

FIRST REGULAR SESSION

# HOUSE BILL NO. 792

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MACKEY.

0351H.011

DANA RADEMAN MILLER, Chief Clerk

## AN ACT

To amend chapter 211, RSMo, by adding thereto one new section relating to custodial interrogations of children.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 211, RSMo, is amended by adding thereto one new section, to be known as section 211.058, to read as follows:

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

(1) "Custodial interrogation", any interrogation during which a:

(a) Reasonable person in the child's position would consider himself or herself to be in custody; and

(b) Question is asked that is reasonably likely to elicit an incriminating response;

(2) "Deception", the knowing communication of false facts about evidence or unauthorized statements regarding leniency by a person involved in a custodial interrogation of a child.

2. Any oral, written, or sign language confession of a child, who at the time of the commission of a violation of the juvenile code or the general law was under eighteen years of age, made as a result of a custodial interrogation conducted at a place of detention on or after August 28, 2023, shall be inadmissible as evidence against the child if during the custodial interrogation the person involved in the custodial interrogation knowingly engaged in deception.

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.