners and the governor of the state of Missouri. Within thirty days of such notice, the
 14 mayor shall appoint three members to the committee, two of whom shall be members of a statewide
 15 law enforcement association that represents at least five thousand law enforcement officers. The
 16 remaining members of the committee shall include the police chief of the municipal police force and
 17 a person who currently or previously served as a commissioner on the board of police
 18 commissioners, who shall be appointed to the committee by the mayor of such city.

19 160.660. 1. ~~[On or before July 1, 2001,]~~ The state board of education shall add to any
 20 school facilities and safety criteria developed for the Missouri school improvement program
 21 provisions that require:

22 (1) Each school district's designated safety coordinator to have a thorough knowledge of all
 23 federal, state and local school violence prevention programs and resources available to students,
 24 teachers or staff in the district; ~~[and]~~

25 (2) Each school district to fully utilize all such programs and resources that the local school
 26 board or its designee determines are necessary and cost-effective for the school district; and

27 (3) Beginning in the 2024-25 school year, each school district building to have bullet-
 28 resistant doors and windows on all first-floor entryways and bullet resistant glass for each exterior
 29 window large enough for an intruder to enter through.

30 2. The provisions of subdivision (3) of subsection 1 of this section shall be subject to a
 31 specific appropriation to address school safety.

32 3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
 33 under the authority delegated in this section shall become effective only if it complies with and is
 34 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
 35 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
 36 chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently
 37 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 38 August 28, 2000, shall be invalid and void.

170.310. 1. For school year 2017-18 and each school year thereafter, upon graduation from high school, pupils in public schools and charter schools shall have received thirty minutes of cardiopulmonary resuscitation instruction and training in the proper performance of the Heimlich maneuver or other first aid for choking given any time during a pupil's four years of high school.

2. Beginning in school year 2017-18, any public school or charter school serving grades nine through twelve shall provide enrolled students instruction in cardiopulmonary resuscitation. Students with disabilities may participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act (29 U.S.C. Section 794), as amended. Instruction shall be included in the district's existing health or physical education curriculum. Instruction shall be based on a program established by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines, and psychomotor skills development shall be incorporated into the instruction. For purposes of this section, "psychomotor skills" means the use of hands-on practicing and skills testing to support cognitive learning.

3. The teacher of the cardiopulmonary resuscitation course or unit shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing. For purposes of this subsection, "first responders" shall include telecommunicator first responders as defined in section 650.320.

4. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

190.091. 1. As used in this section, the following terms mean:

(1) "Bioterrorism", the intentional use of any microorganism, virus, infectious substance, or biological product that may be engineered as a result of biotechnology or any naturally occurring or bioengineered component of any microorganism, virus, infectious substance, or biological product to cause death, disease, or other biological malfunction in a human, an animal, a plant, or any other living organism to influence the conduct of government or to intimidate or coerce a civilian population;

(2) "Department", the Missouri department of health and senior services;

(3) "Director", the director of the department of health and senior services;

1 (4) "Disaster locations", any geographical location where a bioterrorism attack, terrorist
2 attack, catastrophic or natural disaster, or emergency occurs;

3 (5) "First responders", state and local law enforcement personnel, telecommunicator first
4 responders, fire department personnel, and emergency medical personnel who will be deployed to
5 bioterrorism attacks, terrorist attacks, catastrophic or natural disasters, and emergencies.

6 2. The department shall offer a vaccination program for first responders who may be
7 exposed to infectious diseases when deployed to disaster locations as a result of a bioterrorism event
8 or a suspected bioterrorism event. The vaccinations shall include, but are not limited to, smallpox,
9 anthrax, and other vaccinations when recommended by the federal Centers for Disease Control and
10 Prevention's Advisory Committee on Immunization Practices.

11 3. Participation in the vaccination program shall be voluntary by the first responders, except
12 for first responders who, as determined by their employer, cannot safely perform emergency
13 responsibilities when responding to a bioterrorism event or suspected bioterrorism event without
14 being vaccinated. The recommendations of the Centers for Disease Control and Prevention's
15 Advisory Committee on Immunization Practices shall be followed when providing appropriate
16 screening for contraindications to vaccination for first responders. A first responder shall be exempt
17 from vaccinations when a written statement from a licensed physician is presented to their employer
18 indicating that a vaccine is medically contraindicated for such person.

19 4. If a shortage of the vaccines referred to in subsection 2 of this section exists following a
20 bioterrorism event or suspected bioterrorism event, the director, in consultation with the governor
21 and the federal Centers for Disease Control and Prevention, shall give priority for such vaccinations
22 to persons exposed to the disease and to first responders who are deployed to the disaster location.

23 5. The department shall notify first responders concerning the availability of the vaccination
24 program described in subsection 2 of this section and shall provide education to such first
25 responders and their employers concerning the vaccinations offered and the associated diseases.

26 6. The department may contract for the administration of the vaccination program described
27 in subsection 2 of this section with health care providers, including but not limited to local public
28 health agencies, hospitals, federally qualified health centers, and physicians.

29 7. The provisions of this section shall become effective upon receipt of federal funding or
30 federal grants which designate that the funding is required to implement vaccinations for first
31 responders in accordance with the recommendations of the federal Centers for Disease Control and
32 Prevention's Advisory Committee on Immunization Practices. Upon receipt of such funding, the
33 department shall make available the vaccines to first responders as provided in this section.

34 193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall
35 pay a fee of fourteen dollars for the first certification or copy and a fee of eleven dollars for each
36 additional copy ordered at that time. For the issuance of a certification or copy of a birth, marriage,
37 divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. No fee shall be
38 required or collected for a certification of birth, death, or marriage if the request for certification is
39 made by the children's division, the division of youth services, a guardian ad litem, or a juvenile

1 officer on behalf of a child or person under twenty-one years of age who has come under the
2 jurisdiction of the juvenile court under section 211.031. All fees collected under this subsection
3 shall be deposited to the state department of revenue. Beginning August 28, 2004, for each vital
4 records fee collected, the director of revenue shall credit four dollars to the general revenue fund,
5 five dollars to the children's trust fund, one dollar shall be credited to the endowed care cemetery
6 audit fund, one dollar for each certification or copy of death records to the Missouri state coroners'
7 training fund established in section 58.208, and three dollars for the first copy of death records and
8 five dollars for birth, marriage, divorce, and fetal death records shall be credited to the Missouri
9 public health services fund established in section 192.900. Money in the endowed care cemetery
10 audit fund shall be available by appropriation to the division of professional registration to pay its
11 expenses in administering sections 214.270 to 214.410. All interest earned on money deposited in
12 the endowed care cemetery audit fund shall be credited to the endowed care cemetery fund.
13 Notwithstanding the provisions of section 33.080 to the contrary, money placed in the endowed care
14 cemetery audit fund shall not be transferred and placed to the credit of general revenue until the
15 amount in the fund at the end of the biennium exceeds three times the amount of the appropriation
16 from the endowed care cemetery audit fund for the preceding fiscal year. The money deposited in
17 the public health services fund under this section shall be deposited in a separate account in the
18 fund, and moneys in such account, upon appropriation, shall be used to automate and improve the
19 state vital records system, and develop and maintain an electronic birth and death registration
20 system. For any search of the files and records, when no record is found, the state shall be entitled
21 to a fee equal to the amount for a certification of a vital record for a five-year search to be paid by
22 the applicant. For the processing of each legitimation, adoption, court order or recording after the
23 registrant's twelfth birthday, the state shall be entitled to a fee equal to the amount for a certification
24 of a vital record. Except whenever a certified copy or copies of a vital record is required to perfect
25 any claim of any person on relief, or any dependent of any person who was on relief for any claim
26 upon the government of the state or United States, the state registrar shall, upon request, furnish a
27 certified copy or so many certified copies as are necessary, without any fee or compensation
28 therefor.

29 2. For the issuance of a certification of a death record by the local registrar, the applicant
30 shall pay a fee of fourteen dollars for the first certification or copy and a fee of eleven dollars for
31 each additional copy ordered at that time. For each fee collected under this subsection, one dollar
32 shall be deposited to the state department of revenue and the remainder shall be deposited to the
33 official city or county health agency. The director of revenue shall credit all fees deposited to the
34 state department of revenue under this subsection to the Missouri state coroners' training fund
35 established in section 58.208.

36 3. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death
37 record, the applicant shall pay a fee of fifteen dollars; except that, in any county with a charter form
38 of government and with more than six hundred thousand but fewer than seven hundred thousand
39 inhabitants, a donation of one dollar may be collected by the local registrar over and above any fees

required by law when a certification or copy of any marriage license or birth certificate is provided, with such donations collected to be forwarded monthly by the local registrar to the county treasurer of such county and the donations so forwarded to be deposited by the county treasurer into the housing resource commission fund to assist homeless families and provide financial assistance to organizations addressing homelessness in such county. The local registrar shall include a check-off box on the application form for such copies. All fees collected under this subsection, other than the donations collected in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants for marriage licenses and birth certificates, shall be deposited to the official city or county health agency.

4. A certified copy of a death record by the local registrar can only be issued within twenty-four hours of receipt of the record by the local registrar. Computer-generated certifications of death records may be issued by the local registrar after twenty-four hours of receipt of the records. The fees paid to the official county health agency shall be retained by the local agency for local public health purposes.

5. No fee under this section shall be required or collected from a parent or guardian of a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or an unaccompanied youth, as defined in 42 U.S.C. Section 11434a(6), for the issuance of a certification, or copy of such certification, of birth of such child or youth. An unaccompanied youth shall be eligible to receive a certification or copy of his or her own birth record without the consent or signature of his or her parent or guardian; provided, that only one certificate under this provision shall be provided without cost to the unaccompanied or homeless youth. For the issuance of any additional certificates, the statutory fee shall be paid.

6. No fee shall be required or collected for a certification of birth, death, or marriage if the request for certification is made by a prosecuting attorney, a circuit attorney, or the attorney general.

195.817. 1. The department of health and senior services shall require all employees, contractors, owners, and volunteers of marijuana facilities to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal background check.

2. The department may require that such fingerprint submissions be made as part of a marijuana facility application, a marijuana facility renewal application, and an individual's application for a license or permit authorizing that individual to be an employee, contractor, owner, or volunteer of a marijuana facility.

3. Fingerprint cards and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the department of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records

1 related to any criminal history information discovered shall be accessible and available to the
2 department.

3 4. As used in this section, the following terms shall mean:

4 (1) "Contractor", a person performing work or service of any kind for a marijuana facility in
5 accordance with a contract with that facility;

6 (2) "Marijuana facility", an entity licensed or certified by the department of health and
7 senior services to cultivate, manufacture, test, transport, dispense, or conduct research on marijuana
8 or marijuana products;

9 (3) "Owner", an individual who has a financial interest or voting interest in ten percent or
10 greater of a marijuana facility.

11 210.305. 1. When an initial emergency placement of a child is deemed necessary, the
12 children's division shall immediately begin a diligent search to locate, contact, and place the child
13 with a grandparent or grandparents or a relative or relatives of the child, subject to subsection 3 of
14 section 210.565 regarding preference of placement, except when the children's division determines
15 that placement with a grandparent or grandparents or a relative or relatives is not in the best interest
16 of the child and subject to the provisions of section 210.482 regarding background checks for
17 emergency placements. If emergency placement of a child with grandparents or relatives is deemed
18 not to be in the best interest of the child, the children's division shall document in writing the reason
19 for denial and shall have just cause to deny the emergency placement. The children's division shall
20 continue the search for other relatives until the division locates the relatives of the child for
21 placement or the court excuses further search. Prior to placement of the child in any emergency
22 placement, the division shall assure that the child's physical needs are met.

23 2. For purposes of this section, the following terms shall mean:

24 (1) "Diligent search", an exhaustive effort to identify and locate the grandparents or relatives
25 whose identity or location is unknown. "Diligent search" shall include, but is not limited to:

26 (a) Interviews with the child's parent during the course of an investigation, while child
27 protective services are provided, and while such child is in care;

28 (b) Interviews with the child;

29 (c) Interviews with identified grandparents or relatives throughout the case;

30 (d) Interviews with any other person who is likely to have information about the identity or
31 location of the person being sought;

32 (e) Comprehensive searches of databases available to the children's division;

33 (f) Appropriate inquiry during the course of hearings in the case; and

34 (g) Any other reasonable means that are likely to identify grandparents, relatives, or other
35 persons who have demonstrated an ongoing commitment to the child;

36 (2) "Emergency placement", those limited instances when the children's division is placing
37 for an initial placement a child in the home of private individuals, including neighbors, friends, or
38 relatives, as a result of a sudden unavailability of the child's primary caretaker.

1 3. A diligent search shall be made to locate, contact, and notify the grandparent or
 2 grandparents of the child within three hours from the time the emergency placement is deemed
 3 necessary for the child. During such three-hour time period, the child may be placed in an
 4 emergency placement. If a grandparent or grandparents of the child cannot be located within the
 5 three-hour period, the child may be temporarily placed in emergency placement; except that, after
 6 the emergency placement is deemed necessary, the children's division shall continue a diligent
 7 search to contact, locate, and place the child with a grandparent or grandparents, or other relatives,
 8 with first consideration given to a grandparent for placement, subject to subsection 3 of section
 9 210.565 regarding preference of placement.

10 4. A diligent search shall be made to locate, contact, and notify the relative or relatives of
 11 the child within thirty days from the time the emergency placement is deemed necessary for the
 12 child. The children's division shall continue the search for the relative or relatives until the division
 13 locates the relative or relatives of the child for placement, for six months following the child's out-
 14 of-home placement, or the court excuses further search, whichever occurs first. The department
 15 shall resume search efforts if ordered by the court, a change in the child's placement occurs, or a
 16 party shows that continuing the search is in the best interests of the child. The children's division, or
 17 an entity under contract with the division, shall use all sources of information, including any known
 18 parent or relative, to attempt to locate an appropriate relative as placement.

19 5. ~~[Search progress under subsection 3 or 4 of this section shall be reported at each court~~
 20 ~~hearing until the grandparents or relatives are either located or the court excuses further search.]~~
 21 The children's division shall file with the court information regarding attempts made under this
 22 section within thirty days from the date the child was removed from his or her home, or as otherwise
 23 required by the court, and at each periodic review hearing. Such information shall include:

24 (1) A detailed narrative explaining the division's efforts to find and consider each potential
 25 placement and the specific outcome;

26 (2) The names of and relevant information about grandparents and relatives of the child;

27 (3) Steps taken by the division to locate and contact grandparents and relatives of the child;

28 (4) Responses received from grandparents and relatives of the child;

29 (5) Dates of each attempted or completed contact with a grandparent or relative of the child;

30 (6) Reasons why a grandparent or relative of the child was not considered for emergency or
 31 permanent placement of the child; and

32 (7) All efforts for placement of the child through an interstate compact agreement under
 33 section 210.620, including:

34 (a) The names of grandparents or relatives of the child who were considered for an interstate
 35 placement;

36 (b) Any pending placement of the child through an interstate compact agreement; and

37 (c) All potential out-of-state placements outside of an interstate compact agreement and the
 38 reasons such placements have not been initiated.

If an out-of-state placement option exists and the division has failed to file a request with the receiving state under the requirements of an interstate compact agreement under section 210.620, the court shall enter a finding that the division has not made a due diligence search and shall order the division to file a request with the receiving state under the terms of the interstate compact.

