

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 189
103RD GENERAL ASSEMBLY

0770H.02C

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 43.505, 43.546, 43.656, 57.010, 57.530, 67.2540, 160.775, 168.071, 190.098, 190.101, 210.482, 210.487, 210.950, 210.1080, 210.1505, 287.243, 292.606, 300.100, 301.218, 304.822, 324.012, 329.050, 339.100, 407.300, 455.010, 455.035, 455.513, 491.075, 491.641, 492.304, 537.046, 537.047, 542.301, 566.010, 566.147, 566.148, 566.149, 566.150, 566.151, 566.155, 566.210, 566.211, 566.218, 567.030, 570.030, 573.010, 573.023, 573.025, 573.035, 573.037, 573.038, 573.050, 573.052, 573.215, 579.065, 579.068, 589.042, 589.400, 589.414, 590.040, 590.060, 595.045, 610.021, 610.131, 632.305, 650.120, and 660.520, RSMo, and section 304.022 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, and section 304.022 as enacted by senate bill no. 26 merged with senate bills nos. 53 & 60, one hundred first general assembly, first regular session, and to enact in lieu thereof one hundred thirty-two new sections relating to public safety, with penalty provisions and an emergency clause for a certain section.

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

Section A. Sections 43.505, 43.546, 43.656, 57.010, 57.530, 67.2540, 160.775,
2 168.071, 190.098, 190.101, 210.482, 210.487, 210.950, 210.1080, 210.1505, 287.243,
3 292.606, 300.100, 301.218, 304.822, 324.012, 329.050, 339.100, 407.300, 455.010, 455.035,
4 455.513, 491.075, 491.641, 492.304, 537.046, 537.047, 542.301, 566.010, 566.147, 566.148,
5 566.149, 566.150, 566.151, 566.155, 566.210, 566.211, 566.218, 567.030, 570.030, 573.010,
6 573.023, 573.025, 573.035, 573.037, 573.038, 573.050, 573.052, 573.215, 579.065, 579.068,
7 589.042, 589.400, 589.414, 590.040, 590.060, 595.045, 610.021, 610.131, 632.305, 650.120,
8 and 660.520, RSMo, and section 304.022 as enacted by house bill no. 1606, one hundred first
9 general assembly, second regular session, and section 304.022 as enacted by senate bill no. 26

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

10 merged with senate bills nos. 53 & 60, one hundred first general assembly, first regular
11 session, are repealed and one hundred thirty-two new sections enacted in lieu thereof, to be
12 known as sections 43.505, 43.546, 43.656, 44.087, 57.010, 57.530, 67.2540, 160.775,
13 168.014, 168.071, 190.098, 190.101, 190.106, 196.1170, 208.222, 209.324, 210.482,
14 210.487, 210.950, 210.1080, 210.1505, 217.721, 287.243, 292.606, 300.100, 301.218,
15 301.551, 304.022, 304.822, 320.500, 320.502, 320.504, 320.506, 320.508, 320.510, 320.512,
16 320.514, 320.516, 320.518, 320.520, 320.522, 320.524, 320.526, 320.528, 321.295, 324.012,
17 324.055, 324.129, 324.246, 324.488, 324.1105, 326.257, 329.050, 330.025, 331.025,
18 332.015, 334.015, 334.403, 334.501, 334.701, 334.739, 334.805, 335.022, 335.042,
19 336.025, 337.018, 337.308, 337.501, 337.605, 337.702, 338.052, 339.015, 339.100,
20 339.510, 345.016, 374.711, 407.300, 436.225, 443.702, 455.010, 455.035, 455.513,
21 476.802, 484.125, 491.075, 491.641, 492.304, 537.046, 537.047, 537.054, 542.301,
22 556.039, 566.010, 566.147, 566.148, 566.149, 566.150, 566.151, 566.155, 566.201,
23 566.210, 566.211, 566.218, 567.030, 570.030, 570.031, 573.010, 573.023, 573.025,
24 573.035, 573.037, 573.038, 573.050, 573.052, 573.215, 574.207, 579.065, 579.068,
25 589.042, 589.400, 589.414, 589.700, 590.040, 590.060, 595.045, 610.021, 610.131,
26 632.305, 640.011, 650.040, 650.120, and 660.520, to read as follows:

