

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

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

3  
4 "37.725. 1. Any files maintained by the advocate program shall be disclosed only at the discretion  
5 of the child advocate; except that the identity of any complainant or recipient shall not be disclosed by the  
6 office unless:

7 (1) The complainant or recipient, or the complainant's or recipient's legal representative, consents in  
8 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 good  
13 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 complaint  
15 who knowingly and willfully discloses to any person other than the office, or those persons authorized by the  
16 office to receive it, the name of any witness examined or any information obtained or given during such  
17 examination is guilty of a class A misdemeanor. However, the office conducting or participating in any  
18 examination of a complaint shall disclose the final result of the examination with the consent of the recipient.

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

22 43.253. 1. Notwithstanding any other provision of law to the contrary, a minimum fee of six dollars  
23 may be charged by the Missouri state highway patrol for a records request for a Missouri Uniform Crash  
24 Report or Marine Accident Investigation Report where there are allowable fees of less than six dollars under  
25 this chapter or chapter 610. Such six-dollar fee shall be in place of any allowable fee of less than six dollars.

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

29 43.400. As used in sections 43.400 to 43.410, the following terms mean:

30 (1) "Missing child" or "missing juvenile", any person who is under the age of ~~[seventeen]~~ eighteen  
31 years or who is in foster care regardless of the person's age or who is an emancipated minor as defined in

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1 section 302.178, a homeless youth as defined in section 167.020, or an unaccompanied minor as defined in  
 2 section 210.121, whose temporary or permanent residence is in the state of Missouri or who is believed to be  
 3 within the state of Missouri, whose location has not been determined, and who has been reported as missing  
 4 to a law enforcement agency;

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

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

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

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

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

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

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

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

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

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

24 43.401. 1. The reporting of missing persons by law enforcement agencies, private citizens, and the  
 25 responsibilities of the patrol in maintaining accurate records of missing persons are as follows:

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

28 (a) The name of the complainant;

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

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

31 (d) The name, age, address, and all identifying characteristics of the missing person;

32 (e) The length of time the person has been missing; and

33 (f) All other information deemed relevant by either the complainant or the law enforcement agency;

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

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

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

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

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

43.539. 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;

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

(e) Owns or operates a qualified entity;

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

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

(4) "Missouri Rap Back program", 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;

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

(6) "National Rap Back program", 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

1 offense outside the state of Missouri and the fingerprints for that arrest were forwarded to the Federal Bureau  
2 of Investigation by the arresting agency;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

35 (a) Name;

36 (b) Date of birth;

37 (c) Height;

38 (d) Weight;

39 (e) Eye color;

- (f) Hair color;
- (g) Gender;
- (h) Race;
- (i) Place of birth;
- (j) Social Security number; and
- (k) The applicant's photo.

5. Any information received by an authorized state agency or a qualified entity under the provisions of this section shall be used solely for internal purposes in determining the suitability of an applicant. The dissemination of criminal history information from the Federal Bureau of Investigation beyond the authorized state agency or related governmental entity is prohibited. All criminal record check information shall be confidential, and any person who discloses the 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 program 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 entity 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 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;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

35 (a) Name;

36 (b) Date of birth;

37 (c) Height;

38 (d) Weight;

39 (e) Eye color;



- (f) Hair color;
- (g) Gender;
- (h) Race;
- (i) Place of birth;
- (j) Social Security number; and
- (k) The applicant's photo.

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

1 on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service.  
 2 Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court  
 3 clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of  
 4 such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely  
 5 amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of  
 6 the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding,  
 7 other than when court costs are waived as provided by law, until the charge provided by this section is paid.  
 8 Failure to receive the charge shall not affect the validity of the service.

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

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

29         4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff~~], or any~~  
 30 ~~other person specially appointed to serve in a county that receives funds under section 57.278,]~~ shall receive  
 31 ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection  
 32 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this  
 33 section. The money received by the sheriff~~], or any other person specially appointed to serve in a county that~~  
 34 ~~receives funds under section 57.278,]~~ under this subsection shall be paid into the county treasury and the  
 35 county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such  
 36 moneys in the deputy sheriff salary supplementation fund created under section 57.278. Any other person  
 37 specially appointed to serve in a county shall execute and deliver to the circuit clerk, along with the  
 38 confirmation of service, a signed and notarized affidavit of confirmation, made under penalty of perjury, that

1 includes the amount, check number, and date of payment to evidence payment was made to the sheriff for the  
 2 deputy sheriff salary supplementation fund as required by this subsection.

3 5. Notwithstanding the provisions of subsection 3 of this section, the court clerk shall collect ten  
 4 dollars as a 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 county that  
 6 receives funds under section 57.278. The moneys received by the court clerk under this subsection shall be  
 7 paid into the county treasury and the county treasurer shall make such moneys payable to the state treasurer.  
 8 The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under  
 9 section 57.278.

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

18 84.344. 1. Notwithstanding any provisions of this chapter to the contrary, any city not within a  
 19 county may establish a municipal police force on or after July 1, 2013, according to the procedures and  
 20 requirements of this section. The purpose of these procedures and requirements is to provide for an orderly  
 21 and appropriate transition in the governance of the police force and provide for an equitable employment  
 22 transition for commissioned and civilian personnel.

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

29 3. If the city establishes a municipal police force and completes the transfer described in subsection  
 30 2 of this section, the city shall provide the necessary funds for the maintenance of the municipal police force.

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

35 5. A city not within a county that establishes a municipal police force shall initially employ, without  
 36 a reduction in rank, salary, or benefits, all commissioned and civilian personnel of the board of police  
 37 commissioners created under sections 84.010 to 84.340 that were employed by the board immediately prior to  
 38 the date the municipal police force was established. Such commissioned personnel who previously were  
 39 employed by the board may only be involuntarily terminated by the city not within a county for cause. The

1 city shall also recognize all accrued years of service that such commissioned and civilian personnel had with  
2 the board of police commissioners. Such personnel shall be entitled to the same holidays, vacation, and sick  
3 leave they were entitled to as employees of the board of police commissioners.

