

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

Offered By

1 AMEND Senate Substitute for Senate Bill No. 890, Page 1, Section A, Line 3, by inserting after all  
2 of said section and line the following:

3  
4 "135.341. 1. As used in this section, the following terms shall mean:

5 (1) "CASA", an entity which receives funding from the court-appointed special advocate  
6 fund established under section 476.777, including an association based in this state, affiliated with a  
7 national association, organized to provide support to entities receiving funding from the court-  
8 appointed special advocate fund;

9 (2) "Child advocacy centers", the regional child assessment centers listed in subsection 2 of  
10 section 210.001, including an association based in this state, affiliated with a national association,  
11 and organized to provide support to entities listed in subsection 2 of section 210.001;

12 (3) "Contribution", the amount of donation to a qualified agency;

13 (4) "Crisis care center", entities contracted with this state which provide temporary care for  
14 children whose age ranges from birth through seventeen years of age whose parents or guardian are  
15 experiencing an unexpected and unstable or serious condition that requires immediate action  
16 resulting in short-term care, usually three to five continuous, uninterrupted days, for children who  
17 may be at risk for child abuse, neglect, or in an emergency situation;

18 (5) "Department", the department of revenue;

19 (6) "Director", the director of the department of revenue;

20 (7) "Qualified agency", CASA, child advocacy centers, or a crisis care center;

21 (8) "Tax liability", the tax due under chapter 143 other than taxes withheld under sections  
22 143.191 to 143.265.

23 2. For all tax years beginning on or after January 1, 2013, but not after December 31, 2023,  
24 a tax credit may be claimed in an amount equal to up to fifty percent of a verified contribution to a  
25 qualified agency and shall be named the champion for children tax credit. For all tax years  
26 beginning on or after January 1, 2024, a champion for children tax credit may be claimed in an  
27 amount not to exceed seventy percent of a verified contribution to a qualified agency. The  
28 minimum amount of any tax credit issued shall not be less than fifty dollars and shall be applied to  
29 taxes due under chapter 143, excluding sections 143.191 to 143.265. A contribution verification  
30 shall be issued to the taxpayer by the agency receiving the contribution. Such contribution

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1 verification shall include the taxpayer's name, Social Security number, amount of tax credit, amount  
2 of contribution, the name and address of the agency receiving the credit, and the date the  
3 contribution was made. The tax credit provided under this subsection shall be initially filed for the  
4 year in which the verified contribution is made.

5 3. The cumulative amount of the tax credits redeemed shall not exceed one million dollars  
6 for all fiscal years ending on or before June 30, 2019~~[, and]~~; one million five hundred thousand  
7 dollars for all fiscal years beginning on or after July 1, 2019, and ending on or before June 30, 2024;  
8 and two million five hundred thousand dollars for all fiscal years beginning on or after July 1, 2024.  
9 The amount available shall be equally divided among the three qualified agencies: CASA, child  
10 advocacy centers, or crisis care centers, to be used towards tax credits issued. In the event tax  
11 credits claimed under one agency do not total the allocated amount for that agency, the unused  
12 portion for that agency will be made available to the remaining agencies equally. In the event the  
13 total amount of tax credits claimed for any one agency exceeds the amount available for that agency,  
14 the amount redeemed shall and will be apportioned equally to all eligible taxpayers claiming the  
15 credit under that agency.

16 4. Prior to December thirty-first of each year, each qualified agency shall apply to the  
17 department of social services in order to verify their qualified agency status. Upon a determination  
18 that the agency is eligible to be a qualified agency, the department of social services shall provide a  
19 letter of eligibility to such agency. No later than February first of each year, the department of  
20 social services shall provide a list of qualified agencies to the department of revenue. All tax credit  
21 applications to claim the champion for children tax credit shall be filed between July first and April  
22 fifteenth of each fiscal year. A taxpayer shall apply for the champion for children tax credit by  
23 attaching a copy of the contribution verification provided by a qualified agency to such taxpayer's  
24 income tax return.

25 5. Any amount of tax credit which exceeds the tax due or which is applied for and otherwise  
26 eligible for issuance but not issued shall not be refunded but may be carried over to any subsequent  
27 tax year, not to exceed a total of five years.

28 6. Tax credits may not be assigned, transferred or sold.

29 7. (1) In the event a credit denial, due to lack of available funds, causes a balance-due  
30 notice to be generated by the department of revenue, or any other redeeming agency, the taxpayer  
31 will not be held liable for any penalty or interest, provided the balance is paid, or approved payment  
32 arrangements have been made, within sixty days from the notice of denial.

33 (2) In the event the balance is not paid within sixty days from the notice of denial, the  
34 remaining balance shall be due and payable under the provisions of chapter 143.

35 8. The department may promulgate such rules or regulations as are necessary to administer  
36 the provisions of this section. Any rule or portion of a rule, as that term is defined in section  
37 536.010, that is created under the authority delegated in this section shall become effective only if it  
38 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
39 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the

1 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
 2 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any  
 3 rule proposed or adopted after August 28, 2013, shall be invalid and void.

4 9. Pursuant to section 23.253, of the Missouri sunset act:

5 (1) The program authorized under this section shall be reauthorized as of [~~December 31,~~  
 6 2019,] August 28, 2024, and shall expire on December 31, [~~2025~~] 2030, unless reauthorized by the  
 7 general assembly; and

8 (2) This section shall terminate on September first of the calendar year immediately  
 9 following the calendar year in which the program authorized under this section is sunset; and

10 (3) The provisions of this subsection shall not be construed to limit or in any way impair the  
 11 department's ability to redeem tax credits authorized on or before the date the program authorized  
 12 under this section expires or a taxpayer's ability to redeem such credits.

13 10. Beginning on March 29, 2013, any verified contribution to a qualified agency made on  
 14 or after January 1, 2013, shall be eligible for tax credits as provided by this section.

15 192.2550. As used in sections 192.2550 to 192.2560, the following terms mean:

16 (1) "Child", an individual who is under the age of seventeen;

17 (2) "Department", the department of health and senior services;

18 (3) "Eligible child", an individual who is under the age of six years and has complex  
 19 medical needs requiring continuous skilled nursing intervention of at least four hours per day, as  
 20 ordered by a physician;

21 (4) "Person", any individual, firm, corporation, partnership, association, agency,  
 22 incorporated or unincorporated organization, or other legal entity, regardless of the name used;

23 (5) "Prescribed pediatric extended care facility", a facility providing medically necessary  
 24 multidisciplinary services to eligible children in a child care facility licensed by the department of  
 25 elementary and secondary education under chapter 210. Multidisciplinary services include skilled  
 26 nursing, personal care, nutritional assessment, developmental assessment, and speech, physical, and  
 27 occupational therapy services, as ordered by a physician;

28 (6) "Prescribed pediatric extended care provider" or "provider", the person or persons  
 29 licensed or required to be licensed under sections 192.2550 to 192.2560 to establish, conduct, or  
 30 maintain, a prescribed pediatric extended care facility.

31 192.2552. 1. Beginning on August 28, 2025, it shall be unlawful for any person to establish,  
 32 maintain, or operate a prescribed pediatric extended care facility, or to advertise or hold himself or  
 33 herself out as being able to perform any of the services of a prescribed pediatric extended care  
 34 facility, without having in effect a written license granted by the department.

35 2. Nothing in sections 192.2550 to 192.2560 shall be construed to apply to:

36 (1) Any child care facility that provides care to eligible children with a caregiver staffing  
 37 ratio of not fewer than one licensed nurse present for every one eligible child present, unless said  
 38 facility voluntarily applies for licensure as a prescribed pediatric extended care facility;

1           (2) Any hospital, sanitarium, or home that is conducted in good faith primarily to provide  
2 medical treatment or nursing or convalescent care for children; or

3           (3) Any program licensed by the department of mental health under sections 630.705 to  
4 630.760 that provides care, treatment, and habilitation exclusively to children who have a primary  
5 diagnosis of mental disorder, mental illness, intellectual disability, or developmental disability, as  
6 those terms are defined in section 630.005.

7           192.2554. 1. The department shall have the following powers and duties:

8           (1) After inspection, to grant licenses to persons to operate prescribed pediatric extended  
9 care facilities if satisfied as to the good character and intent of the applicant and that such applicant  
10 is qualified and equipped to render care or service conducive to the welfare of children;

11           (2) To inspect the conditions of the places in which the applicant operates a prescribed  
12 pediatric extended care facility; inspect their books and records, premises, and numbers of children  
13 to be served, provided that the department shall not interview a child without the consent of the  
14 child's parents or guardian; examine their officers and agents; and deny, immediately suspend, place  
15 on probation, or revoke the license of such persons as fail to obey the provisions of sections  
16 192.2550 to 192.2560. The director may revoke or suspend a license when the licensee surrenders  
17 the license; and

18           (3) To promulgate rules and regulations the department deems necessary or proper in order  
19 to establish standards of service and care to be rendered by such licensees to children. Such rules  
20 and regulations shall include, at a minimum, requirements related to the following:

21           (a) Staffing;

22           (b) Fire safety;

23           (c) Sanitation, including infection control;

24           (d) Equipment; and

25           (e) Record keeping.

26           2. (1) The department shall have the right to enter the premises of any prescribed pediatric  
27 extended care facility or potential facility pursuant to an announced inspection at any time during  
28 the hours of operation of a facility to determine compliance with sections 192.2550 to 192.2560 and  
29 applicable rules promulgated pursuant thereto. Entry shall also be granted for investigative  
30 purposes involving complaints regarding the operations of a prescribed pediatric extended care  
31 facility. The department may make inspections, announced to the applicant for or holder of a  
32 license twenty-four hours in advance of the inspection, as it deems necessary to carry out the  
33 provisions of sections 192.2550 to 192.2560.

34           (2) Notwithstanding the provisions of subdivision (1) of this subsection, the department may  
35 make unannounced inspections as necessary to investigate allegations of abuse or neglect of a child  
36 served by the facility.

37           3. The applicant for or holder of a license shall cooperate with the investigation and  
38 inspection.

1           4. Failure to comply with any lawful request of the department in connection with the  
2 investigation and inspection is a ground for refusal to issue a license or for the revocation of a  
3 license.

4           5. Any prescribed pediatric extended care facility may request a variance from a rule or  
5 regulation promulgated pursuant to sections 192.2550 to 192.2560. The request for a variance shall  
6 be made in writing to the department and shall include the reasons the facility is requesting the  
7 variance. The department shall not approve any variance request that endangers the health or safety  
8 of the children served by the facility.

9           6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
10 under the authority delegated in sections 192.2550 to 192.2560 shall become effective only if it  
11 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
12 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the  
13 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
14 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any  
15 rule proposed or adopted after August 28, 2024, shall be invalid and void.

16           192.2556. 1. All applicants for or holders of a license to operate a prescribed pediatric  
17 extended care facility shall have an active, nonsuspended license to operate a child care facility  
18 issued by the department of elementary and secondary education.

19           2. All persons employed by the prescribed pediatric extended care facility for compensation,  
20 including contract employees or self-employed individuals, and individuals or volunteers whose  
21 activities involve the care or supervision of children for a prescribed pediatric extended care  
22 provider or unsupervised access to children who are cared for or supervised by a prescribed  
23 pediatric extended care provider shall be considered a child care staff member, as that term is  
24 defined in section 210.1080, and shall comply with all requirements under that section and  
25 regulations promulgated pursuant thereto.

26           192.2558. 1. If the department proposes to deny, place on probation, or revoke a license, the  
27 department shall serve upon the applicant or licensee written notice of the proposed action to be  
28 taken. The notice shall contain a statement of the type of action proposed, the basis for it, the date  
29 the action will become effective, and a statement that the applicant or licensee shall have thirty days  
30 to request in writing a hearing before the administrative hearing commission and that such request  
31 shall be made to the department. If no written request for a hearing is received by the department  
32 within thirty days of the delivery or mailing by certified mail of the notice to the applicant or  
33 licensee, then the proposed discipline shall take effect on the thirty-first day after such delivery or  
34 mailing of the notice to the applicant or licensee. If the applicant or licensee makes a written  
35 request for a hearing, the department shall file a complaint with the administrative hearing  
36 commission within thirty days of receipt of the request for a hearing.

37           2. The department shall immediately suspend and propose to revoke any prescribed  
38 pediatric extended care facility license if the department of elementary and secondary education  
39 immediately suspends the licensee's license to operate a child care facility. The immediate

1 suspension of the license to operate a child care facility shall be sufficient grounds for the  
2 department of health and senior services to immediately suspend and revoke the prescribed pediatric  
3 extended care license.

4 3. The department shall immediately suspend and propose to revoke any prescribed  
5 pediatric extended care license if the department of elementary and secondary education revokes the  
6 licensee's license to operate a child care facility. The revocation of the license to operate a child  
7 care facility shall be sufficient grounds for the department of health and senior services to  
8 immediately suspend and revoke the prescribed pediatric extended care license.

9 4. The department may immediately suspend any license simultaneously with the notice of  
10 the proposed action to be taken in subsection 1 of this section if the department finds that there is a  
11 threat of imminent bodily harm to the children in the care of the prescribed pediatric extended care  
12 facility.

13 5. The notice of immediate suspension shall include the basis of the immediate suspension  
14 and the appeal rights of the licensee pursuant to this section. The licensee may appeal the decision  
15 to immediately suspend the license to the department. The appeal shall be filed within ten days  
16 from the delivery or mailing by certified mail of the notice of appeal. A hearing shall be conducted  
17 by the department within fifteen days from the date the appeal is filed. The immediate suspension  
18 shall continue in effect until the conclusion of the proceedings, including review thereof, unless  
19 sooner withdrawn by the department or stayed by a court of competent jurisdiction.

20 6. Any person aggrieved by a final decision of the department made in the administration of  
21 sections 192.2550 to 192.2560 shall be entitled to judicial review thereof as provided in chapter 536.

22 7. In cases of imminent bodily harm to children in the care of a prescribed pediatric  
23 extended care facility, including an unlicensed facility not exempt under section 192.2552, the  
24 department may file suit in the circuit court of the county in which the prescribed pediatric extended  
25 care facility is located for injunctive relief, which may include removing children from the facility,  
26 overseeing the operation of the facility, or closing the facility. The department may request that the  
27 attorney general bring the action in place of the department. Failure by the department to file suit  
28 under the provisions of this subsection shall not be construed as creating any civil liability or  
29 incurring other obligations or duties, except as otherwise specified.

30 192.2560. 1. Nothing contained in sections 192.2550 to 192.2560 shall permit the public  
31 disclosure by the department of confidential medical, social, personal, or financial records of any  
32 child in the care of any prescribed pediatric extended care facility, except when disclosed in a  
33 manner which does not identify any child or when ordered to do so by a court of competent  
34 jurisdiction. Such records shall be accessible without court order for examination and copying only  
35 to the following persons or offices, or to their designees:

36 (1) The department or any person or agency designated by the department;

37 (2) The department of elementary and secondary education or any person or agency  
38 designated by the department of elementary and secondary education;

1           (3) The department of social services or any person or agency designated by the department  
2 of social services;

3           (4) The attorney general;

4           (5) Any appropriate law enforcement agency;

5           (6) Any appropriate prosecutor's office; and

6           (7) The child's parent or guardian, or any other person designated by the child's parent or  
7 guardian.

8           2. Inspection reports and written reports of investigations of complaints and complaints  
9 received by the department relating to the quality of care of children in the care of a prescribed  
10 pediatric extended care provider shall be accessible to the public for examination and copying,  
11 provided that such reports are disclosed in a manner which does not identify the complainant or any  
12 particular child.

13           197.135. 1. Beginning January 1, 2023, or no later than six months after the establishment  
14 of the statewide telehealth network under section 192.2520, whichever is later, any hospital licensed  
15 under this chapter shall perform a forensic examination using an evidentiary collection kit upon the  
16 request and consent of the victim of a sexual offense, or the victim's guardian, when the victim is at  
17 least fourteen years of age. In the case of minor consent, the provisions of subsection 2 of section  
18 595.220 shall apply. Victims under fourteen years of age shall be referred, and victims fourteen  
19 years of age or older but less than eighteen years of age may be referred, to a SAFE CARE provider,  
20 as such term is defined in section 334.950, for medical or forensic evaluation and case review.  
21 Nothing in this section shall be interpreted to preclude a hospital from performing a forensic  
22 examination for a victim under fourteen years of age upon the request and consent of the victim or  
23 victim's guardian, subject to the provisions of section 595.220 and the rules promulgated by the  
24 department of public safety.

25           2. (1) An appropriate medical provider, as such term is defined in section 595.220, shall  
26 perform the forensic examination of a victim of a sexual offense. The hospital shall ensure that any  
27 provider performing the examination has received training conducting such examinations that is, at  
28 a minimum, equivalent to the training offered by the statewide telehealth network under subsection  
29 4 of section 192.2520. Nothing in this section shall require providers to utilize the training offered  
30 by the statewide telehealth network, as long as the training utilized is, at a minimum, equivalent to  
31 the training offered by the statewide telehealth network.

32           (2) If the provider is not a sexual assault nurse examiner (SANE), or another similarly  
33 trained physician or nurse, then the hospital shall utilize telehealth services during the examination,  
34 such as those provided by the statewide telehealth network, to provide guidance and support through  
35 a SANE, or other similarly trained physician or nurse, who may observe the live forensic  
36 examination and who shall communicate with and support the onsite provider with the examination,  
37 forensic evidence collection, and proper transmission and storage of the examination evidence.

38           3. The department of health and senior services may issue a waiver of the telehealth  
39 requirements of subsection 2 of this section if the hospital demonstrates to the department, in

1 writing, a technological hardship in accessing telehealth services or a lack of access to adequate  
2 broadband services sufficient to access telehealth services. Such waivers shall be granted sparingly  
3 and for no more than a year in length at a time, with the opportunity for renewal at the department's  
4 discretion.

5 4. The department shall waive the requirements of this section if the statewide telehealth  
6 network established under section 192.2520 ceases operation, the director of the department of  
7 health and senior services has provided written notice to hospitals licensed under this chapter that  
8 the network has ceased operation, and the hospital cannot, in good faith, comply with the  
9 requirements of this section without assistance or resources of the statewide telehealth network.  
10 Such waiver shall remain in effect until such time as the statewide telehealth network resumes  
11 operation or until the hospital is able to demonstrate compliance with the provisions of this section  
12 without the assistance or resources of the statewide telehealth network.

13 5. The provisions of section 595.220 shall apply to the reimbursement of the reasonable  
14 costs of the examinations and the provision of the evidentiary collection kits.

15 6. No individual hospital shall be required to comply with the provisions of this section and  
16 section 192.2520 unless and until the department provides such hospital with access to the statewide  
17 telehealth network for the purposes of mentoring and training services required under section  
18 192.2520 without charge to the hospital.

19 7. A specialty hospital shall be considered exempt from the provisions of this section and  
20 section 192.2520 if such hospital has a policy for the transfer of a victim of a sexual offense to an  
21 appropriate hospital with an emergency department. As used in this section, "specialty hospital"  
22 shall mean a hospital licensed under this chapter and designated by the department as something  
23 other than a general acute care hospital.