43.505. 1. The department of public safety is hereby designated as the central
2 repository for the collection, maintenance, analysis and reporting of crime incident activity
3 generated by law enforcement agencies in this state. The department shall develop and
4 operate a uniform crime reporting system that is compatible with the national uniform crime
5 reporting system operated by the Federal Bureau of Investigation.

6 2. The department of public safety shall:

7 (1) Develop, operate and maintain an information system for the collection, storage,
8 maintenance, analysis and retrieval of crime incident and arrest reports from Missouri law
9 enforcement agencies;

10 (2) Compile the statistical data and forward such data as required to the Federal
11 Bureau of Investigation or the appropriate Department of Justice agency in accordance with
12 the standards and procedures of the national system;

13 (3) Provide the forms, formats, procedures, standards and related training or training
14 assistance to all law enforcement agencies in the state as necessary for such agencies to report
15 incident and arrest activity for timely inclusion into the statewide system;

16 (4) Annually publish a report on the nature and extent of crime and submit such
17 report to the governor and the general assembly. Such report and other statistical reports shall
18 be made available to state and local law enforcement agencies and the general public through
19 an electronic or manual medium;

20 (5) **Beginning January 1, 2026, publish quarterly clearance rates, as defined in**
21 **section 650.040, on the department's website by the fifteenth calendar day on the month**
22 **following the close of the preceding quarter;**

23 (6) **Beginning January 1, 2027, report the data collected pursuant to subdivision**
24 **(2) of subsection 3 of this section to the governor, Missouri peace officers standards and**
25 **training commission, chair of the committee on the judiciary and civil and criminal**
26 **jurisprudence of the senate, chair of the committee on crime prevention and public**
27 **safety of the house of representatives, and chair of the committee on the judiciary of the**
28 **house of representatives by July 1, 2027, and by July first of each year thereafter. The**
29 **department shall also make the report available to the public on the department's**
30 **website;**

31 (7) **Maintain the privacy and security of information in accordance with applicable**
32 **state and federal laws, regulations and orders; and**

33 ~~[(6)]~~ (8) **Establish such rules and regulations as are necessary for implementing the**
34 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**
35 **536.010, that is created under the authority delegated in this section shall become effective**
36 **only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
37 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
38 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective date**
39 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
40 **rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid**
41 **and void.**

42 3. **Every law enforcement agency in the state shall:**

43 (1) **Submit crime incident reports to the department of public safety on forms or in the**
44 **format prescribed by the department; and**

45 (2) **Submit any other crime incident information which may be required by the**
46 **department of public safety.**

47 (a) **Beginning January 1, 2026, every law enforcement agency in the state shall**
48 **collect data documenting case clearances, including information on clearance rates, as**
49 **defined in section 650.040, for nonfatal shootings, as determined by the department of**
50 **public safety, and report such data to the department on a monthly basis.**

51 (b) **All clearance rate data collected and reported pursuant to this section shall**
52 **be disaggregated by whether the offense was cleared by arrest or the offense was cleared**
53 **by exceptional means, as defined in section 650.040; document the year of the offense**
54 **and the demographic information of the victim; and detail the average duration per**
55 **office from the date of the offense to the date of clearance.**

56 4. Any law enforcement agency that violates this section after December 31, 2021,
57 may be ineligible to receive state or federal funds which would otherwise be paid to such
58 agency for law enforcement, safety or criminal justice purposes.

 43.546. 1. Any state agency, board, or commission may require the fingerprinting of
2 applicants in specified occupations or appointments within the state agency, board, or
3 commission for the purpose of positive identification and receiving criminal history record
4 information when determining an applicant's ability or fitness to serve in such occupation or
5 appointment.