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

8 ~~[(2) Commissioned and civilian personnel of a municipal police force established under this section~~  
9 ~~who are hired after August 31, 2023, may be subject to a residency rule no more restrictive than a~~  
10 ~~requirement of retaining a primary residence in a city not within a county for a total of seven years and of~~  
11 ~~then allowing the personnel to maintain a primary residence outside the city not within a county so long as~~  
12 ~~the primary residence is located within a one-hour response time.]~~

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

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

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

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

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

(3) Shall make available medical and life insurance coverage for purchase to the spouses or dependents of commissioned and civilian personnel who retire from service with the board of police commissioners or the municipal police force and deceased commissioned and civilian personnel who receive pension benefits under sections 86.200 to 86.366 at the rate that such dependent's or spouse's coverage would cost under the appropriate plan if the deceased were living; and

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

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

193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall pay a fee of fourteen dollars for the first certification or copy and a fee of eleven dollars for each additional copy ordered at that time. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. No fee shall be required or collected for a certification of birth, death, or marriage if the request for certification is made by the children's division, the division of youth services, a guardian ad litem, or a juvenile officer on behalf of a child or person under twenty-one years of age who has come under the jurisdiction of the juvenile court under section 211.031. All fees collected under this subsection shall be deposited to the state department of revenue. Beginning August 28, 2004, for each vital records fee collected, the director of revenue shall credit four dollars to the general revenue fund, five dollars to the children's trust fund, one dollar shall be credited to the endowed care cemetery audit fund, one dollar for each certification or copy of death records to the Missouri state coroners' training fund established in section 58.208, and three dollars for the first copy of death records and five dollars for birth, marriage, divorce, and fetal death records shall be credited to the Missouri public health services fund established in section 192.900. Money in the endowed care cemetery audit fund shall be available by appropriation to the division of professional registration to pay its expenses in administering sections 214.270

1 to 214,410. All interest earned on money deposited in the endowed care cemetery audit fund shall be  
2 credited to the endowed care cemetery fund. Notwithstanding the provisions of section 33.080 to the  
3 contrary, money placed in the endowed care cemetery audit fund shall not be transferred and placed to the  
4 credit of general revenue until the amount in the fund at the end of the biennium exceeds three times the  
5 amount of the appropriation from the endowed care cemetery audit fund for the preceding fiscal year. The  
6 money deposited in the public health services fund under this section shall be deposited in a separate account  
7 in the fund, and moneys in such account, upon appropriation, shall be used to automate and improve the state  
8 vital records system, and develop and maintain an electronic birth and death registration system. For any  
9 search of the files and records, when no record is found, the state shall be entitled to a fee equal to the amount  
10 for a certification of a vital record for a five-year search to be paid by the applicant. For the processing of  
11 each legitimation, adoption, court order or recording after the registrant's twelfth birthday, the state shall be  
12 entitled to a fee equal to the amount for a certification of a vital record. Except whenever a certified copy or  
13 copies of a vital record is required to perfect any claim of any person on relief, or any dependent of any  
14 person who was on relief for any claim upon the government of the state or United States, the state registrar  
15 shall, upon request, furnish a certified copy or so many certified copies as are necessary, without any fee or  
16 compensation therefor.

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

23 3. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the  
24 applicant shall pay a fee of fifteen dollars; except that, in any county with a charter form of government and  
25 with more than six hundred thousand but fewer than seven hundred thousand inhabitants, a donation of one  
26 dollar may be collected by the local registrar over and above any fees required by law when a certification or  
27 copy of any marriage license or birth certificate is provided, with such donations collected to be forwarded  
28 monthly by the local registrar to the county treasurer of such county and the donations so forwarded to be  
29 deposited by the county treasurer into the housing resource commission fund to assist homeless families and  
30 provide financial assistance to organizations addressing homelessness in such county. The local registrar  
31 shall include a check-off box on the application form for such copies. All fees collected under this  
32 subsection, other than the donations collected in any county with a charter form of government and with more  
33 than six hundred thousand but fewer than seven hundred thousand inhabitants for marriage licenses and birth  
34 certificates, shall be deposited to the official city or county health agency.

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

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

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

10           195.817. 1. The department of health and senior services shall require all employees, contractors,  
 11 owners, and volunteers of marijuana facilities to submit fingerprints to the Missouri state highway patrol for  
 12 the purpose of conducting a state and federal fingerprint-based criminal background check.

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

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

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

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

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

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

31           210.305. 1. When an initial emergency placement of a child is deemed necessary, the children's  
 32 division shall immediately begin a diligent search to locate, contact, and place the child with a grandparent or  
 33 grandparents or a relative or relatives of the child, subject to subsection 3 of section 210.565 regarding  
 34 preference of placement, except when the children's division determines that placement with a grandparent or  
 35 grandparents or a relative or relatives is not in the best interest of the child and subject to the provisions of  
 36 section 210.482 regarding background checks for emergency placements. If emergency placement of a child  
 37 with grandparents or relatives is deemed not to be in the best interest of the child, the children's division shall  
 38 document in writing the reason for denial and shall have just cause to deny the emergency placement. The  
 39 children's division shall continue the search for other relatives until the division locates the relatives of the

1 child for placement or the court excuses further search. Prior to placement of the child in any emergency  
2 placement, the division shall assure that the child's physical needs are met.

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

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

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

8 (b) Interviews with the child;

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

9       (7) All efforts for placement of the child through an interstate compact agreement under section  
 10 210.620, including:

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

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

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

16  
 17 If an out-of-state placement option exists and the division has failed to file a request with the receiving state  
 18 under the requirements of an interstate compact agreement under section 210.620, the court shall enter a  
 19 finding that the division has not made a due diligence search and shall order the division to file a request with  
 20 the receiving state under the terms of the interstate compact.