6. All grandparents or relatives to the child identified in a diligent search required by this section, subject to exceptions due to family or domestic violence or other safety concerns, shall be provided with notice, via certified mail as appropriate, that includes, but is not limited to:

(1) A specification that an alleged dependent child has been or is being removed from his or her parental custody;

(2) An explanation of the options a grandparent or relative has to participate in the care and placement of the alleged dependent child and any options that may be lost by failing to respond to the notice;

(3) A description of the process for becoming a licensed foster family home and the additional services and supports available for children placed in approved foster homes;

(4) A description of any financial assistance for which a grandparent or relative may be eligible; and

(5) An explanation that any response received after thirty days or willful failure to respond upon receiving a notice may result in the grandparent or relative of the child not being considered for placement.

7. If a grandparent or relative entitled to notice under this section fails to respond to the division, responds and declines to be considered as placement for the child, or is otherwise presently prevented from being considered as placement for the child and later petitions the court for a change in placement, such person shall provide evidence that such change is in the child's best interests.

8. Nothing in this section shall be construed or interpreted to interfere with or supersede laws related to parental rights or judicial authority.

210.565. 1. Whenever a child is placed in a foster home and the court has determined pursuant to subsection 4 of this section that foster home placement with relatives is not contrary to the best interest of the child, the children's division shall give foster home placement to relatives of the child. Notwithstanding any rule of the division to the contrary and under section 210.305, the children's division shall complete a diligent search to locate and notify the grandparents, adult siblings, parents of siblings of the child, and all other relatives and determine whether they wish to be considered for placement of the child. Grandparents who request consideration shall be given preference and first consideration for foster home placement of the child. If more than one grandparent requests consideration, the family support team shall make recommendations to the juvenile or family court about which grandparent should be considered for placement.

2. As used in this section, the following terms shall mean:

(1) "Adult sibling", any brother or sister of whole or half-blood who is at least eighteen years of age;

(2) "Relative", a grandparent or any other person related to another by blood or affinity or a person who is not so related to the child but has a close relationship with the child or the child's family. A foster parent or kinship caregiver with whom a child has resided for nine months or more is a person who has a close relationship with the child. The status of a grandparent shall not be affected by the death or the dissolution of the marriage of a son or daughter;

(3) "Sibling", one of two or more individuals who have one or both parents in common through blood, marriage, or adoption, including siblings as defined by the child's tribal code or custom.

3. The following shall be the order or preference for placement of a child under this section:

(1) Grandparents;

(2) Adult siblings or parents of siblings;

(3) Relatives [~~related by blood or affinity within the third degree~~]; and

(4) [~~Other relatives; and~~

(5)] Any foster parent who is currently licensed and capable of accepting placement of the child.

4. The preference for placement and first consideration for grandparents or preference for placement with other relatives created by this section shall only apply where the court finds that placement with such grandparents or other relatives is not contrary to the best interest of the child considering all circumstances. If the court finds that it is contrary to the best interest of a child to be placed with grandparents or other relatives, the court shall make specific findings on the record detailing the reasons why the best interests of the child necessitate placement of the child with persons other than grandparents or other relatives. Absent evidence to the contrary, the court may presume that continuation of the child's placement with his or her current caregivers is in the child's best interests.

5. Recognizing the critical nature of sibling bonds for children, the children's division shall make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive placement, unless doing so would be contrary to the safety or well-being of any of the siblings. If siblings are not placed together, the children's division shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the siblings, unless this interaction would be contrary to a sibling's safety or well-being.

6. The age of the child's grandparent or other relative shall not be the only factor that the children's division takes into consideration when it makes placement decisions and recommendations to the court about placing the child with such grandparent or other relative.

7. For any Native American child placed in protective custody, the children's division shall comply with the placement requirements set forth in 25 U.S.C. Section 1915.

8. A grandparent or other relative may, on a case-by-case basis, have standards for licensure not related to safety waived for specific children in care that would otherwise impede licensing of the grandparent's or relative's home. In addition, any person receiving a preference may be licensed in an expedited manner if a child is placed under such person's care.

1 9. The guardian ad litem shall ascertain the child's wishes and feelings about his or her
2 placement by conducting an interview or interviews with the child, if appropriate based on the
3 child's age and maturity level, which shall be considered as a factor in placement decisions and
4 recommendations, but shall not supersede the preference for relative placement created by this
5 section or be contrary to the child's best interests.

6 210.795. 1. (1) A child in the care and custody of the children's division whose physical
7 whereabouts are unknown to the division, the child's physical custodian, or contracted service
8 providers shall be considered missing and the case manager or placement provider shall
9 immediately inform a law enforcement agency having jurisdiction and the National Center for
10 Missing and Exploited Children within two hours of discovery that the child is missing.

11 (2) The case manager shall document the report number and any relevant information in the
12 child's record.

13 (3) Within twenty-four hours of a report being made under this subsection, the department
14 shall inform and obtain information about the child's disappearance from the child's parents, known
15 relatives, out-of-home caregivers, attorney, guardian or guardian ad litem, court appointed special
16 advocate, juvenile officer, or Indian tribe, as applicable, or from any other person known to the
17 department who may have relevant information regarding the child's disappearance.

18 (4) The case manager shall:

19 (a) Within one week and monthly thereafter, maintain contact with the child's family
20 members, friends, school faculty, and service providers and with any other person or agency
21 involved in the child's case;

22 (b) Document ongoing efforts to locate the child; and

23 (c) Continue contacting law enforcement about the missing child and shall make quarterly
24 reports to the court about the status of the child and efforts to locate the child.

25
26 The department shall contact law enforcement every seven days and document the information
27 provided and any information received.

28 (5) The division shall not petition the court for a release of jurisdiction for the child or stop
29 searching for the child while the child is missing until the child reaches the age of twenty-one.

30 2. The division shall maintain protocols, including appropriate trainings, for conducting
31 ongoing searches for children missing from care. Such protocols shall include preventative
32 measures to identify and mitigate risk to children who are at increased risk for running away or
33 disappearing or of being victims of trafficking as defined under section 566.200.

34 3. The division shall ensure that each child in the care and custody of the division has an
35 updated photograph in the child's record.

36 4. When a child is located, the department shall:

37 (1) Inform all law enforcement agencies and organizations involved in the child's case; and

1 (2) Have in-person contact with the child within twenty-four hours after the child is located
2 to assess the child's health, experiences while absent, the appropriateness of the child returning to
3 the child's current placement, and the factors that contributed to the child's absence.

4 5. Any employee or contractor with the children's division, child welfare agencies, other
5 state agencies, or schools shall, upon becoming aware that an emancipated minor as defined in
6 section 302.178, a homeless youth as defined in section 167.020, or an unaccompanied minor as
7 defined in section 210.121 is missing, inform the appropriate law enforcement agency and the
8 National Center for Missing and Exploited Children within twenty-four hours.

9 6. Within twenty-four hours of a missing child being found, the division shall assess
10 whether the child was a victim of trafficking and determine any factors that caused the child to go
11 missing.

12 7. The general assembly may require an annual independent audit of the department's
13 compliance with this section."; and

14
15 Further amend said bill, Page 5, Section 211.031, Line 93, by inserting after said section and line the
16 following:

17
18 "211.071. 1. If a petition alleges that a child between the ages of ~~[twelve]~~ fourteen and
19 eighteen has committed an offense which would be considered a felony if committed by an adult,
20 the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's
21 custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be
22 transferred to the court of general jurisdiction and prosecuted under the general law; except that if a
23 petition alleges that ~~[any]~~ a child between the ages of fourteen and eighteen has committed an
24 offense which would be considered first degree murder under section 565.020, second degree
25 murder under section 565.021, first degree assault under section 565.050, forcible rape under section
26 566.030 as it existed prior to August 28, 2013, rape in the first degree under section 566.030,
27 forcible sodomy under section 566.060 as it existed prior to August 28, 2013, sodomy in the first
28 degree under section 566.060, first degree robbery under section 569.020 as it existed prior to
29 January 1, 2017, or robbery in the first degree under section 570.023, distribution of drugs under
30 section 195.211 as it existed prior to January 1, 2017, or the manufacturing of a controlled substance
31 under section 579.055, a dangerous felony as defined in section 556.061, or has committed two or
32 more prior unrelated offenses which would be felonies if committed by an adult, the court shall
33 order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of
34 general jurisdiction for prosecution under the general law.

35 2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed
36 by any person between eighteen and twenty-one years of age over whom the juvenile court has
37 retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in
38 the court of general jurisdiction as provided in section 211.041.

1 3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any
2 action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during
3 the period of time in which a child misrepresents his or her age may be used against the child and
4 will be subject only to rules of evidence applicable in adult proceedings.

5 4. Written notification of a transfer hearing shall be given to the juvenile and his or her
6 custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing
7 may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is
8 to determine whether the child is a proper subject to be dealt with under the provisions of this
9 chapter, and that if the court finds that the child is not a proper subject to be dealt with under the
10 provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under
11 the general law.

12 5. The juvenile officer may consult with the office of prosecuting attorney concerning any
13 offense for which the child could be certified as an adult under this section. The prosecuting or
14 circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer,
15 statements of witnesses and all other records or reports relating to the offense alleged to have been
16 committed by the child. The prosecuting or circuit attorney shall have access to the disposition
17 records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1
18 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child
19 and the offense until the juvenile court at a judicial hearing has determined that the child is not a
20 proper subject to be dealt with under the provisions of this chapter.

21 6. A written report shall be prepared in accordance with this chapter developing fully all
22 available information relevant to the criteria which shall be considered by the court in determining
23 whether the child is a proper subject to be dealt with under the provisions of this chapter and
24 whether there are reasonable prospects of rehabilitation within the juvenile justice system. These
25 criteria shall include but not be limited to:

26 (1) The seriousness of the offense alleged and whether the protection of the community
27 requires transfer to the court of general jurisdiction;

28 (2) Whether the offense alleged involved viciousness, force and violence;

29 (3) Whether the offense alleged was against persons or property with greater weight being
30 given to the offense against persons, especially if personal injury resulted;

31 (4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates
32 that the child may be beyond rehabilitation under the juvenile code;

33 (5) The record and history of the child, including experience with the juvenile justice
34 system, other courts, supervision, commitments to juvenile institutions and other placements;

35 (6) The sophistication and maturity of the child as determined by consideration of his or her
36 home and environmental situation, emotional condition and pattern of living;

37 (7) The age of the child;

38 (8) The program and facilities available to the juvenile court in considering disposition;

(9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

(1) Findings showing that the court had jurisdiction of the cause and of the parties;

(2) Findings showing that the child was represented by counsel;

(3) Findings showing that the hearing was held in the presence of the child and his or her counsel; and

(4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the prosecution of the child results in a conviction, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

285.040. 1. As used in this section, "public safety employee" shall mean a person trained or authorized by law or rule to render emergency medical assistance or treatment, including, but not limited to, firefighters, ambulance attendants and attendant drivers, emergency medical technicians, emergency medical technician paramedics, dispatchers, registered nurses, physicians, and sheriffs and deputy sheriffs.

2. No public safety employee or any other employee of a city not within a county ~~[who is hired prior to September 1, 2023,]~~ shall be subject to a residency requirement of retaining a primary residence in a city not within a county but may be required to maintain a primary residence located within a one-hour response time.

~~[3. Public safety employees of a city not within a county who are hired after August 31, 2023, may be subject to a residency rule no more restrictive than a requirement of retaining a primary residence in a city not within a county for a total of seven years and of then allowing the public safety employee to maintain a primary residence outside the city not within a county so long as the primary residence is located within a one-hour response time.]"; and~~

Further amend said bill, Page 6, Section 301.3175, Line 32, by inserting after said section and line the following:

1
2 "307.018. 1. Notwithstanding any other provision of law, no court shall issue a warrant of
3 arrest for a person's failure to respond, pay the fine assessed, or appear in court with respect to a
4 traffic citation issued for an infraction under the provisions of this chapter. In lieu of such warrant
5 of arrest, the court shall issue a notice of failure to respond, pay the fine assessed, or appear, and the
6 court shall schedule a second court date for the person to respond, pay the fine assessed, or appear.
7 A copy of the court's notice with the new court date shall be sent to the driver of the vehicle. If the
8 driver fails to respond, pay the fine assessed, or appear on the second court date, the court shall issue
9 a second notice of failure to respond, pay the fine assessed, or appear. If the driver fails to respond,
10 pay the fine assessed, or appear after the second notice, the court may issue a default judgment
11 under section 556.021 for the infraction.

12 2. At any point after the default judgment has been entered, the driver may appear in court
13 to state that he or she is unable to pay and to request the court to modify the judgment. The court
14 shall hold a hearing to determine whether the driver has the ability to pay. If the court finds the
15 driver lacks the present ability to pay, the court shall modify the judgment in any way authorized by
16 statute or court rule, including:

17 (1) Allowing for payment of the fine on an installment basis;
18 (2) Waiving or reducing the amount owed; or
19 (3) Requiring the driver to perform community service or attend a court-ordered program in
20 lieu of payment.

21 3. At any point after the default judgment has been entered, the driver may appear in court
22 and show proof that he or she corrected the equipment violation for which the fine and costs were
23 assessed. If the driver shows such proof, the court may waive the fines and costs that are due.

24 307.175. 1. Motor vehicles and equipment which are operated by any member of an
25 organized fire department, ambulance association, or rescue squad, including a canine search and
26 rescue team, whether paid or volunteer, may be operated on streets and highways in this state as an
27 emergency vehicle under the provisions of section 304.022 while responding to a fire call [œ],
28 ambulance call, or an emergency call requiring search and rescue operations, or at the scene of a fire
29 call [œ], ambulance call, or an emergency call requiring search and rescue operations, and while
30 using or sounding a warning siren and using or displaying thereon fixed, flashing or rotating blue
31 lights, but sirens and blue lights shall be used only in bona fide emergencies.

32 2. (1) Notwithstanding subsection 1 of this section, the following vehicles may use or
33 display fixed, flashing, or rotating red or red and blue lights:

34 (a) Emergency vehicles, as defined in section 304.022, when responding to an emergency;
35 (b) Vehicles operated as described in subsection 1 of this section;
36 (c) Vehicles and equipment owned or leased by a contractor or subcontractor performing
37 work for the department of transportation, except that the red or red and blue lights shall be
38 displayed on vehicles or equipment described in this paragraph only between dusk and dawn, when
39 such vehicles or equipment are stationary, such vehicles or equipment are located in a work zone as

1 defined in section 304.580, highway workers as defined in section 304.580 are present, and such
 2 work zone is designated by a sign or signs. No more than two vehicles or pieces of equipment in a
 3 work zone may display fixed, flashing, or rotating lights under this subdivision;

4 (d) Vehicles and equipment owned, leased, or operated by a coroner, medical examiner, or
 5 forensic investigator of the county medical examiner's office or a similar entity, when responding to
 6 a crime scene, motor vehicle accident, workplace accident, or any location at which the services of
 7 such professionals have been requested by a law enforcement officer.