6 2. In order to facilitate the criminal background check under subsection 1 of this
7 section on any person employed or appointed by a state agency, board, or commission, ~~[and in~~
8 ~~accordance with section 43.543,]~~ the applicant or employee shall submit a set of fingerprints
9 collected under the standards determined by the Missouri highway patrol. The fingerprints
10 and accompanying fees, unless otherwise arranged, shall be forwarded to the highway patrol
11 to be used to search the state criminal history repository and the fingerprints shall be
12 forwarded to the Federal Bureau of Investigation for a national criminal background check
13 under section 43.540. Notwithstanding the provisions of section 610.120 **to the contrary**, all
14 records related to any criminal history information discovered shall be accessible and
15 available to the state agency making the request.

 43.656. It is hereby found and declared that:

2 (1) With the widespread use of computers, the internet and electronic devices to
3 commit crimes and the critical lack of resources at state and local levels;

4 (2) Modern day criminals have learned to exploit the internet and electronic
5 communication to leverage computer technology to reach a virtually unlimited number of
6 victims while maintaining a maximum level of anonymity~~[-]~~. Computer crimes will continue
7 to mount, especially in, but not limited to, the areas of child ~~[pornography]~~ **sexual abuse**
8 **material** and sexual offenses involving children, consumer fraud and harassment;

9 (3) It is necessary for the protection of the citizens of this state that provisions be
10 made for the establishment of the Missouri regional computer forensics lab to prevent and
11 reduce computer, internet and other electronically based crimes.

**44.087. 1. The chief law enforcement executive for any law enforcement agency,
2 or such executive's designee, may request assistance from a law enforcement agency of
3 another jurisdiction, including a jurisdiction outside the state of Missouri but within the
4 United States.**

5 **2. If a law enforcement officer makes an arrest or apprehension outside such
6 officer's jurisdiction, the offender shall be delivered to the first available law
7 enforcement officer who is commissioned in the jurisdiction in which the arrest was
8 made. The officer making the initial arrest or apprehension shall assist in the**

9 preparation of any affidavits filed with the complaint or based on other evidence that
10 there is probable cause to believe that both a crime has been committed and the
11 defendant has committed such crime.

12 3. For the purpose of liability, workers' compensation, and any other
13 employment-related matter, law enforcement officers remain employees of their
14 respective law enforcement agency throughout any request for assistance. Qualified
15 immunity, sovereign immunity, official immunity, and the public duty rule shall apply to
16 the provisions of this section as interpreted by the federal and state courts of the
17 responding agency.

18 4. Nothing in this section shall be construed to limit the actions of law
19 enforcement officers or agencies conducted in accordance with section 44.095 or 44.098,
20 or any other mutual aid agreement made under this chapter.

21 5. The provisions of chapter 544 are applicable to any law enforcement officers
22 from jurisdictions located outside the state of Missouri, but within the United States,
23 who are acting pursuant to a request made under this section.

57.010. 1. At the general election to be held in 1948, and at each general election
2 held every four years thereafter, the voters in every county in this state shall elect some
3 suitable person sheriff. No person shall be eligible for the office of sheriff who has been
4 convicted of a felony. Such person shall be a resident taxpayer and elector of said county,
5 shall have resided in said county for more than one whole year next before filing for said
6 office and shall be a person capable of efficient law enforcement. When any person shall be
7 elected sheriff, such person shall enter upon the discharge of the duties of such person's office
8 as chief law enforcement officer of that county on the first day of January next succeeding
9 said election.

10 2. No person shall be eligible for the office of sheriff who does not hold a valid peace
11 officer license pursuant to chapter 590. Any person filing for the office of sheriff shall have a
12 valid peace officer license at the time of filing for office. This subsection shall not apply to
13 the sheriff of any county of the first classification with a charter form of government with a
14 population over nine hundred thousand or of any city not within a county.

15 3. The sheriff of any city not within a county shall be required to hold a valid
16 peace officer license pursuant to chapter 590 within two years of being elected as sheriff.