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

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

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

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

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

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

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

37       8. Nothing in this section shall be construed or interpreted to interfere with or supersede laws related  
 38 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~~ 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.

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

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

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

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

(4) The case manager shall:

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

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

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

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

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

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

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

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

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

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

5. Any employee or contractor with the children's division, child welfare agencies, other state agencies, or schools shall, upon becoming aware that 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 is missing, inform the appropriate law enforcement agency and the National Center for Missing and Exploited Children within twenty-four hours.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39           (7) The age of the child;

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

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

14       (1) Allowing for payment of the fine on an installment basis;

15       (2) Waiving or reducing the amount owed; or

16       (3) Requiring the driver to perform community service or attend a court-ordered program in lieu of  
 17 payment.

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

21       307.175. 1. Motor vehicles and equipment which are operated by any member of an organized fire  
 22 department, ambulance association, or rescue squad, including a canine search and rescue team, whether paid  
 23 or volunteer, may be operated on streets and highways in this state as an emergency vehicle under the  
 24 provisions of section 304.022 while responding to a fire call [¶], ambulance call, or an emergency call  
 25 requiring search and rescue operations, or at the scene of a fire call [¶], ambulance call, or an emergency call  
 26 requiring search and rescue operations, and while using or sounding a warning siren and using or displaying  
 27 thereon fixed, flashing or rotating blue lights, but sirens and blue lights shall be used only in bona fide  
 28 emergencies.

29       2. (1) Notwithstanding subsection 1 of this section, the following vehicles may use or display fixed,  
 30 flashing, or rotating red or red and blue lights:

31       (a) Emergency vehicles, as defined in section 304.022, when responding to an emergency;

32       (b) Vehicles operated as described in subsection 1 of this section;

33       (c) Vehicles and equipment owned or leased by a contractor or subcontractor performing work for  
 34 the department of transportation, except that the red or red and blue lights shall be displayed on vehicles or  
 35 equipment described in this paragraph only between dusk and dawn, when such vehicles or equipment are  
 36 stationary, such vehicles or equipment are located in a work zone as defined in section 304.580, highway  
 37 workers as defined in section 304.580 are present, and such work zone is designated by a sign or signs. No  
 38 more than two vehicles or pieces of equipment in a work zone may display fixed, flashing, or rotating lights  
 39 under this subdivision;

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

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

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

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

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

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

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



1 ~~state fire marshal may prescribe]~~ be a resident of Missouri at the time of appointment. An investigator or  
 2 employee shall not hold any other commission or office, elective or appointive, or accept any other  
 3 employment that would pose a conflict of interest while he or she is an investigator or employee. An  
 4 investigator or employee shall not accept any compensation, reward, or gift other than his or her regular  
 5 salary and expenses for the performance of his or her official duties.

6 321.246. 1. The governing body of any fire protection district which operates within both a county  
 7 of the first classification with a charter form of government and with a population greater than six hundred  
 8 thousand but less than nine hundred thousand and a county of the fourth classification with a population  
 9 greater than thirty thousand but less than thirty-five thousand and that adjoins a county of the first  
 10 classification with a charter form of government, the governing body of any fire protection district which  
 11 contains a city of the fourth classification having a population greater than two thousand four hundred when  
 12 the city is located in a county of the first classification ~~[without]~~ with a charter form of government having a  
 13 population greater than one hundred fifty thousand and the county contains a portion of a city with a  
 14 population greater than three hundred fifty thousand, or the governing body of any fire protection district that  
 15 operates in a county of the third classification with a population greater than fourteen thousand but less than  
 16 fifteen thousand may impose a sales tax in an amount of up to one-half of one percent on all retail sales made  
 17 in such fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to  
 18 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by  
 19 law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the  
 20 governing body of the fire protection district submits to the voters of the fire protection district, at a county or  
 21 state general, primary or special election, a proposal to authorize the governing body of the fire protection  
 22 district to impose a tax.

23 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

24  
 25 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the  
 26 proposal, then the sales tax authorized in this section shall be in effect. If a majority of the votes cast by the  
 27 qualified voters voting are opposed to the proposal, then the governing body of the fire protection district  
 28 shall not impose the sales tax authorized in this section unless and until the governing body of the fire  
 29 protection district resubmits a proposal to authorize the governing body of the fire protection district to  
 30 impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified  
 31 voters voting thereon.

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

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

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

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

32           488.435. 1. Sheriffs shall receive a charge, as provided in section 57.280, for service of any  
 33 summons, writ or other order of court, in connection with any civil case, and making on the same either a  
 34 return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be  
 35 served, as provided in section 57.280, except that a sheriff shall receive a charge for service of any subpoena,  
 36 and making a return on the same, the sum of ten dollars, as provided in section 57.280; however, no such  
 37 charge shall be collected in any proceeding when court costs are to be paid by the state, county or  
 38 municipality. In addition to such charge, the sheriff shall be entitled, as provided in section 57.280, to receive  
 39 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 section 57.280 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 such 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, as provided in section 57.280, 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 or her 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, as provided in section 57.280, 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, as provided in section 57.280, going and returning from the courthouse of the county in which he or she 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. As provided in subsection 4 of section 57.280, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of section 57.280, in addition to the charge for such service that each sheriff receives under subsection 1 of section 57.280. The money received by the sheriff under subsection 4 of section 57.280 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.

4. As provided in subsection 5 of section 57.280, 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 clerk under this subsection shall be paid into the county treasury and the county treasurer shall make such moneys payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278.