24 210.030. 1. Every licensed physician, midwife, registered nurse and all persons who may  
25 undertake, in a professional way, the obstetrical and gynecological care of a pregnant woman in the  
26 state of Missouri shall, if the woman consents, take or cause to be taken a sample of venous blood of  
27 such woman at the time of the first prenatal examination, or not later than twenty days after the first  
28 prenatal examination, and another sample at twenty-eight weeks of pregnancy and subject such  
29 ~~[sample]~~ samples to an approved and standard serological test for syphilis~~[-an]~~ and approved  
30 serological ~~[test]~~ tests for hepatitis B, hepatitis C, human immunodeficiency virus (HIV), and such  
31 other treatable diseases and metabolic disorders as are prescribed by the department of health and  
32 senior services. ~~[In any area of the state designated as a syphilis outbreak area by the department of~~  
33 ~~health and senior services, if the mother consents, a sample of her venous blood shall be taken later~~  
34 ~~in the course of pregnancy and at delivery for additional testing for syphilis as may be prescribed by~~  
35 ~~the department]~~ If a mother tests positive for syphilis, hepatitis B, hepatitis C, or HIV, or any  
36 combination of such diseases, the physician or person providing care shall administer treatment in  
37 accordance with the most recent accepted medical practice. If a mother tests positive for hepatitis  
38 B, the physician or person who professionally undertakes the pediatric care of a newborn shall also  
39 administer the appropriate doses of hepatitis B vaccine and hepatitis B immune globulin (HBIG) in



1 accordance with the current recommendations of the Advisory Committee on Immunization  
 2 Practices (ACIP). If the mother's hepatitis B status is unknown, the appropriate dose of hepatitis B  
 3 vaccine shall be administered to the newborn in accordance with the current ACIP  
 4 recommendations. If the mother consents, a sample of her venous blood shall be taken. If she tests  
 5 positive for hepatitis B, hepatitis B immune globulin (HBIG) shall be administered to the newborn  
 6 in accordance with the current ACIP recommendations.

7 2. The department of health and senior services shall ~~[, in consultation with the Missouri~~  
 8 ~~genetic disease advisory committee,]~~ make such rules pertaining to such tests as shall be dictated by  
 9 accepted medical practice, and tests shall be of the types approved or accepted by the ~~[department of~~  
 10 ~~health and senior services]~~ United States Food and Drug Administration. ~~[An approved and~~  
 11 ~~standard test for syphilis, hepatitis B, and other treatable diseases and metabolic disorders shall~~  
 12 ~~mean a test made in a laboratory approved by the department of health and senior services.]~~ No  
 13 individual shall be denied testing by the department of health and senior services because of  
 14 inability to pay.

15 210.201. As used in sections 210.201 to 210.257, the following terms mean:

16 (1) "Child", an individual who is under the age of seventeen;

17 (2) "Child care", care of a child away from his or her home for any part of the twenty-four-  
 18 hour day for compensation or otherwise. Child care is a voluntary supplement to parental  
 19 responsibility for the child's protection, development, and supervision;

20 (3) "Child-care facility" or "child care facility", a house or other place conducted or  
 21 maintained by any person who advertises or holds himself or herself out as providing child care for  
 22 any part of the twenty-four-hour day for compensation or otherwise if providing child care to more  
 23 than:

24 (a) Six children; or

25 (b) Three children under two years of age;

26 (4) "Child care provider" or "provider", the person or persons licensed or required to be  
 27 licensed under section 210.221 to establish, conduct, or maintain a child care facility;

28 (5) "Day camp", a program operated by a person or organization between the hours of 6:00  
 29 a.m. and 7:00 p.m., when a local school system is not in session requiring actual pupil attendance,  
 30 and with the primary function of providing a recreational program for children five years of age or  
 31 older who are enrolled in kindergarten or any grade above kindergarten, but providing no child care  
 32 for children under five years of age who are not yet enrolled in kindergarten in the same space or in  
 33 the same outdoor play area simultaneously;

34 (6) "Montessori school", a child care program that is either accredited by, actively seeking  
 35 accreditation by, or maintains an active school membership with the American Montessori Society,  
 36 the Association Montessori Internationale, the International Montessori Counsel, or the Montessori  
 37 Educational Programs International;

38 (7) "Neighborhood youth development program", as described in section 210.278;

1 (8) "Nursery school", a program operated by a person or an organization with the primary  
2 function of providing an educational program for preschool-age children for no more than four  
3 hours per day per child;

4 (9) "Person", any individual, firm, corporation, partnership, association, agency, or an  
5 incorporated or unincorporated organization regardless of the name used;

6 (10) "Religious organization", a church, synagogue or mosque; an entity that has or would  
7 qualify for federal tax-exempt status as a nonprofit religious organization under Section 501(c) of  
8 the Internal Revenue Code; or an entity whose real estate on which the child-care facility is located  
9 is exempt from taxation because it is used for religious purposes;

10 (11) "School system", a program established primarily for education and that meets the  
11 following criteria:

12 (a) Provides education in at least the first to the sixth grade; and

13 (b) Provides evidence that the school system's records will be accepted by a public or  
14 private school for the transfer of any student;

15 (12) "Summer camp", a program operated from May to September by a person or  
16 organization with the primary function of providing a summer recreational program for children five  
17 years of age or older and providing no child care for children under five years of age in the same  
18 space or in the same outdoor play area simultaneously.

19 210.211. 1. It shall be unlawful for any person to establish, maintain or operate a child-care  
20 facility for children, or to advertise or hold himself or herself out as being able to perform any of the  
21 services as defined in section 210.201, without having in effect a written license granted by the  
22 department of elementary and secondary education; except that nothing in sections 210.203 to  
23 210.245 shall apply to:

24 (1) Any person who is caring for six or fewer children, including a maximum of three  
25 children under the age of two, at the same physical address. For purposes of this subdivision,  
26 children who live in the caregiver's home and who are eligible for enrollment in a public  
27 kindergarten, elementary, or high school shall not be considered in the total number of children  
28 being cared for;

29 (2) Any person who receives free of charge, and not as a business, for periods not exceeding  
30 ninety consecutive days, as bona fide, occasional and personal guests the child or children of  
31 personal friends of such person, and who receives custody of no other unrelated child or children;

32 (3) Any graded boarding school that is conducted in good faith primarily to provide  
33 education;

34 (4) Any summer or day camp that is conducted in good faith primarily to provide recreation;

35 (5) Any hospital, sanitarium, or home that is conducted in good faith primarily to provide  
36 medical treatment or nursing or convalescent care for children;

37 (6) Any residential facility or day program licensed by the department of mental health  
38 under sections 630.705 to 630.760 that provides care, treatment, and habilitation exclusively to

1 children who have a primary diagnosis of mental disorder, mental illness, intellectual disability, or  
 2 developmental disability, as those terms are defined in section 630.005;

3 (7) Any school system as defined in section 210.201;

4 (8) Any Montessori school as defined in section 210.201;

5 (9) Any business that operates a child care program for the convenience of its customers or  
 6 its employees if the following conditions are met:

7 (a) The business provides child care for customers' or employees' children for no more than  
 8 four hours per day; and

9 (b) Customers or employees remain on site while their children are being cared for by the  
 10 business establishment;

11 (10) Any home school as defined in section 167.031;

12 (11) Any religious organization academic preschool or kindergarten for four- and five-year-  
 13 old children;

14 (12) Any weekly Sunday or Sabbath school, a vacation bible school, or child care made  
 15 available while the parents or guardians are attending worship services or other meetings and  
 16 activities conducted or sponsored by a religious organization;

17 (13) Any neighborhood youth development program under section 210.278;

18 (14) Any program serving only children enrolled in grade six or above;

19 (15) Any religious organization elementary or secondary school;

20 ~~(15)~~ (16) Any private organization elementary or secondary school system providing child  
 21 care to children younger than school age. If a facility or program is exempt from licensure based  
 22 upon this exception, such facility or program shall submit documentation annually to the department  
 23 to verify its licensure-exempt status;

24 ~~(16)~~ (17) Any nursery school as defined in section 210.201; and

25 ~~(17)~~ (18) Any child care facility maintained or operated under the exclusive control of a  
 26 religious organization. If a nonreligious organization having as its principal purpose the provision  
 27 of child care services enters into an arrangement with a religious organization for the maintenance  
 28 or operation of a child care facility, the facility is not under the exclusive control of the religious  
 29 organization.

30 2. Notwithstanding the provisions of subsection 1 of this section, no child-care facility shall  
 31 be exempt from licensure if such facility receives any state or federal funds for providing care for  
 32 children, except for federal funds for those programs which meet the requirements for participation  
 33 in the Child and Adult Care Food Program pursuant to 42 U.S.C. Section 1766. Grants to parents  
 34 for child care pursuant to sections 210.201 to 210.257 shall not be construed to be funds received by  
 35 a person or facility listed in subdivisions (1) and ~~(17)~~ (18) of subsection 1 of this section.

36 3. Every child care facility shall disclose the licensure status of the facility to the parents or  
 37 guardians of children for which the facility provides care. No child care facility exempt from  
 38 licensure shall represent to any parent or guardian of children for which the facility provides care  
 39 that the facility is licensed when such facility is in fact not licensed. A parent or guardian utilizing

1 an unlicensed child care facility shall sign a written notice indicating he or she is aware of the  
2 unlicensed status of the facility. The facility shall keep a copy of this signed written notice on file.  
3 All child care facilities shall provide the parent or guardian enrolling a child in the facility with a  
4 written explanation of the disciplinary philosophy and policies of the child care facility.

5 4. Up to two children who are five years of age or older and who are related within the third  
6 degree of consanguinity or affinity to, adopted by, or under court appointed guardianship or legal  
7 custody of a child care provider who is responsible for the daily operation of a licensed family child  
8 care home that is organized as a corporation, association, firm, partnership, limited liability  
9 company, sole proprietorship, or any other type of business entity in this state shall not be included  
10 in the number of children counted toward the maximum number of children for which the family  
11 child care home is licensed under section 210.221. If more than one member of the corporation,  
12 association, firm, partnership, limited liability company, or other business entity is responsible for  
13 the daily operation of the licensed family child care home, then the related children of only one such  
14 member shall be excluded. A family child care home caring for children not counted in the  
15 maximum number of children, as permitted under this subsection, shall disclose this to parents or  
16 guardians on the written notice required under subsection 3 of this section. If a family child care  
17 home begins caring for children not counted in the maximum number of children after a parent or  
18 guardian has signed the written notice required under subsection 3 of this section, the family child  
19 care home shall provide a separate notice to the parent or guardian that the family child care home is  
20 caring for children not counted in the maximum number of children for which the family child care  
21 home is licensed and shall keep a copy of the signed notice on file.

22 5. Nothing in this section shall prevent the department from enforcing licensing regulations  
23 promulgated under this chapter, including, but not limited to, supervision requirements and capacity  
24 limitations based on the amount of child care space available.

25 210.221. 1. The department of elementary and secondary education shall have the  
26 following powers and duties:

27 (1) After inspection, to grant licenses to persons to operate child-care facilities if satisfied as  
28 to the good character and intent of the applicant and that such applicant is qualified and equipped to  
29 render care or service conducive to the welfare of children. Each license shall specify its effective  
30 dates and whether it is temporary, the kind of child-care services the licensee is authorized to  
31 perform, the number of children that can be received or maintained, and their ages;

32 (2) To inspect the conditions of the homes and other places in which the applicant operates a  
33 child-care facility, inspect their books and records, premises and children being served, examine  
34 their officers and agents, deny, suspend, place on probation or revoke the license of such persons as  
35 fail to obey the provisions of sections 210.201 to 210.245 or the rules and regulations made by the  
36 department of elementary and secondary education. The commissioner also may revoke or suspend  
37 a license when the licensee surrenders the license;

38 (3) To promulgate and issue rules and regulations the department deems necessary or proper  
39 in order to establish standards of service and care to be rendered by such licensees to children. No

1 rule or regulation promulgated by the department shall in any manner restrict or interfere with any  
2 religious instruction, philosophies or ministries provided by the facility and shall not apply to  
3 facilities operated by religious organizations which are not required to be licensed;

4 (4) To approve training concerning the safe sleep recommendations of the American  
5 Academy of Pediatrics in accordance with section 210.223; ~~and~~

6 (5) To determine what records shall be kept by such persons and the form thereof, and the  
7 methods to be used in keeping such records, and to require reports to be made to the department at  
8 regular intervals; and

9 (6) The department of elementary and secondary education shall grant a temporary child-  
10 care license to a child-care provider who is not on probation, nor has a current letter of censure,  
11 upon submittal of a complete license application to expand an existing site, or to add a new location;  
12 provided that the child-care provider completes licensure required background checks and also  
13 submits an approved fire safety and a sanitation inspection approved for the site being expanded or  
14 added. Temporary licenses shall be valid for a duration of no longer than twelve months from the  
15 date of issuance or until the department makes a final determination on full licensure.

16 2. Any child-care facility may request a variance from a rule or regulation promulgated  
17 pursuant to this section. The request for a variance shall be made in writing to the department of  
18 elementary and secondary education and shall include the reasons the facility is requesting the  
19 variance. The department shall approve any variance request that does not endanger the health or  
20 safety of the children served by the facility. The burden of proof at any appeal of a disapproval of a  
21 variance application shall be with the department of elementary and secondary education. Local  
22 inspectors may grant a variance, subject to approval by the department of elementary and secondary  
23 education.

24 3. The department shall deny, suspend, place on probation or revoke a license if it receives  
25 official written notice that the local governing body has found that license is prohibited by any local  
26 law related to the health and safety of children. The department may deny an application for a  
27 license if the department determines that a home or other place in which an applicant would operate  
28 a child-care facility is located within one thousand feet of any location where a person required to  
29 register under sections 589.400 to 589.425 either resides, as that term is defined in subsection 3 of  
30 section 566.147, or regularly receives treatment or services, excluding any treatment or services  
31 delivered in a hospital, as that term is defined in section 197.020, or in facilities owned or operated  
32 by a hospital system. The department may, after inspection, find the licensure, denial of licensure,  
33 suspension or revocation to be in the best interest of the state.

34 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
35 under the authority delegated in sections 210.201 to 210.245 shall become effective only if it  
36 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
37 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and  
38 repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed  
39 or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This

1 section and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
2 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are  
3 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
4 adopted after August 28, 1999, shall be invalid and void.

5 210.252. 1. All buildings and premises used by a child-care facility to care for more than  
6 six children except those exempted from the licensing provisions of the department of elementary  
7 and secondary education pursuant to subdivisions (1) to [~~(15)~~] (16) of subsection 1 of section  
8 210.211, shall be inspected annually for fire and safety by the state fire marshal, the marshal's  
9 designee or officials of a local fire district and for health and sanitation by the department of  
10 elementary and secondary education or the department's designee, including officials of the  
11 department of health and senior services, or officials of the local health department. Evidence of  
12 compliance with the inspections required by this section shall be kept on file and available to  
13 parents of children enrolling in the child-care facility.

14 2. Local inspection of child-care facilities may be accomplished if the standards employed  
15 by local personnel are substantially equivalent to state standards and local personnel are available  
16 for enforcement of such standards.

17 3. Any child-care facility may request a variance from a rule or regulation promulgated  
18 pursuant to this section. The request for a variance shall be made in writing to the department of  
19 elementary and secondary education and shall include the reasons the facility is requesting the  
20 variance. The department shall approve any variance request that does not endanger the health or  
21 safety of the children served by the facility. The burden of proof at any appeal of a disapproval of a  
22 variance application shall be with the department of elementary and secondary education. Local  
23 inspectors may grant a variance, subject to approval by the department of elementary and secondary  
24 education.

25 4. The department of elementary and secondary education shall administer the provisions of  
26 sections 210.252 to 210.256, with the cooperation of the state fire marshal, the department of health  
27 and senior services, local fire departments and local health agencies.

28 5. The department of elementary and secondary education shall promulgate rules and  
29 regulations to implement and administer the provisions of sections 210.252 to 210.256. Such rules  
30 and regulations shall provide for the protection of children in all child-care facilities whether or not  
31 such facility is subject to the licensing provisions of sections 210.201 to 210.245.

32 6. The department of health and senior services, after consultation with the department of  
33 elementary and secondary education, may promulgate rules and regulations to implement and  
34 administer the provisions of this section related to sanitation requirements. Such rules and  
35 regulations shall provide for the protection of children in all child-care facilities whether or not such  
36 facility is subject to the licensing provisions of sections 210.201 to 210.245.

37 7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
38 under the authority delegated in sections 210.252 to 210.256 shall become effective only if it  
39 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section

1 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and  
 2 repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed  
 3 or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This  
 4 section and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
 5 pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are  
 6 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
 7 adopted after August 28, 1999, shall be invalid and void.

8 210.275. Any program licensed by the department of elementary and secondary education  
 9 pursuant to this chapter providing child care to only school-age children [~~that is located and~~  
 10 ~~operated on elementary or secondary school property~~] shall comply with the child-care licensure  
 11 provisions in this chapter; except that, for safety, health and fire purposes, all buildings and premises  
 12 for any such programs shall be deemed to be in compliance with the child-care licensure provisions  
 13 in this chapter.

14 210.560. 1. As used in this section, the following terms shall mean:

15 (1) "Child", any child placed in the legal custody of the division under chapter 211;

16 (2) "Division", the children's division of the department of social services of the state of  
 17 Missouri;

18 (3) "Money", any legal tender, note, draft, certificate of deposit, stocks, bond or check;

19 (4) "Unmet needs", needs for which the division is not required by law to provide financial  
 20 support, such as:

21 (a) Tuition, tutoring, and training, including application fees, books, equipment, and testing;

22 (b) Transportation to work, training, education, or to maintain family connections;

23 (c) Housing expenses if the child is preparing to leave the custody of the division for  
 24 reasons relating to the child's age; and

25 (d) Technology, special clothing needs, instruments, books, and other equipment relating to  
 26 the child's hobbies and interests;

27 (5) "Vested right", a legal right that is more than a mere expectancy and may be reduced to a  
 28 present monetary value.

29 2. The child, the child's parents, any fiduciary or any representative payee holding or  
 30 receiving money that are vested rights solely for or on behalf of a child are jointly and severally  
 31 liable for funds expended by the division to or on behalf of the child. The liability of any person,  
 32 except a parent of the child, shall be limited to the money received in his or her fiduciary or  
 33 representative capacity. The Missouri state government shall not require a trustee or a financial  
 34 institution acting as a trustee to exercise any discretionary powers in the operation of a trust.

35 3. (1) The division may accept an appointment to serve as representative payee or fiduciary,  
 36 or in a similar capacity for payments to a child under any public or private benefit arrangement.  
 37 Money so received shall be governed by this section to the extent that laws and regulations  
 38 governing payment of such benefits provide otherwise.