57.530. The sheriff of the City of St. Louis shall, with the approval of a majority of
2 the circuit judges of the circuit court of said city, appoint as many deputies and assistants as
3 may be necessary to perform the duties of his or her office~~[-and-]~~. The annual
4 compensation for sheriff's deputies shall be no less than fifty thousand dollars. The
5 sheriff shall fix the compensation for ~~[their services]~~ deputy assistants, which

6 compensation, however, shall not in any case exceed the annual rate of compensation fixed by
7 the board of aldermen of the City of St. Louis therefor.

67.2540. As used in sections 67.2540 to 67.2556, the following terms mean:

2 (1) "Adult cabaret", a nightclub, bar, restaurant, or similar establishment in which
3 persons regularly appear in a state of nudity, as defined in section 573.500, or seminudity in
4 the performance of their duties;

5 (2) "Employee", a person who is at least twenty-one years of age and who performs
6 any service on the premises of a sexually oriented business on a full-time, part-time, or
7 contract basis, whether or not the person is denominated an employee, independent
8 contractor, agent, or otherwise, and whether or not said person is paid a salary, wage, or other
9 compensation by the operator of said business. The term employee does not include a person
10 exclusively on the premises for repair or maintenance of the premises or equipment on the
11 premises, or for the delivery of goods to the premises;

12 (3) "Nudity" or a "state of nudity", the showing of the human male or female genitals,
13 pubic area, vulva, anus, anal cleft or anal cleavage with less than a fully opaque covering, the
14 showing of the female breast with less than a fully opaque covering of any part of the nipple,
15 or the showing of the covered male genitals in a discernibly turgid state;

16 (4) "Nuisance", any place in or upon which lewdness, assignation, or prostitution is
17 conducted, permitted, continued, or exists, or any place, in or upon which lewd, indecent,
18 lascivious, or obscene films, or films designed to be projected for exhibition, are
19 photographed, manufactured, developed, screened, exhibited, or otherwise prepared or
20 shown, and the personal property and contents used in conducting and maintaining any such
21 place for any such purpose. The provisions of this section shall not affect any newspaper,
22 magazine, or other publication entered as second class matter by the post office department;

23 (5) "Person", an individual, proprietorship, partnership, corporation, association, or
24 other legal entity;

25 (6) "Seminude" or in a "seminude condition", a state of dress in which opaque
26 clothing fails to cover the genitals, anus, anal cleft or cleavage, pubic area, vulva, nipple and
27 areola of the female breast below a horizontal line across the top of the areola at its highest
28 point. Seminudity shall include the entire lower portion of the female breast, but shall not
29 include any portion of the cleavage of the human female breast exhibited by wearing apparel
30 provided the areola is not exposed in whole or part;

31 (7) "Sexually oriented business", an adult cabaret or any business which offers its
32 patrons goods of which a substantial or significant portion are sexually oriented material. It
33 shall be presumed that a business that derives thirty percent or less of its revenue from
34 sexually oriented materials is presumed not to be a sexually oriented business. No building,

35 premises, structure, or other facility that contains any sexually oriented business shall contain
36 any other kind of sexually oriented business;

37 (8) "Sexually oriented materials", any pictorial or three-dimensional material, or film,
38 motion picture, DVD, video cassette, or similar photographic reproduction, that depicts
39 nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, as defined in section
40 573.010;

41 (9) "Specified criminal activity" includes the following offenses:

42 (a) Prostitution or promotion of prostitution; dissemination of obscenity; sale,
43 distribution, or display of harmful material to a minor; sexual performance by a child;
44 possession or distribution of child pornography **as it existed prior to August 28, 2025;**
45 **possession or distribution of child sexual abuse material;** public lewdness; indecent
46 exposure; indecency with a child; engaging in organized criminal activity; sexual assault;
47 molestation of a child; gambling prohibited under Missouri law; or distribution of a controlled
48 substance; or any similar offenses described in this subdivision under the criminal or penal
49 code of other states or countries;