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

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

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

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

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

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

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

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

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

25 492.304. 1. In addition to the admissibility of a statement under the provisions of section 492.303,  
26 the visual and aural recording of a verbal or nonverbal statement of a child when under the age of ~~[fourteen]~~  
27 eighteen ~~[who is alleged to be a victim of]~~ or a vulnerable person, relating to an offense under the provisions  
28 of chapter 565, 566 ~~[or]~~ , 568, or 573 if performed by another, is admissible into evidence if:

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

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

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

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

1 (5) Every voice on the recording is identified;

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

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

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

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

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

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

20 494.430. 1. Upon timely application to the court, the following persons shall be excused from  
21 service as a petit or grand juror:

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

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

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

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

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

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

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

38 2. A judge of the court for which the individual was called to jury service shall make undue or  
39 extreme physical or financial hardship determinations. The authority to make these determinations is

delegable only to court officials or personnel who are authorized by the laws of this state to function as members of the judiciary.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25       7. (1) The application, investigation, reports, interviews, findings, and recommendations, and any  
26 documents, written, electronic, or otherwise, received or generated by the conviction review unit are closed  
27 records.

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

33       550.125. 1. There is hereby created in the state treasury the "Change of Venue for Capital Cases  
34 Fund", which shall consist of moneys appropriated to the fund by the general assembly. The office of state  
35 courts administrator shall administer and disburse moneys in the fund in accordance with subsection 2 of this  
36 section. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely  
37 for the administration of this section. Notwithstanding the provisions of section 33.080, any moneys  
38 remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

1 The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any  
2 interest and moneys earned on such investments shall be credited to the fund.

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

8 3. Except as provided under subsection 4 of this section, the office of state courts administrator shall  
9 develop an application process and other procedures to determine if a county is eligible for reimbursement  
10 under this section. If a county is eligible for reimbursement, the office of state courts administrator shall  
11 disburse such moneys to the county as provided under subsection 4 of this section. In the event the amount  
12 disbursed is less than the county's actual costs associated with sequestering jurors, the original county shall  
13 reimburse the county to which the case was transferred for the difference. If the office of state courts  
14 administrator determines a county is not eligible for reimbursement under this section, the county in which  
15 the capital case originated shall be responsible for reimbursement.

16 4. Applications for reimbursement shall be submitted by May first of the current fiscal year, and  
17 disbursements shall be made by June thirtieth of the current fiscal year. Applications submitted after May  
18 first of the current fiscal year shall be reimbursed in the following fiscal year. If the total dollar amount of the  
19 claims in a given year exceeds the amount of moneys in the fund in the same year, the claims shall be  
20 reimbursed on a pro rata basis.

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

27 556.021. 1. An infraction does not constitute a criminal offense and conviction of an infraction shall  
28 not give rise to any disability or legal disadvantage based on conviction of a criminal offense.

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

31 3. If a person fails to appear in court either solely for an infraction or for an infraction which is  
32 committed in the same course of conduct as a criminal offense for which the person is charged, or if a person  
33 fails to respond to notice of an infraction from the central violations bureau established in section 476.385,  
34 the court may issue a default judgment for court costs and fines for the infraction which shall be enforced in  
35 the same manner as other default judgments, including enforcement under sections 488.5028 and 488.5030,  
36 unless the court determines that good cause or excusable neglect exists for the person's failure to appear for  
37 the infraction. The notice of entry of default judgment and the amount of fines and costs imposed shall be  
38 sent to the person by first class mail. The default judgment may be set aside for good cause if the person files



1 a motion to set aside the judgment within six months of the date the notice of entry of default judgment is  
2 mailed.

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

7 5. Judgment against the defendant for an infraction shall be in the amount of the fine authorized by  
8 law and the court costs for the offense."; and  
9

10 Further amend said bill, Page 11, Section 558.019, Line 125, by inserting after said section and line the  
11 following:  
12

13 "558.031. 1. A sentence of imprisonment shall commence when a person convicted of an offense in  
14 this state is received into the custody of the department of corrections or other place of confinement where  
15 the offender is sentenced.

16 2. Such person shall receive credit toward the service of a sentence of imprisonment for all time in  
17 prison, jail or custody after ~~[conviction]~~ the offense occurred and before the commencement of the sentence,  
18 when the time in custody was related to that offense~~[-, and the circuit court may, when pronouncing sentence,~~  
19 ~~award credit for time spent in prison, jail, or custody after the offense occurred and before conviction toward~~  
20 ~~the service of the sentence of imprisonment, except:~~

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

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

24 ~~—— (3) As provided in section 559.100].~~ This credit shall be based upon the certification of the sheriff as  
25 provided in subdivision (3) of subsection 2 of section 217.305 and may be supplemented by a certificate of a  
26 sheriff or other custodial officer from another jurisdiction having held the person on the charge of the offense  
27 for which the sentence of imprisonment is ordered.

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

32 4. If a person convicted of an offense escapes from custody, such escape shall interrupt the sentence.  
33 The interruption shall continue until such person is returned to the correctional center where the sentence was  
34 being served, or in the case of a person committed to the custody of the department of corrections, to any  
35 correctional center operated by the department of corrections. An escape shall also interrupt the jail time  
36 credit to be applied to a sentence which had not commenced when the escape occurred.

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

40 6. If a person released from imprisonment on parole or serving a conditional release term violates  
41 any of the conditions of his or her parole or release, he or she may be treated as a parole violator. If the  
42 parole board revokes the parole or conditional release, the paroled person shall serve the remainder of the

prison term and conditional release term, as an additional prison term, and the conditionally released person shall serve the remainder of the conditional release term as a prison term, unless released on parole.

7. Subsection 2 of this section shall be applicable to offenses ~~[occurring]~~ for which the offender was sentenced on or after August 28, [2024] 2023.

8. The total amount of credit given shall not exceed the number of days spent in prison, jail, or custody after the offense occurred and before the commencement of the sentence."; and

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

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

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

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

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

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

3. Enticement of a child or an attempt to commit enticement of a child is a felony for which 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);

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

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

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

~~[(8)]~~ (7) 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;

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

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

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

~~[(12)]~~ (11) More than ~~ten~~ three but less than fourteen milligrams 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.

