

CCS SB 28 -- ACCESS TO CERTAIN RECORDS

This bill relates to access to certain records.

OFFICE OF CHILD ADVOCATE (Section 37.725)

This bill authorizes the Office of Child Advocate to disclose information if the disclosure is at the request of law enforcement as part of an investigation.

RECORDS OF THE HIGHWAY PATROL (Section 43.253)

This bill provides that a minimum fee of \$6 may be charged by the State Highway Patrol for any records request for a Missouri Uniform Crash Report or Marine Accident Investigation Report where there is an allowable fee of less than \$6. Such \$6 fee will be in place of the allowable fee of less than \$6. The fee may be increased by no more than \$1 every other year starting August 28, 2024, and the minimum fee must not exceed \$10.

BACKGROUND CHECKS (Sections 43.539, 43.540, 195.817)

Currently, qualified entities receive Rap Back notifications for individuals as long as the individual has had a Missouri and national criminal record review completed within the previous six years. This bill eliminates the six-year limitation such that a qualified entity will continue to receive Rap Back notifications for individuals as long as the individuals have at some point had a Missouri and national criminal record review completed.

As specified in the bill, the Department of Health and Senior services will require all employees, contractors who spend more than 14 days in a year doing work at a marijuana facility, owners, and volunteers of marijuana facilities to submit fingerprints to the State Highway Patrol for a state and federal criminal background check. The Patrol will notify the Department of any criminal history record information or lack thereof discovered on the individual. All such records will be accessible and available to the Department.

PERSONAL PRIVACY PROTECTION ACT(Section 105.1500)

This bill amends the "Personal Privacy Protection Act" to prohibit a public agency from releasing, publicizing, or otherwise publicly disclosing personal information in possession of the agency without the express, written permission of every individual who is identifiable as a financial supporter of a nonprofit organization. The bill also provides some exceptions to the prohibition, including: personal information that a person or non-profit entity

submits or has previously submitted to a public agency for the purpose of seeking or obtaining a contract, grant, permit, license, benefit, tax credit, incentive, status, or any other similar item; a disclosure of personal information among law enforcement agencies or public agency investigators pursuant to an active investigation; a disclosure of personal information voluntarily made as part of public comment, public testimony, pleading, or in a public meeting, or voluntarily provided to a public agency for the purpose of public outreach, marketing, or education to show appreciation for or in partnership with a non-profit entity; a disclosure of personal information to a labor union or employee association regarding employees in a bargaining unit represented by the union or association; or the collection or publishing of information contained in a financial interest statement.

The provisions of this section have an emergency clause.

CERTIFICATION OF BIRTH (Section 193.265)

This bill allows a victim of domestic violence or abuse to receive a certification of birth free of charge upon request if the victim provides documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a health care or mental health professional, from whom the victim has sought assistance relating to the domestic violence or abuse. A victim is eligible for a fee waiver only once under this section.

INFORMATION RELATING TO MINORS (Section 210.1360)

The bill specifies that any personally identifiable information regarding a child under 18 years old receiving child care from any provider or applying for or receiving services through a state program shall not be subject to disclosure except as otherwise allowed by law.

SUNSHINE LAW EXCEPTIONS (Section 610.021)

The bill adds to the list of closed records under the sunshine law records relating to certain security measures, GPS data, investigative information, or investigative or surveillance techniques of a public agency responsible for law enforcement, any information or data provided to a tip line for the safety and security of an educational institution, and information contained in a suspicious activity report provided to law enforcement that if disclosed could potentially endanger the health or safety of an individual or the public.