1           (2) In the case of benefits administered by the U.S. Railroad Retirement Board, the Social  
2 Security Administration, or the Veterans Administration, the division shall determine whether the  
3 child is receiving or otherwise eligible to receive such benefits within sixty days after the child is  
4 placed in the division's custody. If the division determines that the child is eligible or may be  
5 eligible for the benefits, then the division shall apply for the benefits on behalf of the child. If the  
6 child is already receiving the benefits before being placed in the division's custody or if the division  
7 applies for the benefits on behalf of the child, then the division shall identify, in consultation with  
8 the child and the child's legal representative, a representative payee in accordance with 20 CFR  
9 404.2021 and 20 CFR 416.621 and shall apply to become the representative payee only if no other  
10 suitable candidate is available. The division shall annually review if someone other than the  
11 division is available, if in the best interests of the child, to apply to assume the role of representative  
12 payee.

13           (3) The division shall annually review cases of children in the division's custody to  
14 determine whether a child may have become eligible for benefits after the division's initial  
15 assessment.

16           4. Any money received by the division on behalf of a child shall be accounted for in the  
17 name of the child. Any money in the account of a child ~~may~~ shall not be expended by the division  
18 for care or services for the child, including, but not limited to, foster care maintenance payments, as  
19 defined in 42 U.S.C. Section 675(4)(A), and any special allowances or expenses established by the  
20 division for the care of children in the division's custody for a child of a similar age; provided, that  
21 the division may use the benefits administered by the U.S. Railroad Retirement Board, the Social  
22 Security Administration, or the Veterans Administration for the child's unmet needs beyond what the  
23 division is obligated, required, or agrees to pay. The division shall by rule adopted under chapter  
24 536 establish procedures for the accounting of the money and the protection of the money against  
25 theft, loss or misappropriation.

26           5. The division shall deposit money with a financial institution. Any earnings attributable to  
27 the money in the account of a child shall be credited to that child's account. The division shall  
28 receive bids from banking corporations, associations or trust companies which desire to be selected  
29 as depositories of children's moneys for the division. The child's account shall be established in a  
30 manner consistent with federal and state asset and resource limits and may include a special-needs  
31 trust, a pooled special-needs trust, an ABLE account, as defined in section 209.600, or any other  
32 trust account determined not to interfere with asset limitations for any state or federal benefit  
33 program for which the child may be eligible.

34           6. The division may accept funds which a parent, guardian or other person wishes to provide  
35 for the use or benefit of the child. The use and deposit of such funds shall be governed by this  
36 section and any additional directions given by the provider of the funds.

37           7. Each child for whose benefit funds have been received by the division and the guardian  
38 ad litem of such child shall be furnished annually with a statement listing all transactions involving  
39 the funds which have been deposited on the child's behalf, to include each receipt and disbursement.



1           8. The division shall use all proper diligence to dispose of the balance of money  
2 accumulated in the child's account when the child is released from the care and custody of the  
3 division or the child dies. When the child is deceased the balance shall be disposed of as provided  
4 by law for descent and distribution. If, after the division has diligently used such methods and  
5 means as considered reasonable to refund such funds, there shall remain any money, the owner of  
6 which is unknown to the division, or if known, cannot be located by the division, in each and every  
7 such instance such money shall escheat and vest in the state of Missouri, and the director and  
8 officials of the division shall pay the same to the state director of the department of revenue, taking  
9 a receipt therefor, who shall deposit the money in the state treasury to be credited to a fund to be  
10 designated as "escheat".

11           9. Within five years after money has been paid into the state treasury, any person who  
12 appears and claims the money may file a petition in the circuit court of Cole County, Missouri,  
13 stating the nature of the claim and praying that such money be paid to him. A copy of the petition  
14 shall be served upon the director of the department of revenue who shall file an answer to the same.  
15 The court shall proceed to examine the claim and the allegations and proof, and if it finds that such  
16 person is entitled to any money so paid into the state treasury, it shall order the commissioner of  
17 administration to issue a warrant on the state treasurer for the amount of such claim, but without  
18 interest or costs. A certified copy of the order shall be sufficient voucher for issuing a warrant;  
19 provided, that either party may appeal from the decision of the court in the same manner as provided  
20 by law in other civil actions.

21           10. All moneys paid into the state treasury under the provisions of this section after  
22 remaining there unclaimed for five years shall escheat and vest absolutely in the state and be  
23 credited to the state treasury, and all persons shall be forever barred and precluded from setting up  
24 title or claim to any such funds.

25           11. Nothing in this section shall be deemed to apply to funds regularly due the state of  
26 Missouri for the support and maintenance of children in the care and custody of the division or  
27 collected by the state of Missouri as reimbursement for state funds expended on behalf of the child.

28           210.841. 1. The judgment or order of the court determining the existence or nonexistence of  
29 the parent and child relationship is determinative for all purposes.

30           2. If the judgment or order of the court varies with the child's birth certificate, the court shall  
31 order that an amended birth registration be made pursuant to section 210.849.

32           3. The judgment or order shall contain the Social Security number of each party and may  
33 contain any other provision directed against the appropriate party to the proceeding concerning:

34           (1) The duty of support;

35           (2) The custody and guardianship of the child;

36           (3) Visitation privileges with the child;

37           (4) The furnishing of bond or other security for the payment of the judgment; or

38           (5) Any matter in the best interest of the child. The judgment or order may direct the father  
39 to pay the reasonable expenses of the mother's pregnancy and confinement.

1           4. Support judgments or orders ordinarily shall be for periodic payments. In the best  
2 interests of the child, a lump sum payment or the purchase of an annuity may be ordered in lieu of  
3 periodic payments of support. The court may limit the father's liability for past support of the child  
4 to the proportion of the expenses already incurred that the court deems just.

5           5. There shall be a rebuttable presumption that the amount of support that would result from  
6 the application of supreme court rule 88.01 is the correct amount of child support to be awarded. A  
7 written finding or specific finding on the record that the application of supreme court rule 88.01  
8 would be unjust or inappropriate in a particular case, after considering all relevant factors including  
9 the factors in subsection 6 of this section, shall be sufficient to rebut the presumption in the case.

10          6. In determining the amount to be paid by a parent for support of the child and the period  
11 during which the duty of support is owed, the court shall consider all relevant facts, including:

12           (1) The needs of the child;

13           (2) The standard of living and circumstances of the parents;

14           (3) The relative financial means of the parents;

15           (4) The earning ability of the parents;

16           (5) The need and capacity of the child for education, including higher education;

17           (6) The age of the child;

18           (7) The financial resources and earning capacity of the child;

19           (8) The responsibility of the parents for the support of other children;

20           (9) The value of the services contributed by the custodial parent; and

21           (10) The standard of living and circumstances of the family prior to the dissolution of  
22 marriage of parents or during the period of cohabitation of the parents.

23          7. Any award for periodic child support may be retroactive to the date of service of the  
24 original petition upon the obligor.

25          8. The court shall apply the provisions of subsection 3 of section 452.375 when determining  
26 whether a party shall have custody, guardianship, or unsupervised visitation of a child under this  
27 section.

28          210.1505. 1. There is hereby created the "Statewide Council [~~on Sex~~] Against Adult  
29 Trafficking and the Commercial Sexual Exploitation of Children" [~~to~~] within the office of the  
30 attorney general to make recommendations for a coordinated statewide effort against the trafficking  
31 of adults and children within the state of Missouri. The council shall consist of the following  
32 members:

33           (1) [~~The following four members of the general assembly:~~

34           ~~(a) Two members of the senate, with one member to be appointed by the president pro~~  
35 ~~tempore of the senate and one member to be appointed by the minority floor leader of the senate;~~  
36 ~~and~~

37           ~~(b) Two members of the house of representatives, with one member to be appointed by the~~  
38 ~~speaker of the house of representatives and one member to be appointed by the minority floor leader~~

~~of the house of representatives]~~ The attorney general or his or her designee, who shall serve as the chair of the council;

(2) The director of the children's division or his or her designee;

(3) The director of the department of public safety or his or her designee;

(4) The director of the department of mental health or his or her designee;

(5) The director of the office of prosecution services or his or her designee;

(6) The superintendent of the Missouri state highway patrol or his or her designee;

(7) ~~The executive director of the statewide network of child advocacy organizations [specializing in the prevention of child abuse or neglect]~~ or his or her designee;

(8) The executive director of the statewide coalition against domestic and sexual violence or his or her designee;

(9) The executive director of the Missouri Juvenile Justice Association or his or her designee;

(10) The director of the attorney general's human trafficking task force or his or her designee;

(11) Two representatives from agencies providing services to victims of child sex trafficking and sexual exploitation ~~[who reflect the geographic diversity of the state and who shall be appointed by the director of the department of social services]; [and]~~

(12) Two members of the senate to be appointed by the president pro tempore of the senate;

(13) Two members of the house of representatives to be appointed by the speaker of the house of representatives;

(14) A member of the judiciary, who shall be appointed by the Missouri supreme court;

(15) The commissioner of the department of elementary and secondary education or his or her designee;

(16) A designee from the governor's office;

(17) Two human trafficking survivors identified by a children's advocacy center who are willing to serve on the council; and

(18) A representative from any other government or nongovernment organization deemed necessary by the attorney general.

2. A majority of the members of the council shall constitute a quorum. The council shall be created within thirty days of August 28, 2024, and shall hold its first meeting within thirty days after the council's creation [and organize by selecting a chair and a vice chair]. The council shall meet at ~~[the call of the chair]~~ least quarterly. The council may create a subgroup to offer recommendations on specific issues as deemed necessary.

3. ~~[The council shall:~~

(1) ~~Collect and analyze data relating to sex trafficking and sexual exploitation of children, including the number of reports made to the children's division under section 210.115, any information obtained from phone calls to the national sex trafficking hotline, the number of reports made to law enforcement, arrests, prosecution rates, and any other data important for any~~

1 ~~recommendations of the council. State departments and council members shall provide relevant~~  
 2 ~~data as requested by the council to fulfill the council's duties; and~~

3 ~~(2) Collect feedback from stakeholders, practitioners, and leadership throughout the state in~~  
 4 ~~order to develop best practices and procedures regarding the response to sex trafficking and sexual~~  
 5 ~~exploitation of children, including identification and assessment of victims; response and treatment~~  
 6 ~~coordination and collaboration across systems; trauma-informed, culturally competent victim-~~  
 7 ~~centered services; training for professionals in all systems; and investigating and prosecuting~~  
 8 ~~perpetrators.~~

9 4. The department of social services shall provide administrative support to the council.

10 ~~5. On or before December 31, 2023, the council shall submit a report of the council's~~  
 11 ~~activities to the governor and general assembly and the joint committee on child abuse and neglect~~  
 12 ~~under section 21.771. The report shall include recommendations for priority needs and actions,~~  
 13 ~~including statutory or regulatory changes relating to the response to sex trafficking and sexual~~  
 14 ~~exploitation of children and services for child victims.~~

15 ~~6. The council shall expire on December 31, 2023]~~ There shall be an executive director who  
 16 shall be appointed by the attorney general who shall fix his or her compensation and provide for  
 17 such other administrative personnel as necessary within the limits of appropriations provided in  
 18 subsection 4 of this section. The executive director shall serve under the supervision of the attorney  
 19 general who shall provide necessary office space.

20 4. (1) There is hereby created in the state treasury the "Anti-Trafficking Fund", which shall  
 21 consist of moneys appropriated to it by the general assembly and any grants, gifts, donations, and  
 22 bequests. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and  
 23 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and,  
 24 upon appropriation, moneys in this fund shall be used solely to pay for the position of the executive  
 25 director of the statewide council against adult trafficking and the commercial sexual exploitation of  
 26 children, education and awareness regarding human trafficking, and anti-trafficking efforts  
 27 throughout the state of Missouri.

28 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining  
 29 in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

30 (3) The state treasurer shall invest moneys in the fund in the same manner as other funds are  
 31 invested. Any interest and moneys earned on such investments shall be credited to the fund.

32 211.038. 1. A child under the jurisdiction of the juvenile court shall not be reunited with a  
 33 parent or placed in a home in which the parent or any person residing in the home has been found  
 34 guilty of any of the following offenses when a child was the victim:

35 (1) A felony violation of section 566.030, 566.031, 566.032, 566.060, 566.061, 566.062,  
 36 566.064, 566.067, 566.068, 566.069, 566.071, 566.083, 566.100, 566.101, 566.111, 566.151,  
 37 566.203, 566.206, 566.209, 566.211, or 566.215;

38 (2) A violation of section 568.020;

39 (3) Abuse of a child under section 568.060 when such abuse is sexual in nature;

1 (4) A violation of section 568.065;

2 (5) A violation of section 573.200;

3 (6) A violation of section 573.205; or

4 (7) A violation of section 568.175;

5 (8) A violation of section 566.040, 566.070, or 566.090 as such sections existed prior to  
6 August 28, 2013; or

7 (9) A violation of section 566.212, 568.080, or 568.090 as such sections existed prior to  
8 January 1, 2017.

9 2. For all other violations of offenses in chapters 566 and 568 not specifically listed in  
10 subsection 1 of this section or for a violation of an offense committed in another state when a child  
11 is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the juvenile  
12 court may exercise its discretion regarding the placement of a child under the jurisdiction of the  
13 juvenile court in a home in which a parent or any person residing in the home has been found guilty  
14 of, or pled guilty to, any such offense.

15 3. If the juvenile court determines that a child has abused another child, such abusing child  
16 shall be prohibited from returning to or residing in any residence located within one thousand feet of  
17 the residence of the abused child, or any child care facility or school that the abused child attends,  
18 until the abused child reaches eighteen years of age. The prohibitions of this subsection shall not  
19 apply where the alleged abuse occurred between siblings or children living in the same home.

20 4. The juvenile court shall not refuse to reunify or otherwise place a child with a parent who,  
21 or in a home in which the parent or any person residing in the home, is utilizing medication-assisted  
22 treatment, as such term is defined in section 487.200, for opioid or other substance misuse or  
23 dependence because of the use of such treatment or otherwise require such parent or person to cease  
24 utilizing or complete such treatment prior to reunification or placement of the child.

25 211.221. In placing a child in or committing a child to the custody of an individual or of a  
26 private agency or institution, the court, children's division, or any child-placing agency contracting  
27 with the state to provide foster care services shall, whenever practicable, select either a person, or an  
28 agency or institution governed by persons of the same religious faith as that of the parents of such  
29 child, or in case of a difference in the religious faith of the parents, then of the religious faith of the  
30 child or if the religious faith of the child is not ascertainable, then of the faith of either of the  
31 parents.

32 302.178. 1. Any person between the ages of sixteen and eighteen years who is qualified to  
33 obtain a license pursuant to sections 302.010 to 302.340 may apply for, and the director shall issue,  
34 an intermediate driver's license entitling the applicant, while having such license in his or her  
35 possession, to operate a motor vehicle of the appropriate class upon the highways of this state in  
36 conjunction with the requirements of this section. An intermediate driver's license shall be readily  
37 distinguishable from a license issued to those over the age of eighteen. All applicants for an  
38 intermediate driver's license shall:

39 (1) Successfully complete the examination required by section 302.173;

1 (2) Pay the fee required by subsection 4 of this section;

2 (3) Have had a temporary instruction permit issued pursuant to subsection 1 of section  
3 302.130 for at least a six-month period or a valid license from another state; and

4 (4) Have a parent, grandparent, legal guardian, or, if the applicant is a participant in a  
5 federal residential job training program, a driving instructor employed by a federal residential job  
6 training program, sign the application stating that the applicant has completed at least forty hours of  
7 supervised driving experience under a temporary instruction permit issued pursuant to subsection 1  
8 of section 302.130, or, if the applicant is an emancipated minor, the person over twenty-one years of  
9 age who supervised such driving. For purposes of this section, the term "emancipated minor" means  
10 a person who is at least sixteen years of age, but less than eighteen years of age, who:

11 (a) Marries with the consent of the legal custodial parent or legal guardian pursuant to  
12 section 451.080;

13 (b) Has been declared emancipated by a court of competent jurisdiction;

14 (c) Enters active duty in the Armed Forces;

15 (d) Has written consent to the emancipation from the custodial parent or legal guardian; ~~[or]~~

16 (e) Through employment or other means provides for such person's own food, shelter and  
17 other cost-of-living expenses; or

18 (f) Qualifies as a homeless child or homeless youth, as defined in subsection 1 of section  
19 167.020, or as an unaccompanied youth as defined in 42 U.S.C. Section 11434a(6), and whose status  
20 as such is verified as provided under subsection 10 of this section;

21 (5) Have had no alcohol-related enforcement contacts as defined in section 302.525 during  
22 the preceding twelve months; and

23 (6) Have no nonalcoholic traffic convictions for which points are assessed pursuant to  
24 section 302.302, within the preceding six months.

25 2. An intermediate driver's license grants the licensee the same privileges to operate that  
26 classification of motor vehicle as a license issued pursuant to section 302.177, except that no person  
27 shall operate a motor vehicle on the highways of this state under such an intermediate driver's  
28 license between the hours of 1:00 a.m. and 5:00 a.m. unless accompanied by a person described in  
29 subsection 1 of section 302.130; except the licensee may operate a motor vehicle without being  
30 accompanied if the travel is to or from a school or educational program or activity, a regular place of  
31 employment or in emergency situations as defined by the director by regulation.

32 3. Each intermediate driver's license shall be restricted by requiring that the driver and all  
33 passengers in the licensee's vehicle wear safety belts at all times. This safety belt restriction shall  
34 not apply to a person operating a motorcycle. For the first six months after issuance of the  
35 intermediate driver's license, the holder of the license shall not operate a motor vehicle with more  
36 than one passenger who is under the age of nineteen who is not a member of the holder's immediate  
37 family. As used in this subsection, an intermediate driver's license holder's immediate family shall  
38 include brothers, sisters, stepbrothers or stepsisters of the driver, including adopted or foster children  
39 residing in the same household of the intermediate driver's license holder. After the expiration of

1 the first six months, the holder of an intermediate driver's license shall not operate a motor vehicle  
2 with more than three passengers who are under nineteen years of age and who are not members of  
3 the holder's immediate family. The passenger restrictions of this subsection shall not be applicable  
4 to any intermediate driver's license holder who is operating a motor vehicle being used in  
5 agricultural work-related activities.

6 4. Notwithstanding the provisions of section 302.177 to the contrary, the fee for an  
7 intermediate driver's license shall be five dollars and such license shall be valid for a period of two  
8 years. Such fee shall be waived for any person qualifying as an emancipated minor under  
9 subdivision (4) of subsection 1 of this section.

10 5. Any intermediate driver's licensee accumulating six or more points in a twelve-month  
11 period may be required to participate in and successfully complete a driver-improvement program  
12 approved by the state highways and transportation commission. The driver-improvement program  
13 ordered by the director of revenue shall not be used in lieu of point assessment.

14 6. (1) An intermediate driver's licensee who has, for the preceding twelve-month period,  
15 had no alcohol-related enforcement contacts, as defined in section 302.525 and no traffic  
16 convictions for which points are assessed, upon reaching the age of eighteen years or within the  
17 thirty days immediately preceding their eighteenth birthday may apply for and receive without  
18 further examination, other than a vision test as prescribed by section 302.173, a license issued  
19 pursuant to this chapter granting full driving privileges. Such person shall pay the required fee for  
20 such license as prescribed in section 302.177.