8 (2) The following vehicles and equipment may use or display fixed, flashing, or rotating
 9 amber or amber and white lights:

10 (a) Vehicles and equipment owned or leased by the state highways and transportation
 11 commission and operated by an authorized employee of the department of transportation;

12 (b) Vehicles and equipment owned or leased by a contractor or subcontractor performing
 13 work for the department of transportation, except that the amber or amber and white lights shall be
 14 displayed on vehicles described in this paragraph only when such vehicles or equipment are located
 15 in a work zone as defined in section 304.580, highway workers as defined in section 304.580 are
 16 present, and such work zone is designated by a sign or signs;

17 (c) Vehicles and equipment operated by a utility worker performing work for the utility,
 18 except that the amber or amber and white lights shall be displayed on vehicles described in this
 19 paragraph only when such vehicles are stationary, such vehicles or equipment are located in a work
 20 zone as defined in section 304.580, a utility worker is present, and such work zone is designated by
 21 a sign or signs. As used in this paragraph, the term "utility worker" means any employee while in
 22 performance of his or her job duties, including any person employed under contract of a utility that
 23 provides gas, heat, electricity, water, steam, telecommunications or cable services, or sewer services,
 24 whether privately, municipally, or cooperatively owned.

25 3. Permits for the operation of such vehicles equipped with sirens or blue lights shall be in
 26 writing and shall be issued and may be revoked by the chief of an organized fire department,
 27 organized ambulance association, rescue squad, or the state highways and transportation
 28 commission and no person shall use or display a siren or blue lights on a motor vehicle, fire,
 29 ambulance, or rescue equipment without a valid permit authorizing the use. A permit to use a siren
 30 or lights as heretofore set out does not relieve the operator of the vehicle so equipped with
 31 complying with all other traffic laws and regulations. Violation of this section constitutes a class A
 32 misdemeanor.

33 320.210. The state fire marshal shall appoint one assistant director and such other
 34 investigators and employees as the needs of the office require within the limits of the appropriation
 35 made for such purpose. ~~[Supervising investigators shall be at least twenty-five years of age and~~
 36 ~~shall have either a minimum of five years' experience in fire risk inspection, prevention, or~~
 37 ~~investigation work, or a degree in fire protection engineering from a recognized college or~~
 38 ~~university of engineering.]~~ No person shall be appointed as an investigator or other employee who
 39 has been convicted of a felony or other crime involving moral turpitude. Any person appointed as

an investigator shall be of good character, shall be a citizen of the United States, ~~[shall have been a taxpaying resident of this state for at least three years immediately preceding his appointment, and]~~ shall be a graduate of an accredited four-year high school or, in lieu thereof, shall have obtained a certificate of equivalency from the state department of elementary and secondary education, and shall ~~[possess ordinary physical strength and be able to pass such physical and mental examinations as the state fire marshal may prescribe]~~ be a resident of Missouri at the time of appointment. An investigator or employee shall not hold any other commission or office, elective or appointive, or accept any other employment that would pose a conflict of interest while he or she is an investigator or employee. An investigator or employee shall not accept any compensation, reward, or gift other than his or her regular salary and expenses for the performance of his or her official duties.

321.246. 1. The governing body of any fire protection district which operates within both a county of the first classification with a charter form of government and with a population greater than six hundred thousand but less than nine hundred thousand and a county of the fourth classification with a population greater than thirty thousand but less than thirty-five thousand and that adjoins a county of the first classification with a charter form of government, the governing body of any fire protection district which contains a city of the fourth classification having a population greater than two thousand four hundred when the city is located in a county of the first classification ~~[without]~~ with a charter form of government having a population greater than one hundred fifty thousand and the county contains a portion of a city with a population greater than three hundred fifty thousand, or the governing body of any fire protection district that operates in a county of the third classification with a population greater than fourteen thousand but less than fifteen thousand may impose a sales tax in an amount of up to one-half of one percent on all retail sales made in such fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the fire protection district submits to the voters of the fire protection district, at a county or state general, primary or special election, a proposal to authorize the governing body of the fire protection district to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the fire protection district of _____ (district's name)
impose a district-wide sales tax of _____ for the purpose of
providing revenues for the operation of the fire protection
district?

? YES

? NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the fire protection district shall not impose the sales tax authorized in this section unless and until the

1 governing body of the fire protection district resubmits a proposal to authorize the governing body
2 of the fire protection district to impose the sales tax authorized by this section and such proposal is
3 approved by a majority of the qualified voters voting thereon.

4 3. All revenue received by a fire protection district from the tax authorized pursuant to the
5 provisions of this section shall be deposited in a special trust fund and shall be used solely for the
6 operation of the fire protection district.

7 4. All sales taxes collected by the director of revenue pursuant to this section on behalf of
8 any fire protection district, less one percent for cost of collection which shall be deposited in the
9 state's general revenue fund after payment of premiums for surety bonds as provided in section
10 32.087, shall be deposited in the fire protection [district] sales tax trust fund established pursuant to
11 section 321.242. The moneys in the fire protection [district] sales tax trust fund shall not be deemed
12 to be state funds and shall not be commingled with any funds of the state. The director of revenue
13 shall keep accurate records of the amount of money in the trust and which was collected in each fire
14 protection district imposing a sales tax pursuant to this section, and the records shall be open to the
15 inspection of officers of the fire protection district and the public. Not later than the tenth day of
16 each month, the director of revenue shall distribute all moneys deposited in the trust fund during the
17 preceding month to the fire protection district which levied the tax. Such funds shall be deposited
18 with the treasurer of each such fire protection district, and all expenditures of funds arising from the
19 fire protection [district] sales tax trust fund shall be for the operation of the fire protection district
20 and for no other purpose.

21 5. The director of revenue may make refunds from the amounts in the trust fund and
22 credited to any fire protection district for erroneous payments and overpayments made and may
23 redeem dishonored checks and drafts deposited to the credit of such fire protection districts. If any
24 fire protection district abolishes the tax, the fire protection district shall notify the director of
25 revenue of the action at least ninety days prior to the effective date of the repeal and the director of
26 revenue may order retention in the trust fund, for a period of one year, of two percent of the amount
27 collected after receipt of such notice to cover possible refunds or overpayment of the tax and to
28 redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has
29 elapsed after the effective date of abolition of the tax in such fire protection district, the director of
30 revenue shall remit the balance in the account to the fire protection district and close the account of
31 that fire protection district. The director of revenue shall notify each fire protection district of each
32 instance of any amount refunded or any check redeemed from receipts due the fire protection
33 district. In the event a tax within a fire protection district is approved under this section, and such
34 fire protection district is dissolved, the tax shall lapse on the date that the fire protection district is
35 dissolved and the proceeds from the last collection of such tax shall be distributed to the governing
36 bodies of the counties formerly containing the fire protection district and the proceeds of the tax
37 shall be used for fire protection services within such counties.

38 6. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall
39 apply to the tax imposed pursuant to this section.

1 488.435. 1. Sheriffs shall receive a charge, as provided in section 57.280, for service of any
2 summons, writ or other order of court, in connection with any civil case, and making on the same
3 either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars
4 for each item to be served, as provided in section 57.280, except that a sheriff shall receive a charge
5 for service of any subpoena, and making a return on the same, the sum of ten dollars, as provided in
6 section 57.280; however, no such charge shall be collected in any proceeding when court costs are to
7 be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled,
8 as provided in section 57.280, to receive for each mile actually traveled in serving any summons,
9 writ, subpoena or other order of court, the rate prescribed by the Internal Revenue Service for all
10 allowable expenses for motor vehicle use expressed as an amount per mile, provided that such
11 mileage shall not be charged for more than one subpoena or summons or other writ served in the
12 same cause on the same trip. All of such charges shall be received by the sheriff who is requested to
13 perform the service. Except as otherwise provided by law, all charges made pursuant to section
14 57.280 shall be collected by the court clerk as court costs and are payable prior to the time the
15 service is rendered; provided that if the amount of such charge cannot be readily determined, then
16 the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of
17 such charge shall be payable immediately upon ascertainment of the proper amount of such charge.
18 A sheriff may refuse to perform any service in any action or proceeding, other than when court costs
19 are waived as provided by law, until the charge provided by this section is paid. Failure to receive
20 the charge shall not affect the validity of the service.

21 2. The sheriff shall, as provided in section 57.280, receive for receiving and paying moneys
22 on execution or other process, where lands or goods have been levied and advertised and sold, five
23 percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of
24 these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied
25 on shall not be sold and the money is paid to the sheriff or person entitled thereto, his or her agent or
26 attorney. The party at whose application any writ, execution, subpoena or other process has issued
27 from the court shall pay the sheriff's costs, as provided in section 57.280, for the removal,
28 transportation, storage, safekeeping and support of any property to be seized pursuant to legal
29 process before such seizure. The sheriff shall be allowed for each mile, as provided in section
30 57.280, going and returning from the courthouse of the county in which he or she resides to the
31 place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable
32 expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection
33 shall not apply to garnishment proceeds.

34 3. As provided in subsection 4 of section 57.280, the sheriff shall receive ten dollars for
35 service of any summons, writ, subpoena, or other order of the court included under subsection 1 of
36 section 57.280, in addition to the charge for such service that each sheriff receives under subsection
37 1 of section 57.280. The money received by the sheriff under subsection 4 of section 57.280 shall
38 be paid into the county treasury and the county treasurer shall make such money payable to the state

1 treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation
2 fund created under section 57.278.

3 4. As provided in subsection 5 of section 57.280, the court clerk shall collect ten dollars as a
4 court cost for service of any summons, writ, subpoena, or other order of the court included under
5 subsection 1 of this section if any person other than a sheriff is specially appointed to serve in a
6 county that receives funds under section 57.278. The moneys received by the clerk under this
7 subsection shall be paid into the county treasury and the county treasurer shall make such moneys
8 payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff
9 salary supplementation fund created under section 57.278.

10 491.075. 1. A statement made by a child under the age of [~~fourteen~~] eighteen, or a
11 vulnerable person, relating to an offense under chapter 565, 566, 568 or 573, performed by another,
12 not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings
13 in the courts of this state as substantive evidence to prove the truth of the matter asserted if:

14 (1) The court finds, in a hearing conducted outside the presence of the jury that the time,
15 content and circumstances of the statement provide sufficient indicia of reliability; and

16 (2) (a) The child or vulnerable person testifies at the proceedings; or

17 (b) The child or vulnerable person is unavailable as a witness; or

18 (c) The child or vulnerable person is otherwise physically available as a witness but the
19 court finds that the significant emotional or psychological trauma which would result from testifying
20 in the personal presence of the defendant makes the child or vulnerable person unavailable as a
21 witness at the time of the criminal proceeding.

22 2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence
23 requiring corroboration of statements, admissions or confessions of the defendant, and
24 notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of
25 [~~fourteen~~] eighteen, or a vulnerable person, who is alleged to be victim of an offense under chapter
26 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless
27 of whether or not the child or vulnerable person is available to testify regarding the offense.

28 3. A statement may not be admitted under this section unless the prosecuting attorney makes
29 known to the accused or the accused's counsel his or her intention to offer the statement and the
30 particulars of the statement sufficiently in advance of the proceedings to provide the accused or the
31 accused's counsel with a fair opportunity to prepare to meet the statement.

32 4. Nothing in this section shall be construed to limit the admissibility of statements,
33 admissions or confessions otherwise admissible by law.

34 5. For the purposes of this section, "vulnerable person" shall mean a person who, as a result
35 of an inadequately developed or impaired intelligence or a psychiatric disorder that materially
36 affects ability to function, lacks the mental capacity to consent, or whose developmental level does
37 not exceed that of an ordinary child of [~~fourteen~~] seventeen years of age.

38 492.304. 1. In addition to the admissibility of a statement under the provisions of section
39 492.303, the visual and aural recording of a verbal or nonverbal statement of a child when under the

age of ~~[fourteen]~~ eighteen ~~[who is alleged to be a victim of]~~ or a vulnerable person, relating to an offense under the provisions of chapter 565, 566 ~~[or]~~ 568, or 573 if performed by another, is admissible into evidence if:

(1) No attorney for either party was present when the statement was made; except that, for any statement taken at a state-funded child assessment center as provided for in subsection 2 of section 210.001, an attorney representing the state of Missouri in a criminal investigation may, as a member of a multidisciplinary investigation team, observe the taking of such statement, but such attorney shall not be present in the room where the interview is being conducted;

(2) The recording is both visual and aural and is recorded on film or videotape or by other electronic means;

(3) The recording equipment was capable of making an accurate recording, the operator of the equipment was competent, and the recording is accurate and has not been altered;

(4) The statement was not made in response to questioning calculated to lead the child or vulnerable person to make a particular statement or to act in a particular way;

(5) Every voice on the recording is identified;

(6) The person conducting the interview of the child or vulnerable person in the recording is present at the proceeding and available to testify or be cross-examined by either party; and

(7) The defendant or the attorney for the defendant is afforded an opportunity to view the recording before it is offered into evidence.

2. If the child or vulnerable person does not testify at the proceeding, the visual and aural recording of a verbal or nonverbal statement of the child or vulnerable person shall not be admissible under this section unless the recording qualifies for admission under section 491.075.

3. If the visual and aural recording of a verbal or nonverbal statement of a child or vulnerable person is admissible under this section and the child or vulnerable person testifies at the proceeding, it shall be admissible in addition to the testimony of the child or vulnerable person at the proceeding whether or not it repeats or duplicates the child's or vulnerable person's testimony.

4. As used in this section, a nonverbal statement shall be defined as any demonstration of the child or vulnerable person by his or her actions, facial expressions, demonstrations with a doll or other visual aid whether or not this demonstration is accompanied by words.

5. For the purposes of this section, "vulnerable person" shall mean a person who, as a result of an inadequately developed or impaired intelligence or a psychiatric disorder that materially affects the ability to function, lacks the mental capacity to consent, or whose developmental level does not exceed that of an ordinary child of seventeen years of age.

494.430. 1. Upon timely application to the court, the following persons shall be excused from service as a petit or grand juror:

(1) Any person who has served on a state or federal petit or grand jury within the preceding two years;

(2) Any nursing mother, upon her request, and with a completed written statement from her physician to the court certifying she is a nursing mother;

1 (3) Any person whose absence from his or her regular place of employment would, in the
2 judgment of the court, tend materially and adversely to affect the public safety, health, welfare or
3 interest;

4 (4) Any person upon whom service as a juror would in the judgment of the court impose an
5 undue or extreme physical or financial hardship;

6 (5) Any person licensed as a health care provider as such term is defined in section 538.205,
7 but only if such person provides a written statement to the court certifying that he or she is actually
8 providing health care services to patients, and that the person's service as a juror would be
9 detrimental to the health of the person's patients;

10 (6) Any employee of a religious institution whose religious obligations or constraints
11 prohibit their serving on a jury. The certification of the employment and obligation or constraint
12 may be provided by the employee's religious supervisor;

13 (7) When requested, any person who is [~~seventy-five~~] seventy years of age or older.

14 2. A judge of the court for which the individual was called to jury service shall make undue
15 or extreme physical or financial hardship determinations. The authority to make these
16 determinations is delegable only to court officials or personnel who are authorized by the laws of
17 this state to function as members of the judiciary.

18 3. A person asking to be excused based on a finding of undue or extreme physical or
19 financial hardship must take all actions necessary to have obtained a ruling on that request by no
20 later than the date on which the individual is scheduled to appear for jury duty.

21 4. Unless it is apparent to the court that the physical hardship would significantly impair the
22 person's ability to serve as a juror, for purposes of sections 494.400 to 494.460 undue or extreme
23 physical or financial hardship is limited to circumstances in which an individual would:

24 (1) Be required to abandon a person under his or her personal care or supervision due to the
25 impossibility of obtaining an appropriate substitute caregiver during the period of participation in
26 the jury pool or on the jury; or

27 (2) Incur costs that would have a substantial adverse impact on the payment of the
28 individual's necessary daily living expenses or on those for whom he or she provides the principal
29 means of support; or

30 (3) Suffer physical hardship that would result in illness or disease.