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

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

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

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

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

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

13           ~~[(5)]~~ (4) Ninety grams or more of a mixture or substance containing a detectable amount of  
14 phencyclidine (PCP); or

15           ~~[(6)]~~ (5) Twelve grams or more of phencyclidine; or

16           ~~[(7)]~~ (6) One hundred kilograms or more of a mixture or substance containing marijuana; or

17           ~~[(8)]~~ (7) Ninety grams or more of any material, compound, mixture, or preparation containing any  
18 quantity of the following substances having a stimulant effect on the central nervous system: amphetamine,  
19 its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts  
20 of its optical isomers; phenmetrazine and its salts; or methylphenidate; or

21           ~~[(9)]~~ (8) More than thirty grams of any material, compound, mixture, or preparation containing any  
22 quantity of the following substances having a stimulant effect on the central nervous system: amphetamine,  
23 its salts, optical isomers, and salts of its optical isomers; methamphetamine, its salts, optical isomers, and  
24 salts of its optical isomers; phenmetrazine and its salts; or methylphenidate, and the location of the offense  
25 was within two thousand feet of real property comprising a public or private elementary, vocational, or  
26 secondary school, college, community college, university, or any school bus, in or on the real property  
27 comprising public housing or any other governmental assisted housing, or within a motor vehicle, or in any  
28 structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept,  
29 used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought  
30 for pay or compensation to transient guests or permanent guests; or

31           ~~[(10)]~~ (9) Ninety grams or more of any material, compound, mixture or preparation which contains  
32 any quantity of 3,4-methylenedioxymethamphetamine; or

33           ~~[(11)]~~ (10) More than thirty grams of any material, compound, mixture, or preparation which  
34 contains any quantity of 3,4-methylenedioxymethamphetamine and the location of the offense was within two  
35 thousand feet of real property comprising a public or private elementary, vocational, or secondary school,  
36 college, community college, university, or any school bus, in or on the real property comprising public  
37 housing or any other governmental assisted housing, within a motor vehicle, or in any structure or building  
38 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, 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);

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

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

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

~~[(8)]~~ (7) 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;

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

~~[(10)]~~ (9) More than ~~ten~~ three but less than fourteen milligrams 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.

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

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

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

(2) Four hundred fifty grams or more 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; or

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

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

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

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

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

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

~~[(9)]~~ (8) Ninety grams or more but less than four hundred fifty 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; or

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

~~[(11) Twenty]~~ (10) 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.

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

(1) 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, isomers and salts of its isomers; phenmetrazine and its salts; or methylphenidate; or

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

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

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

2. A person who is required to register in this state because of an offense that was adjudicated in another jurisdiction shall file his or her petition for removal according to the laws of the state, federal, territory, tribal, or military jurisdiction, the District of Columbia, or foreign country in which his or her offense was adjudicated. Upon the grant of the petition for removal in the jurisdiction where the offense was adjudicated, such judgment may be registered in this state by sending the information required under



subsection 5 of this section as well as one authenticated copy of the order granting removal from the sexual offender registry in the jurisdiction where the offense was adjudicated to the court in the county or city not within a county in which the offender is required to register. On receipt of a request for registration removal, the registering court shall cause the order to be filed as a foreign judgment, together with one copy of the documents and information, regardless of their form. The petitioner shall be responsible for costs associated with filing the petition.

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.

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

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

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

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

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

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

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

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

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

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

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

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

34          13. If the petition is denied due to an adjudication in violation of subdivision (1) or (2) of subsection  
35 11 of this section, the petitioner shall not file a new petition under this section until:

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

38           (2) Twenty-five years have passed from the date of adjudication resulting in the denial of relief if the  
39 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 relief if  
2 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 subdivision  
4 (1) or (2) of subsection 11 of this section, the petitioner shall not file a new petition under this section until:

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

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

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

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

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

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

21           589.403. 1. Any person who is required to register under sections 589.400 to 589.425 and who is  
22 paroled, discharged, or otherwise released from any correctional facility of the department of corrections, any  
23 mental health institution, private jail under section 221.095, or other private facility recognized by or  
24 contracted with the department of corrections or department of mental health where such person was confined  
25 shall:

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

34           (2) If the person does not reside or plan to reside in Missouri, be informed by the official in charge of  
35 such correctional facility, private jail, or mental health institution of the person's possible duty to register  
36 under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425,  
37 the official in charge of the correctional facility, private jail, or the mental health institution shall complete the  
38 initial registration notification at least seven days prior to release and forward the offender's registration,  
39 within three business days of release, to the Missouri state highway patrol and the chief law enforcement

official within the county or city not within a county where the correctional facility, private jail, or mental health institution is located.

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

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

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

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

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

- (1) Name;
- (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 birth to verify the information contained in their statement made pursuant to section 589.407. Tier I sexual offenders include:

- (1) Any offender who has been adjudicated for the offense of:
  - (a) Sexual abuse in the first degree under section 566.100 if the victim is eighteen years of age or older;
  - (b) ~~[Sexual misconduct involving a child under section 566.083 if it is a first offense and the punishment is less than one year;~~
  - ~~(e)]~~ (c) Sexual abuse in the second degree under section 566.101 if the punishment is less than a year;
  - ~~[(d)]~~ (c) Kidnapping in the second degree under section 565.120 with sexual motivation;