21 (2) If an intermediate driver's license expires on a Saturday, Sunday, or legal holiday, such  
22 license shall remain valid for the five business days immediately following the expiration date. In  
23 no case shall a licensee whose intermediate driver's license expires on a Saturday, Sunday, or legal  
24 holiday be guilty of an offense of driving with an expired or invalid driver's license if such offense  
25 occurred within five business days immediately following an expiration date that occurs on a  
26 Saturday, Sunday, or legal holiday.

27 (3) The director of revenue shall deny an application for a full driver's license until the  
28 person has had no traffic convictions for which points are assessed for a period of twelve months  
29 prior to the date of application for license or until the person is eligible to apply for a six-year  
30 driver's license as provided for in section 302.177, provided the applicant is otherwise eligible for  
31 full driving privileges. An intermediate driver's license shall expire when the licensee is eligible and  
32 receives a full driver's license as prescribed in subdivision (1) of this section.

33 7. No person upon reaching the age of eighteen years whose intermediate driver's license  
34 and driving privilege is denied, suspended, cancelled or revoked in this state or any other state for  
35 any reason may apply for a full driver's license until such license or driving privilege is fully  
36 reinstated. Any such person whose intermediate driver's license has been revoked pursuant to the  
37 provisions of sections 302.010 to 302.540 shall, upon receipt of reinstatement of the revocation from  
38 the director, pass the complete driver examination, apply for a new license, and pay the proper fee  
39 before again operating a motor vehicle upon the highways of this state.

1           8. A person shall be exempt from the intermediate licensing requirements if the person has  
2 reached the age of eighteen years and meets all other licensing requirements.

3           9. Any person who violates any of the provisions of this section relating to intermediate  
4 drivers' licenses or the provisions of section 302.130 relating to temporary instruction permits is  
5 guilty of an infraction, and no points shall be assessed to his or her driving record for any such  
6 violation.

7           10. A person's status as a homeless child or youth or unaccompanied youth under paragraph  
8 (f) of subdivision (4) of subsection 1 of this section shall be verified by a letter signed by one of the  
9 following persons:

10           (1) A director or designee of a governmental or nonprofit agency that receives public or  
11 private funding to provide services to homeless persons;

12           (2) A local education agency liaison for homeless children and youth designated under 42  
13 U.S.C. Section 11432(g)(1)(J)(ii), or a school social worker or counselor; or

14           (3) A licensed attorney representing the minor in any legal matter.

15           11. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
16 under the authority delegated in this section shall become effective only if it complies with and is  
17 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
18 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to  
19 chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently  
20 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
21 August 28, 2000, shall be invalid and void.

22           302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340  
23 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or  
24 other comparable material. All licenses shall be manufactured of materials and processes that will  
25 prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any  
26 license without ready detection. The license shall also bear the expiration date of the license, the  
27 classification of the license, the name, date of birth, residence address including the county of  
28 residence or a code number corresponding to such county established by the department, and brief  
29 description and colored digitized image of the licensee, and a facsimile of the signature of the  
30 licensee. The director shall provide by administrative rule the procedure and format for a licensee to  
31 indicate on the back of the license together with the designation for an anatomical gift as provided in  
32 section 194.240 the name and address of the person designated pursuant to sections 404.800 to  
33 404.865 as the licensee's attorney in fact for the purposes of a durable power of attorney for health  
34 care decisions. No license shall be valid until it has been so signed by the licensee. If any portion  
35 of the license is prepared by a private firm, any contract with such firm shall be made in accordance  
36 with the competitive purchasing procedures as established by the state director of the division of  
37 purchasing.

38           2. All digital images produced for licenses shall become the property of the department of  
39 revenue.



1           3. The license issued shall be carried at all times by the holder thereof while driving a motor  
2 vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police  
3 officer or peace officer, or any other duly authorized person, for inspection when demand is made  
4 therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly  
5 authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

6           4. The director of revenue shall not issue a license without a facial digital image of the  
7 license applicant, except as provided pursuant to subsection 7 of this section. A digital image of the  
8 applicant's full facial features shall be taken in a manner prescribed by the director. No digital  
9 image shall be taken wearing anything which cloaks the facial features of the individual.

10           5. The department of revenue may issue a temporary license or a full license without the  
11 photograph or with the last photograph or digital image in the department's records to members of  
12 the Armed Forces, except that where such temporary license is issued it shall be valid only until the  
13 applicant shall have had time to appear and have his or her picture taken and a license with his or  
14 her photograph issued.

15           6. The department of revenue shall issue upon request a nondriver's license card containing  
16 essentially the same information and photograph or digital image, except as provided pursuant to  
17 subsection 7 of this section, as the driver's license upon payment of six dollars. All nondriver's  
18 licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has  
19 passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's  
20 license card. Notwithstanding any other provision of this chapter, a nondriver's license containing a  
21 concealed carry endorsement shall expire three years from the date the certificate of qualification  
22 was issued pursuant to section 571.101, as section 571.101 existed prior to August 28, 2013. The  
23 fee for nondriver's licenses issued for a period exceeding three years is six dollars or three dollars  
24 for nondriver's licenses issued for a period of three years or less. The nondriver's license card shall  
25 be used for identification purposes only and shall not be valid as a license. No fee shall be required  
26 or collected from a homeless child or homeless youth, as defined in subsection 1 of section 167.020,  
27 or unaccompanied youth, as defined in 42 U.S.C. Section 11434a(6), for a first nondriver's license  
28 card issued under this subsection. Such person's status as a homeless child or youth or  
29 unaccompanied youth shall be verified by a letter signed by one of the following persons:

30           (1) A director or designee of a governmental or nonprofit agency that receives public or  
31 private funding to provide services to homeless persons;

32           (2) A local education agency liaison for homeless children and youth designated under 42  
33 U.S.C. Section 11432(g)(1)(J)(ii), or a school social worker or counselor; or

34           (3) A licensed attorney representing the minor in any legal matter.

35           7. If otherwise eligible, an applicant may receive a driver's license or nondriver's license  
36 without a photograph or digital image of the applicant's full facial features except that such  
37 applicant's photograph or digital image shall be taken and maintained by the director and not printed  
38 on such license. In order to qualify for a license without a photograph or digital image pursuant to  
39 this section the applicant must:

1 (1) Present a form provided by the department of revenue requesting the applicant's  
2 photograph be omitted from the license or nondriver's license due to religious affiliations. The form  
3 shall be signed by the applicant and another member of the religious tenant verifying the photograph  
4 or digital image exemption on the license or nondriver's license is required as part of their religious  
5 affiliation. The required signatures on the prescribed form shall be properly notarized;

6 (2) Provide satisfactory proof to the director that the applicant has been a United States  
7 citizen for at least five years and a resident of this state for at least one year, except that an applicant  
8 moving to this state possessing a valid driver's license from another state without a photograph shall  
9 be exempt from the one-year state residency requirement. The director may establish rules  
10 necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

11 (3) Applications for a driver's license or nondriver's license without a photograph or digital  
12 image must be made in person at a license office determined by the director. The director is  
13 authorized to limit the number of offices that may issue a driver's or nondriver's license without a  
14 photograph or digital image pursuant to this section.

15 8. The department of revenue shall make available, at one or more locations within the state,  
16 an opportunity for individuals to have their full facial photograph taken by an employee of the  
17 department of revenue, or their designee, who is of the same sex as the individual being  
18 photographed, in a segregated location.

19 9. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's  
20 license for a period that exceeds an applicant's lawful presence in the United States. The director  
21 may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and  
22 establish the duration of any driver's license or nondriver's license issued under this section.

23 10. (1) Notwithstanding any biometric data restrictions contained in section 302.170, the  
24 department of revenue is hereby authorized to design and implement a secure digital driver's license  
25 program that allows applicants applying for a driver's license in accordance with this chapter to  
26 obtain a secure digital driver's license in addition to the physical card-based license specified in this  
27 section.

28 (2) A digital driver's license as described in this subsection shall be accepted for all  
29 purposes for which a license, as defined in section 302.010, is used.

30 (3) The department may contract with one or more entities to develop the secure digital  
31 driver's license system. The department or entity may develop a mobile software application  
32 capable of being utilized through a person's electronic device to access the person's secure digital  
33 driver's license.

34 (4) The department shall suspend, disable, or terminate a person's participation in the secure  
35 digital driver's license program if:

36 (a) The person's driving privilege is suspended, revoked, denied, withdrawn, or cancelled as  
37 provided in this chapter; or

38 (b) The person reports that the person's electronic device has been lost, stolen, or  
39 compromised.

1           11. The director of the department of revenue may promulgate rules as necessary for the  
2 implementation of this section. Any rule or portion of a rule, as that term is defined in section  
3 536.010 that is created under the authority delegated in this section shall become effective only if it  
4 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
5 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the  
6 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
7 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any  
8 rule proposed or adopted after August 28, 2020, shall be invalid and void.

9           376.1758. 1. For purposes of this section, the term "doula" means an individual who has  
10 been trained to provide physical, emotional, and educational support, but not medical or midwifery  
11 care, to pregnant and birthing women and their families before, during, and after childbirth.

12           2. The department of health and senior services shall review and approve doula registration  
13 to allow for health insurance reimbursement of doula services.

14           3. The department of health and senior services shall:

15           (1) Create the criteria for the doula registration application;

16           (2) Review applications for doulas to register to receive health insurance reimbursement in  
17 this state;

18           (3) Approve applications to designate registered doula status based on the criteria created  
19 under subdivision (1) of this subsection;

20           (4) Notify applicants of approval or denial of doula registration status. Any denial  
21 notification shall include the specific reason or reasons for the denial; and

22           (5) Maintain a statewide registry of doulas approved for health insurance reimbursement in  
23 this state.

24           4. In creating the criteria for the doula registration application to be used to approve doula  
25 registration status, the department of health and senior services shall consult relevant organizations,  
26 including community-based organizations that:

27           (1) Are directly involved in antepartum and postpartum doula work;

28           (2) Understand the importance of health-related social needs, including the navigation of  
29 social services and resources and trauma-informed care, and the importance of strategies tailored to  
30 the community served; and

31           (3) Shall be actively engaged in working with pregnant patients who are most at risk for  
32 adverse health outcomes and providing community-based doula services in this state.

33           5. Nothing in this section prohibits any person from practicing as a doula in this state  
34 regardless of whether the person is registered in accordance with the provisions of this section.

35           6. The department of health and senior services shall promulgate all necessary rules and  
36 regulations for the administration of this section. Any rule or portion of a rule, as that term is  
37 defined in section 536.010, that is created under the authority delegated in this section shall become  
38 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if  
39 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers

1 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
 2 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking  
 3 authority and any rule proposed or adopted after August 28, 2024, shall be invalid and void.

4 452.355. 1. Unless otherwise indicated, the court from time to time after considering all  
 5 relevant factors including the financial resources of both parties, the merits of the case and the  
 6 actions of the parties during the pendency of the action, may order a party to pay a reasonable  
 7 amount for the cost to the other party of maintaining or defending any proceeding pursuant to  
 8 sections 452.300 to 452.415 and for attorney's fees, including sums for legal services rendered and  
 9 costs incurred prior to the commencement of the proceeding and after entry of a final judgment.  
 10 The court may order that the amount be paid directly to the attorney, who may enforce the order in  
 11 the attorney's name.

12 2. In actions brought to enforce a temporary order or final judgment of the court in any  
 13 proceeding under sections 452.300 to 452.415, excluding any proceeding described in subsection 3  
 14 of this section, the court shall order the party against whom enforcement is sought, if requested and  
 15 for good cause shown, to pay the cost of the suit to the party seeking enforcement, including  
 16 attorney's fees. The court may order that the amount be paid directly to the attorney, who may  
 17 enforce the order in the attorney's name.

18 3. In any proceeding in which the failure to pay child support pursuant to a temporary order  
 19 or final judgment is an issue, if the court finds that the obligor has failed, without good cause, to  
 20 comply with such order or decree to pay the child support, the court shall order the obligor, if  
 21 requested and for good cause shown, to pay a reasonable amount for the cost of the suit to the  
 22 obligee, including reasonable sums for legal services. The court may order that the amount be paid  
 23 directly to the attorney, who may enforce the order in his name.

24 ~~[3-]~~ 4. For purposes of this section, an "obligor" is a person owing a duty of support and an  
 25 "obligee" is a person to whom a duty of support is owed.

26 ~~[4-]~~ 5. For purposes of this section, "good cause" includes, but shall not be limited to, any  
 27 substantial reason why the obligor is unable to pay the child support as ordered. Good cause does  
 28 not exist if the obligor purposely maintains his inability to pay.

29 452.375. 1. As used in this chapter, unless the context clearly indicates otherwise:

30 (1) "Custody" means joint legal custody, sole legal custody, joint physical custody or sole  
 31 physical custody or any combination thereof;

32 (2) "Joint legal custody" means that the parents share the decision-making rights,  
 33 responsibilities, and authority relating to the health, education and welfare of the child, and, unless  
 34 allocated, apportioned, or decreed, the parents shall confer with one another in the exercise of  
 35 decision-making rights, responsibilities, and authority;

36 (3) "Joint physical custody" means an order awarding each of the parents [~~significant, but~~  
 37 ~~not necessarily equal,~~] substantially equal periods of time during which a child resides with or is  
 38 under the care and supervision of each of the parents. Joint physical custody shall be shared by the

1 parents in such a way as to assure the child of frequent, continuing and meaningful contact with both  
2 parents;

3 (4) "Third-party custody" means a third party designated as a legal and physical custodian  
4 pursuant to subdivision (5) of subsection 5 of this section.

5 2. The court shall determine custody in accordance with the best interests of the child.  
6 There shall be a rebuttable presumption that an award of equal or [~~approximately~~] substantially  
7 equal parenting time to each parent is in the best interests of the child. Such presumption is  
8 rebuttable only by a preponderance of the evidence in accordance with all relevant factors,  
9 including, but not limited to, the factors contained in subdivisions (1) to [~~(8)~~] (9) of this subsection.  
10 The presumption may be rebutted if the court finds that the parents have reached an agreement on  
11 all issues related to custody, or if the court finds that a pattern of domestic violence has occurred as  
12 set out in subdivision [~~(6)~~] (7) of this subsection. When the parties have not reached an agreement  
13 on all issues related to custody, the court shall consider all relevant factors and enter written findings  
14 of fact and conclusions of law, including, but not limited to, the following:

15 (1) The wishes of the child's parents as to custody and the proposed parenting plan  
16 submitted by both parties;

17 (2) The needs of the child for a frequent, continuing and meaningful relationship with both  
18 parents and the ability and willingness of parents to actively perform their functions as mother and  
19 father for the needs of the child;

20 (3) The interaction and interrelationship of the child with parents, siblings, and any other  
21 person who may significantly affect the child's best interests;

22 (4) Which parent is more likely to allow the child frequent, continuing and meaningful  
23 contact with the other parent and the willingness and ability of parents to cooperate in the rearing of  
24 their child, to maximize sharing information and minimize exposure of the child to parental conflict,  
25 and to utilize methods for resolving disputes regarding any major decision concerning the life of the  
26 child;

27 (5) The child's adjustment to the child's home, school, and community. The fact that a  
28 parent sends his or her child or children to a home school, as defined in section 167.031, shall not be  
29 the sole factor that a court considers in determining custody of such child or children;

30 (6) The mental and physical health of all individuals involved, including any substance  
31 abuse history experienced by either parent;

32 (7) Any history of abuse of any individuals involved, including domestic and child abuse.  
33 In determining whether the presumption is rebutted by a pattern of domestic violence, the court shall  
34 consider the nature and context of the domestic violence and the implications of the domestic  
35 violence for parenting and for the child's safety, well-being, and developmental needs. If the court  
36 finds that a pattern of domestic violence as defined in section 455.010 has occurred, and, if the court  
37 also finds that awarding custody to the abusive parent is in the best interest of the child, then the  
38 court shall enter written findings of fact and conclusions of law. Custody and visitation rights shall  
39 be ordered in a manner that best protects the child and any other child or children for whom the

1 parent has custodial or visitation rights, and the parent or other family or household member who is  
 2 the victim of domestic violence from any further harm;

3 ~~[(7)The intention of either parent to relocate the principal residence of the child; and-]~~

4 (8) ~~[The unobstructed input of a child, free of coercion and manipulation, as to the child's~~  
 5 ~~eustodial arrangement]~~ The distance between the residences of the parents seeking custody,  
 6 including consideration of any relocation which has occurred or an intent to relocate; and

7 (9) The unobstructed input of a child, free of coercion and manipulation, as to the child's  
 8 custodial arrangement, if the court deems the child to be of sufficient ability, age, and maturity to  
 9 express an independent, reliable preference with due consideration of the influence that a parent  
 10 may have on the child's input.

11 3. (1) In any court proceedings relating to custody of a child, the court shall not award  
 12 custody or unsupervised visitation of a child to a parent if such parent or any person residing with  
 13 such parent has been found guilty of, or pled guilty to, any of the following offenses when a child  
 14 was the victim:

15 (a) A felony violation of section 566.030, 566.031, 566.032, 566.060, 566.061, 566.062,  
 16 566.064, 566.067, 566.068, 566.083, 566.100, 566.101, 566.111, 566.151, 566.203, 566.206,  
 17 566.209, 566.211, or 566.215;

18 (b) A violation of section 568.020;

19 (c) A violation of subdivision (2) of subsection 1 of section 568.060;

20 (d) A violation of section 568.065;

21 (e) A violation of section 573.200;

22 (f) A violation of section 573.205; or

23 (g) A violation of section 568.175.

24 (2) For all other violations of offenses in chapters 566 and 568 not specifically listed in  
 25 subdivision (1) of this subsection or for a violation of an offense committed in another state when a  
 26 child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the  
 27 court may exercise its discretion in awarding custody or visitation of a child to a parent if such  
 28 parent or any person residing with such parent has been found guilty of, or pled guilty to, any such  
 29 offense.

30 4. The general assembly finds and declares that it is the public policy of this state that  
 31 frequent, continuing and meaningful contact with both parents after the parents have separated or  
 32 dissolved their marriage is in the best interest of the child, except for cases where the court  
 33 specifically finds that such contact is not in the best interest of the child, and that it is the public  
 34 policy of this state to encourage parents to participate in decisions affecting the health, education  
 35 and welfare of their children, and to resolve disputes involving their children amicably through  
 36 alternative dispute resolution. In order to effectuate these policies, the general assembly encourages  
 37 the court to enter a temporary parenting plan as early as practicable in a proceeding under this  
 38 chapter, consistent with the provisions of subsection 2 of this section, and, in so doing, the court  
 39 shall determine the custody arrangement which will best assure both parents participate in such

1 decisions and have frequent, continuing and meaningful contact with their children so long as it is in  
2 the best interests of the child.

