

FIRST REGULAR SESSION

HOUSE BILL NO. 444

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHNELTING.

1495H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 476.055, RSMo, and to enact in lieu thereof one new section relating to the redaction of personal identifying information from court automation systems.

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

Section A. Section 476.055, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 476.055, to read as follows:

476.055. 1. There is hereby established in the state treasury the "Statewide Court Automation Fund". All moneys collected pursuant to section 488.027, as well as gifts, contributions, devises, bequests, and grants received relating to automation of judicial record keeping, and moneys received by the judicial system for the dissemination of information and sales of publications developed relating to automation of judicial record keeping, shall be credited to the fund. Moneys credited to this fund may only be used for the purposes set forth in this section and as appropriated by the general assembly. Any unexpended balance remaining in the statewide court automation fund at the end of each biennium shall not be subject to the provisions of section 33.080 requiring the transfer of such unexpended balance to general revenue; except that, any unexpended balance remaining in the fund on September 1, 2023, shall be transferred to general revenue.

2. The statewide court automation fund shall be administered by a court automation committee consisting of the following: the chief justice of the supreme court, a judge from the court of appeals, four circuit judges, four associate circuit judges, four employees of the circuit court, the commissioner of administration, two members of the house of representatives appointed by the speaker of the house, two members of the senate appointed by the president pro tem of the senate, the executive director of the Missouri office

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.

18 of prosecution services, the director of the state public defender system, and two members of
19 the Missouri Bar. The judge members and employee members shall be appointed by the chief
20 justice. The commissioner of administration shall serve ex officio. The members of the
21 Missouri Bar shall be appointed by the board of governors of the Missouri Bar. Any member
22 of the committee may designate another person to serve on the committee in place of the
23 committee member.

24 3. The committee shall develop and implement a plan for a statewide court
25 automation system. The committee shall have the authority to hire consultants, review
26 systems in other jurisdictions and purchase goods and services to administer the provisions of
27 this section. The committee may implement one or more pilot projects in the state for the
28 purposes of determining the feasibility of developing and implementing such plan. The
29 members of the committee shall be reimbursed from the court automation fund for their actual
30 expenses in performing their official duties on the committee.

31 4. Any purchase of computer software or computer hardware that exceeds five
32 thousand dollars shall be made pursuant to the requirements of the office of administration for
33 lowest and best bid. Such bids shall be subject to acceptance by the office of administration.
34 The court automation committee shall determine the specifications for such bids.

35 5. The court automation committee shall not require any circuit court to change any
36 operating system in such court, unless the committee provides all necessary personnel, funds
37 and equipment necessary to effectuate the required changes. No judicial circuit or county
38 may be reimbursed for any costs incurred pursuant to this subsection unless such judicial
39 circuit or county has the approval of the court automation committee prior to incurring the
40 specific cost.

41 6. Any court automation system, including any pilot project, shall be implemented,
42 operated and maintained in accordance with strict standards for the security and privacy of
43 confidential judicial records. **Any court automation system, including any pilot project,
44 that provides public access to electronic records on the internet shall redact any
45 personal identifying information, including name, address, and year of birth, of a minor
46 and, if applicable, any next friend.** Any person who knowingly releases information from a
47 confidential judicial record is guilty of a class B misdemeanor. Any person who, knowing
48 that a judicial record is confidential, uses information from such confidential record for
49 financial gain is guilty of a class E felony.

50 7. On the first day of February, May, August and November of each year, the court
51 automation committee shall file a report on the progress of the statewide automation system
52 with:

- 53 (1) The chair of the house budget committee;
54 (2) The chair of the senate appropriations committee;

55 (3) The chair of the house judiciary committee; and

56 (4) The chair of the senate judiciary committee.

57 8. Section 488.027 shall expire on September 1, 2023. The court automation
58 committee established pursuant to this section may continue to function until completion of
59 its duties prescribed by this section, but shall complete its duties prior to September 1, 2025.

60 9. This section shall expire on September 1, 2025.

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