1       ~~[(e)]~~ (d) Kidnapping in the third degree under section 565.130;  
 2       ~~[(f)]~~ (e) Sexual conduct with a nursing facility resident or vulnerable person in the first degree under  
 3 section 566.115 if ~~[the punishment is less than one year]~~ the offense is a misdemeanor;  
 4       ~~[(g)]~~ (f) Sexual conduct under section 566.116 with a nursing facility resident or vulnerable person;  
 5       ~~[(h)]~~ (g) Sexual ~~[contact with a prisoner or offender]~~ conduct in the course of public duty under  
 6 section 566.145 if the victim is eighteen years of age or older;  
 7       ~~[(i)]~~ (h) Sex with an animal under section 566.111;  
 8       ~~[(j)]~~ (i) Trafficking for the purpose of sexual exploitation under section 566.209 if the victim is  
 9 eighteen years of age or older;  
 10       ~~[(k)]~~ (j) Possession of child pornography under section 573.037;  
 11       ~~[(l)]~~ (k) Sexual misconduct in the first degree under section 566.093;  
 12       ~~[(m)]~~ (l) Sexual misconduct in the second degree under section 566.095;  
 13       ~~[(n)]~~ Child molestation in the second degree under section 566.068 as it existed prior to January 1,  
 14 2017, if the punishment is less than one year; or

15       ~~[(o)]~~ (m) Invasion of privacy under section 565.252 if the victim is less than eighteen years of age;  
 16       (2) Any offender who is or has been adjudicated in any other state, territory, the District of  
 17 Columbia, or foreign country, or under federal, tribal, or military jurisdiction of an offense of a sexual nature  
 18 or with a sexual element that is comparable to the tier I sexual offenses listed in this subsection or, if not  
 19 comparable to those in this subsection, comparable to those described as tier I offenses under the Sex  
 20 Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of  
 21 2006, Pub. L. 109-248.

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

26       (1) Any offender who has been adjudicated for the offense of[~~]:~~  
 27       ~~(a) Statutory sodomy in the second degree under section 566.064 if the victim is sixteen to seventeen~~  
 28 ~~years of age;~~  
 29       ~~(b) Child molestation in the third degree under section 566.069 if the victim is between thirteen and~~  
 30 ~~fourteen years of age;~~  
 31       ~~(c) Sexual contact with a student under section 566.086 if the victim is thirteen to seventeen years of~~  
 32 ~~age;~~  
 33       ~~(d) Enticement of a child under section 566.151;~~  
 34       ~~(e) Abuse of a child under section 568.060 if the offense is of a sexual nature and the victim is~~  
 35 ~~thirteen to seventeen years of age;~~  
 36       ~~(f) Sexual exploitation of a minor under section 573.023;~~  
 37       ~~(g) Promoting child pornography in the first degree under section 573.025;~~  
 38       ~~(h) Promoting child pornography in the second degree under section 573.035;~~  
 39       ~~(i)]~~ patronizing prostitution under section 567.030[~~];~~

~~(j) Sexual contact with a prisoner or offender under section 566.145 if the victim is thirteen to seventeen years of age;~~

~~(k) Child molestation in the fourth degree under section 566.071 if the victim is thirteen to seventeen years of age;~~

~~(l) Sexual misconduct involving a child under section 566.083 if it is a first offense and the penalty is a term of imprisonment of more than a year; or~~

~~(m) Age misrepresentation with intent to solicit a minor under section 566.153];~~

(2) Any person who is adjudicated of an offense comparable to a tier I offense listed in this section or failure to register offense under section 589.425 or comparable out-of-state failure to register offense or a violation of a restriction under section 566.147, 566.148, 566.149, 566.150, 566.155, or 589.426 and who is already required to register as a tier I offender due to having been adjudicated of a tier I offense on a previous occasion; or

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

7. Tier III 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 every ninety days to verify the information contained in their statement made under section 589.407. Tier III sexual offenders include:

(1) Any offender registered as a predatory sexual offender ~~[as defined in section 566.123]~~ or a persistent sexual offender as defined in section ~~[566.124]~~ 566.125;

(2) Any offender who has been adjudicated for the crime of:

(a) Rape in the first degree under section 566.030;

(b) Statutory rape in the first degree under section 566.032;

(c) Rape in the second degree under section 566.031;

(d) Statutory rape in the second degree under section 566.034;

(e) Endangering the welfare of a child in the first degree under section 568.045 if the offense is sexual in nature;

~~[(e)]~~ (f) Sodomy in the first degree under section 566.060;

~~[(f)]~~ (g) Statutory sodomy under section 566.062;

~~[(g)]~~ (h) Statutory sodomy under section 566.064 ~~[if the victim is under sixteen years of age]~~;

~~[(h)]~~ (i) Sodomy in the second degree under section 566.061;

~~[(i)]~~ (j) Sexual misconduct involving a child under section 566.083 ~~[if the offense is a second or subsequent offense]~~;

~~[(j)]~~ (k) Sexual abuse in the first degree under section 566.100 ~~[if the victim is under thirteen years of age]~~;

~~[(k)]~~ (l) Age misrepresentation with intent to solicit a minor under section 566.153;