3 5. Prior to awarding the appropriate custody arrangement in the best interest of the child, the  
4 court shall consider each of the following as follows:

5 (1) Joint physical and joint legal custody to both parents, which shall not be denied solely  
6 for the reason that one parent opposes a joint physical and joint legal custody award. The residence  
7 of one of the parents shall be designated as the address of the child for mailing and educational  
8 purposes;

9 (2) Joint physical custody with one party granted sole legal custody. The residence of one  
10 of the parents shall be designated as the address of the child for mailing and educational purposes;

11 (3) Joint legal custody with one party granted sole physical custody;

12 (4) Sole custody to either parent; or

13 (5) Third-party custody or visitation:

14 (a) When the court finds that each parent is unfit, unsuitable, or unable to be a custodian, or  
15 the welfare of the child requires, and it is in the best interests of the child, then custody, temporary  
16 custody or visitation may be awarded to a person related by consanguinity or affinity to the child. If  
17 no person related to the child by consanguinity or affinity is willing to accept custody, then the court  
18 may award custody to any other person or persons deemed by the court to be suitable and able to  
19 provide an adequate and stable environment for the child. Before the court awards custody,  
20 temporary custody or visitation to a third person under this subdivision, the court shall make that  
21 person a party to the action;

22 (b) Under the provisions of this subsection, any person may petition the court to intervene as  
23 a party in interest at any time as provided by supreme court rule.

24 6. If the parties have not agreed to a custodial arrangement, or the court determines such  
25 arrangement is not in the best interest of the child, the court shall include a written finding in the  
26 judgment or order based on the public policy in subsection 4 of this section and each of the factors  
27 listed in subdivisions (1) to ~~[(8)]~~ (9) of subsection 2 of this section detailing the specific relevant  
28 factors that made a particular arrangement in the best interest of the child. If a proposed custodial  
29 arrangement is rejected by the court, the court shall include a written finding in the judgment or  
30 order detailing the specific relevant factors resulting in the rejection of such arrangement.

31 7. Upon a finding by the court that either parent has refused to exchange information with  
32 the other parent, which shall include but not be limited to information concerning the health,  
33 education and welfare of the child, the court shall order the parent to comply immediately and to  
34 pay the prevailing party a sum equal to the prevailing party's cost associated with obtaining the  
35 requested information, which shall include but not be limited to reasonable attorney's fees and court  
36 costs.

37 8. As between the parents of a child, no preference may be given to either parent in the  
38 awarding of custody because of that parent's age, sex, or financial status, nor because of the age or

1 sex of the child. The court shall not presume that a parent, solely because of his or her sex, is more  
2 qualified than the other parent to act as a joint or sole legal or physical custodian for the child.

3 9. Any judgment providing for custody shall include a specific written parenting plan setting  
4 forth the terms of such parenting plan arrangements specified in subsection 8 of section 452.310.  
5 Such plan may be a parenting plan submitted by the parties pursuant to section 452.310 or, in the  
6 absence thereof, a plan determined by the court, but in all cases, the custody plan approved and  
7 ordered by the court shall be in the court's discretion and shall be in the best interest of the child.

8 10. After August 28, 2016, every court order establishing or modifying custody or visitation  
9 shall include the following language: "In the event of noncompliance with this order, the aggrieved  
10 party may file a verified motion for contempt. If custody, visitation, or third-party custody is denied  
11 or interfered with by a parent or third party without good cause, the aggrieved person may file a  
12 family access motion with the court stating the specific facts that constitute a violation of the  
13 custody provisions of the judgment of dissolution, legal separation, or judgment of paternity. The  
14 circuit clerk will provide the aggrieved party with an explanation of the procedures for filing a  
15 family access motion and a simple form for use in filing the family access motion. A family access  
16 motion does not require the assistance of legal counsel to prepare and file."

17 11. No court shall adopt any local rule, form, or practice requiring a standardized or default  
18 parenting plan for interim, temporary, or permanent orders or judgments. Notwithstanding any other  
19 provision of law to the contrary, a court may enter an interim order in a proceeding under this  
20 chapter, provided that the interim order shall not contain any provisions about child custody or a  
21 parenting schedule or plan without first providing the parties with notice and a hearing, unless the  
22 parties otherwise agree.

23 12. Unless a parent has been denied custody rights pursuant to this section or visitation  
24 rights under section 452.400, both parents shall have access to records and information pertaining to  
25 a minor child including, but not limited to, medical, dental, and school records. If the parent  
26 without custody has been granted restricted or supervised visitation because the court has found that  
27 the parent with custody or any child has been the victim of domestic violence, as defined in section  
28 455.010, by the parent without custody, the court may order that the reports and records made  
29 available pursuant to this subsection not include the address of the parent with custody or the child.  
30 A court shall order that the reports and records made available under this subsection not include the  
31 address of the parent with custody if the parent with custody is a participant in the address  
32 confidentiality program under section 589.663. Unless a parent has been denied custody rights  
33 pursuant to this section or visitation rights under section 452.400, any judgment of dissolution or  
34 other applicable court order shall specifically allow both parents access to such records and reports.

35 13. Except as otherwise precluded by state or federal law, if any individual, professional,  
36 public or private institution or organization denies access or fails to provide or disclose any and all  
37 records and information, including, but not limited to, past and present dental, medical and school  
38 records pertaining to a minor child, to either parent upon the written request of such parent, the court  
39 shall, upon its finding that the individual, professional, public or private institution or organization



1 denied such request without good cause, order that party to comply immediately with such request  
2 and to pay to the prevailing party all costs incurred, including, but not limited to, attorney's fees and  
3 court costs associated with obtaining the requested information.

4 14. An award of joint custody does not preclude an award of child support pursuant to  
5 section 452.340 and applicable supreme court rules. The court shall consider the factors contained  
6 in section 452.340 and applicable supreme court rules in determining an amount reasonable or  
7 necessary for the support of the child.

8 15. If the court finds that domestic violence or abuse as defined in section 455.010 has  
9 occurred, the court shall make specific findings of fact to show that the custody or visitation  
10 arrangement ordered by the court best protects the child and the parent or other family or household  
11 member who is the victim of domestic violence, as defined in section 455.010, and any other  
12 children for whom such parent has custodial or visitation rights from any further harm.

13 452.425. Any court order for the custody of, or visitation with, a child ~~may~~ shall include a  
14 provision that the sheriff or other law enforcement officer shall enforce the rights of any person to  
15 custody or visitation unless the court issues a subsequent order pursuant to chapter 210, 211, 452 or  
16 455 to limit or deny the custody of, or visitations with, the child. Such sheriff or law enforcement  
17 officer shall not remove a child from a person who has actual physical custody of the child unless  
18 such sheriff or officer is shown a court order or judgment which clearly and convincingly verifies  
19 that such person is not entitled to the actual physical custody of the child, and there are not other  
20 exigent circumstances that would give the sheriff or officer reasonable suspicion to believe that the  
21 child would be harmed or that the court order presented to the sheriff or officer may not be valid.

22 452.705. As used in sections 452.700 to 452.930:

23 (1) "Abandoned" means left without provision for reasonable and necessary care or  
24 supervision;

25 (2) "Child" means an individual who has not attained eighteen years of age;

26 (3) "Child custody determination" means a judgment, decree, or other order of a court  
27 providing for the legal custody, physical custody, or visitation with respect to a child. The term  
28 includes a permanent, temporary, initial, or modification order. The term shall not include an order  
29 relating to child support or other monetary obligation of an individual;

30 (4) "Child custody proceeding" means a proceeding in which legal custody, physical  
31 custody, or visitation with respect to a child is an issue. The term includes a proceeding for divorce,  
32 separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and  
33 protection from domestic violence in which the issue may appear. The term shall not include a  
34 proceeding involving juvenile delinquency, contractual emancipation, or enforcement under sections  
35 452.850 to 452.915;

36 (5) "Commencement" means the filing of the first pleading in a proceeding;

37 (6) "Court" means an entity authorized under the law of a state to establish, enforce, or  
38 modify a child custody determination;

1 (7) "Decree" or "custody decree" means a custody determination contained in a judicial  
2 decree or order made in a custody proceeding, and includes an initial decree and a modification  
3 decree;

4 (8) "Home state" means the state in which a child has lived with a parent or a person acting  
5 as a parent for at least six consecutive months immediately prior to the commencement of a child  
6 custody proceeding. In the case of a child less than six months of age, the term means the state in  
7 which the child has lived from birth with any of the persons mentioned. A period of temporary  
8 absence of any of the mentioned persons is part of such period;

9 (9) "Initial determination" means the first child custody determination concerning a  
10 particular child;

11 (10) "Issuing court" means the court making a child custody determination for which  
12 enforcement is sought under sections 452.700 to 452.930;

13 (11) "Issuing state" means the state in which a child custody determination is made;

14 (12) "Litigant" means a person, including a parent, grandparent, or stepparent, who claims a  
15 right to custody or visitation with respect to a child;

16 (13) "Modification" means a child custody determination that changes, replaces, supersedes  
17 or is otherwise made after a previous determination concerning the same child, whether or not it is  
18 made by the court that made the previous determination;

19 (14) "Person" includes government, a governmental subdivision, agency or instrumentality,  
20 or any other legal or commercial entity;

21 (15) "Person acting as a parent" means a person, other than a parent, who:

22 (a) Has physical custody of the child or has had physical custody for a period of six  
23 consecutive months, including any temporary absence, within one year immediately prior to the  
24 commencement of a child custody proceeding; and

25 (b) Has been awarded legal custody by a court or claims a right to legal custody under the  
26 law of this state;

27 (16) "Physical custody" means the physical care and supervision of a child;

28 (17) "State" means a state of the United States, the District of Columbia, Puerto Rico, the  
29 United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the  
30 United States;

31 (18) "Warrant" means an order issued by a court authorizing law enforcement officers to  
32 take physical custody of a child;

33 (19) "Wrongful removal" means the taking of a child that breaches rights of custody or  
34 visitation given or recognized under the laws of this state.

35 452.730. 1. A court of this state may communicate with a court in another state concerning  
36 a proceeding arising under sections 452.700 to 452.930 or arising under sections 452.1100 to  
37 452.1122.

1           2. The court may allow the parties to participate in the communication. If the parties are not  
2 able to participate in the communication, the parties shall be given the opportunity to present facts  
3 and legal arguments before a decision on jurisdiction is made.

4           3. A communication between courts on schedules, calendars, court records, and similar  
5 matters may occur without informing the parties. A record need not be made of such  
6 communication.

7           4. Except as provided in subsection 3 of this section, a record shall be made of the  
8 communication. The parties shall be informed promptly of the communication and granted access  
9 to the record.

10          5. For the purposes of this section, "record" means information that is inscribed on a  
11 tangible medium, or that which is stored in an electronic or other medium and is retrievable in  
12 perceivable form. A record includes notes or transcripts of a court reporter who listened to a  
13 conference call between the courts, an electronic recording of a telephone call, a memorandum or an  
14 electronic record of the communication between the courts, or a memorandum or an electronic  
15 record made by a court after the communication.

16          452.885. 1. (1) Upon the filing of a petition seeking enforcement of a child custody  
17 determination~~[, the petitioner may file]~~ with a verified application for the issuance of a warrant to  
18 take physical custody of the child or upon the filing of a petition under sections 452.1100 to  
19 452.1122, the court may issue an ex parte warrant to take physical custody of the child if the court  
20 finds, upon review of the petition or verified application or upon the testimony of the petitioner or  
21 other witnesses, that the child is likely to suffer serious imminent physical harm or there is a  
22 credible risk that the child is imminently likely to suffer wrongful removal ~~[from this state].~~

23          (2) Prior to issuing a warrant in response to a petition filed under sections 452.1100 to  
24 452.1122 and before determining the placement of the child after the warrant is executed, the court  
25 may order a search of the relevant databases of the National Crime Information Center system and  
26 similar state databases to determine if the petitioner or respondent has a history of domestic  
27 violence, stalking, or child abuse or neglect.

28          2. ~~[If the court, upon the testimony of the petitioner or other witnesses, finds that the child is~~  
29 ~~likely to suffer serious imminent physical harm or be imminently removed from this state, the court~~  
30 ~~may issue a warrant to take physical custody of the child. The petition shall be heard on the next~~  
31 ~~judicial day after the warrant is executed. The warrant shall include the statements required under~~  
32 ~~subsection 2 of section 452.870.~~

33          3.] A warrant to take physical custody of a child shall:

34          (1) Recite the facts upon which a ~~[conclusion]~~ determination of serious imminent physical  
35 harm or a credible risk of imminent wrongful removal from the jurisdiction is based;

36          (2) Direct law enforcement officers to take physical custody of the child immediately; ~~[and]~~

37          (3) State the date and time for the hearing on the petition;

38          (4) Provide for the safe interim placement of the child pending further order of the court or  
39 final relief; and

1           (5) Include the statements required under subsection 2 of section 452.870 if a warrant is  
 2 issued in response to a petition seeking enforcement of a child custody determination.

3           ~~[4.]~~ 3. The respondent shall be served with the petition, warrant and order immediately after  
 4 the child is taken into physical custody.

5           4. The respondent shall be afforded an opportunity to be heard at the earliest possible time  
 6 after the ex parte warrant is executed but no later than the next judicial day unless a hearing on that  
 7 date is impossible. In that event, the court shall hold the hearing on the first judicial day possible.

8           5. If the court finds, after a hearing, that a petitioner sought a warrant under subsection 1 of  
 9 this section for the purpose of harassment or in bad faith, the court may award the respondent  
 10 reasonable attorney's fees, costs, and expenses.

11           ~~[5.]~~ 6. A warrant to take physical custody of a child is enforceable throughout this state. If  
 12 the court finds on the basis of the testimony of the petitioner or other witness that a less intrusive  
 13 remedy is not effective, the court may authorize law enforcement officers to enter private property  
 14 to take physical custody of the child. If required by the exigency of the case, the court may  
 15 authorize law enforcement officers to make a forcible entry at any hour.

16           ~~[6.]~~ 7. The court may impose conditions on the placement of a child to ensure the  
 17 appearance of the child and the child's custodian.

18           8. This section does not affect the availability of relief allowed under the laws of this state  
 19 other than sections 452.700 to 452.930 and sections 452.1100 to 452.1122.

20           452.1100. Sections 452.1100 to 452.1122 may be cited as the "Uniform Child Abduction  
 21 Prevention Act".

22           452.1102. In sections 452.1100 to 452.1122:

23           (1) "Abduction" means the wrongful removal or wrongful retention of a child;

24           (2) "Child" means an unemancipated individual who is less than eighteen years of age;

25           (3) "Child abduction prevention measures" means measures and conditions that are  
 26 reasonably calculated to prevent the abduction of a child, including provisions of subsections 3, 4,  
 27 and 5 of section 452.1114, and other measures that the court deems appropriate to prevent the  
 28 abduction of a child;

29           (4) "Child-custody determination" means a judgment, decree, or other order of a court  
 30 providing for the legal custody, physical custody, or visitation with respect to a child. The term  
 31 includes a permanent, temporary, initial, and modification order;

32           (5) "Child custody proceeding" means a proceeding in which legal custody, physical  
 33 custody, or visitation with respect to a child is at issue. The term includes a proceeding for divorce,  
 34 dissolution of marriage, separation, neglect, abuse, dependency, guardianship, paternity, termination  
 35 of parental rights, or protection from domestic violence;

36           (6) "Court" means an entity authorized under the law of a state to establish, enforce, or  
 37 modify a child-custody determination;

38           (7) "Petition" includes a motion or its equivalent;

1           (8) "Record" means information that is inscribed on a tangible medium or that is stored in  
2 an electronic or other medium and is retrievable in perceivable form;

3           (9) "State" means a state of the United States, the District of Columbia, Puerto Rico, the  
4 United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the  
5 United States. The term includes a federally recognized Indian tribe or nation;

6           (10) "Travel document" means records relating to a travel itinerary, including travel tickets,  
7 passes, reservations for transportation, or accommodations. The term does not include a passport or  
8 visa;

9           (11) "Warrant" means an order issued by a court authorizing law enforcement officers to  
10 take physical custody of a child;

11           (12) "Wrongful removal" means the taking of a child that breaches rights of custody or  
12 visitation given or recognized under the law of this state;

13           (13) "Wrongful retention" means the keeping or concealing of a child that breaches rights of  
14 custody or visitation given or recognized under the law of this state.

15           452.1104. Sections 452.730, 452.735, and 452.820 of the uniform child custody jurisdiction  
16 and enforcement act apply to cooperation and communications among courts in proceedings under  
17 sections 452.1100 to 452.1122.

18           452.1106. 1. A court on its own motion may order abduction prevention measures in a child  
19 custody proceeding if the court finds that the evidence establishes a credible risk of abduction of the  
20 child.

21           2. A party to a child custody determination or another individual or entity having a right  
22 under the law of this state or any other state to seek a child custody determination for the child may  
23 file a petition seeking abduction prevention measures to protect the child under sections 452.1100 to  
24 452.1122.

25           3. A prosecutor or public authority designated under section 452.910 may seek a warrant to  
26 take physical custody of a child under section 452.885 or other appropriate prevention measures.

27           452.1108. 1. A petition under sections 452.1100 to 452.1122 may be filed only in a court  
28 that has jurisdiction to make a child custody determination with respect to the child at issue under  
29 sections 452.700 to 452.930.

30           2. A court of this state has temporary emergency jurisdiction under section 452.755 if the  
31 court finds a credible risk of abduction.

32           452.1110. A petition under sections 452.1100 to 452.1122 must be verified and include a  
33 copy of any existing child custody determination, if available. The petition must specify the risk  
34 factors for abduction, including the relevant factors described in section 452.1112. Subject to  
35 subsection 5 of section 452.780, if reasonably ascertainable, the petition must contain:

36           (1) The name, date of birth, and sex of the child;

37           (2) The customary address and current physical location of the child;

38           (3) The identity, customary address, and current physical location of the respondent;

1           (4) A statement of whether a prior action to prevent abduction or domestic violence has  
 2 been filed by a party or other individual or entity having custody of the child, and the date, location,  
 3 and disposition of the action;

4           (5) A statement of whether a party to the proceeding has been arrested for a crime related to  
 5 domestic violence, stalking, or child abuse or neglect, and the date, location, and disposition of the  
 6 case; and

7           (6) Any other information required to be submitted to the court for a child custody  
 8 determination under section 452.780.