50 (b) For which:

51 a. Less than two years have elapsed since the date of conviction or the date of release
52 from confinement imposed for the conviction, whichever is the later date, if the conviction is
53 of a misdemeanor offense;

54 b. Less than five years have elapsed since the date of conviction or the date of release
55 from confinement for the conviction, whichever is the later date, if the conviction is of a
56 felony offense; or

57 c. Less than five years have elapsed since the date of the last conviction or the date of
58 release from confinement for the last conviction, whichever is the later date, if the convictions
59 are of two or more misdemeanor offenses or combination of misdemeanor offenses occurring
60 within any twenty-four-month period;

61 (c) The fact that a conviction is being appealed shall not prevent a sexually oriented
62 business from being considered a nuisance and closed under section 67.2546;

63 (10) "Specified sexual activities" includes the following acts:

64 (a) The fondling or other erotic touching of human genitals, pubic region, buttocks,
65 anus, or female breasts;

66 (b) Sex acts, actual or simulated, including intercourse, oral copulation, masturbation,
67 or sodomy; or

68 (c) Excretory functions as part of or in connection with any of the activities set forth
69 in this subdivision.

160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

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

3 **(1) "Act of school violence" or "violent behavior", the same meaning as in**
4 **section 160.261;**

5 **(2) "Bullying" [means],** intimidation, unwanted aggressive behavior, or harassment
6 that is repetitive or is substantially likely to be repeated and causes a reasonable student to
7 fear for his or her physical safety or property; substantially interferes with the educational
8 performance, opportunities, or benefits of any student without exception; or substantially
9 disrupts the orderly operation of the school. Bullying may consist of physical actions,
10 including gestures, or oral, cyberbullying, electronic, or written communication, and any
11 threat of retaliation for reporting of such acts. Bullying of students is prohibited on school
12 property, at any school function, or on a school bus[-];

13 **(3) "Crime", any of the crimes listed in section 160.261;**

14 **(4) "Cyberbullying" [means],** bullying as defined in this subsection through the
15 transmission of a communication including, but not limited to, a message, text, sound, or
16 image by means of an electronic device including, but not limited to, a telephone, wireless
17 telephone, or other wireless communication device, computer, or pager.

18 3. Each **school** district's **and charter school's** antibullying policy shall be founded on
19 the assumption that all students need a safe learning environment. Policies shall treat all
20 students equally and shall not contain specific lists of protected classes of students who are to
21 receive special treatment. Policies may include age-appropriate differences for schools based
22 on the grade levels at the school. Each such policy shall contain a statement of the
23 consequences of bullying.

24 4. Each **school** district's **and charter school's** antibullying policy shall be included in
25 the student handbook and shall require, at a minimum, the following components:

26 (1) A statement prohibiting bullying, defined no less inclusively than in subsection 2
27 of this section;

28 (2) A statement requiring **school** district **or charter school** employees to report any
29 instance of bullying of which the employee has firsthand knowledge. The policy shall require
30 a **school** district **or charter school** employee who witnesses an incident of bullying to report
31 the incident to the **school** district's **or charter school's** designated individual at the school
32 within [~~two~~] **one** school [~~days~~] **day** of the employee witnessing the incident;

33 (3) **A statement relating to pupils who engage in self-defense that the school**
34 **district or charter school administration, when determining disciplinary action for a**
35 **pupil who has committed an act of school violence or exhibited violent behavior, will**
36 **take into account if such act of school violence or violent behavior was committed in self-**
37 **defense as an immediate response to an act of school violence or violent behavior**
38 **committed against such pupil;**

39 **(4)** A procedure for reporting an act of bullying. The policy shall also include a
40 statement requiring that the **school district or charter school** designate an individual at each
41 school **building** in the district **and charter school** to receive reports of incidents of bullying.
42 Such individual shall be a **school district or charter school** employee who is teacher level
43 staff or above;