- 1           (m) Enticement of a child under section 566.151;
- 2           (n) Kidnapping in the first degree under section 565.110 if the victim is under eighteen years of age,
- 3 excluding kidnapping by a parent or guardian;
- 4           [~~(h)~~] (o) Child kidnapping under section 565.115 with sexual motivation;
- 5           [~~(m)~~] (p) Sexual conduct with a nursing facility resident or vulnerable person in the first degree
- 6 under section 566.115 if ~~[the punishment is greater than a year]~~ the offense is a felony;
- 7           [~~(h)~~] (q) Incest under section 568.020;
- 8           [~~(e)~~] (r) Endangering the welfare of a child in the first degree under section 568.045 with sexual
- 9 intercourse or deviate sexual intercourse with a victim under eighteen years of age;
- 10          [~~(p)~~] (s) Child molestation in the first degree under section 566.067;
- 11          [~~(q)~~] (t) Child molestation in the second degree under section 566.068 or child molestation in the
- 12 second degree under section 566.068 as it existed prior to January 1, 2017, if the punishment is less than one
- 13 year;
- 14          [~~(r)~~] (u) Child molestation in the third degree under section 566.069 if the victim is under ~~[thirteen]~~
- 15 fourteen years of age;
- 16          [~~(s)~~] (v) Promoting prostitution in the first degree under section 567.050 if the victim is under
- 17 eighteen years of age;
- 18          [~~(t)~~] (w) Promoting prostitution in the second degree under section 567.060 if the victim is under
- 19 eighteen years of age;
- 20          [~~(u)~~] (x) Promoting prostitution in the third degree under section 567.070 if the victim is under
- 21 eighteen years of age;
- 22          [~~(v)~~] (y) Promoting travel for prostitution under section 567.085 if the victim is under eighteen years
- 23 of age;
- 24          [~~(w)~~] (z) Trafficking for the purpose of sexual exploitation under section 566.209 if the victim is
- 25 under eighteen years of age;
- 26          [~~(x)~~] (aa) Sexual trafficking of a child in the first degree under section 566.210;
- 27          [~~(y)~~] (bb) Sexual trafficking of a child in the second degree under section 566.211;
- 28          [~~(z)~~] (cc) Genital mutilation of a female child under section 568.065;
- 29          [~~(aa)~~] (dd) Statutory rape in the second degree under section 566.034;
- 30          [~~(bb)~~] (ee) Child molestation in the fourth degree under section 566.071 if the victim is under
- 31 ~~[thirteen]~~ seventeen years of age;
- 32          [~~(cc)~~] (ff) Sexual abuse in the second degree under section 566.101 if ~~[the penalty is a term of~~
- 33 imprisonment of more than a year] the offense is a felony;
- 34          [~~(dd)~~] (gg) Patronizing prostitution under section 567.030 if the offender is a persistent offender or if
- 35 the victim is under eighteen years of age;
- 36          [~~(ee)~~] (hh) Abuse of a child under section 568.060 if the offense is of a sexual nature and the victim
- 37 is under ~~[thirteen]~~ eighteen years of age;
- 38          [~~(ff)~~] (ii) Sexual ~~[contact with a prisoner or offender]~~ conduct in the course of public duty under
- 39 section 566.145 if the victim is under ~~[thirteen]~~ eighteen years of age;



1 ~~[(gg) Sexual intercourse with a prisoner or offender under section 566.145;~~  
 2 ~~(hh)]~~ (jj) Sexual contact with a student under section 566.086 if the victim is under ~~[thirteen]~~  
 3 eighteen years of age;  
 4 (kk) Sexual exploitation of a minor under section 573.023;  
 5 (ll) Promoting child pornography in the first degree under section 573.025;  
 6 (mm) Promoting child pornography in the second degree under section 573.035;  
 7 ~~[(ii)]~~ (nn) Use of a child in a sexual performance under section 573.200; or  
 8 ~~[(jj)]~~ (oo) Promoting a sexual performance by a child under section 573.205;  
 9 (3) Any offender who is adjudicated ~~[for a crime]~~ of an offense comparable to a tier I or tier II  
 10 offense listed in this section or failure to register offense under section 589.425, or other comparable out-of-  
 11 state failure to register offense or a violation of a restriction under section 566.147, 566.148, 566.149,  
 12 566.150, 566.155, or 589.426, who has been or is already required to register as a tier II offender because of  
 13 having been adjudicated for a tier II offense, two tier I offenses, or combination of a tier I offense and failure  
 14 to register offense, on a previous occasion;  
 15 (4) Any offender who is adjudicated in any other state, territory, the District of Columbia, or foreign  
 16 country, or under federal, tribal, or military jurisdiction for an offense of a sexual nature or with a sexual  
 17 element that is comparable to a tier III offense listed in this section or a tier III offense under the Sex  
 18 Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of  
 19 2006, Pub. L. 109-248; or  
 20 (5) Any offender who is adjudicated in Missouri for any offense of a sexual nature requiring  
 21 registration under sections 589.400 to 589.425 that is not classified as a tier I or tier II offense in this section.  
 22 8. In addition to the requirements of subsections 1 to 7 of this section, all Missouri registrants who  
 23 work, including as a volunteer or unpaid intern, or attend any school whether public or private, including any  
 24 secondary school, trade school, professional school, or institution of higher education, on a full-time or part-  
 25 time basis or have a temporary residence in this state shall be required to report in person to the chief law  
 26 enforcement officer in the area of the state where they work, including as a volunteer or unpaid intern, or  
 27 attend any school or training and register in that state. "Part-time" in this subsection means for more than  
 28 seven days in any twelve-month period.  
 29 9. If a person who is required to register as a sexual offender under sections 589.400 to 589.425  
 30 changes or obtains a new online identifier as defined in section 43.651, the person shall report such  
 31 information in the same manner as a change of residence before using such online identifier.  
 32 590.033. 1. The POST commission shall establish minimum standards for a chief of police training  
 33 course which shall include at least forty hours of training. All police chiefs appointed after August 28, 2023,  
 34 shall attend a chief of police training course certified by the POST commission not later than six months after  
 35 the person's appointment as a chief of police.  
 36 2. A chief of police may request an exemption from the training in subsection 1 of this section by  
 37 submitting to the POST commission proof of completion of the Federal Bureau of Investigation's national  
 38 academy course or any other equivalent training course within the previous ten years or at least five years of  
 39 experience as a police chief in a Missouri law enforcement agency.