31 5. Undue or extreme physical or financial hardship does not exist solely based on the fact
32 that a prospective juror will be required to be absent from his or her place of employment.

33 6. A person asking a judge to grant an excuse based on undue or extreme physical or
34 financial hardship shall provide the judge with documentation as required by the judge, such as, but
35 not limited to, federal and state income tax returns, medical statements from licensed physicians,
36 proof of dependency or guardianship, and similar documents, which the judge finds to clearly
37 support the request to be excused. Failure to provide satisfactory documentation shall result in a
38 denial of the request to be excused. Such documents shall be filed under seal.

1 7. After two years, a person excused from jury service shall become eligible once again for
2 qualification as a juror unless the person was excused from service permanently. A person is
3 excused from jury service permanently only when the deciding judge determines that the underlying
4 grounds for being excused are of a permanent nature."; and

5
6 Further amend said bill and page, Section 544.453, Line 13, by inserting after said section and line
7 the following:

8
9 "547.500. 1. The Missouri office of prosecution services may establish a conviction review
10 unit to investigate claims of actual innocence of any defendant, including those who plead guilty.

11 2. The Missouri office of prosecution services shall have the power to promulgate rules and
12 regulations to receive and investigate claims of actual innocence.

13 3. The Missouri office of prosecution services shall create an application process that at a
14 minimum shall include that:

15 (1) Any application for review of a claim of actual innocence shall not have any excessive
16 fees and fees shall be waived in cases of indigence;

17 (2) No application shall be accepted if there is any pending motion, writ, appeal, or other
18 matter pending regarding the defendant's conviction. Any application filed shall be considered a
19 pleading under the Missouri rules of civil procedure, and all attorneys shall comply with supreme
20 court rule 55.03 when signing the application. The application shall be sworn and signed under
21 penalty of perjury by the applicant. Any witness statements attached shall be sworn and signed
22 under penalty of perjury; and

23 (3) Any review and investigation shall be based on newly discovered and verifiable
24 evidence of actual innocence not presented at a trial. Such newly discovered and verifiable
25 evidence shall establish by clear and convincing evidence the actual innocence of the defendant.

26 4. The conviction review unit shall consist of two attorneys, hired by the executive director
27 of the Missouri office of prosecution services, who have extensive experience prosecuting and
28 defending criminal matters, an investigator, a paralegal, and such administrative staff as is needed to
29 efficiently and effectively process all applications and claims. The executive director of the
30 Missouri office of prosecution services shall coordinate the activities and budget of the conviction
31 review unit and act as an ex officio member of the unit.

32 5. Once the review is complete, the conviction review unit shall present its findings and
33 recommendations to:

34 (1) The office of the prosecuting attorney or circuit attorney who prosecuted the defendant's
35 case, the attorney general's office if it prosecuted the case, or the special prosecutor who prosecuted
36 the case; or

37 (2) If the review was requested by a prosecuting attorney's office, the circuit attorney's
38 office, the attorney general, or a special prosecutor, the findings and recommendations shall be
39 presented to the office that requested the review.

1 6. The circuit attorney, prosecuting attorney of any county, special prosecutor, attorney
2 general's office if it prosecuted the case, Missouri office of prosecution services, or other prosecutor
3 who prosecuted the case is not required to accept or follow the findings and recommendations of the
4 conviction review unit.

5 7. (1) The application, investigation, reports, interviews, findings, and recommendations,
6 and any documents, written, electronic, or otherwise, received or generated by the conviction review
7 unit are closed records.

8 (2) The conviction review unit's findings and recommendations submitted to the prosecuting
9 attorney, circuit attorney, the attorney general's office if it prosecuted the case, or the special
10 prosecutor who prosecuted the case shall become open records after the receiving entity of the
11 submission makes a decision not to pursue a motion under section 547.031 or, if such a motion is
12 filed, after the finality of all proceedings under section 547.031, including appeals authorized
13 therein.

14 550.125. 1. There is hereby created in the state treasury the "Change of Venue for Capital
15 Cases Fund", which shall consist of moneys appropriated to the fund by the general assembly. The
16 office of state courts administrator shall administer and disburse moneys in the fund in accordance
17 with subsection 2 of this section. The fund shall be a dedicated fund and, upon appropriation,
18 moneys in the fund shall be used solely for the administration of this section. Notwithstanding the
19 provisions of section 33.080, any moneys remaining in the fund at the end of the biennium shall not
20 revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund
21 in the same manner as other funds are invested. Any interest and moneys earned on such
22 investments shall be credited to the fund.

23 2. In a capital case in which a change of venue is taken from one county to any other county,
24 at the conclusion of such case the county from which the case was transferred may apply to the
25 office of state courts administrator for the county to which the case was transferred to be reimbursed
26 from the change of venue for capital cases fund any costs associated with the sequestering of jurors.
27 The costs of reimbursement shall not exceed the then-approved state rates for travel reimbursement
28 for lodging and meals.

29 3. Except as provided under subsection 4 of this section, the office of state courts
30 administrator shall develop an application process and other procedures to determine if a county is
31 eligible for reimbursement under this section. If a county is eligible for reimbursement, the office of
32 state courts administrator shall disburse such moneys to the county as provided under subsection 4
33 of this section. In the event the amount disbursed is less than the county's actual costs associated
34 with sequestering jurors, the original county shall reimburse the county to which the case was
35 transferred for the difference. If the office of state courts administrator determines a county is not
36 eligible for reimbursement under this section, the county in which the capital case originated shall
37 be responsible for reimbursement.

38 4. Applications for reimbursement shall be submitted by May first of the current fiscal year,
39 and disbursements shall be made by June thirtieth of the current fiscal year. Applications submitted

1 after May first of the current fiscal year shall be reimbursed in the following fiscal year. If the total
2 dollar amount of the claims in a given year exceeds the amount of moneys in the fund in the same
3 year, the claims shall be reimbursed on a pro rata basis.

4 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
5 under the authority delegated in this section shall become effective only if it complies with and is
6 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
7 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
8 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
9 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
10 August 28, 2023, shall be invalid and void.

11 556.021. 1. An infraction does not constitute a criminal offense and conviction of an
12 infraction shall not give rise to any disability or legal disadvantage based on conviction of a criminal
13 offense.

14 2. Except as otherwise provided by law, the procedure for infractions shall be the same as
15 for a misdemeanor.

16 3. If a person fails to appear in court either solely for an infraction or for an infraction which
17 is committed in the same course of conduct as a criminal offense for which the person is charged, or
18 if a person fails to respond to notice of an infraction from the central violations bureau established in
19 section 476.385, the court may issue a default judgment for court costs and fines for the infraction
20 which shall be enforced in the same manner as other default judgments, including enforcement
21 under sections 488.5028 and 488.5030, unless the court determines that good cause or excusable
22 neglect exists for the person's failure to appear for the infraction. The notice of entry of default
23 judgment and the amount of fines and costs imposed shall be sent to the person by first class mail.
24 The default judgment may be set aside for good cause if the person files a motion to set aside the
25 judgment within six months of the date the notice of entry of default judgment is mailed.

26 4. Notwithstanding subsection 3 of this section or any provisions of law to the contrary, a
27 court may issue a warrant for failure to appear for any violation ~~[which]~~ that is classified or charged
28 as an infraction; except that, a court shall not issue a warrant for failure to appear for any violation
29 that is classified or charged as an infraction under chapter 307.

30 5. Judgment against the defendant for an infraction shall be in the amount of the fine
31 authorized by law and the court costs for the offense.

32 557.520. 1. For purposes of this section, the following terms shall mean:

33 (1) "Failed start", any attempt to start the vehicle with a breath alcohol concentration
34 exceeding twenty-five-thousandths of one percent by weight of alcohol in such person's breath,
35 unless a subsequent retest performed within ten minutes registers a breath alcohol concentration not
36 exceeding twenty-five-thousandths of one percent by weight of alcohol in such person's breath;

37 (2) "Running retest", failure to take a breath test performed by the driver upon a certified
38 ignition interlock device at random intervals after the initial engine startup breath test and while the

1 vehicle's motor is running or failure to take a breath retest with a breath alcohol concentration not
2 exceeding twenty-five-thousandths of one percent by weight of alcohol in such person's breath;

3 (3) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on
4 highways.

5 2. In any criminal case involving an intoxicated-related traffic offense, the prosecuting or
6 circuit attorney may divert the criminal case, with the consent of the defendant, to a driving while
7 intoxicated (DWI) diversion program by filing a motion with the court requesting the court to stay
8 the criminal proceeding, if the defendant meets the following criteria for eligibility into the driving
9 while intoxicated diversion program:

10 (1) The defendant has not previously pled guilty to or been convicted of an intoxicated-
11 related traffic offense in violation of section 577.010, 577.012, 577.013, 577.014, 577.015, or
12 577.016;

13 (2) The defendant is not currently enrolled in, and has not in the previous ten years
14 completed, a diversion program pursuant to this section;

15 (3) The defendant does not hold a commercial driver's license;

16 (4) The offense did not occur while operating a commercial vehicle; and

17 (5) The offense did not result in the injury or death of another person.

18 3. Upon a motion filed by a prosecuting or circuit attorney, the court may continue a
19 diverted case involving an intoxicated-related traffic offense for a period not to exceed twenty-four
20 months and order the defendant to comply with terms, conditions, or requirements that the
21 prosecuting or circuit attorney deems appropriate based on the specific situation of the defendant.

22 4. The DWI diversion plan shall be for a specified period and be in writing. The
23 prosecuting or circuit attorney has the sole authority to develop diversionary program requirements,
24 but shall require installation of an ignition interlock device for a period of not less than one year,
25 require the defendant to participate in a victim impact panel sponsored by a nonprofit organization,
26 and other terms deemed necessary by the court.

27 5. If the court continues the criminal case to divert the defendant to a DWI diversion
28 program, the department of revenue shall continue any proceeding to suspend or revoke a license
29 pursuant to chapter 302 for a period not to exceed twenty-four months. After the defendant
30 successfully completes the requirements of the DWI diversion program, the department shall
31 dismiss any proceeding against the defendant.

32 6. The court shall notify the defendant that he or she is required to install a functioning,
33 certified ignition interlock device on any vehicle that the person operates and the person is
34 prohibited from operating a motor vehicle unless that vehicle is equipped with a functioning,
35 certified ignition interlock device pursuant to this section. These requirements shall be in addition
36 to any other provisions of this chapter or chapter 302 requiring installation and maintenance of an
37 ignition interlock device. Any person required to use an ignition interlock device shall comply with
38 such requirement subject to the penalties provided by section 577.599.

1 7. The department of revenue shall inform the defendant of the requirements of this section,
2 including the term for which the person is required to have a certified ignition interlock device
3 installed and shall notify the person that installation of a functioning, certified ignition interlock
4 device on a vehicle does not allow the person to drive without a valid driver's license. The
5 department shall record the mandatory use of the device for the term required and the time when the
6 device is required to be installed pursuant to the court order. A person who is notified by the
7 department shall do all of the following:

8 (1) Arrange for each vehicle operated by the person to be equipped with a functioning,
9 certified ignition interlock device by a certified ignition interlock device provider as determined by
10 the department of transportation; and

11 (2) Arrange for each vehicle with a functioning, certified ignition interlock device to be
12 served by the installer at least once every thirty days for the installer to recalibrate and monitor the
13 operation of the device.

14 8. The certified ignition interlock device provider shall notify the department:

15 (1) If the device is removed or indicates that the person has attempted to remove, bypass by
16 a running retest, or tamper with the device;

17 (2) If the person fails three or more times to comply with any requirement for the
18 maintenance or calibration of the ignition interlock device; or

19 (3) If the device registers a failed start.

20
21 If a person has any failed start that occurs within the last ninety days of the required period of
22 installation of the ignition interlock device, the term shall be extended for a period of ninety days.

23 9. After the completion of the DWI diversion program and if the defendant has complied
24 with all the imposed terms and conditions, the court shall dismiss the criminal case against the
25 defendant, record the dismissal, and transmit the record to the central repository upon dismissal.
26 Any court automation system, including any pilot project, that provides public access to electronic
27 record on the internet shall redact any personal identifying information of the defendant, including
28 name, address, and year of birth. Such information shall be provided in a confidential filing sheet
29 contemporaneously filed with the court or entered by the court, which shall not be subject to public
30 inspection or availability.

31 10. In the event of noncompliance by the defendant with the terms and conditions of the
32 DWI diversion program, the prosecuting or circuit attorney may file a motion to terminate the
33 defendant from the diversion program and may recommend the prosecution of the underlying case.
34 Upon the filing of such motion, after notice to the defendant, the court shall hold a hearing to
35 determine by preponderance of the evidence whether the defendant has failed to comply with the
36 terms and conditions of the diversion program. If the court finds that the defendant has not
37 complied with the terms and conditions of the diversion program, the court may end the diversion
38 program and set the case on the next available criminal docket.

11. Any defendant who is found guilty of any intoxicated-related traffic offense and who has previously utilized the DWI diversion program pursuant to this section shall be considered a prior offender as defined in section 577.001, provided that the prior offense occurred within five years of the intoxicated-related offense for which the person is charged, as provided in subsection 20 of section 577.001.

12. For the limited purpose of determining whether a defendant is a chronic, habitual, persistent, or prior offender under section 577.001, a criminal case diverted to a DWI diversion program shall be counted as one intoxication-related traffic offense."; and

Further amend said bill, Page 11, Section 558.019, Line 125, by inserting after said section and line the following:

"558.031. 1. A sentence of imprisonment shall commence when a person convicted of an offense in this state is received into the custody of the department of corrections or other place of confinement where the offender is sentenced.

2. Such person shall receive credit toward the service of a sentence of imprisonment for all time in prison, jail or custody after ~~[conviction]~~ the offense occurred and before the commencement of the sentence, when the time in custody was related to that offense~~[-and]~~. This credit shall be based upon the certification of the sheriff as provided in subdivision (3) of subsection 2 of section 217.305 and may be supplemented by a certificate of a sheriff or other custodial officer from another jurisdiction having held the person on the charge of the offense for which the sentence of imprisonment is ordered. The circuit court may, when pronouncing sentence, award additional credit for time spent in prison, jail, or custody after the offense occurred and before ~~[conviction]~~ the commencement of the sentence toward the service of the sentence of imprisonment for those offenses for which the person was incarcerated but for whom no detainer or warrant was served, except:

(1) Such credit shall only be applied once when sentences are consecutive;

(2) Such credit shall only be applied if the person convicted was in custody in the state of Missouri, unless such custody was compelled exclusively by the state of Missouri's action; and

(3) As provided in section 559.100.

3. The officer required by law to deliver a person convicted of an offense in this state to the department of corrections shall endorse upon the papers required by section 217.305 both the dates the offender was in custody and the period of time to be credited toward the service of the sentence of imprisonment, except as endorsed by such officer.

4. If a person convicted of an offense escapes from custody, such escape shall interrupt the sentence. The interruption shall continue until such person is returned to the correctional center where the sentence was being served, or in the case of a person committed to the custody of the department of corrections, to any correctional center operated by the department of corrections. An

1 escape shall also interrupt the jail time credit to be applied to a sentence which had not commenced
2 when the escape occurred.

3 5. If a sentence of imprisonment is vacated and a new sentence imposed upon the offender
4 for that offense, all time served under the vacated sentence shall be credited against the new
5 sentence, unless the time has already been credited to another sentence as provided in subsection 1
6 of this section.