44 ~~[(4)]~~ **(5)** A procedure for prompt investigation of reports of violations and complaints,
45 identifying one or more employees responsible for the investigation including, at a minimum,
46 the following requirements:

47 (a) Within two school days of a report of an incident of bullying being received, the
48 school principal, or his or her designee, shall initiate an investigation of the incident **and**
49 **ensure that the report is reduced to writing;**

50 (b) The school principal may appoint other school staff to assist with the
51 investigation; ~~and]~~

52 (c) The investigation shall be completed within ten school days from the date ~~[of the~~
53 ~~written report]~~ **the investigation is initiated under paragraph (a) of this subdivision** unless
54 good cause exists to extend the investigation; **and**

55 **(d) A written report shall be prepared that contains the results of the**
56 **investigation and any response including, but not limited to, a description of any**
57 **interventions, initiatives, techniques, or discipline provided to all involved individuals of**
58 **the incident. The school district or charter school may develop a standardized form to**
59 **use for such written report;**

60 ~~[(5)]~~ **(6)** A procedure for the response to any investigation that finds an act of
61 **bullying occurred. The policy shall, at a minimum, require notification of the parents or**
62 **guardians of the bullied student and of the bullying student, and, if such bullying meets**
63 **the elements of harassment in the second degree under section 565.091, referral to law**
64 **enforcement agencies or to the children's division rather than law enforcement if the**
65 **bullying student is under eleven years of age;**

66 **(7)** A statement that prohibits reprisal or retaliation against any person who reports an
67 act of bullying and the consequence and appropriate remedial action for a person who
68 engages in reprisal or retaliation;

69 ~~[(6)]~~ **(8)** A statement of how the policy is to be publicized; and

70 ~~[(7)]~~ **(9)** A process for discussing the district's antibullying policy with students and
71 training school employees and volunteers who have ~~[significant]~~ contact with students in the
72 requirements of the policy, including, at a minimum, the following statements:

73 (a) The school district **or charter school** shall provide information and appropriate
74 training to the school district **or charter school** staff who have ~~[significant]~~ contact with
75 students regarding the policy **including, but not limited to, training on the appropriate**

76 **interventions staff may take and the associated liability for action or inaction including,**
77 **but not limited to, failure to report incidents;**

78 (b) The school district **or charter school** shall give annual notice of the policy to
79 students, parents or guardians, and staff;

80 (c) The school district **or charter school** shall provide education and information to
81 students regarding bullying, including information regarding the school district **or charter**
82 **school** policy prohibiting bullying, the harmful effects of bullying, and other applicable
83 initiatives to address bullying, including student peer-to-peer initiatives to provide
84 accountability and policy enforcement for those found to have engaged in bullying,
85 reprisal, or retaliation against any person who reports an act of bullying;

86 (d) The administration of the school district **or charter school** shall instruct its school
87 counselors, school social workers, licensed social workers, mental health professionals, and
88 school psychologists to educate students who are victims of bullying **and students**
89 **committing acts of bullying** on techniques for students to overcome bullying's negative
90 effects. Such techniques shall include, but not be limited to, cultivating the student's self-
91 worth and self-esteem; teaching the student to defend himself or herself assertively and
92 effectively; helping the student develop social skills; or encouraging the student to develop an
93 internal locus of control. The provisions of this paragraph shall not be construed to contradict
94 or limit any other provision of this section; and

95 (e) The administration of the school district **or charter school** shall implement
96 programs and other initiatives to address bullying, to respond to such conduct in a manner
97 that does not stigmatize the victim, and to make resources or referrals available to victims of
98 bullying **and students committing acts of bullying.**

99 5. Notwithstanding any other provision of law to the contrary, any school district **or**
100 **charter school** shall have jurisdiction to prohibit cyberbullying that originates on a school's
101 campus or at a district activity if the electronic communication was made using the school's
102 technological resources, if there is a sufficient nexus to the educational environment, or if the
103 electronic communication was made on the school's campus or at a **school district or charter**
104 **school** activity using the student's own personal technological resources. The school district
105 **or charter school** may discipline any student for such cyberbullying to the greatest extent
106 allowed by law.