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

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

9        590.040. 1. The POST commission shall set the minimum number of hours of basic training for  
 10 licensure as a peace officer no lower [~~than four hundred seventy and no higher~~] than six hundred, with the  
 11 following exceptions:

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

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

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

18        (4) Persons licensed and commissioned within a county of the third classification before July 1,  
 19 2002, may retain licensure with one hundred twenty hours of basic training if the commissioning political  
 20 subdivision has adopted an order or ordinance to that effect;

21        (5) Persons serving as a reserve officer on August 27, 2001, within a county of the first classification  
 22 or a county with a charter form of government and with more than one million inhabitants on August 27,  
 23 2001, having previously completed a minimum of one hundred sixty hours of training, shall be granted a  
 24 license necessary to function as a reserve peace officer only within such county. For the purposes of this  
 25 subdivision, the term "reserve officer" shall mean any person who serves in a less than full-time law  
 26 enforcement capacity, with or without pay and who, without certification, has no power of arrest and who,  
 27 without certification, must be under the direct and immediate accompaniment of a certified peace officer of  
 28 the same agency at all times while on duty; and

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

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

35        3. The basic training of every peace officer, except agents of the conservation commission, shall  
 36 include at least thirty hours of training in the investigation and management of cases involving domestic and  
 37 family violence. Such training shall include instruction, specific to domestic and family violence cases,  
 38 regarding: report writing; physical abuse, sexual abuse, child fatalities and child neglect; interviewing  
 39 children and alleged perpetrators; the nature, extent and causes of domestic and family violence; the safety of

1 victims, other family and household members and investigating officers; legal rights and remedies available  
 2 to victims, including rights to compensation and the enforcement of civil and criminal remedies; services  
 3 available to victims and their children; the effects of cultural, racial and gender bias in law enforcement; and  
 4 state statutes. Said curriculum shall be developed and presented in consultation with the department of health  
 5 and senior services, the children's division, public and private providers of programs for victims of domestic  
 6 and family violence, persons who have demonstrated expertise in training and education concerning domestic  
 7 and family violence, and the Missouri coalition against domestic violence.

8 590.080. 1. As used in this section, the following terms shall mean:

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

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

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

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

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

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

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

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

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

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

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

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

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

34 [2-] 3. When the director has knowledge of cause to discipline a peace officer license pursuant to this  
 35 section, the director may cause a complaint to be filed with the administrative hearing commission, which  
 36 shall conduct a hearing to determine whether the director has cause for discipline, and which shall issue  
 37 findings of fact and conclusions of law on the matter. The administrative hearing commission shall not  
 38 consider the relative severity of the cause for discipline or any rehabilitation of the licensee or otherwise

1 impinge upon the discretion of the director to determine appropriate discipline when cause exists pursuant to  
2 this section.

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

7 ~~[4-]~~ 5. Notice of any hearing pursuant to this chapter or section may be made by certified mail to the  
8 licensee's address of record pursuant to subdivision (2) of subsection 3 of section 590.130. Proof of refusal of  
9 the licensee to accept delivery or the inability of postal authorities to deliver such certified mail shall be  
10 evidence that required notice has been given. Notice may be given by publication.

11 ~~[5-]~~ 6. Nothing contained in this section shall prevent a licensee from informally disposing of a cause  
12 for discipline with the consent of the director by voluntarily surrendering a license or by voluntarily  
13 submitting to discipline.

14 ~~[6-]~~ 7. The provisions of chapter 621 and any amendments thereto, except those provisions or  
15 amendments that are in conflict with this chapter, shall apply to and govern the proceedings of the  
16 administrative hearing commission and pursuant to this section the rights and duties of the parties involved.";   
17 and  
18

19 Further amend said bill, Page 30, Section 590.1075, Line 11, by inserting after said section and line the  
20 following:  
21

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6           610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is  
7 authorized to close meetings, records and votes, to the extent they relate to the following:

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

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

25           (3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body  
26 when personal information about the employee is discussed or recorded. However, any vote on a final  
27 decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a  
28 public governmental body shall be made available with a record of how each member voted to the public  
29 within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any  
30 employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period  
31 before such decision is made available to the public. As used in this subdivision, the term "personal  
32 information" means information relating to the performance or merit of individual employees;

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

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

36           (6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of  
37 individual test or examination scores; however, personally identifiable student records maintained by public  
38 educational institutions shall be open for inspection by the parents, guardian or other custodian of students

1 under the age of eighteen years and by the parents, guardian or other custodian and the student if the student  
2 is over the age of eighteen years;

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

5 (8) Welfare cases of identifiable individuals;

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

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

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

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

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

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

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

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

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

27 (18) (a) Security measures, global positioning system (GPS) data, investigative information, or  
28 investigative or surveillance techniques of any public agency responsible for law enforcement or public  
29 safety that, if disclosed, has the potential to endanger the health or safety of an individual or the public.

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

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

35 (d) Operational guidelines, policies and specific response plans developed, adopted, or maintained  
36 by any public agency responsible for law enforcement, public safety, first response, or public health for use in  
37 responding to or preventing any critical incident which is or appears to be terrorist in nature and which has  
38 the potential to endanger individual or public safety or health. Financial records related to the procurement of  
39 or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open.



1 When seeking to close information pursuant to this exception, the public governmental body shall  
2 affirmatively state in writing that disclosure would impair the public governmental body's ability to protect  
3 the security or safety of persons or real property, and shall in the same writing state that the public interest in  
4 nondisclosure outweighs the public interest in disclosure of the records;

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

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

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

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

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

21 (21) Records that identify the configuration of components or the operation of a computer, computer  
22 system, computer network, or telecommunications network, and would allow unauthorized access to or  
23 unlawful disruption of a computer, computer system, computer network, or telecommunications network of a  
24 public governmental body. This exception shall not be used to limit or deny access to otherwise public  
25 records in a file, document, data file or database containing public records. Records related to the  
26 procurement of or expenditures relating to such computer, computer system, computer network, or  
27 telecommunications network, including the amount of moneys paid by, or on behalf of, a public  
28 governmental body for such computer, computer system, computer network, or telecommunications network  
29 shall be open;

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

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

1 (24) Records relating to foster home or kinship placements of children in foster care under section  
2 210.498; and

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

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

11 2. (1) The department of corrections shall develop a policy and procedures to assist exonerees in  
12 obtaining a birth certificate, Social Security card, and state identification prior to release from a correctional  
13 center. The policy shall be made available to all exonerees, regardless of the method by which an exoneree  
14 was exonerated. If an exoneree does not have access to his or her birth certificate, Social Security card, or  
15 state identification upon release, the department shall assist such exoneree in obtaining the documents prior to  
16 release.

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

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

22  
23 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.