9           452.1112. 1. In determining whether there is a credible risk of abduction of a child, the  
 10 court shall consider any evidence that the petitioner or respondent:

11           (1) Has previously abducted or attempted to abduct the child;

12           (2) Has threatened to abduct the child;

13           (3) Has recently engaged in activities that may indicate a planned abduction, including:

14           (a) Abandoning employment;

15           (b) Selling a primary residence;

16           (c) Terminating a lease;

17           (d) Closing bank or other financial management accounts, liquidating assets, hiding or  
 18 destroying financial documents, or conducting any unusual financial activities;

19           (e) Applying for a passport or visa or obtaining travel documents for the respondent, a  
 20 family member, or the child; or

21           (f) Seeking to obtain the child's birth certificate or school or medical records;

22           (4) Has engaged in domestic violence, stalking, or child abuse or neglect;

23           (5) Has refused to follow a child custody determination;

24           (6) Lacks strong familial, financial, emotional, or cultural ties to the state or the United  
 25 States;

26           (7) Has strong familial, financial, emotional, or cultural ties to another state or country;

27           (8) Is likely to take the child to a country that:

28           (a) Is not a party to the Hague Convention on the Civil Aspects of International Child  
 29 Abduction and does not provide for the extradition of an abducting parent or for the return of an  
 30 abducted child;

31           (b) Is a party to the Hague Convention on the Civil Aspects of International Child  
 32 Abduction but:

33           a. The Hague Convention on the Civil Aspects of International Child Abduction is not in  
 34 force between the United States and that country;

35           b. Is noncompliant according to the most recent compliance report issued by the United  
 36 States Department of State; or

37           c. Lacks legal mechanisms for immediately and effectively enforcing a return order under  
 38 the Hague Convention on the Civil Aspects of International Child Abduction;

1           (c) Poses a risk that the child's physical or emotional health or safety would be endangered  
2 in the country because of specific circumstances relating to the child or because of human rights  
3 violations committed against children;

4           (d) Has laws or practices that would:

5           a. Enable the respondent, without due cause, to prevent the petitioner from contacting the  
6 child;

7           b. Restrict the petitioner from freely traveling to or exiting from the country because of the  
8 petitioner's sex, nationality, marital status, or religion; or

9           c. Restrict the child's ability legally to leave the country after the child reaches the age of  
10 majority because of a child's sex, nationality, or religion;

11           (e) Is included by the United States Department of State on a current list of state sponsors of  
12 terrorism;

13           (f) Does not have an official United States diplomatic presence in the country; or

14           (g) Is engaged in active military action or war, including a civil war, to which the child may  
15 be exposed;

16           (9) Is undergoing a change in immigration or citizenship status that would adversely affect  
17 the respondent's ability to remain in the United States legally;

18           (10) Has had an application for United States citizenship denied;

19           (11) Has forged or presented misleading or false evidence on government forms or  
20 supporting documents to obtain or attempt to obtain a passport, a visa, travel documents, a Social  
21 Security card, a driver's license, or other government-issued identification card or has made a  
22 misrepresentation to the United States government;

23           (12) Has used multiple names to attempt to mislead or defraud; or

24           (13) Has engaged in any other conduct the court considers relevant to the risk of abduction.

25           2. In the hearing on a petition under sections 452.1100 to 452.1122, the court shall consider  
26 any evidence that the respondent believed in good faith that the respondent's conduct was necessary  
27 to avoid imminent harm to the child or respondent and any other evidence that may be relevant to  
28 whether the respondent may be permitted to remove or retain the child.

29           452.1114. 1. If a petition is filed under sections 452.1100 to 452.1122, the court may enter  
30 an order that must include:

31           (1) The basis for the court's exercise of jurisdiction;

32           (2) The manner in which notice and opportunity to be heard were given to the persons  
33 entitled to notice of the proceeding;

34           (3) A detailed description of each party's custody and visitation rights and residential  
35 arrangements for the child;

36           (4) A provision stating that a violation of the order may subject the party in violation to civil  
37 and criminal penalties; and

38           (5) Identification of the child's country of habitual residence at the time of the issuance of  
39 the order.

1           2. If, at a hearing on a petition under sections 452.1100 to 452.1122 or on the court's own  
2 motion, the court after reviewing the evidence finds a credible risk of abduction of the child, the  
3 court shall enter an abduction prevention order. The order must include the provisions required by  
4 subsection 1 of this section and measures and conditions, including those in subsections 3, 4, and 5  
5 of this section, that are reasonably calculated to prevent abduction of the child, giving due  
6 consideration to the potential harm to the child from an abduction, the legal and practical difficulties  
7 of returning the child to the jurisdiction if abducted, and the reasons for the potential abduction,  
8 including evidence of domestic violence, stalking, or child abuse or neglect.

9           3. An abduction prevention order may include one or more of the following:

10           (1) An imposition of travel restrictions that require that a party traveling with the child  
11 outside a designated geographical area provide the other party with the following:

12           (a) The travel itinerary of the child;

13           (b) A list of physical addresses and telephone numbers at which the child can be reached at  
14 specified times; and

15           (c) Copies of all travel documents;

16           (2) A prohibition of the respondent directly or indirectly:

17           (a) Removing the child from this state, the United States, or another geographic area without  
18 permission of the court or the petitioner's written consent;

19           (b) Removing or retaining the child in violation of a child custody determination;

20           (c) Removing the child from school or a child care or similar facility; or

21           (d) Approaching the child at any location other than a site designated for supervised  
22 visitation;

23           (3) A requirement that a party register the order in another state as a prerequisite to allowing  
24 the child to travel to that state;

25           (4) With regard to the child's passport:

26           (a) A direction that the petitioner place the child's name in the United States Department of  
27 State's Child Passport Issuance Alert Program;

28           (b) A requirement that the respondent surrender to the court or the petitioner's attorney any  
29 United States or foreign passport issued in the child's name, including a passport issued in the name  
30 of both the parent and the child; and

31           (c) A prohibition upon the respondent from applying on behalf of the child for a new or  
32 replacement passport or visa;

33           (5) As a prerequisite to exercising custody or visitation, a requirement that the respondent  
34 provide:

35           (a) To the United States Department of State Office of Children's Issues and the relevant  
36 foreign consulate or embassy, an authenticated copy of the order detailing passport and travel  
37 restrictions for the child;

38           (b) To the court:



1       a. Proof that the respondent has provided the information in paragraph (a) of this  
2 subdivision; and

3       b. An acknowledgment in a record from the relevant foreign consulate or embassy that no  
4 passport application has been made, or passport issued, on behalf of the child;

5       (c) To the petitioner, proof of registration with the United States Embassy or other United  
6 States diplomatic presence in the destination country and with the Central Authority for the Hague  
7 Convention on the Civil Aspects of International Child Abduction, if that Convention is in effect  
8 between the United States and the destination country, unless one of the parties objects; and

9       (d) A written waiver under 5 U.S.C. Section 552a of the Privacy Act of 1974, as amended,  
10 with respect to any document, application, or other information pertaining to the child authorizing  
11 its disclosure to the court and the petitioner; and

12       (6) Upon the petitioner's request, a requirement that the respondent obtain an order from the  
13 relevant foreign country containing terms identical to the child custody determination issued in the  
14 United States.

15       4. In an abduction prevention order, the court may impose conditions on the exercise of  
16 custody or visitation that:

17       (1) Limit visitation or require that visitation with the child by the respondent be supervised  
18 until the court finds that supervision is no longer necessary and order the respondent to pay the costs  
19 of supervision;

20       (2) Require the respondent to post a bond or provide other security in an amount sufficient  
21 to serve as a financial deterrent to abduction, the proceeds of which may be used to pay for the  
22 reasonable expenses of recovery of the child, including reasonable attorneys' fees and costs if there  
23 is an abduction; and

24       (3) Require the respondent to obtain education on the potentially harmful effects to the child  
25 from abduction.

26       5. To prevent imminent abduction of a child, a court may:

27       (1) Issue a warrant to take physical custody of the child;

28       (2) Direct the use of law enforcement to take any action reasonably necessary to locate the  
29 child, obtain return of the child, or enforce a custody determination under sections 452.1100 to  
30 452.1122 or the law of this state other than sections 452.1100 to 452.1122; or

31       (3) Grant any other relief allowed under the law of this state other than sections 452.1100 to  
32 452.1122.

33       6. The remedies provided in sections 452.1100 to 452.1122 are cumulative and do not affect  
34 the availability of other remedies to prevent abduction.

35       452.1118. An abduction prevention order remains in effect until the earliest of:

36       (1) The time stated in the order;

37       (2) The emancipation of the child;

38       (3) The child's attaining eighteen years of age; or

1           (4) The time the order is modified, revoked, vacated, or superseded by a court with  
2 jurisdiction under sections 452.740, 452.745, and 452.750 and applicable law of this state.

3           452.1120. In applying and construing sections 452.1100 to 452.1122, consideration must be  
4 given to the need to promote uniformity of the law with respect to its subject matter among states  
5 that enact it.

6           452.1122. Sections 452.1100 to 452.1122 modifies, limits, and supersedes the federal  
7 Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001, et seq., but  
8 does not modify, limit, or supersede Section 101(c) of the act, 15 U.S.C. Section 7001(c), or  
9 authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C.  
10 Section 7003(b).

11           452.1200. Sections 452.1200 to 452.1258 may be cited as the "Uniform Deployed Parents  
12 Custody and Visitation Act".

13           452.1202. In sections 452.1200 to 452.1258:

14           (1) "Adult" means an individual who has attained eighteen years of age or an emancipated  
15 minor;

16           (2) "Caretaking authority" means the right to live with and care for a child on a day-to-day  
17 basis. The term includes physical custody, parenting time, right to access, and visitation;

18           (3) "Child" means:

19           (a) An unemancipated individual who has not attained eighteen years of age; or

20           (b) An adult son or daughter by birth or adoption, or under law of this state other than  
21 sections 452.1200 to 452.1258, who is the subject of a court order concerning custodial  
22 responsibility;

23           (4) "Court" means a tribunal authorized under law of this state other than sections 452.1200  
24 to 452.1258 to make, enforce, or modify a decision regarding custodial responsibility;

25           (5) "Custodial responsibility" includes all powers and duties relating to caretaking authority  
26 and decision-making authority for a child. The term includes physical custody, legal custody,  
27 parenting time, right to access, visitation, and authority to grant limited contact with a child;

28           (6) "Decision-making authority" means the power to make important decisions regarding a  
29 child, including decisions regarding the child's education, religious training, health care,  
30 extracurricular activities, and travel. The term does not include the power to make decisions that  
31 necessarily accompany a grant of caretaking authority;

32           (7) "Deploying parent" means a service member, who is deployed or has been notified of  
33 impending deployment and is:

34           (a) A parent of a child under law of this state other than sections 452.1200 to 452.1258; or

35           (b) An individual who has custodial responsibility for a child under law of this state other  
36 than sections 452.1200 to 452.1258;

37           (8) "Deployment" means the movement or mobilization of a service member for more than  
38 ninety days but less than eighteen months pursuant to uniformed service orders that:

39           (a) Are designated as unaccompanied;

1 (b) Do not authorize dependent travel; or

2 (c) Otherwise do not permit the movement of family members to the location to which the  
3 service member is deployed;

4 (9) "Family member" means a sibling, aunt, uncle, cousin, stepparent, or grandparent of a  
5 child or an individual recognized to be in a familial relationship with a child under law of this state  
6 other than sections 452.1200 to 452.1258;

7 (10) "Limited contact" means the authority of a nonparent to visit a child for a limited time.  
8 The term includes authority to take the child to a place other than the residence of the child;

9 (11) "Nonparent" means an individual other than a deploying parent or other parent;

10 (12) "Other parent" means an individual who, in common with a deploying parent, is:

11 (a) A parent of a child under law of this state other than sections 452.1200 to 452.1258; or

12 (b) An individual who has custodial responsibility for a child under law of this state other  
13 than sections 452.1200 to 452.1258;

14 (13) "Record" means information that is inscribed on a tangible medium or that is stored in  
15 an electronic or other medium and is retrievable in perceivable form;

16 (14) "Return from deployment" means the conclusion of a service member's deployment as  
17 specified in uniformed service orders;

18 (15) "Service member" means a member of a uniformed service;

19 (16) "Sign" means, with present intent to authenticate or adopt a record:

20 (a) To execute or adopt a tangible symbol; or

21 (b) To attach to or logically associate with the record an electronic symbol, sound, or  
22 process;

23 (17) "State" means a state of the United States, the District of Columbia, Puerto Rico, the  
24 United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the  
25 United States;

26 (18) "Uniformed service" means:

27 (a) Active and reserve components of the Army, Navy, Air Force, Marine Corps, or Coast  
28 Guard of the United States;

29 (b) The United States Merchant Marine;

30 (c) The commissioned corps of the United States Public Health Service;

31 (d) The commissioned corps of the National Oceanic and Atmospheric Administration of  
32 the United States; or

33 (e) The National Guard of a state.

34 452.1204. In addition to other remedies under law of this state other than sections 452.1200  
35 to 452.1258, if a court finds that a party to a proceeding under sections 452.1200 to 452.1258 has  
36 acted in bad faith or intentionally failed to comply with sections 452.1200 to 452.1258 or a court  
37 order issued under sections 452.1200 to 452.1258, the court may assess reasonable attorney's fees  
38 and costs against the party and order other appropriate relief.

1           452.1206. 1. A court may issue an order regarding custodial responsibility under sections  
2 452.1200 to 452.1258 only if the court has jurisdiction under sections 452.700 to 452.930.

3           2. If a court has issued a temporary order regarding custodial responsibility pursuant to  
4 sections 452.1224 to 452.1244, the residence of the deploying parent is not changed by reason of the  
5 deployment for the purposes of sections 452.700 to 452.930 during the deployment.

6           3. If a court has issued a permanent order regarding custodial responsibility before notice of  
7 deployment and the parents modify that order temporarily by agreement pursuant to sections  
8 452.1214 to 452.1222, the residence of the deploying parent is not changed by reason of the  
9 deployment for the purposes of sections 452.700 to 452.930.

10           4. If a court in another state has issued a temporary order regarding custodial responsibility  
11 as a result of impending or current deployment, the residence of the deploying parent is not changed  
12 by reason of the deployment for the purposes of sections 452.700 to 452.930.

13           5. This section does not prevent a court from exercising temporary emergency jurisdiction  
14 under sections 452.700 to 452.930.

15           452.1208. 1. Except as otherwise provided in subsection 4 of this section and subject to  
16 subsection 3 of this section, a deploying parent shall notify in a record the other parent of a pending  
17 deployment not later than seven days after receiving notice of deployment unless reasonably  
18 prevented from doing so by the circumstances of service. If the circumstances of service prevent  
19 giving notification within the seven days, the deploying parent shall give the notification as soon as  
20 reasonably possible.

21           2. Except as otherwise provided in subsection 4 of this section and subject to subsection 3 of  
22 this section, each parent shall provide in a record the other parent with a plan for fulfilling that  
23 parent's share of custodial responsibility during deployment. Each parent shall provide the plan as  
24 soon as reasonably possible after notification of deployment is given under subsection 1 of this  
25 section.

26           3. If a court order currently in effect prohibits disclosure of the address or contact  
27 information of the other parent, notification of deployment under subsection 1 of this section, or  
28 notification of a plan for custodial responsibility during deployment under subsection 2 of this  
29 section, may be made only to the issuing court. If the address of the other parent is available to the  
30 issuing court, the court shall forward the notification to the other parent. The court shall keep  
31 confidential the address or contact information of the other parent.

32           4. Notification in a record under subsection 1 or 2 of this section is not required if the  
33 parents are living in the same residence and both parents have actual notice of the deployment or  
34 plan.

35           5. In a proceeding regarding custodial responsibility, a court may consider the  
36 reasonableness of a parent's efforts to comply with this section.

37           452.1210. 1. Except as otherwise provided in subsection 2 of this section, an individual to  
38 whom custodial responsibility has been granted during deployment pursuant to sections 452.1214 to  
39 452.1222 or sections 452.1224 to 452.1244 shall notify the deploying parent and any other

1 individual with custodial responsibility of a child of any change of the individual's mailing address  
2 or residence until the grant is terminated. The individual shall provide the notice to any court that  
3 has issued a custody or child support order concerning the child which is in effect.

4 2. If a court order currently in effect prohibits disclosure of the address or contact  
5 information of an individual to whom custodial responsibility has been granted, a notification under  
6 subsection 1 of this section may be made only to the court that issued the order. The court shall  
7 keep confidential the mailing address or residence of the individual to whom custodial responsibility  
8 has been granted.

9 452.1212. In a proceeding for custodial responsibility of a child of a service member, a court  
10 may not consider a parent's past deployment or possible future deployment in itself in determining  
11 the best interest of the child but may consider any significant impact on the best interest of the child  
12 of the parent's past or possible future deployment.

13 452.1214. 1. The parents of a child may enter into a temporary agreement under sections  
14 452.1214 to 452.1222 granting custodial responsibility during deployment.

15 2. An agreement under subsection 1 of this section must be:

16 (1) In writing; and

17 (2) Signed by both parents and any nonparent to whom custodial responsibility is granted.

18 3. Subject to subsection 4 of this section, an agreement under subsection 1 of this section, if  
19 feasible, must:

20 (1) Identify the destination, duration, and conditions of the deployment that is the basis for  
21 the agreement;

22 (2) Specify the allocation of caretaking authority among the deploying parent, the other  
23 parent, and any nonparent;

24 (3) Specify any decision-making authority that accompanies a grant of caretaking authority;

25 (4) Specify any grant of limited contact to a nonparent;

26 (5) If under the agreement custodial responsibility is shared by the other parent and a  
27 nonparent, or by other nonparents, provide a process to resolve any dispute that may arise;

28 (6) Specify the frequency, duration, and means, including electronic means, by which the  
29 deploying parent will have contact with the child, any role to be played by the other parent in  
30 facilitating the contact, and the allocation of any costs of contact;

31 (7) Specify the contact between the deploying parent and child during the time the  
32 deploying parent is on leave or is otherwise available;

33 (8) Acknowledge that any party's child-support obligation cannot be modified by the  
34 agreement, and that changing the terms of the obligation during deployment requires modification in  
35 the appropriate court;

36 (9) Provide that the agreement will terminate according to the procedures under sections  
37 452.1246 to 452.1252 after the deploying parent returns from deployment; and

38 (10) If the agreement must be filed pursuant to section 452.1222, specify which parent is  
39 required to file the agreement.

1           4. The omission of any of the items specified in subsection 3 of this section does not  
2 invalidate an agreement under this section.

3           452.1216. 1. An agreement under sections 452.1214 to 452.1222 is temporary and  
4 terminates pursuant to sections 452.1246 to 452.1252 after the deploying parent returns from  
5 deployment, unless the agreement has been terminated before that time by court order or  
6 modification under section 452.1218. The agreement does not create an independent, continuing  
7 right to caretaking authority, decision-making authority, or limited contact in an individual to whom  
8 custodial responsibility is given.

9           2. A nonparent who has caretaking authority, decision-making authority, or limited contact  
10 by an agreement under sections 452.1214 to 452.1222 has standing to enforce the agreement until it  
11 has been terminated by court order, by modification under section 452.1218, or under sections  
12 452.1246 to 452.1252.

13           452.1218. 1. By mutual consent, the parents of a child may modify an agreement regarding  
14 custodial responsibility made pursuant to sections 452.1214 to 452.1222.

15           2. If an agreement is modified under subsection 1 of this section before deployment of a  
16 deploying parent, the modification must be in writing and signed by both parents and any nonparent  
17 who will exercise custodial responsibility under the modified agreement.

18           3. If an agreement is modified under subsection 1 of this section during deployment of a  
19 deploying parent, the modification must be agreed to in a record by both parents and any nonparent  
20 who will exercise custodial responsibility under the modified agreement.

21           452.1220. A deploying parent, by power of attorney, may delegate all or part of custodial  
22 responsibility to an adult nonparent for the period of deployment if no other parent possesses  
23 custodial responsibility under law of this state other than sections 452.1200 to 452.1258, or if a  
24 court order currently in effect prohibits contact between the child and the other parent. The  
25 deploying parent may revoke the power of attorney by signing a revocation of the power.

