

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

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Bill No. 186, Page 6, Section 301.3175, Line 32,  
2 by inserting after all of said section and line the following:

3  
4 "407.302. 1. No scrap yard shall purchase any metal that can be identified as belonging to a  
5 public or private cemetery, political subdivision, telecommunications provider, cable provider,  
6 wireless service or other communications-related provider, electrical cooperative, water utility,  
7 municipal utility, or utility regulated under chapter 386 or 393, including twisted pair copper  
8 telecommunications wiring of pair or greater existing in 19, 22, 24, or 26 gauge burnt wire,  
9 bleachers, guardrails, signs, street and traffic lights or signals, and manhole cover or covers, whether  
10 broken or unbroken, from anyone other than the cemetery or monument owner, political  
11 subdivision, telecommunications provider, cable provider, wireless service or other  
12 communications-related provider, electrical cooperative, water utility, municipal utility, utility  
13 regulated under chapter 386 or 393, or manufacturer of the metal or item described in this section  
14 unless such person is authorized in writing by the cemetery or monument owner, political  
15 subdivision, telecommunications provider, cable provider, wireless service or other  
16 communications-related provider, electrical cooperative, water utility, municipal utility, utility  
17 regulated under chapter 386 or 393, or manufacturer to sell the metal.

18 2. Anyone convicted of violating this section shall be guilty of a class B misdemeanor."; and

19  
20 Further amend said bill, Page 11, Section 558.043, Line 16, by inserting after all of said section and  
21 line the following:

22  
23 "559.125. 1. The clerk of the court shall keep in a permanent file all applications for  
24 probation or parole by the court, and shall keep in such manner as may be prescribed by the court  
25 complete and full records of all presentence investigations requested, probations or paroles granted,  
26 revoked or terminated and all discharges from probations or paroles. All court orders relating to any  
27 presentence investigation requested and probation or parole granted under the provisions of this  
28 chapter and sections 558.011 and 558.026 shall be kept in a like manner, and, if the defendant  
29 subject to any such order is subject to an investigation or is under the supervision of the division of  
30 probation and parole, a copy of the order shall be sent to the division of probation and parole. In  
31 any county where a parole board ceases to exist, the clerk of the court shall preserve the records of  
32 that parole board.

33 2. ~~[Information and data obtained by a probation or parole officer shall be privileged~~  
34 ~~information and shall not be receivable in any court.] Information and data obtained by a probation~~  
35 ~~or parole officer is privileged information not receivable in any court unless for lawful criminal~~  
36 ~~matters.~~ Such information shall not be disclosed directly or indirectly to anyone other than the

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 members of a parole board and the judge entitled to receive reports, except the court, the division of  
2 probation and parole, or the parole board may in its discretion permit the inspection of the report, or  
3 parts of such report, by the defendant, or offender or his or her attorney, or other person having a  
4 proper interest therein.

5 3. The provisions of subsection 2 of this section notwithstanding, the presentence  
6 investigation report shall be made available to the state and all information and data obtained in  
7 connection with preparation of the presentence investigation report may be made available to the  
8 state at the discretion of the court upon a showing that the receipt of the information and data is in  
9 the best interest of the state."; and

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

13  
14 "632.305. 1. An application for detention for evaluation and treatment may be executed by  
15 any adult person, who need not be an attorney or represented by an attorney, including the mental  
16 health coordinator, on a form provided by the court for such purpose, and shall allege under oath,  
17 without a notarization requirement, that the applicant has reason to believe that the respondent is  
18 suffering from a mental disorder and presents a likelihood of serious harm to himself or herself or to  
19 others. The application shall specify the factual information on which such belief is based and  
20 should contain the names and addresses of all persons known to the applicant who have knowledge  
21 of such facts through personal observation.

22 2. The filing of a written application in court by any adult person, who need not be an  
23 attorney or represented by an attorney, including the mental health coordinator, shall authorize the  
24 applicant to bring the matter before the court on an ex parte basis to determine whether the  
25 respondent should be taken into custody and transported to a mental health facility. The application  
26 may be filed in the court having probate jurisdiction in any county where the respondent may be  
27 found. If the court finds that there is probable cause, either upon testimony under oath or upon a  
28 review of affidavits, declarations, or other supporting documentation, to believe that the respondent  
29 may be suffering from a mental disorder and presents a likelihood of serious harm to himself or  
30 himself or others, it shall direct a peace officer to take the respondent into custody and transport him  
31 or her to a mental health facility for detention for evaluation and treatment for a period not to exceed  
32 ninety-six hours unless further detention and treatment is authorized pursuant to this chapter.  
33 Nothing herein shall be construed to prohibit the court, in the exercise of its discretion, from giving  
34 the respondent an opportunity to be heard.

35 3. A mental health coordinator may request a peace officer to take or a peace officer may  
36 take a person into custody for detention for evaluation and treatment for a period not to exceed  
37 ninety-six hours only when such mental health coordinator or peace officer has reasonable cause to  
38 believe that such person is suffering from a mental disorder and that the likelihood of serious harm  
39 by such person to himself or herself or others is imminent unless such person is immediately taken

1 into custody. Upon arrival at the mental health facility, the peace officer or mental health  
2 coordinator who conveyed such person or caused him or her to be conveyed shall either present the  
3 application for detention for evaluation and treatment upon which the court has issued a finding of  
4 probable cause and the respondent was taken into custody or complete an application for initial  
5 detention for evaluation and treatment for a period not to exceed ninety-six hours which shall be  
6 based upon his or her own personal observations or investigations and shall contain the information  
7 required in subsection 1 of this section.

8 4. If a person presents himself or herself or is presented by others to a mental health facility  
9 and a licensed physician, a registered professional nurse or a mental health professional designated  
10 by the head of the facility and approved by the department for such purpose has reasonable cause to  
11 believe that the person is mentally disordered and presents an imminent likelihood of serious harm  
12 to himself or herself or others unless he or she is accepted for detention, the licensed physician, the  
13 mental health professional or the registered professional nurse designated by the facility and  
14 approved by the department may complete an application for detention for evaluation and treatment  
15 for a period not to exceed ninety-six hours. The application shall be based on his or her own  
16 personal observations or investigation and shall contain the information required in subsection 1 of  
17 this section.

18 5. ~~[Any oath required by the provisions of this section]~~ No notarization shall be required for  
19 an application or for any affidavits, declarations, or other documents supporting an application. The  
20 application and any affidavits, declarations, or other documents supporting the application shall be  
21 subject to the provisions of section 492.060 allowing for declaration under penalty of perjury."; and

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