107 6. Each **school district and charter school** shall review its antibullying policy and
108 revise it as needed. The **school district's school board or charter school's governing board**
109 shall receive input from school personnel, students, and administrators when reviewing and
110 revising the policy.

111 7. (1) **The administration of each school district and charter school shall report**
112 **to the school board or governing board all acts of bullying, acts of school violence or**

113 violent behavior, and crimes that occurred in between board meetings and the discipline
114 of any pupil who committed such acts. Such report shall be submitted monthly and
115 shall be formatted to clearly describe each such incident.

116 (2) The school board or governing board shall review such monthly report in a
117 closed meeting under chapter 610.

118 8. (1) A school district or charter school employee or volunteer may, in the
119 course of fulfilling duties or performing services for such school district or charter
120 school, intervene in an incident involving an act of bullying, act of school violence or
121 violent behavior, or crime committed against a pupil to protect such pupil.

122 (2) Such school district or charter school employee or volunteer shall be held
123 harmless and immune from any liability for actions described in subdivision (1) of this
124 subsection if:

125 (a) In the course of intervening in such incident, such employee or volunteer
126 follows a proper procedure for such interventions adopted by the school board of such
127 school district or the charter school's governing board; or

128 (b) Such employee or volunteer intervenes in good faith and in a manner that
129 such employee or volunteer reasonably believes is afforded the defense of justification
130 under chapter 563.

131 9. (1) A school district or charter school, or an employee of such district or
132 charter school, that in good faith imposes disciplinary action under this section upon a
133 bullying student shall not be civilly liable for such disciplinary action.

134 (2) If a school district or charter school, or an employee of such district or
135 charter school, prevails in an action brought against such school district, charter school,
136 or employee described in subdivision (1) of this subsection, the court shall award court
137 costs and attorney's fees to such prevailing school district, charter school, or employee.

138 10. (1) This section shall not be construed to provide immunity from liability for
139 a school district's or charter school's denial, or the denial by an employee of such
140 district or charter school, of any constitutionally protected right of a student.

141 (2) Subdivision (1) of this subsection shall not be construed to limit any
142 immunities or defenses available under state or federal law to a school district, a charter
143 school, or employees or volunteers of such school district or charter school.

144 11. (1) For the purposes of reporting requirements under section 210.115,
145 incidents of bullying, acts of school violence or violent behavior, or crime may be
146 considered abuse.

147 (2) No provision of this section shall be construed to preclude any person from
148 reporting such abuse and such person shall be afforded the same protections provided

149 under sections 210.135 and 210.145 for reports of abuse in compliance with section
150 210.115.

151 12. No charter school shall expel or transfer a student to a school district solely
152 due to reports of bullying made against such student.

168.014. 1. The state board of education may require that fingerprint
2 submissions be made as part of an application seeking a certificate of license to teach or
3 substitute teach in public schools, as provided in sections 168.011, 168.021, and 168.036
4 and as required by section 168.133.

5 2. If the state board of education requires that fingerprint submissions be made
6 as part of such application, the state board of education shall require applicants to
7 submit the fingerprints to the Missouri state highway patrol for the purpose of
8 conducting a state and federal fingerprint-based criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the state board of education of any criminal history
14 record information or lack of criminal history record information discovered on the
15 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
16 records related to any criminal history information discovered shall be accessible and
17 available to the state board of education.