26           452.1222. An agreement or power of attorney under sections 452.1214 to 452.1222 must be  
27 filed within a reasonable time with any court that has entered an order on custodial responsibility or  
28 child support that is in effect concerning the child who is the subject of the agreement or power.  
29 The case number and heading of the pending case concerning custodial responsibility or child  
30 support must be provided to the court with the agreement or power.

31           452.1224. In sections 452.1224 to 452.1244, "close and substantial relationship" means a  
32 relationship in which a significant bond exists between a child and a nonparent.

33           452.1226. 1. After a deploying parent receives notice of deployment and until the  
34 deployment terminates, a court may issue a temporary order granting custodial responsibility unless  
35 prohibited by the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521 and 522. A  
36 court may not issue a permanent order granting custodial responsibility without the consent of the  
37 deploying parent.

38           2. At any time after a deploying parent receives notice of deployment, either parent may file  
39 a motion regarding custodial responsibility of a child during deployment. The motion must be filed

1 in a pending proceeding for custodial responsibility in a court with jurisdiction under section  
2 452.1206 or, if there is no pending proceeding in a court with jurisdiction under section 452.1206, in  
3 a new action for granting custodial responsibility during deployment.

4 452.1228. If a motion to grant custodial responsibility is filed under subsection 2 of section  
5 452.1226 before a deploying parent deploys, the court shall conduct an expedited hearing.

6 452.1230. In a proceeding under sections 452.1224 to 452.1244, a party or witness who is  
7 not reasonably available to appear personally may appear, provide testimony, and present evidence  
8 by electronic means unless the court finds good cause to require a personal appearance.

9 452.1232. In a proceeding for a grant of custodial responsibility pursuant to sections  
10 452.1224 to 452.1244, the following rules apply:

11 (1) A prior judicial order designating custodial responsibility in the event of deployment is  
12 binding on the court unless the circumstances meet the requirements of law of this state other than  
13 sections 452.1200 to 452.1258 for modifying a judicial order regarding custodial responsibility;

14 (2) The court shall enforce a prior written agreement between the parents for designating  
15 custodial responsibility in the event of deployment, including an agreement executed under sections  
16 452.1214 to 452.1222, unless the court finds that the agreement is contrary to the best interest of the  
17 child.

18 452.1234. 1. On motion of a deploying parent and in accordance with law of this state other  
19 than sections 452.1200 to 452.1258, if it is in the best interest of the child, a court may grant  
20 caretaking authority to a nonparent who is an adult family member of the child or an adult with  
21 whom the child has a close and substantial relationship.

22 2. Unless a grant of caretaking authority to a nonparent under subsection 1 of this section is  
23 agreed to by the other parent, the grant is limited to an amount of time not greater than:

24 (1) The amount of time granted to the deploying parent under a permanent custody order,  
25 but the court may add unusual travel time necessary to transport the child; or

26 (2) In the absence of a permanent custody order that is currently in effect, the amount of  
27 time that the deploying parent habitually cared for the child before being notified of deployment, but  
28 the court may add unusual travel time necessary to transport the child.

29 3. A court may grant part of a deploying parent's decision-making authority, if the deploying  
30 parent is unable to exercise that authority, to a nonparent who is an adult family member of the child  
31 or an adult with whom the child has a close and substantial relationship. If a court grants the  
32 authority to a nonparent, the court shall specify the decision-making powers granted, including  
33 decisions regarding the child's education, religious training, health care, extracurricular activities,  
34 and travel.

35 452.1236. On motion of a deploying parent, and in accordance with law of this state other  
36 than sections 452.1200 to 452.1258, unless the court finds that the contact would be contrary to the  
37 best interest of the child, a court shall grant limited contact to a nonparent who is a family member  
38 of the child or an individual with whom the child has a close and substantial relationship.

1           452.1238. 1. A grant of authority under sections 452.1224 to 452.1244 is temporary and  
2 terminates under sections 452.1246 to 452.1252 after the return from deployment of the deploying  
3 parent, unless the grant has been terminated before that time by court order. The grant does not  
4 create an independent, continuing right to caretaking authority, decision-making authority, or limited  
5 contact in an individual to whom it is granted.

6           2. A nonparent granted caretaking authority, decision-making authority, or limited contact  
7 under sections 452.1224 to 452.1244 has standing to enforce the grant until it is terminated by court  
8 order or under sections 452.1246 to 452.1252.

9           452.1240. 1. An order granting custodial responsibility under sections 452.1224 to  
10 452.1244 must:

11           (1) Designate the order as temporary; and

12           (2) Identify to the extent feasible the destination, duration, and conditions of the  
13 deployment.

14           2. If applicable, an order for custodial responsibility under sections 452.1224 to 452.1244  
15 must:

16           (1) Specify the allocation of caretaking authority, decision-making authority, or limited  
17 contact among the deploying parent, the other parent, and any nonparent;

18           (2) If the order divides caretaking or decision-making authority between individuals, or  
19 grants caretaking authority to one individual and limited contact to another, provide a process to  
20 resolve any dispute that may arise;

21           (3) Provide for liberal communication between the deploying parent and the child during  
22 deployment, including through electronic means, unless contrary to the best interest of the child, and  
23 allocate any costs of communications;

24           (4) Provide for liberal contact between the deploying parent and the child during the time  
25 the deploying parent is on leave or otherwise available, unless contrary to the best interest of the  
26 child;

27           (5) Provide for reasonable contact between the deploying parent and the child after return  
28 from deployment until the temporary order is terminated, even if the time of contact exceeds the  
29 time the deploying parent spent with the child before entry of the temporary order; and

30           (6) Provide that the order will terminate pursuant to sections 452.1246 to 452.1252 after the  
31 deploying parent returns from deployment.

32           452.1242. If a court has issued an order granting caretaking authority under sections  
33 452.1224 to 452.1244, or an agreement granting caretaking authority has been executed under  
34 sections 452.1214 to 452.1222, the court may enter a temporary order for child support consistent  
35 with law of this state other than sections 452.1200 to 452.1258 if the court has jurisdiction under  
36 sections 454.1500 to 454.1730.

37           452.1244. 1. Except for an order under section 452.1232, except as otherwise provided in  
38 subsection 2 of this section, and consistent with the Servicemembers Civil Relief Act, 50 U.S.C.  
39 Appendix Sections 521 and 522, on motion of a deploying or other parent or any nonparent to whom



1 caretaking authority, decision-making authority, or limited contact has been granted, the court may  
2 modify or terminate the grant if the modification or termination is consistent with sections 452.1224  
3 to 452.1244 and it is in the best interest of the child. A modification is temporary and terminates  
4 pursuant to sections 452.1246 to 452.1252 after the deploying parent returns from deployment,  
5 unless the grant has been terminated before that time by court order.

6 2. On motion of a deploying parent, the court shall terminate a grant of limited contact.

7 452.1246. 1. At any time after return from deployment, a temporary agreement granting  
8 custodial responsibility under sections 452.1214 to 452.1222 may be terminated by an agreement to  
9 terminate signed by the deploying parent and the other parent.

10 2. A temporary agreement under sections 452.1214 to 452.1222 granting custodial  
11 responsibility terminates:

12 (1) If an agreement to terminate under subsection 1 of this section specifies a date for  
13 termination, on that date; or

14 (2) If the agreement to terminate does not specify a date, on the date the agreement to  
15 terminate is signed by the deploying parent and the other parent.

16 3. In the absence of an agreement under subsection 1 of this section to terminate, a  
17 temporary agreement granting custodial responsibility terminates under sections 452.1214 to  
18 452.1222 sixty days after the deploying parent gives notice to the other parent that the deploying  
19 parent returned from deployment.

20 4. If a temporary agreement granting custodial responsibility was filed with a court pursuant  
21 to section 452.1222, an agreement to terminate the temporary agreement also must be filed with that  
22 court within a reasonable time after the signing of the agreement. The case number and heading of  
23 the case concerning custodial responsibility or child support must be provided to the court with the  
24 agreement to terminate.

25 452.1248. At any time after a deploying parent returns from deployment, the deploying  
26 parent and the other parent may file with the court an agreement to terminate a temporary order for  
27 custodial responsibility issued under sections 452.1224 to 452.1244. After an agreement has been  
28 filed, the court shall issue an order terminating the temporary order effective on the date specified in  
29 the agreement. If a date is not specified, the order is effective immediately.

30 452.1250. After a deploying parent returns from deployment until a temporary agreement or  
31 order for custodial responsibility established under sections 452.1214 to 452.1222 or sections  
32 452.1224 to 452.1244 is terminated, the court shall issue a temporary order granting the deploying  
33 parent reasonable contact with the child unless it is contrary to the best interest of the child, even if  
34 the time of contact exceeds the time the deploying parent spent with the child before deployment.

35 452.1252. 1. If an agreement between the parties to terminate a temporary order for  
36 custodial responsibility under sections 452.1224 to 452.1244 has not been filed, the order terminates  
37 sixty days after the deploying parent gives notice to the other parent and any nonparent granted  
38 custodial responsibility that the deploying parent has returned from deployment.

1           2. A proceeding seeking to prevent termination of a temporary order for custodial  
2 responsibility is governed by law of this state other than sections 452.1200 to 452.1258.

3           452.1254. In applying and construing sections 452.1200 to 452.1258, consideration must be  
4 given to the need to promote uniformity of the law with respect to its subject matter among states  
5 that enact it.

6           452.1256. Sections 452.1200 to 452.1258 modify, limit, or supersede the Electronic  
7 Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001 et seq., but do not  
8 modify, limit, or supersede Section 101(c) of that act, 15 U.S.C. Section 7001(c), or authorize  
9 electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C. Section  
10 7003(b).

11           452.1258. Sections 452.1200 to 452.1258 do not affect the validity of a temporary court  
12 order concerning custodial responsibility during deployment which was entered before August 28,  
13 2024.

14           453.700. Sections 453.700 to 453.740 may be cited as the "Uniform Unregulated Child  
15 Custody Transfer Act".

16           453.702. In sections 453.700 to 453.740:

17           (1) "Child" means an unemancipated individual under eighteen years of age;

18           (2) "Child-placing agency" means a person with authority under other law of this state to  
19 identify or place a child for adoption. The term does not include a parent of the child;

20           (3) "Custody" means the exercise of physical care and supervision of a child;

21           (4) "Intercountry adoption" means an adoption or placement for adoption of a child who  
22 resides in a foreign country at the time of adoption or placement. The term includes an adoption  
23 finalized in the child's country of residence or in a state;

24           (5) "Parent" means an individual recognized as a parent under other law of this state;

25           (6) "Person" means an individual, estate, business or nonprofit entity, public corporation,  
26 government or governmental subdivision, agency, or instrumentality, or other legal entity;

27           (7) "Record" means information:

28           (a) Inscribed on a tangible medium; or

29           (b) Stored in an electronic or other medium and retrievable in perceivable form;

30           (8) "State" means a state of the United States, the District of Columbia, Puerto Rico, the  
31 United States Virgin Islands, or any other territory or possession subject to the jurisdiction of the  
32 United States. The term includes a federally recognized Indian tribe.

33           453.704. Sections 453.700 to 453.740 do not apply to custody of an Indian child, as defined  
34 in Section 4(4) of the Indian Child Welfare Act of 1978, 25 U.S.C. Section 1903(4), as amended, to  
35 the extent custody is governed by the Indian Child Welfare Act of 1978, 25 U.S.C. Sections 1901  
36 through 1963, as amended.

37           453.706. In sections 453.706 to 453.716:

38           (1) "Guardian" means a person recognized as a guardian under other law of this state;

1           (2) "Intermediary" means a person that assists or facilitates a transfer of custody of a child,  
2 whether or not for compensation.

3           453.708. Sections 453.706 to 453.716 do not apply to a transfer of custody of a child by a  
4 parent or guardian of the child to:

5           (1) A parent of the child;

6           (2) A stepparent of the child;

7           (3) An adult who is related to the child by blood, marriage, or adoption;

8           (4) An adult who, at the time of the transfer, had a close relationship with the child or the  
9 parent or guardian of the child for a substantial period, and whom the parent or guardian reasonably  
10 believes, at the time of the transfer, to be a fit custodian of the child;

11           (5) An Indian custodian, as defined in Section 4(6) of the Indian Child Welfare Act of 1978,  
12 25 U.S.C. Section 1903(6), as amended, of the child; or

13           (6) A member of the child's customary family unit recognized by the child's indigenous  
14 group under other law of this state.

15           453.710. 1. Except as provided in subsection 2 of this section, a parent or guardian of a  
16 child or an individual with whom a child has been placed for adoption shall not transfer custody of  
17 the child to another person with the intent, at the time of the transfer, to abandon the rights and  
18 responsibilities concerning the child.

19           2. A parent or guardian of a child or an individual with whom a child has been placed for  
20 adoption may transfer custody of the child to another person with the intent, at the time of the  
21 transfer, to abandon the rights and responsibilities concerning the child only through:

22           (1) Adoption or guardianship;

23           (2) Judicial award of custody;

24           (3) Placement by or through a child-placing agency;

25           (4) Other judicial or tribal action; or

26           (5) Safe place for newborns act of 2002 under section 210.950.

27           3. A person shall not receive custody of a child, or act as an intermediary in a transfer of  
28 custody of a child, if the person knows or reasonably should know the transfer violates subsection 1  
29 of this section. This prohibition does not apply if the person, as soon as practicable after the  
30 transfer, notifies the children's division of the transfer or takes appropriate action to establish  
31 custody under subsection 2 of this section.

32           4. Violation of this section is a class B misdemeanor.

33           5. Violation of subsection 1 of this section is not established solely because a parent or  
34 guardian that transfers custody of a child does not regain custody.

35           453.712. 1. If the children's division has a reasonable basis to believe that a person has  
36 transferred or will transfer custody of a child in violation of subsection 1 of section 453.710, the  
37 children's division may conduct a home visit as provided by other law of this state and take  
38 appropriate action to protect the welfare of the child.

1           2. If the children's division conducts a home visit for a child adopted or placed through an  
 2 intercountry adoption, the children's divisions shall:

3           (1) Prepare a report on the welfare and plan for permanent placement of the child; and

4           (2) Provide a copy to the United States Department of State.

5           3. Sections 453.700 to 453.740 do not prevent the children's division from taking  
 6 appropriate action under other law of this state.

7           453.714. 1. A person shall not solicit or advertise to:

8           (1) Identify a person to which to make a transfer of custody in violation of subsection 1 of  
 9 section 453.710;

10          (2) Identify a child for a transfer of custody in violation of subsection 3 of section 453.710;

11 or

12          (3) Act as an intermediary in a transfer of custody in violation of subsection 3 of section  
 13 453.710.

14          2. Violation of this section is a class B misdemeanor.

15          453.716. A law enforcement agency may investigate a possible violation of sections  
 16 453.706 to 453.716 and take legal action as provided by law of this state.

17          453.718. In sections 453.718 to 453.732, "prospective adoptive parent" means an individual  
 18 who has been approved or permitted under other law of this state to adopt a child.

19          453.720. Sections 453.718 to 453.732 apply to placement for adoption of a child who:

20          (1) Has been or is in foster or institutional care;

21          (2) Previously has been adopted in a state;

22          (3) Has been or is being adopted under the law of a foreign country;

23          (4) Has come or is coming to a state from a foreign country to be adopted; or

24          (5) Is not a citizen of the United States.

25          453.722. Within a reasonable time before a child-placing agency places a child for adoption  
 26 with a prospective adoptive parent, the agency shall provide or cause to be provided to the  
 27 prospective adoptive parent general adoption information. The information must address:

28          (1) Possible physical, mental, emotional, and behavioral issues concerning:

29          (a) Identity, loss, and trauma that a child might experience before, during, or after adoption;

30 and

31          (b) A child leaving familiar ties and surroundings;

32          (2) The effect that access to resources, including health insurance, may have on the ability  
 33 of an adoptive parent to meet the needs of a child;

34          (3) Causes of disruption of an adoptive placement or dissolution of an adoption and  
 35 resources available to help avoid disruption or dissolution; and

36          (4) Prohibitions under sections 453.710 and 453.714.

37          453.724. 1. Except as prohibited by other law of this state, within a reasonable time before  
 38 a child-placing agency places a child for adoption with a prospective adoptive parent, the agency  
 39 shall provide or cause to be provided to the prospective adoptive parent information specific to the

1 child that is known to or reasonably obtainable by the agency and material to the prospective  
2 adoptive parent's informed decision to adopt the child. The information must include:

3 (1) The child's family, cultural, racial, religious, ethnic, linguistic, and educational  
4 background;

5 (2) The child's physical, mental, emotional, and behavioral health;

6 (3) Circumstances that might adversely affect the child's physical, mental, emotional, or  
7 behavioral health;

8 (4) The child's medical history, including immunizations;

9 (5) The medical history of the child's genetic parents and siblings;

10 (6) The history of an adoptive or out-of-home placement of the child and the reason the  
11 adoption or placement ended;

12 (7) The child's United States immigration status;

13 (8) Medical, therapeutic, and educational resources, including language-acquisition training,  
14 available to the adoptive parent and child after placement for adoption or adoption to assist in  
15 responding effectively to physical, mental, emotional, or behavioral health issues; and

16 (9) Available records relevant to the information in subdivisions (1) through (8) of this  
17 subsection.

18 2. If, before an adoption is finalized, additional information under subsection 1 of this  
19 section that is material to a prospective adoptive parent's informed decision to adopt the child  
20 becomes known to or reasonably obtainable by the child-placing agency, the agency shall provide  
21 the information to the prospective adoptive parent.

22 3. If, after an adoption is finalized, additional information under subsection 1 of this section  
23 becomes known to the child-placing agency, the agency shall make a reasonable effort to provide  
24 the information to the adoptive parent.

25 453.726. 1. A child-placing agency placing a child for adoption shall provide or cause to be  
26 provided to the prospective adoptive parent guidance and instruction specific to the child to help  
27 prepare the parent to respond effectively to needs of the child that are known to or reasonably  
28 ascertainable by the agency.

29 2. The guidance and instruction under subsection 1 of this section must address, if  
30 applicable:

31 (1) The potential effect on the child of:

32 (a) A previous adoption or out-of-home placement;

33 (b) Multiple previous adoptions or out-of-home placements;

34 (c) Trauma, insecure attachment, fetal alcohol exposure, or malnutrition;

35 (d) Neglect, abuse, drug exposure, or similar adversity;

36 (e) Separation from a sibling or significant caregiver; and

37 (f) A difference in ethnicity, race, or cultural identity between the child and the prospective  
38 adoptive parent or other child of the parent;

1           (2) Information available from the federal government on the process for the child to  
2 acquire United States citizenship; and

3           (3) Any other matter the child-placing agency considers material to the adoption.

4           3. The guidance and instruction under subsection 1 of this section must be provided:

5           (1) For adoption of a child residing in the United States, a reasonable time before the  
6 adoption is finalized; or

7           (2) For an intercountry adoption, in accordance with federal law.

8           453.728. On request of a child who was placed for adoption or the child's adoptive parent,  
9 the child-placing agency placing the child or the children's division shall provide information about  
10 how to obtain financial assistance or support services:

11           (1) To assist the child or parent to respond effectively to adjustment, behavioral health, and  
12 other challenges; and

13           (2) To help preserve the placement or adoption.