7 6. If a person released from imprisonment on parole or serving a conditional release term
8 violates any of the conditions of his or her parole or release, he or she may be treated as a parole
9 violator. If the parole board revokes the parole or conditional release, the paroled person shall serve
10 the remainder of the prison term and conditional release term, as an additional prison term, and the
11 conditionally released person shall serve the remainder of the conditional release term as a prison
12 term, unless released on parole.

13 7. Subsection 2 of this section shall be applicable to offenses occurring on or after August
14 28, ~~[2024]~~ 2023.

15 8. The total amount of credit given shall not exceed the number of days between the date of
16 offense and commencement of sentence."; and

17
18 Further amend said bill and page, Section 558.043, Line 16, by inserting after said section and line
19 the following:

20
21 "565.003. 1. (1) The culpable mental state necessary for a homicide offense may be found
22 to exist if the only difference between what actually occurred and what was the object of the
23 offender's state of mind is that a different person or persons were killed.

24 (2) It shall not be a defense to a homicide charge that the identity of the person the offender
25 intended to kill cannot be established. If the state proves beyond a reasonable doubt that the
26 offender had the requisite mental state toward a specific person or a general class of persons who are
27 not identified or who are not identifiable, such intent shall be transferred to a person who is killed by
28 the offender while such mental state existed.

29 2. The length of time which transpires between conduct which results in a death and is the
30 basis of a homicide offense and the event of such death is no defense to any charge of homicide.

31 566.151. 1. A person twenty-one years of age or older commits the offense of enticement of
32 a child if he or she persuades, solicits, coaxes, entices, or lures whether by words, actions or through
33 communication via the internet or any electronic communication, any person who is less than
34 ~~[fifteen]~~ seventeen years of age for the purpose of engaging in sexual conduct.

35 2. It is not a defense to a prosecution for a violation of this section that the other person was
36 a peace officer masquerading as a minor.

37 3. Enticement of a child or an attempt to commit enticement of a child is a felony for which
38 the authorized term of imprisonment shall be not less than five years and not more than thirty years.

No person convicted under this section shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of five calendar years.

567.030. 1. A person commits the offense of patronizing prostitution if he or she:

(1) Pursuant to a prior understanding, gives something of value to another person as compensation for having engaged in sexual conduct with any person; or

(2) Gives or agrees to give something of value to another person with the understanding that such person or another person will engage in sexual conduct with any person; or

(3) Solicits or requests another person to engage in sexual conduct with any person in return for something of value.

2. It shall not be a defense that the person believed that the individual he or she patronized for prostitution was eighteen years of age or older.

3. The offense of patronizing prostitution is a class B misdemeanor, unless the individual who the person patronizes is less than eighteen years of age but older than ~~fourteen~~ fifteen years of age, in which case patronizing prostitution is a class E felony.

4. The offense of patronizing prostitution is a class ~~D~~ B felony if the individual who the person patronizes is ~~fourteen~~ fifteen years of age or younger. Nothing in this section shall preclude the prosecution of an individual for the offenses of:

(1) Statutory rape in the first degree pursuant to section 566.032;

(2) Statutory rape in the second degree pursuant to section 566.034;

(3) Statutory sodomy in the first degree pursuant to section 566.062; or

(4) Statutory sodomy in the second degree pursuant to section 566.064."; and

Further amend said bill, Page 19, Section 571.015, Lines 11-12, by deleting said lines and inserting in lieu thereof the following:

"parole, probation, conditional release, or suspended imposition or execution of sentence for a period of three calendar years."; and

Further amend said bill, page, and section, Line 20, by deleting the word "~~parole,~~" and inserting in lieu thereof the word "parole,"; and

Further amend said bill, page, and section, Lines 21-22, by deleting the phrase "~~for a period of five calendar years]~~" and inserting in lieu thereof the phrase "for a period of five calendar years"; and

Further amend said bill and section, Page 20, Line 30, by deleting the word "~~parole,~~" and inserting in lieu thereof the word "parole,"; and

Further amend said bill, page, and section, Line 31, by deleting the phrase "~~for a period of ten calendar years]~~" and inserting in lieu thereof the phrase "for a period of ten calendar years"; and

Further amend said bill, page, section, and line, by inserting after said line the following:

"571.020. 1. A person commits an offense if such person knowingly possesses, manufactures, transports, repairs, or sells:

(1) An explosive weapon;
 (2) An explosive, incendiary or poison substance or material with the purpose to possess, manufacture or sell an explosive weapon;

(3) A gas gun;
 (4) A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; or

(5) ~~Knuckles; or~~
~~(6)~~ Any of the following in violation of federal law:

(a) A machine gun;
 (b) A short-barreled rifle or shotgun;
 (c) A firearm silencer; or
 (d) A switchblade knife.

2. A person does not commit an offense pursuant to this section if his or her conduct involved any of the items in subdivisions (1) to ~~[(5)]~~ (4) of subsection 1, the item was possessed in conformity with any applicable federal law, and the conduct:

(1) Was incident to the performance of official duty by the Armed Forces, National Guard, a governmental law enforcement agency, or a penal institution; or

(2) Was incident to engaging in a lawful commercial or business transaction with an organization enumerated in subdivision (1) of this ~~[section]~~ subsection; or

(3) Was incident to using an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise; or

(4) Was incident to displaying the weapon in a public museum or exhibition; or

(5) Was incident to using the weapon in a manner reasonably related to a lawful dramatic performance.

3. An offense pursuant to subdivision (1), (2), (3) or ~~[(6)]~~ (5) of subsection 1 of this section is a class D felony; a crime pursuant to subdivision (4) ~~[or (5)]~~ of subsection 1 of this section is a class A misdemeanor."; and

Further amend said bill, Page 27, Section 575.095, Line 29, by inserting after said section and line the following:

"575.205. 1. A person commits the offense of tampering with electronic monitoring equipment if he or she intentionally removes, alters, tampers with, damages, ~~[or]~~ destroys, fails to

charge, or otherwise disables electronic monitoring equipment which a court, the division of probation and parole or the parole board has required such person to wear.

2. This section does not apply to the owner of the equipment or an agent of the owner who is performing ordinary maintenance or repairs on the equipment.

3. The offense of tampering with electronic monitoring equipment is a class D felony.

4. The offense of tampering with electronic monitoring equipment if a person fails to charge or otherwise disables electronic monitoring equipment is a class E felony, unless the offense for which the person was placed on electronic monitoring was a misdemeanor, in which case it is a class A misdemeanor."; and

Further amend said bill, Page 28, Section 579.022, Line 10, by inserting after said section and line the following:

"579.041. 1. For purposes of this section, the following terms mean:

(1) "Drug masking product", synthetic urine, human urine, a substance designated to be added to human urine, or a substance designated to be added to or used on human hair or oral fluid for the purpose of defrauding an alcohol or a drug screening test;

(2) "Synthetic urine", a substance that is designated to simulate the composition, chemical properties, physical appearance, or physical properties of human urine.

2. A person commits the offense of unlawful distribution, delivery, or sale of a drug masking product if the person unlawfully distributes, delivers, or sells a drug masking product.

3. The offense of unlawful distribution, delivery, or sale of a drug masking product is a class A misdemeanor.

579.065. 1. A person commits the offense of trafficking drugs in the first degree if, except as authorized by this chapter or chapter 195, such person knowingly distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce:

(1) More than thirty grams of a mixture or substance containing a detectable amount of heroin;

(2) More than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances;

~~(3) [More than eight grams of a mixture or substance described in subdivision (2) of this subsection which contains cocaine base;~~

~~(4)]~~ More than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD);

1 ~~[(5)]~~ (4) More than thirty grams of a mixture or substance containing a detectable amount of
 2 phencyclidine (PCP);

3 ~~[(6)]~~ (5) More than four grams of phencyclidine;

4 ~~[(7)]~~ (6) More than thirty kilograms of a mixture or substance containing marijuana;

5 ~~[(8)]~~ (7) More than thirty grams of any material, compound, mixture, or preparation
 6 containing any quantity of the following substances having a stimulant effect on the central nervous
 7 system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine,
 8 its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or
 9 methylphenidate;

10 ~~[(9)]~~ (8) More than thirty grams of any material, compound, mixture, or preparation which
 11 contains any quantity of 3,4-methylenedioxymethamphetamine;

12 ~~[(10)]~~ (9) One gram or more of flunitrazepam for the first offense;

13 ~~[(11)]~~ (10) Any amount of gamma-hydroxybutyric acid for the first offense; or

14 ~~[(12)]~~ (11) More than ~~ten~~ three but less than fourteen milligrams of fentanyl or carfentanil,
 15 or any derivative thereof, or any combination thereof, or any compound, mixture, or substance
 16 containing a detectable amount of fentanyl or carfentanil, or their optical isomers or analogues.

17 2. The offense of trafficking drugs in the first degree is a class B felony.

18 3. The offense of trafficking drugs in the first degree is a class A felony if the quantity
 19 involved is:

20 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
 21 heroin; or

22 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
 23 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
 24 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
 25 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
 26 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any
 27 of the foregoing substances; or

28 (3) ~~[Twenty-four grams or more of a mixture or substance described in subdivision (2) of~~
 29 ~~this subsection which contains cocaine base; or~~

30 (4) One gram or more of a mixture or substance containing a detectable amount of lysergic
 31 acid diethylamide (LSD); or

32 ~~[(5)]~~ (4) Ninety grams or more of a mixture or substance containing a detectable amount of
 33 phencyclidine (PCP); or

34 ~~[(6)]~~ (5) Twelve grams or more of phencyclidine; or

35 ~~[(7)]~~ (6) One hundred kilograms or more of a mixture or substance containing marijuana; or

36 ~~[(8)]~~ (7) Ninety grams or more of any material, compound, mixture, or preparation
 37 containing any quantity of the following substances having a stimulant effect on the central nervous
 38 system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine,

its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate; or

~~[(9)]~~ (8) More than thirty grams of any material, compound, mixture, or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers, and salts of its optical isomers; methamphetamine, its salts, optical isomers, and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate, and the location of the offense was within two thousand feet of real property comprising a public or private elementary, vocational, or secondary school, college, community college, university, or any school bus, in or on the real property comprising public housing or any other governmental assisted housing, or within a motor vehicle, or in any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests; or

~~[(10)]~~ (9) Ninety grams or more of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine; or

~~[(11)]~~ (10) More than thirty grams of any material, compound, mixture, or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine and the location of the offense was within two thousand feet of real property comprising a public or private elementary, vocational, or secondary school, college, community college, university, or any school bus, in or on the real property comprising public housing or any other governmental assisted housing, within a motor vehicle, or in any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests; or

~~[(12)]~~ (11) One gram or more of flunitrazepam for a second or subsequent offense; or

~~[(13)]~~ (12) Any amount of gamma-hydroxybutyric acid for a second or subsequent offense;

or

~~[(14) Twenty]~~ (13) Fourteen milligrams or more of fentanyl or carfentanil, or any derivative thereof, or any combination thereof, or any compound, mixture, or substance containing a detectable amount of fentanyl or carfentanil, or their optical isomers or analogues.

579.068. 1. A person commits the offense of trafficking drugs in the second degree if, except as authorized by this chapter or chapter 195, such person knowingly possesses or has under his or her control, purchases or attempts to purchase, or brings into this state:

(1) More than thirty grams of a mixture or substance containing a detectable amount of heroin;

(2) More than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,

1 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any
2 of the foregoing substances;

3 ~~(3) [More than eight grams of a mixture or substance described in subdivision (2) of this~~
4 ~~subsection which contains cocaine base;~~

5 (4) More than five hundred milligrams of a mixture or substance containing a detectable
6 amount of lysergic acid diethylamide (LSD);

7 ~~[(5)] (4)~~ More than thirty grams of a mixture or substance containing a detectable amount of
8 phencyclidine (PCP);

9 ~~[(6)] (5)~~ More than four grams of phencyclidine;

10 ~~[(7)] (6)~~ More than thirty kilograms of a mixture or substance containing marijuana;

11 ~~[(8)] (7)~~ More than thirty grams of any material, compound, mixture, or preparation
12 containing any quantity of the following substances having a stimulant effect on the central nervous
13 system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine,
14 its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or
15 methylphenidate;

16 ~~[(9)] (8)~~ More than thirty grams of any material, compound, mixture, or preparation which
17 contains any quantity of 3,4-methylenedioxymethamphetamine; or

18 ~~[(10)] (9)~~ More than ~~ten~~ three but less than fourteen milligrams of fentanyl or carfentanil,
19 or any derivative thereof, or any combination thereof, or any compound, mixture, or substance
20 containing a detectable amount of fentanyl or carfentanil, or their optical isomers or analogues.

21 2. The offense of trafficking drugs in the second degree is a class C felony.

22 3. The offense of trafficking drugs in the second degree is a class B felony if the quantity
23 involved is:

24 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
25 heroin; or

26 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
27 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
28 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
29 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
30 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any
31 of the foregoing substances; or

32 ~~(3) [Twenty-four grams or more of a mixture or substance described in subdivision (2) of~~
33 ~~this subsection which contains cocaine base; or~~

34 (4) One gram or more of a mixture or substance containing a detectable amount of lysergic
35 acid diethylamide (LSD); or

36 ~~[(5)] (4)~~ Ninety grams or more of a mixture or substance containing a detectable amount of
37 phencyclidine (PCP); or

38 ~~[(6)] (5)~~ Twelve grams or more of phencyclidine; or

39 ~~[(7)] (6)~~ One hundred kilograms or more of a mixture or substance containing marijuana; or

1 ~~[(8)]~~ (7) More than five hundred marijuana plants; or

2 ~~[(9)]~~ (8) Ninety grams or more but less than four hundred fifty grams of any material,
3 compound, mixture, or preparation containing any quantity of the following substances having a
4 stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of
5 its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
6 phenmetrazine and its salts; or methylphenidate; or

7 ~~[(10)]~~ (9) Ninety grams or more but less than four hundred fifty grams of any material,
8 compound, mixture, or preparation which contains any quantity of 3,4-
9 methylenedioxymethamphetamine; or

10 ~~[(11) Twenty]~~ (10) Fourteen milligrams or more of fentanyl or carfentanil, or any derivative
11 thereof, or any combination thereof, or any compound, mixture, or substance containing a detectable
12 amount of fentanyl or carfentanil, or their optical isomers or analogues.

13 4. The offense of trafficking drugs in the second degree is a class A felony if the quantity
14 involved is four hundred fifty grams or more of any material, compound, mixture or preparation
15 which contains:

16 (1) Any quantity of the following substances having a stimulant effect on the central
17 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
18 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or
19 methylphenidate; or

20 (2) Any quantity of 3,4-methylenedioxymethamphetamine.

21 5. The offense of drug trafficking in the second degree is a class C felony for the first
22 offense and a class B felony for any second or subsequent offense for the trafficking of less than one
23 gram of flunitrazepam.

24 589.401. 1. A person on the sexual offender registry may file a petition in the division of
25 the circuit court in the county or city not within a county in which the offense requiring registration
26 was committed to have his or her name removed from the sexual offender registry.

27 2. A person who is required to register in this state because of an offense that was
28 adjudicated in another jurisdiction shall file his or her petition for removal according to the laws of
29 the state, federal, territory, tribal, or military jurisdiction, the District of Columbia, or foreign
30 country in which his or her offense was adjudicated. Upon the grant of the petition for removal in
31 the jurisdiction where the offense was adjudicated, such judgment may be registered in this state by
32 sending the information required under subsection 5 of this section as well as one authenticated
33 copy of the order granting removal from the sexual offender registry in the jurisdiction where the
34 offense was adjudicated to the court in the county or city not within a county in which the offender
35 is required to register. On receipt of a request for registration removal, the registering court shall
36 cause the order to be filed as a foreign judgment, together with one copy of the documents and
37 information, regardless of their form. The petitioner shall be responsible for costs associated with
38 filing the petition.

39 3. A person required to register;

- (1) As a tier III offender;
- (2) Under subdivision (7) of subsection 1 of section 589.400; or
- (3) As a result of an offense that is sexual in nature committed against a minor or against an incapacitated person as defined under section 475.010

shall not file a petition under this section unless the requirement to register results from a juvenile adjudication.

4. The petition shall be dismissed without prejudice if the following time periods have not elapsed since the date the person was required to register for his or her most recent offense under sections 589.400 to 589.425:

- (1) For a tier I offense, ten years;
- (2) For a tier II offense, twenty-five years; or
- (3) For a tier III offense adjudicated delinquent, twenty-five years.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

- (1) The petitioner's:
 - (a) Full name, including any alias used by the individual;
 - (b) Sex;
 - (c) Race;
 - (d) Date of birth;
 - (e) Last four digits of the Social Security number;
 - (f) Address; and
 - (g) Place of employment, school, or volunteer status;
- (2) The offense and tier of the offense that required the petitioner to register;
- (3) The date the petitioner was adjudicated for the offense;
- (4) The date the petitioner was required to register;
- (5) The case number and court, including the county or city not within a county, that entered the original order for the adjudicated sex offense;
- (6) Petitioner's fingerprints on an applicant fingerprint card;
- (7) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and
- (8) If the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

1 8. The person seeking removal or exemption from the registry shall provide the prosecuting
2 attorney in the circuit court in which the petition is filed with notice of the petition. The prosecuting
3 attorney may present evidence in opposition to the requested relief or may otherwise demonstrate
4 the reasons why the petition should be denied. Failure of the person seeking removal or exemption
5 from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial
6 of such person's petition.

7 9. The prosecuting attorney in the circuit court in which the petition is filed shall have
8 access to all applicable records concerning the petitioner including, but not limited to, criminal
9 history records, mental health records, juvenile records, and records of the department of corrections
10 or probation and parole.

11 10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime
12 for which the person was required to register of the petition and the dates and times of any hearings
13 or other proceedings in connection with such petition.

14 11. The court shall not enter an order directing the removal of the petitioner's name from the
15 sexual offender registry unless it finds the petitioner:

16 (1) Has not been adjudicated or does not have charges pending for any additional nonsexual
17 offense for which imprisonment for more than one year may be imposed since the date the offender
18 was required to register for his or her current tier level;

19 (2) Has not been adjudicated or does not have charges pending for any additional sex
20 offense that would require registration under sections 589.400 to 589.425 since the date the offender
21 was required to register for his or her current tier level, even if the offense was punishable by less
22 than one year imprisonment;

23 (3) Has successfully completed any required periods of supervised release, probation, or
24 parole without revocation since the date the offender was required to register for his or her current
25 tier level;

26 (4) Has successfully completed an appropriate sex offender treatment program as approved
27 by a court of competent jurisdiction or the Missouri department of corrections; and

28 (5) Is not a current or potential threat to public safety.

29 12. In order to meet the criteria required by subdivisions (1) and (2) of subsection 11 of this
30 section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol.
31 The petitioner shall be responsible for all costs associated with the fingerprint-based criminal history
32 check of both state and federal files under section 43.530.

33 13. If the petition is denied due to an adjudication in violation of subdivision (1) or (2) of
34 subsection 11 of this section, the petitioner shall not file a new petition under this section until:

35 (1) Fifteen years have passed from the date of the adjudication resulting in the denial of
36 relief if the petitioner is classified as a tier I offender;

37 (2) Twenty-five years have passed from the date of adjudication resulting in the denial of
38 relief if the petitioner is classified as a tier II offender; or

1 (3) Twenty-five years have passed from the date of the adjudication resulting in the denial of
2 relief if the petitioner is classified as a tier III offender on the basis of a juvenile adjudication.

3 14. If the petition is denied due to the petitioner having charges pending in violation of
4 subdivision (1) or (2) of subsection 11 of this section, the petitioner shall not file a new petition
5 under this section until:

6 (1) The pending charges resulting in the denial of relief have been finally disposed of in a
7 manner other than adjudication; or

8 (2) If the pending charges result in an adjudication, the necessary time period has elapsed
9 under subsection 13 of this section.

10 15. If the petition is denied for reasons other than those outlined in subsection 11 of this
11 section, no successive petition requesting such relief shall be filed for at least five years from the
12 date the judgment denying relief is entered.

13 16. If the court finds the petitioner is entitled to have his or her name removed from the
14 sexual offender registry, the court shall enter judgment directing the removal of the name. A copy
15 of the judgment shall be provided to the respondents named in the petition.

16 17. Any person subject to the judgment requiring his or her name to be removed from the
17 sexual offender registry is not required to register under sections 589.400 to 589.425 unless such
18 person is required to register for an offense that was different from that listed on the judgment of
19 removal.

20 18. The court shall not deny the petition unless the petition failed to comply with the
21 provisions of sections 589.400 to 589.425 or the prosecuting attorney provided evidence
22 demonstrating the petition should be denied.

23 589.403. 1. Any person who is required to register under sections 589.400 to 589.425 and
24 who is paroled, discharged, or otherwise released from any correctional facility of the department of
25 corrections, any mental health institution, private jail under section 221.095, or other private facility
26 recognized by or contracted with the department of corrections or department of mental health
27 where such person was confined shall:

28 (1) If the person plans to reside in this state, be informed by the official in charge of such
29 correctional facility, private jail, or mental health institution of the person's possible duty to register
30 pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections
31 589.400 to 589.425, the official in charge of the correctional facility, private jail, or the mental
32 health institution shall complete the initial registration notification at least seven days prior to
33 release and forward the offender's registration, within three business days of release, to the Missouri
34 state highway patrol and the chief law enforcement official of the county or city not within a county
35 where the person expects to reside upon discharge, parole, or release; or

36 (2) If the person does not reside or plan to reside in Missouri, be informed by the official in
37 charge of such correctional facility, private jail, or mental health institution of the person's possible
38 duty to register under sections 589.400 to 589.425. If such person is required to register under
39 sections 589.400 to 589.425, the official in charge of the correctional facility, private jail, or the

1 mental health institution shall complete the initial registration notification at least seven days prior
 2 to release and forward the offender's registration, within three business days of release, to the
 3 Missouri state highway patrol and the chief law enforcement official within the county or city not
 4 within a county where the correctional facility, private jail, or mental health institution is located.

5 2. If the person is currently a registered sex offender in Missouri, upon release of the
 6 offender from any correctional facility of the department of corrections, any mental health
 7 institution, a private jail under section 221.095, or other private facility recognized by or contracted
 8 with the department of corrections or department of mental health where such person was confined,
 9 the official in charge of such correctional facility, mental health institution, or private jail shall
 10 inform the chief law enforcement official of the county or city not within a county where the
 11 offender is registered of the offender's release.

12 3. If the offender refuses to complete and sign the registration information as outlined in this
 13 section or fails to register with the chief law enforcement official within three business days as
 14 directed, the offender commits the offense of failure to register under section 589.425 within the
 15 jurisdiction where the correctional facility, private jail, or mental health institution is located.

16 4. When any person is incarcerated in any jail, municipal detention facility, correctional
 17 facility of the department of corrections, private jail under section 221.095, or other private facility
 18 contracted with the department of corrections, or any person is committed to the department of
 19 mental health or a mental health institution, the official in charge of such jail, detention facility,
 20 correctional facility, private jail, private facility, or mental health institution shall complete a check
 21 to see if the person is currently a registered sex offender in Missouri. If the person is a registered
 22 sex offender in Missouri, such official in charge shall inform the chief law enforcement official of
 23 the county or city not within a county where the offender is registered of the incarceration. If the
 24 person incarcerated is a registered sex offender, the chief law enforcement official of the county or
 25 city not within a county where the offender is registered shall ensure the offender's status is properly
 26 updated in the Missouri sex offender registry.

27 589.410. The chief law enforcement official of a county or city not within a county shall
 28 ~~[forward]~~ enter the completed offender registration ~~[form to the Missouri state highway patrol]~~ into
 29 the Missouri state highway patrol's sex offender registration system within three days. ~~[The patrol]~~
 30 Such registration shall ~~[enter the information]~~ be entered into the Missouri uniform law enforcement
 31 system (MULES). The Missouri state highway patrol shall ensure the information entered into the
 32 Missouri sex offender registry is forwarded to the National Crime Information Center (NCIC) where
 33 it is available to members of the criminal justice system, and other entities as provided by law, upon
 34 inquiry.

35 589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, within
 36 three business days, appear in person to the chief law enforcement officer of the county or city not
 37 within a county if there is a change to any of the following information:

- 38 (1) Name;
- 39 (2) Residence;

- (3) Employment, including status as a volunteer or intern;
- (4) Student status; or
- (5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall, within three business days, notify the chief law enforcement official of the county or city not within a county of any changes to the following information:

- (1) Vehicle information;
- (2) Temporary lodging information;
- (3) Temporary residence information;
- (4) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications; or
- (5) Telephone or other cellular number, including any new forms of electronic communication.

3. The chief law enforcement official in the county or city not within a county shall immediately ~~[forward]~~ enter the registration changes described under subsections 1 and 2 of this section ~~[to]~~ into the Missouri state highway ~~[patrol]~~ patrol's sex offender registration system within three business days.

4. If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes his or her state, territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state, territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction having jurisdiction over the new residence or address within three business days of such new address. ~~[Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days.]~~ When the registrant is changing the residence to a new state, territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction, the Missouri state highway patrol shall inform the responsible official in the new state, territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction of residence within three business days.

5. Tier I sexual offenders, in addition to the requirements of subsections 1 to 4 of this section, shall report in person to the chief law enforcement official annually in the month of their

1 birth to verify the information contained in their statement made pursuant to section 589.407. Tier I
2 sexual offenders include:

3 (1) Any offender who has been adjudicated for the offense of:

4 (a) Sexual abuse in the first degree under section 566.100 if the victim is eighteen years of
5 age or older;

6 (b) ~~[Sexual misconduct involving a child under section 566.083 if it is a first offense and the~~
7 ~~punishment is less than one year;~~

8 (e) Sexual abuse in the second degree under section 566.101 if the punishment is less than a
9 year;

10 ~~[(d)]~~ (c) Kidnapping in the second degree under section 565.120 with sexual motivation;

11 ~~[(e)]~~ (d) Kidnapping in the third degree under section 565.130;

12 ~~[(f)]~~ (e) Sexual conduct with a nursing facility resident or vulnerable person in the first
13 degree under section 566.115 if ~~[the punishment is less than one year]~~ the offense is a misdemeanor;

14 ~~[(g)]~~ (f) Sexual conduct under section 566.116 with a nursing facility resident or vulnerable
15 person;

16 ~~[(h)]~~ (g) Sexual ~~[contact with a prisoner or offender]~~ conduct in the course of public duty
17 under section 566.145 if the victim is eighteen years of age or older;

18 ~~[(i)]~~ (h) Sex with an animal under section 566.111;

19 ~~[(j)]~~ (i) Trafficking for the purpose of sexual exploitation under section 566.209 if the victim
20 is eighteen years of age or older;

21 ~~[(k)]~~ (j) Possession of child pornography under section 573.037;

22 ~~[(l)]~~ (k) Sexual misconduct in the first degree under section 566.093;

23 ~~[(m)]~~ (l) Sexual misconduct in the second degree under section 566.095;

24 ~~[(n)]~~ Child molestation in the second degree under section 566.068 as it existed prior to
25 January 1, 2017, if the punishment is less than one year;] or

26 ~~[(o)]~~ (m) Invasion of privacy under section 565.252 if the victim is less than eighteen years
27 of age;

28 (2) Any offender who is or has been adjudicated in any other state, territory, the District of
29 Columbia, or foreign country, or under federal, tribal, or military jurisdiction of an offense of a
30 sexual nature or with a sexual element that is comparable to the tier I sexual offenses listed in this
31 subsection or, if not comparable to those in this subsection, comparable to those described as tier I
32 offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child
33 Protection and Safety Act of 2006, Pub. L. 109-248.

34 6. Tier II sexual offenders, in addition to the requirements of subsections 1 to 4 of this
35 section, shall report semiannually in person in the month of their birth and six months thereafter to
36 the chief law enforcement official to verify the information contained in their statement made
37 pursuant to section 589.407. Tier II sexual offenders include:

38 (1) Any offender who has been adjudicated for the offense of[;

- 1 ~~(a) Statutory sodomy in the second degree under section 566.064 if the victim is sixteen to~~
 2 ~~seventeen years of age;~~
 3 ~~(b) Child molestation in the third degree under section 566.069 if the victim is between~~
 4 ~~thirteen and fourteen years of age;~~
 5 ~~(c) Sexual contact with a student under section 566.086 if the victim is thirteen to seventeen~~
 6 ~~years of age;~~
 7 ~~(d) Enticement of a child under section 566.151;~~
 8 ~~(e) Abuse of a child under section 568.060 if the offense is of a sexual nature and the victim~~
 9 ~~is thirteen to seventeen years of age;~~
 10 ~~(f) Sexual exploitation of a minor under section 573.023;~~
 11 ~~(g) Promoting child pornography in the first degree under section 573.025;~~
 12 ~~(h) Promoting child pornography in the second degree under section 573.035;~~
 13 ~~(i) patronizing prostitution under section 567.030[;~~
 14 ~~(j) Sexual contact with a prisoner or offender under section 566.145 if the victim is thirteen~~
 15 ~~to seventeen years of age;~~
 16 ~~(k) Child molestation in the fourth degree under section 566.071 if the victim is thirteen to~~
 17 ~~seventeen years of age;~~
 18 ~~(l) Sexual misconduct involving a child under section 566.083 if it is a first offense and the~~
 19 ~~penalty is a term of imprisonment of more than a year; or~~
 20 ~~(m) Age misrepresentation with intent to solicit a minor under section 566.153];~~
 21 (2) Any person who is adjudicated of an offense comparable to a tier I offense listed in this
 22 section or failure to register offense under section 589.425 or comparable out-of-state failure to
 23 register offense or a violation of a restriction under section 566.147, 566.148, 566.149, 566.150,
 24 566.155, or 589.426 and who is already required to register as a tier I offender due to having been
 25 adjudicated of a tier I offense on a previous occasion; or
 26 (3) Any person who is or has been adjudicated in any other state, territory, the District of
 27 Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of a
 28 sexual nature or with a sexual element that is comparable to the tier II sexual offenses listed in this
 29 subsection or, if not comparable to those in this subsection, comparable to those described as tier II
 30 offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child
 31 Protection and Safety Act of 2006, Pub. L. 109-248.
- 32 7. Tier III sexual offenders, in addition to the requirements of subsections 1 to 4 of this
 33 section, shall report in person to the chief law enforcement official every ninety days to verify the
 34 information contained in their statement made under section 589.407. Tier III sexual offenders
 35 include:
- 36 (1) Any offender registered as a predatory sexual offender [~~as defined in section 566.123]~~ or
 37 a persistent sexual offender as defined in section [~~566.124]~~ 566.125;
 38 (2) Any offender who has been adjudicated for the crime of:
 39 (a) Rape in the first degree under section 566.030;