14           453.730. 1. A law enforcement agency may investigate an allegation that a child-placing  
15 agency has failed to comply with sections 453.718 to 453.732 and commence an action for  
16 injunctive or other relief or initiate an administrative proceeding against the child-placing agency to  
17 enforce sections 453.718 to 453.732.

18           2. The children's division may initiate a proceeding to determine whether a child-placing  
19 agency has failed to comply with sections 453.718 to 453.732. If the children's divisions finds that  
20 the child-placing agency has failed to comply, the children's division may suspend or revoke the  
21 agency's license or take other action permitted by law of this state.

22           453.732. The children's division may adopt rules under chapter 536 to implement sections  
23 453.722, 453.724, and 453.728.

24           453.734. In applying and construing this uniform act, a court shall consider the promotion of  
25 uniformity of the law among jurisdictions that enact it.

26           453.736. Sections 453.700 to 453.740 modify, limit, or supersede the Electronic Signatures  
27 in Global and National Commerce Act, 15 U.S.C. Section 7001 et seq., as amended, but do not  
28 modify, limit, or supersede 15 U.S.C. Section 7001(c), or authorize electronic delivery of any of the  
29 notices described in 15 U.S.C. Section 7003(b).

30           453.738. 1. Sections 453.706 to 453.716 apply to:

31           (1) A transfer of custody on or after August 28, 2024; and

32           (2) Soliciting or advertising on or after August 28, 2024.

33           2. Sections 453.718 to 453.732 apply to placement of a child for adoption more than sixty  
34 days after August 28, 2024.

35           453.740. If a provision of sections 453.700 to 453.740 or its application to a person or  
36 circumstance is held invalid, the invalidity does not affect another provision or application that can  
37 be given effect without the invalid provision.

38           453.742. Sections 453.700 to 453.740 supplement the provisions under this chapter and  
39 chapter 210 for the transfer of custody of a child. To the extent the provisions under this chapter or

1 chapter 210 are inconsistent with sections 453.700 to 453.740, the provisions of sections 453.700 to  
2 453.740 control regarding the transfer of custody of a child.

3 454.1050. 1. This section shall be known and may be cited as "Bentley and Mason's Law".

4 2. The court shall order a defendant convicted of the offense of driving while intoxicated to  
5 pay restitution for a child whose parent or guardian died as a result of such offense.

6 3. Notwithstanding any provision of law under chapter 559 relating to restitution, and  
7 subject to subsection 4 of this section, the court shall determine a monthly amount to be paid for the  
8 support of the child until the child reaches eighteen years of age or has graduated from high school,  
9 whichever is later.

10 4. The defendant shall not be required to pay restitution under this section to an individual  
11 who is nineteen years of age or older.

12 5. The court shall order the defendant to pay restitution in an amount that is reasonable and  
13 necessary to support the child, considering all relevant factors, including:

14 (1) The financial needs and resources of the child;

15 (2) The financial needs and resources of the surviving parent or guardian or other current  
16 guardian of the child, including the state if the state is the guardian;

17 (3) The standard of living to which the child is accustomed;

18 (4) The physical and emotional condition of the child and the child's educational needs;

19 (5) The child's physical and legal custody arrangements;

20 (6) The reasonable work-related child care expenses of the surviving parent or guardian or  
21 other current guardian, if applicable; and

22 (7) The financial resources of the defendant.

23 6. The order of restitution under this section shall require restitution payments to be:

24 (1) Delivered in the manner described under subsection 7 of this section, as appropriate; and

25 (2) Directed to the parent or guardian of the child or the state, as applicable.

26 7. The order of restitution under this section shall require the defendant to:

27 (1) Make restitution directly to the person or agency that will accept and forward restitution  
28 payments to the victim or other person eligible for restitution under this section; or

29 (2) Deliver the amount due as restitution to the division of probation or parole or to the  
30 department of corrections for transfer to the victim or person or state, as appropriate.

31 8. If a defendant ordered to pay restitution under this section is unable to make the required  
32 restitution payments because the defendant is confined or imprisoned in a correctional facility, the  
33 defendant shall begin payments no later than the first anniversary of the date of the defendant's  
34 release from the facility. The defendant may enter into a payment plan to address any arrearage that  
35 exists on the date of the defendant's release. The defendant shall pay all arrearages regardless of  
36 whether the restitution payments were scheduled to terminate while the defendant was confined or  
37 imprisoned in the correctional facility.

38 9. The amount of restitution paid under this section shall be deducted from any civil  
39 judgment against the defendant.

1           10. A restitution order issued under this section may be enforced by the office of the  
2 attorney general, or by a person or a parent or guardian of the person named in the order to receive  
3 the restitution, in the same manner as a judgment in a civil action.

4           455.010. As used in this chapter, unless the context clearly indicates otherwise, the  
5 following terms shall mean:

6           (1) "Abuse", includes but is not limited to the occurrence of any of the following acts,  
7 attempts or threats against a person who may be protected pursuant to this chapter, except abuse  
8 shall not include abuse inflicted on a child by accidental means by an adult household member or  
9 discipline of a child, including spanking, in a reasonable manner:

10           (a) "Abusing a pet", purposely or knowingly causing, attempting to cause, or threatening to  
11 cause physical injury to a pet with the intent to control, punish, intimidate, or distress the petitioner;

12           (b) "Assault", purposely or knowingly placing or attempting to place another in fear of  
13 physical harm;

14           (c) "Battery", purposely or knowingly causing physical harm to another with or without a  
15 deadly weapon;

16           (d) "Coercion", compelling another by force or threat of force to engage in conduct from  
17 which the latter has a right to abstain or to abstain from conduct in which the person has a right to  
18 engage;

19           (e) "Harassment", engaging in a purposeful or knowing course of conduct involving more  
20 than one incident that alarms or causes distress to an adult or child and serves no legitimate purpose.  
21 The course of conduct must be such as would cause a reasonable adult or child to suffer substantial  
22 emotional distress and must actually cause substantial emotional distress to the petitioner or child.  
23 Such conduct might include, but is not limited to:

24           a. Following another about in a public place or places;

25           b. Peering in the window or lingering outside the residence of another; but does not include  
26 constitutionally protected activity;

27           (f) "Sexual assault", causing or attempting to cause another to engage involuntarily in any  
28 sexual act by force, threat of force, duress, or without that person's consent;

29           (g) "Unlawful imprisonment", holding, confining, detaining or abducting another person  
30 against that person's will;

31           (2) "Adult", any person [~~seventeen~~] eighteen years of age or older or otherwise  
32 emancipated;

33           (3) "Child", any person under [~~seventeen~~] eighteen years of age unless otherwise  
34 emancipated;

35           (4) "Court", the circuit or associate circuit judge or a family court commissioner;

36           (5) "Domestic violence", abuse or stalking committed by a family or household member, as  
37 such terms are defined in this section;

38           (6) "Ex parte order of protection", an order of protection issued by the court before the  
39 respondent has received notice of the petition or an opportunity to be heard on it;



1 (7) "Family" or "household member", spouses, former spouses, any person related by blood  
2 or marriage, persons who are presently residing together or have resided together in the past, any  
3 person who is or has been in a continuing social relationship of a romantic or intimate nature with  
4 the victim, and anyone who has a child in common regardless of whether they have been married or  
5 have resided together at any time;

6 (8) "Full order of protection", an order of protection issued after a hearing on the record  
7 where the respondent has received notice of the proceedings and has had an opportunity to be heard;

8 (9) "Order of protection", either an ex parte order of protection or a full order of protection;

9 (10) "Pending", exists or for which a hearing date has been set;

10 (11) "Pet", a living creature maintained by a household member for companionship and not  
11 for commercial purposes;

12 (12) "Petitioner", a family or household member who has been a victim of domestic  
13 violence, or any person who has been the victim of stalking or sexual assault, or a person filing on  
14 behalf of a child pursuant to section 455.503 who has filed a verified petition pursuant to the  
15 provisions of section 455.020 or section 455.505;

16 (13) "Respondent", the family or household member alleged to have committed an act of  
17 domestic violence, or person alleged to have committed an act of stalking or sexual assault, against  
18 whom a verified petition has been filed or a person served on behalf of a child pursuant to section  
19 455.503;

20 (14) "Sexual assault", as defined under subdivision (1) of this section;

21 (15) "Stalking", is when any person purposely engages in an unwanted course of conduct  
22 that causes alarm to another person, or a person who resides together in the same household with the  
23 person seeking the order of protection when it is reasonable in that person's situation to have been  
24 alarmed by the conduct. As used in this subdivision:

25 (a) "Alarm", to cause fear of danger of physical harm; and

26 (b) "Course of conduct", two or more acts that serve no legitimate purpose including, but  
27 not limited to, acts in which the stalker directly, indirectly, or through a third party follows,  
28 monitors, observes, surveils, threatens, or communicates to a person by any action, method, or  
29 device.

30 455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to 455.085  
31 and for good cause shown in the petition, the court may immediately issue an ex parte order of  
32 protection. An immediate and present danger of domestic violence to the petitioner or the child on  
33 whose behalf the petition is filed shall constitute good cause for purposes of this section. An ex  
34 parte order of protection entered by the court shall take effect when entered and shall remain in  
35 effect until there is valid service of process and a hearing is held on the motion. The court shall  
36 deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief  
37 pursuant to section 455.020.

38 2. Failure to serve an ex parte order of protection on the respondent shall not affect the  
39 validity or enforceability of such order. If the respondent is less than [~~seventeen~~] eighteen years of

1 age, unless otherwise emancipated, service of process shall be made upon a custodial parent or  
2 guardian of the respondent, or upon a guardian ad litem appointed by the court, requiring that the  
3 person appear and bring the respondent before the court at the time and place stated.

4 3. If an ex parte order is entered and the respondent is less than ~~[seventeen]~~ eighteen years  
5 of age, the court shall transfer the case to juvenile court for a hearing on a full order of protection.  
6 The court shall appoint a guardian ad litem for any such respondent not represented by a parent or  
7 guardian.

8 455.513. 1. The court may immediately issue an ex parte order of protection upon the filing  
9 of a verified petition under sections 455.500 to 455.538, for good cause shown in the petition, and  
10 upon finding that:

11 (1) No prior order regarding custody involving the respondent and the child is pending or  
12 has been made; or

13 (2) The respondent is less than ~~[seventeen]~~ eighteen years of age.

14  
15 An immediate and present danger of domestic violence, including danger to the child's pet, stalking,  
16 or sexual assault to a child shall constitute good cause for purposes of this section. An ex parte  
17 order of protection entered by the court shall be in effect until the time of the hearing. The court  
18 shall deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief  
19 pursuant to section 455.505.

20 2. Upon the entry of the ex parte order of protection, the court shall enter its order  
21 appointing a guardian ad litem or court-appointed special advocate to represent the child victim.

22 3. If the allegations in the petition would give rise to jurisdiction under section 211.031, the  
23 court may direct the children's division to conduct an investigation and to provide appropriate  
24 services. The division shall submit a written investigative report to the court and to the juvenile  
25 officer within thirty days of being ordered to do so. The report shall be made available to the parties  
26 and the guardian ad litem or court-appointed special advocate.

27 4. If the allegations in the petition would give rise to jurisdiction under section 211.031  
28 because the respondent is less than ~~[seventeen]~~ eighteen years of age, the court may issue an ex  
29 parte order and shall transfer the case to juvenile court for a hearing on a full order of protection.  
30 Service of process shall be made pursuant to section 455.035.

31 487.110. The uniform child custody jurisdiction and enforcement act, as enacted in sections  
32 ~~[452.440 to 452.550]~~ 452.700 to 452.930, shall apply to all child custody proceedings, as defined in  
33 section 452.705, in the family court.

34 487.200. 1. As used in this section, "medication-assisted treatment" means the use of  
35 pharmacological medications, in combination with counseling and behavioral therapies, to provide a  
36 whole patient approach to the treatment of substance use disorders.

37 2. If a family court participant requires treatment for opioid or other substance misuse or  
38 dependence, a family court shall not prohibit such participant from participating in and receiving  
39 medication-assisted treatment under the care of a physician licensed in this state to practice

1 medicine. A family court participant shall not be required to refrain from using medication-assisted  
2 treatment as a term or condition of successful completion of the family court program.

3 3. A family court participant assigned to a treatment program for opioid or other substance  
4 misuse or dependence shall not be in violation of the terms or conditions of the family court on the  
5 basis of his or her participation in medication-assisted treatment under the care of a physician  
6 licensed in this state to practice medicine.

7 4. A family court shall not require a participant utilizing medication-assisted treatment as  
8 part of treatment for opioid or other substance misuse or dependence to cease utilizing the treatment  
9 or to otherwise complete the treatment prior to reunification with his or her child.

10 491.075. 1. A statement made by a child under the age of [~~fourteen~~] eighteen, or a  
11 vulnerable person, relating to an offense under chapter 565, 566, 568 or 573, performed by another,  
12 not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings  
13 in the courts of this state as substantive evidence to prove the truth of the matter asserted if:

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

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

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

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

22 2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence  
23 requiring corroboration of statements, admissions or confessions of the defendant, and  
24 notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of  
25 [~~fourteen~~] eighteen, or a vulnerable person, who is alleged to be victim of an offense under chapter  
26 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless  
27 of whether or not the child or vulnerable person is available to testify regarding the offense.

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

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

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

38 491.641. 1. (1) There is hereby created in the state treasury the "Pretrial Witness Protection  
39 Services Fund", which shall consist of moneys collected under this section. The state treasurer shall

1 be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may  
 2 approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used  
 3 solely by the department of public safety for the purposes of witness protection services pursuant to  
 4 this section.

5 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining  
 6 in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

7 (3) The state treasurer shall invest moneys in the fund in the same manner as other funds are  
 8 invested. Any interest and moneys earned on such investments shall be credited to the fund.

9 2. Any law enforcement agency and any prosecuting or circuit attorney's office may provide  
 10 for the security of witnesses, potential witnesses, and their immediate families in criminal  
 11 proceedings instituted or investigations pending against a person alleged to have engaged in a  
 12 violation of state law. Providing for witnesses may include provision of housing facilities and for  
 13 the health, safety, and welfare of such witnesses and their immediate families, if testimony by such a  
 14 witness might subject the witness or a member of his or her immediate family to danger of bodily  
 15 injury, and may continue so long as such danger exists. Subject to appropriations from the general  
 16 assembly for the purposes provided for in this section, funds may be appropriated from the pretrial  
 17 witness protection services fund.

18 3. The department of public safety may authorize funds to be disbursed to law enforcement  
 19 agencies and prosecuting or circuit attorney's offices for the purchase, rental, or modification of  
 20 protected housing facilities for the purpose of this section. The law enforcement agency or  
 21 prosecuting or circuit attorney's office may contract with any department of federal or state  
 22 government to obtain or to provide the facilities or services to carry out this section.

23 4. The department of public safety may authorize expenditures for law enforcement  
 24 agencies and prosecuting or circuit attorney's offices to provide for the health, safety, and welfare of  
 25 witnesses and victims, and the families of such witnesses and victims, whenever testimony from, or  
 26 a willingness to testify by, such a witness or victim would place the life of such person, or a member  
 27 of his or her family or household, in jeopardy. ~~[A law enforcement agency shall submit an~~  
 28 ~~application to the department of public safety which shall include, but not necessarily be limited to:~~

29 (1) ~~Statement of conditions which qualify persons for protection;~~

30 (2) ~~Precise methods the originating agency will use to provide protection, including~~  
 31 ~~relocation of persons and reciprocal agreements with other law enforcement agencies;~~

32 (3) ~~Statement of the projected costs over a specified period of time;~~

33 (4) ~~If the requesting agency expects the person to provide evidence in any court of~~  
 34 ~~competent jurisdiction:~~

35 (a) ~~Brief statement of the anticipated evidence;~~

36 (b) ~~Certification of a reasonable belief in the person's competency to give evidence;~~

37 (c) ~~Statement of facts supporting the law enforcement agency's belief in the accuracy of the~~  
 38 ~~evidence; and~~

1 ~~(d) Any offer made in exchange for the person agreeing to give evidence.] Law enforcement~~  
2 agencies and prosecuting or circuit attorney's offices seeking reimbursement shall submit an  
3 application to be approved by the department of public safety.

4 5. The application and any associated documents submitted in subsection 4 of this section  
5 shall be a closed record and not subject to disclosure under the provisions of chapter 610. Any  
6 information contained in the application~~[, or]~~ and any other documents, which reveals or could  
7 reveal the location or address of the individual or individuals who qualify for services under this  
8 section shall be confidential and shall not be disclosed by any entity.

9 492.304. 1. In addition to the admissibility of a statement under the provisions of section  
10 492.303, the visual and aural recording of a verbal or nonverbal statement of a child when under the  
11 age of ~~[fourteen who is alleged to be a victim of]~~ eighteen, or a vulnerable person, relating to an  
12 offense under the provisions of chapter 565, 566 [or], 568, or 573, if performed by another, is  
13 admissible into evidence if:

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

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

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

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

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

26 (6) The person conducting the interview of the child or vulnerable person in the recording,  
27 or a current employee of a child assessment center if a child was recorded, is present at the  
28 proceeding and available to testify or be cross-examined by either party; and

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

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

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

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

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

8           589.700. 1. In addition to any fine imposed for a violation of section 566.203, 566.206,  
9 566.209, 566.210, 566.211, or 566.215, the court shall enter a judgment of restitution in the amount  
10 specified in this subsection in favor of the state of Missouri, payable to the human trafficking and  
11 sexual exploitation fund established under this section, upon a plea of guilty or a finding of guilt for  
12 a violation of section 566.203, 566.206, 566.209, 566.210, 566.211, or 566.215. The judgment of  
13 restitution shall be in the amount of:

14           (1) Ten thousand dollars per each identified victim of the offense or offenses for which  
15 restitution is required under this subsection; and

16           (2) Two thousand five hundred dollars for each county in which such offense or offenses  
17 occurred.

18           2. There is hereby created in the state treasury the "Human Trafficking and Sexual  
19 Exploitation Fund", which shall consist of proceeds from the human trafficking restitution collected  
20 for violations of sections 566.203, 566.206, 566.209, 566.210, 566.211, and 566.215. The state  
21 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state  
22 treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation,  
23 moneys in this fund shall be distributed to the county or counties where the human trafficking  
24 offense or offenses occurred. Upon receipt of moneys from the fund, a county shall allocate the  
25 disbursement as follows:

26           (1) Ten thousand dollars per each identified victim of the offense or offenses that occurred  
27 in the county toward local rehabilitation services for victims of human trafficking including, but not  
28 limited to, mental health and substance abuse counseling; general education, including parenting  
29 skills; housing relief; vocational training; and employment counseling; and

30           (2) Two thousand five hundred dollars toward local efforts to prevent human trafficking  
31 including, but not limited to, education programs for persons convicted of human trafficking  
32 offenses and increasing the number of local law enforcement members charged with enforcing  
33 human trafficking laws.

34           3. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining  
35 in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

36           4. The state treasurer shall invest moneys in the fund in the same manner as other funds are  
37 invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

38  
39 Further amend said bill by amending the title, enacting clause, and intersectional references  
40 accordingly.