- 1 (b) Statutory rape in the first degree under section 566.032;
- 2 (c) Rape in the second degree under section 566.031;
- 3 (d) Statutory rape in the second degree under section 566.034;
- 4 (e) Endangering the welfare of a child in the first degree under section 568.045 if the
- 5 offense is sexual in nature;
- 6 ~~[(e)]~~ (f) Sodomy in the first degree under section 566.060;
- 7 ~~[(f)]~~ (g) Statutory sodomy under section 566.062;
- 8 ~~[(g)]~~ (h) Statutory sodomy under section 566.064 ~~[if the victim is under sixteen years of~~
- 9 ~~age];~~
- 10 ~~[(h)]~~ (i) Sodomy in the second degree under section 566.061;
- 11 ~~[(i)]~~ (j) Sexual misconduct involving a child under section 566.083 ~~[if the offense is a~~
- 12 ~~second or subsequent offense];~~
- 13 ~~[(j)]~~ (k) Sexual abuse in the first degree under section 566.100 ~~[if the victim is under~~
- 14 ~~thirteen years of age];~~
- 15 ~~[(k)]~~ (l) Age misrepresentation with intent to solicit a minor under section 566.153;
- 16 (m) Enticement of a child under section 566.151;
- 17 (n) Kidnapping in the first degree under section 565.110 if the victim is under eighteen years
- 18 of age, excluding kidnapping by a parent or guardian;
- 19 ~~[(n)]~~ (o) Child kidnapping under section 565.115 with sexual motivation;
- 20 ~~[(m)]~~ (p) Sexual conduct with a nursing facility resident or vulnerable person in the first
- 21 degree under section 566.115 if ~~[the punishment is greater than a year]~~ the offense is a felony;
- 22 ~~[(m)]~~ (q) Incest under section 568.020;
- 23 ~~[(o)]~~ (r) Endangering the welfare of a child in the first degree under section 568.045 with
- 24 sexual intercourse or deviate sexual intercourse with a victim under eighteen years of age;
- 25 ~~[(p)]~~ (s) Child molestation in the first degree under section 566.067;
- 26 ~~[(q)]~~ (t) Child molestation in the second degree under section 566.068 or child molestation
- 27 in the second degree under section 566.068 as it existed prior to January 1, 2017, if the punishment
- 28 is less than one year;
- 29 ~~[(r)]~~ (u) Child molestation in the third degree under section 566.069 if the victim is under
- 30 ~~[thirteen]~~ fourteen years of age;
- 31 ~~[(s)]~~ (v) Promoting prostitution in the first degree under section 567.050 if the victim is
- 32 under eighteen years of age;
- 33 ~~[(t)]~~ (w) Promoting prostitution in the second degree under section 567.060 if the victim is
- 34 under eighteen years of age;
- 35 ~~[(u)]~~ (x) Promoting prostitution in the third degree under section 567.070 if the victim is
- 36 under eighteen years of age;
- 37 ~~[(v)]~~ (y) Promoting travel for prostitution under section 567.085 if the victim is under
- 38 eighteen years of age;

1 ~~[(w)]~~ (z) Trafficking for the purpose of sexual exploitation under section 566.209 if the
 2 victim is under eighteen years of age;
 3 ~~[(x)]~~ (aa) Sexual trafficking of a child in the first degree under section 566.210;
 4 ~~[(y)]~~ (bb) Sexual trafficking of a child in the second degree under section 566.211;
 5 ~~[(z)]~~ (cc) Genital mutilation of a female child under section 568.065;
 6 ~~[(aa)]~~ (dd) Statutory rape in the second degree under section 566.034;
 7 ~~[(bb)]~~ (ee) Child molestation in the fourth degree under section 566.071 if the victim is
 8 under ~~[thirteen]~~ seventeen years of age;
 9 ~~[(ee)]~~ (ff) Sexual abuse in the second degree under section 566.101 if ~~[the penalty is a term~~
 10 ~~of imprisonment of more than a year]~~ the offense is a felony;
 11 ~~[(dd)]~~ (gg) Patronizing prostitution under section 567.030 if the offender is a persistent
 12 offender or if the victim is under eighteen years of age;
 13 ~~[(ee)]~~ (hh) Abuse of a child under section 568.060 if the offense is of a sexual nature and the
 14 victim is under ~~[thirteen]~~ eighteen years of age;
 15 ~~[(ff)]~~ (ii) Sexual ~~[contact with a prisoner or offender]~~ conduct in the course of public duty
 16 under section 566.145 if the victim is under ~~[thirteen]~~ eighteen years of age;
 17 ~~[(gg)]~~ Sexual intercourse with a prisoner or offender under section 566.145;
 18 ~~[(hh)]~~ (jj) Sexual contact with a student under section 566.086 if the victim is under
 19 ~~[thirteen]~~ eighteen years of age;
 20 ~~[(kk)]~~ Sexual exploitation of a minor under section 573.023;
 21 ~~[(ll)]~~ Promoting child pornography in the first degree under section 573.025;
 22 ~~[(mm)]~~ Promoting child pornography in the second degree under section 573.035;
 23 ~~[(ii)]~~ (nn) Use of a child in a sexual performance under section 573.200; or
 24 ~~[(jj)]~~ (oo) Promoting a sexual performance by a child under section 573.205;
 25 (3) Any offender who is adjudicated ~~[for a crime]~~ of an offense comparable to a tier I or tier
 26 II offense listed in this section or failure to register offense under section 589.425, or other
 27 comparable out-of-state failure to register offense or a violation of a restriction under section
 28 566.147, 566.148, 566.149, 566.150, 566.155, or 589.426, who has been or is already required to
 29 register as a tier II offender because of having been adjudicated for a tier II offense, two tier I
 30 offenses, or combination of a tier I offense and failure to register offense, on a previous occasion;
 31 (4) Any offender who is adjudicated in any other state, territory, the District of Columbia, or
 32 foreign country, or under federal, tribal, or military jurisdiction for an offense of a sexual nature or
 33 with a sexual element that is comparable to a tier III offense listed in this section or a tier III offense
 34 under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child
 35 Protection and Safety Act of 2006, Pub. L. 109-248; or
 36 (5) Any offender who is adjudicated in Missouri for any offense of a sexual nature requiring
 37 registration under sections 589.400 to 589.425 that is not classified as a tier I or tier II offense in this
 38 section.

8. In addition to the requirements of subsections 1 to 7 of this section, all Missouri registrants who work, including as a volunteer or unpaid intern, or attend any school whether public or private, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis or have a temporary residence in this state shall be required to report in person to the chief law enforcement officer in the area of the state where they work, including as a volunteer or unpaid intern, or attend any school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

9. If a person who is required to register as a sexual offender under sections 589.400 to 589.425 changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.

590.033. 1. The POST commission shall establish minimum standards for a chief of police training course which shall include at least forty hours of training. All police chiefs appointed after August 28, 2023, shall attend a chief of police training course certified by the POST commission not later than six months after the person's appointment as a chief of police.

2. A chief of police may request an exemption from the training in subsection 1 of this section by submitting to the POST commission proof of completion of the Federal Bureau of Investigation's national academy course or any other equivalent training course within the previous ten years or at least five years of experience as a police chief in a Missouri law enforcement agency.

3. Any law enforcement agency who has a chief of police appointed after August 28, 2023, who fails to complete a chief of police training course within six months of appointment shall be precluded from receiving any POST commission training funds, state grant funds, or federal grant funds until the police chief has completed the training course.

4. While attending a chief of police training course, the chief of police shall receive compensation in the same manner and amount as if carrying out the powers and duties of the chief of police. The cost of the chief of police training course may be paid by moneys from the peace officer standards and training commission fund created in section 590.178.

590.040. 1. The POST commission shall set the minimum number of hours of basic training for licensure as a peace officer no lower [~~than four hundred seventy and no higher~~] than six hundred, with the following exceptions:

(1) Up to one thousand hours may be mandated for any class of license required for commission by a state law enforcement agency;

(2) As few as one hundred twenty hours may be mandated for any class of license restricted to commission as a reserve peace officer with police powers limited to the commissioning political subdivision;

(3) Persons validly licensed on August 28, 2001, may retain licensure without additional basic training;

(4) Persons licensed and commissioned within a county of the third classification before July 1, 2002, may retain licensure with one hundred twenty hours of basic training if the commissioning political subdivision has adopted an order or ordinance to that effect;

(5) Persons serving as a reserve officer on August 27, 2001, within a county of the first classification or a county with a charter form of government and with more than one million inhabitants on August 27, 2001, having previously completed a minimum of one hundred sixty hours of training, shall be granted a license necessary to function as a reserve peace officer only within such county. For the purposes of this subdivision, the term "reserve officer" shall mean any person who serves in a less than full-time law enforcement capacity, with or without pay and who, without certification, has no power of arrest and who, without certification, must be under the direct and immediate accompaniment of a certified peace officer of the same agency at all times while on duty; and

(6) The POST commission shall provide for the recognition of basic training received at law enforcement training centers of other states, the military, the federal government and territories of the United States regardless of the number of hours included in such training and shall have authority to require supplemental training as a condition of eligibility for licensure.

2. The director shall have the authority to limit any exception provided in subsection 1 of this section to persons remaining in the same commission or transferring to a commission in a similar jurisdiction.

3. The basic training of every peace officer, except agents of the conservation commission, shall include at least thirty hours of training in the investigation and management of cases involving domestic and family violence. Such training shall include instruction, specific to domestic and family violence cases, regarding: report writing; physical abuse, sexual abuse, child fatalities and child neglect; interviewing children and alleged perpetrators; the nature, extent and causes of domestic and family violence; the safety of victims, other family and household members and investigating officers; legal rights and remedies available to victims, including rights to compensation and the enforcement of civil and criminal remedies; services available to victims and their children; the effects of cultural, racial and gender bias in law enforcement; and state statutes. Said curriculum shall be developed and presented in consultation with the department of health and senior services, the children's division, public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence.

590.080. 1. As used in this section, the following terms shall mean:

(1) "Gross misconduct", includes any willful and wanton or unlawful conduct motivated by premeditated or intentional purpose or by purposeful indifference to the consequences of one's acts;

(2) "Moral turpitude", the wrongful quality shared by acts of fraud, theft, bribery, illegal drug use, sexual misconduct, and other similar acts as defined by the common law of Missouri;

(3) "Reckless disregard", a conscious disregard of a substantial risk that circumstances exist or that a result will follow, and such failure constitutes a gross deviation from the standard of care that a reasonable peace officer would exercise in the situation.

2. The director shall have cause to discipline any peace officer licensee who:

(1) Is unable to perform the functions of a peace officer with reasonable competency or reasonable safety ~~[as a result of a mental condition, including alcohol or substance abuse];~~

(2) Has committed any criminal offense, whether or not a criminal charge has been filed, has been convicted, or has entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, or the United States, or of any country, regardless of whether or not sentence is imposed;

(3) Has committed any act ~~[while on active duty or under color of law]~~ that involves moral turpitude or a reckless disregard for the safety of the public or any person;

(4) Has caused a material fact to be misrepresented for the purpose of obtaining or retaining a peace officer commission or any license issued pursuant to this chapter;

(5) Has violated a condition of any order of probation lawfully issued by the director; ~~[or]~~

(6) Has violated a provision of this chapter or a rule promulgated pursuant to this chapter;

(7) Has tested positive for a controlled substance, as defined in chapter 195, without a valid prescription for the controlled substance, except as otherwise provided by law or by any provision of the Constitution of Missouri;

(8) Is subject to an order of another state, territory, the federal government, or any peace officer licensing authority suspending or revoking a peace officer license or certification; or

(9) Has committed any act of gross misconduct indicating inability to function as a peace officer.

~~[2-]~~ 3. When the director has knowledge of cause to discipline a peace officer license pursuant to this section, the director may cause a complaint to be filed with the administrative hearing commission, which shall conduct a hearing to determine whether the director has cause for discipline, and which shall issue findings of fact and conclusions of law on the matter. The administrative hearing commission shall not consider the relative severity of the cause for discipline or any rehabilitation of the licensee or otherwise impinge upon the discretion of the director to determine appropriate discipline when cause exists pursuant to this section.

~~[3-]~~ 4. Upon a finding by the administrative hearing commission that cause to discipline exists, the director shall, within thirty days, hold a hearing to determine the form of discipline to be imposed and thereafter shall probate, suspend, or permanently revoke the license at issue. If the licensee fails to appear at the director's hearing, this shall constitute a waiver of the right to such hearing.

~~[4-]~~ 5. Notice of any hearing pursuant to this chapter or section may be made by certified mail to the licensee's address of record pursuant to subdivision (2) of subsection 3 of section 590.130. Proof of refusal of the licensee to accept delivery or the inability of postal authorities to

1 deliver such certified mail shall be evidence that required notice has been given. Notice may be
2 given by publication.

3 ~~[5:]~~ 6. Nothing contained in this section shall prevent a licensee from informally disposing
4 of a cause for discipline with the consent of the director by voluntarily surrendering a license or by
5 voluntarily submitting to discipline.

6 ~~[6:]~~ 7. The provisions of chapter 621 and any amendments thereto, except those provisions
7 or amendments that are in conflict with this chapter, shall apply to and govern the proceedings of the
8 administrative hearing commission and pursuant to this section the rights and duties of the parties
9 involved."; and

10
11 Further amend said bill, Page 30, Section 590.1075, Line 11, by inserting after said section and line
12 the following:

13
14 "595.045. 1. There is established in the state treasury the "Crime Victims' Compensation
15 Fund". A surcharge of seven dollars and fifty cents shall be assessed as costs in each court
16 proceeding filed in any court in the state in all criminal cases including violations of any county
17 ordinance or any violation of criminal or traffic laws of the state, including an infraction and
18 violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in
19 any court when the proceeding or the defendant has been dismissed by the court or when costs are to
20 be paid by the state, county, or municipality. A surcharge of seven dollars and fifty cents shall be
21 assessed as costs in a juvenile court proceeding in which a child is found by the court to come
22 within the applicable provisions of subdivision (3) of subsection 1 of section 211.031.

23 2. Notwithstanding any other provision of law to the contrary, the moneys collected by
24 clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and
25 disbursed in accordance with sections 488.010 to 488.020 and shall be payable to the director of the
26 department of revenue.

27 3. The director of revenue shall deposit annually the amount of two hundred fifty thousand
28 dollars to the state forensic laboratory account administered by the department of public safety to
29 provide financial assistance to defray expenses of crime laboratories if such analytical laboratories
30 are registered with the federal Drug Enforcement Agency or the Missouri department of health and
31 senior services. Subject to appropriations made therefor, such funds shall be distributed by the
32 department of public safety to the crime laboratories serving the courts of this state making analysis
33 of a controlled substance or analysis of blood, breath or urine in relation to a court proceeding.

34 4. The remaining funds collected under subsection 1 of this section shall be denoted to the
35 payment of an annual appropriation for the administrative and operational costs of the office for
36 victims of crime and, if a statewide automated crime victim notification system is established
37 pursuant to section 650.310, to the monthly payment of expenditures actually incurred in the
38 operation of such system. Additional remaining funds shall be subject to the following provisions:

1 (1) On the first of every month, the director of revenue or the director's designee shall
2 determine the balance of the funds in the crime victims' compensation fund available to satisfy the
3 amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections
4 595.050 and 595.055;

5 (2) Beginning on September 1, 2004, and on the first of each month, the director of revenue
6 or the director's designee shall deposit fifty percent of the balance of funds available to the credit of
7 the crime victims' compensation fund and fifty percent to the services to victims' fund established in
8 section 595.100.

9 5. The director of revenue or such director's designee shall at least monthly report the
10 moneys paid pursuant to this section into the crime victims' compensation fund and the services to
11 victims fund to the department of public safety.

12 6. The moneys collected by clerks of municipal courts pursuant to subsection 1 of this
13 section shall be collected and disbursed as provided by sections 488.010 to 488.020. Five percent of
14 such moneys shall be payable to the city treasury of the city from which such funds were collected.
15 The remaining ninety-five percent of such moneys shall be payable to the director of revenue. The
16 funds received by the director of revenue pursuant to this subsection shall be distributed as follows:

17 (1) On the first of every month, the director of revenue or the director's designee shall
18 determine the balance of the funds in the crime victims' compensation fund available to satisfy the
19 amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections
20 595.050 and 595.055;

21 (2) Beginning on September 1, 2004, and on the first of each month the director of revenue
22 or the director's designee shall deposit fifty percent of the balance of funds available to the credit of
23 the crime victims' compensation fund and fifty percent to the services to victims' fund established in
24 section 595.100.

25 7. These funds shall be subject to a biennial audit by the Missouri state auditor. Such audit
26 shall include all records associated with crime victims' compensation funds collected, held or
27 disbursed by any state agency.

28 8. In addition to the moneys collected pursuant to subsection 1 of this section, the court shall
29 enter a judgment in favor of the state of Missouri, payable to the crime victims' compensation fund,
30 of sixty-eight dollars upon a plea of guilty or a finding of guilt for a class A or B felony; forty-six
31 dollars upon a plea of guilty or finding of guilt for a class C ~~[or]~~, D, or E felony; and ten dollars
32 upon a plea of guilty or a finding of guilt for any misdemeanor under Missouri law except for those
33 in chapter 252 relating to fish and game, chapter 302 relating to drivers' and commercial drivers'
34 license, chapter 303 relating to motor vehicle financial responsibility, chapter 304 relating to traffic
35 regulations, chapter 306 relating to watercraft regulation and licensing, and chapter 307 relating to
36 vehicle equipment regulations. Any clerk of the court receiving moneys pursuant to such judgments
37 shall collect and disburse such crime victims' compensation judgments in the manner provided by
38 sections 488.010 to 488.020. Such funds shall be payable to the state treasury and deposited to the
39 credit of the crime victims' compensation fund.

1 9. The clerk of the court processing such funds shall maintain records of all dispositions
2 described in subsection 1 of this section and all dispositions where a judgment has been entered
3 against a defendant in favor of the state of Missouri in accordance with this section; all payments
4 made on judgments for alcohol-related traffic offenses; and any judgment or portion of a judgment
5 entered but not collected. These records shall be subject to audit by the state auditor. The clerk of
6 each court transmitting such funds shall report separately the amount of dollars collected on
7 judgments entered for alcohol-related traffic offenses from other crime victims' compensation
8 collections or services to victims collections.

9 10. The department of revenue shall maintain records of funds transmitted to the crime
10 victims' compensation fund by each reporting court and collections pursuant to subsection 16 of this
11 section and shall maintain separate records of collection for alcohol-related offenses.

12 11. The state courts administrator shall include in the annual report required by section
13 476.350 the circuit court caseloads and the number of crime victims' compensation judgments
14 entered.

15 12. All awards made to injured victims under sections 595.010 to 595.105 and all
16 appropriations for administration of sections 595.010 to 595.105, except sections 595.050 and
17 595.055, shall be made from the crime victims' compensation fund. Any unexpended balance
18 remaining in the crime victims' compensation fund at the end of each biennium shall not be subject
19 to the provision of section 33.080 requiring the transfer of such unexpended balance to the ordinary
20 revenue fund of the state, but shall remain in the crime victims' compensation fund. In the event
21 that there are insufficient funds in the crime victims' compensation fund to pay all claims in full, all
22 claims shall be paid on a pro rata basis. If there are no funds in the crime victims' compensation
23 fund, then no claim shall be paid until funds have again accumulated in the crime victims'
24 compensation fund. When sufficient funds become available from the fund, awards which have not
25 been paid shall be paid in chronological order with the oldest paid first. In the event an award was
26 to be paid in installments and some remaining installments have not been paid due to a lack of
27 funds, then when funds do become available that award shall be paid in full. All such awards on
28 which installments remain due shall be paid in full in chronological order before any other postdated
29 award shall be paid. Any award pursuant to this subsection is specifically not a claim against the
30 state, if it cannot be paid due to a lack of funds in the crime victims' compensation fund.

31 13. When judgment is entered against a defendant as provided in this section and such sum,
32 or any part thereof, remains unpaid, there shall be withheld from any disbursement, payment,
33 benefit, compensation, salary, or other transfer of money from the state of Missouri to such
34 defendant an amount equal to the unpaid amount of such judgment. Such amount shall be paid
35 forthwith to the crime victims' compensation fund and satisfaction of such judgment shall be entered
36 on the court record. Under no circumstances shall the general revenue fund be used to reimburse
37 court costs or pay for such judgment. The director of the department of corrections shall have the
38 authority to pay into the crime victims' compensation fund from an offender's compensation or
39 account the amount owed by the offender to the crime victims' compensation fund, provided that the

1 offender has failed to pay the amount owed to the fund prior to entering a correctional facility of the
2 department of corrections.

3 14. All interest earned as a result of investing funds in the crime victims' compensation fund
4 shall be paid into the crime victims' compensation fund and not into the general revenue of this
5 state.

6 15. Any person who knowingly makes a fraudulent claim or false statement in connection
7 with any claim hereunder is guilty of a class A misdemeanor.

8 16. The department may receive gifts and contributions for the benefit of crime victims.
9 Such gifts and contributions shall be credited to the crime victims' compensation fund as used solely
10 for compensating victims under the provisions of sections 595.010 to 595.075.

11 610.021. Except to the extent disclosure is otherwise required by law, a public governmental
12 body is authorized to close meetings, records and votes, to the extent they relate to the following:

13 (1) Legal actions, causes of action or litigation involving a public governmental body and
14 any confidential or privileged communications between a public governmental body or its
15 representatives and its attorneys. However, any minutes, vote or settlement agreement relating to
16 legal actions, causes of action or litigation involving a public governmental body or any agent or
17 entity representing its interests or acting on its behalf or with its authority, including any insurance
18 company acting on behalf of a public government body as its insured, shall be made public upon
19 final disposition of the matter voted upon or upon the signing by the parties of the settlement
20 agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court
21 after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly
22 outweighs the public policy considerations of section 610.011, however, the amount of any moneys
23 paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in
24 matters involving the exercise of the power of eminent domain, the vote shall be announced or
25 become public immediately following the action on the motion to authorize institution of such a
26 legal action. Legal work product shall be considered a closed record;

27 (2) Leasing, purchase or sale of real estate by a public governmental body where public
28 knowledge of the transaction might adversely affect the legal consideration therefor. However, any
29 minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real
30 estate by a public governmental body shall be made public upon execution of the lease, purchase or
31 sale of the real estate;

32 (3) Hiring, firing, disciplining or promoting of particular employees by a public
33 governmental body when personal information about the employee is discussed or recorded.
34 However, any vote on a final decision, when taken by a public governmental body, to hire, fire,
35 promote or discipline an employee of a public governmental body shall be made available with a
36 record of how each member voted to the public within seventy-two hours of the close of the meeting
37 where such action occurs; provided, however, that any employee so affected shall be entitled to
38 prompt notice of such decision during the seventy-two-hour period before such decision is made

1 available to the public. As used in this subdivision, the term "personal information" means
2 information relating to the performance or merit of individual employees;

3 (4) The state militia or national guard or any part thereof;

4 (5) Nonjudicial mental or physical health proceedings involving identifiable persons,
5 including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or
6 treatment;

7 (6) Scholastic probation, expulsion, or graduation of identifiable individuals, including
8 records of individual test or examination scores; however, personally identifiable student records
9 maintained by public educational institutions shall be open for inspection by the parents, guardian or
10 other custodian of students under the age of eighteen years and by the parents, guardian or other
11 custodian and the student if the student is over the age of eighteen years;

12 (7) Testing and examination materials, before the test or examination is given or, if it is to
13 be given again, before so given again;

14 (8) Welfare cases of identifiable individuals;

15 (9) Preparation, including any discussions or work product, on behalf of a public
16 governmental body or its representatives for negotiations with employee groups;

17 (10) Software codes for electronic data processing and documentation thereof;

18 (11) Specifications for competitive bidding, until either the specifications are officially
19 approved by the public governmental body or the specifications are published for bid;

20 (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and
21 related documents or any documents related to a negotiated contract until a contract is executed, or
22 all proposals are rejected;

23 (13) Individually identifiable personnel records, performance ratings or records pertaining to
24 employees or applicants for employment, except that this exemption shall not apply to the names,
25 positions, salaries and lengths of service of officers and employees of public agencies once they are
26 employed as such, and the names of private sources donating or contributing money to the salary of
27 a chancellor or president at all public colleges and universities in the state of Missouri and the
28 amount of money contributed by the source;

29 (14) Records which are protected from disclosure by law;

30 (15) Meetings and public records relating to scientific and technological innovations in
31 which the owner has a proprietary interest;

32 (16) Records relating to municipal hotlines established for the reporting of abuse and
33 wrongdoing;

34 (17) Confidential or privileged communications between a public governmental body and
35 its auditor, including all auditor work product; however, all final audit reports issued by the auditor
36 are to be considered open records pursuant to this chapter;

37 (18) (a) Security measures, global positioning system (GPS) data, investigative
38 information, or investigative or surveillance techniques of any public agency responsible for law

1 enforcement or public safety that, if disclosed, has the potential to endanger the health or safety of
2 an individual or the public.

3 (b) Any information or data provided to a tip line for the purpose of safety or security at an
4 educational institution that, if disclosed, has the potential to endanger the health or safety of an
5 individual or the public.

6 (c) Any information contained in any suspicious activity report provided to law enforcement
7 that, if disclosed, has the potential to endanger the health or safety of an individual or the public.

8 (d) Operational guidelines, policies and specific response plans developed, adopted, or
9 maintained by any public agency responsible for law enforcement, public safety, first response, or
10 public health for use in responding to or preventing any critical incident which is or appears to be
11 terrorist in nature and which has the potential to endanger individual or public safety or health.
12 Financial records related to the procurement of or expenditures relating to operational guidelines,
13 policies or plans purchased with public funds shall be open. When seeking to close information
14 pursuant to this exception, the public governmental body shall affirmatively state in writing that
15 disclosure would impair the public governmental body's ability to protect the security or safety of
16 persons or real property, and shall in the same writing state that the public interest in nondisclosure
17 outweighs the public interest in disclosure of the records;

18 (19) Existing or proposed security systems and structural plans of real property owned or
19 leased by a public governmental body, and information that is voluntarily submitted by a nonpublic
20 entity owning or operating an infrastructure to any public governmental body for use by that body to
21 devise plans for protection of that infrastructure, the public disclosure of which would threaten
22 public safety:

23 (a) Records related to the procurement of or expenditures relating to security systems
24 purchased with public funds shall be open;

25 (b) When seeking to close information pursuant to this exception, the public governmental
26 body shall affirmatively state in writing that disclosure would impair the public governmental body's
27 ability to protect the security or safety of persons or real property, and shall in the same writing state
28 that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

29 (c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the
30 receiving agency within ninety days of submission to determine if retention of the document is
31 necessary in furtherance of a state security interest. If retention is not necessary, the documents
32 shall be returned to the nonpublic governmental body or destroyed;

33 (20) The portion of a record that identifies security systems or access codes or authorization
34 codes for security systems of real property;

35 (21) Records that identify the configuration of components or the operation of a computer,
36 computer system, computer network, or telecommunications network, and would allow
37 unauthorized access to or unlawful disruption of a computer, computer system, computer network,
38 or telecommunications network of a public governmental body. This exception shall not be used to
39 limit or deny access to otherwise public records in a file, document, data file or database containing

public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(22) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body;

(23) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business;

(24) Records relating to foster home or kinship placements of children in foster care under section 210.498; and

(25) Individually identifiable customer usage and billing records for customers of a municipally owned utility, unless the records are requested by the customer or authorized for release by the customer, except that a municipally owned utility shall make available to the public the customer's name, billing address, location of service, and dates of service provided for any commercial service account.

650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) "Board", the Missouri 911 service board established in section 650.325;

(2) "Public safety answering point", the location at which 911 calls are answered;

(3) "Telecommunicator first responder", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.

650.340. 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for ~~[telecommunicators]~~ telecommunicator first responders who answer 911 calls that come to public safety answering points shall be as follows:

(1) Police telecommunicator first responder, 16 hours;

(2) Fire telecommunicator first responder, 16 hours;

(3) Emergency medical services telecommunicator first responder, 16 hours;

(4) Joint communication center telecommunicator first responder, 40 hours.

3. All persons employed as a telecommunicator first responder in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator first responder. Such persons shall complete at least twenty-four hours of

1 ongoing training every three years by such persons or organizations as provided in subsection 6 of
2 this section.

3 4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to
4 complete the training requirement as provided in subsection 2 of this section. Any person hired as a
5 telecommunicator or a telecommunicator first responder after August 28, 1999, shall complete the
6 training requirements as provided in subsection 2 of this section within twelve months of the date
7 such person is employed as a telecommunicator or a telecommunicator first responder.

8 5. The training requirements as provided in subsection 2 of this section shall be waived for
9 any person who furnishes proof to the committee that such person has completed training in another
10 state which is at least as stringent as the training requirements of subsection 2 of this section.

11 6. The board shall determine by administrative rule the persons or organizations authorized
12 to conduct the training as required by subsection 2 of this section.

13 7. This section shall not apply to an emergency medical dispatcher or dispatch agency as
14 defined in section 190.100, or a person trained by an entity accredited or certified under section
15 190.131, or a person who provides prearrival medical instructions who works for an agency which
16 meets the requirements set forth in section 190.134.

17 Section 1. 1. For purposes of this section, the term "exoneree" means a person who was
18 convicted of an offense and the conviction was later overturned, vacated, or set aside, or the person
19 was relieved of all legal consequences of the conviction because evidence of innocence that was not
20 presented at trial required reconsideration of the case.

21 2. (1) The department of corrections shall develop a policy and procedures to assist
22 exonerees in obtaining a birth certificate, Social Security card, and state identification prior to
23 release from a correctional center. The policy shall be made available to all exonerees, regardless of
24 the method by which an exoneree was exonerated. If an exoneree does not have access to his or her
25 birth certificate, Social Security card, or state identification upon release, the department shall assist
26 such exoneree in obtaining the documents prior to release.

27 (2) A delay in obtaining the documents in subdivision (1) of this subsection shall not be
28 cause for a delay in the exoneree's release from a correctional center.

29 3. The department may provide an exoneree, upon his or her release from a correctional
30 facility, with the same services the department may provide an offender upon release from a
31 correctional facility or an offender who is on probation or parole."; and

32
33 Further amend said bill by amending the title, enacting clause, and intersectional references
34 accordingly.