168.071. 1. The state board of education may refuse to issue or renew a certificate, or
2 may, upon hearing, discipline the holder of a certificate of license to teach for the following
3 causes:

4 (1) A certificate holder or applicant for a certificate has pleaded to or been found
5 guilty of a felony or crime involving moral turpitude under the laws of this state, any other
6 state, of the United States, or any other country, whether or not sentence is imposed;

7 (2) The certification was obtained through use of fraud, deception, misrepresentation
8 or bribery;

9 (3) There is evidence of incompetence, immorality, or neglect of duty by the
10 certificate holder;

11 (4) A certificate holder has been subject to disciplinary action relating to certification
12 issued by another state, territory, federal agency, or country upon grounds for which discipline
13 is authorized in this section; or

14 (5) If charges are filed by the local board of education, based upon the annulling of a
15 written contract with the local board of education, for reasons other than election to the

16 general assembly, without the consent of the majority of the members of the board that is a
17 party to the contract.

18 2. A public school district may file charges seeking the discipline of a holder of a
19 certificate of license to teach based upon any cause or combination of causes outlined in
20 subsection 1 of this section, including annulment of a written contract. Charges shall be in
21 writing, specify the basis for the charges, and be signed by the chief administrative officer of
22 the district, or by the president of the board of education as authorized by a majority of the
23 board of education. The board of education may also petition the office of the attorney
24 general to file charges on behalf of the school district for any cause other than annulment of
25 contract, with acceptance of the petition at the discretion of the attorney general.

26 3. The department of elementary and secondary education may file charges seeking
27 the discipline of a holder of a certificate of license to teach based upon any cause or
28 combination of causes outlined in subsection 1 of this section, other than annulment of
29 contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal
30 counsel representing the department of elementary and secondary education.

31 4. If the underlying conduct or actions which are the basis for charges filed pursuant
32 to this section are also the subject of a pending criminal charge against the person holding
33 such certificate, the certificate holder may request, in writing, a delayed hearing on advice of
34 counsel under the fifth amendment of the Constitution of the United States. Based upon such
35 a request, no hearing shall be held until after a trial has been completed on this criminal
36 charge.

37 5. The certificate holder shall be given not less than thirty days' notice of any hearing
38 held pursuant to this section.

39 6. Other provisions of this section notwithstanding, the certificate of license to teach
40 shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the
41 certificate holder or applicant has been found guilty of any of the following offenses
42 established pursuant to Missouri law or offenses of a similar nature established under the laws
43 of Missouri prior to January 1, 2017, any other state or of the United States, or any other
44 country, whether or not the sentence is imposed:

45 (1) Any dangerous felony as defined in section 556.061, or murder in the first degree
46 under section 565.020;

47 (2) Any of the following sexual offenses: rape in the first degree under section
48 566.030; forcible rape; rape; statutory rape in the first degree under section 566.032; statutory
49 rape in the second degree under section 566.034; rape in the second degree under section
50 566.031; sexual assault under section 566.040 as it existed prior to August 28, 2013; sodomy
51 in the first degree under section 566.060; forcible sodomy under section 566.060 as it existed
52 prior to August 28, 2013; sodomy as it existed prior to January 1, 1995; statutory sodomy in

53 the first degree under section 566.062; statutory sodomy in the second degree under section
54 566.064; child molestation in the first degree; child molestation in the second degree; child
55 molestation in the third degree under section 566.069; child molestation in the fourth degree
56 under section 566.071; sodomy in the second degree under section 566.061; deviate sexual
57 assault under section 566.070 as it existed prior to August 28, 2013; sexual misconduct
58 involving a child under section 566.083; sexual contact with a student under section 566.086;
59 sexual misconduct in the first degree under section 566.093; sexual misconduct in the first
60 degree under section 566.090 as it existed prior to August 28, 2013; sexual misconduct in the
61 second degree under section 566.095; sexual misconduct in the second degree under section
62 566.093 as it existed prior to August 28, 2013; sexual misconduct in the third degree under
63 section 566.095 as it existed prior to August 28, 2013; sexual abuse in the first degree under
64 section 566.100; sexual abuse under section 566.100 as it existed prior to August 28, 2013;
65 sexual abuse in the second degree under section 566.101; enticement of a child under section
66 566.151; or attempting to entice a child;

67 (3) Any of the following offenses against the family and related offenses: incest
68 under section 568.020; abandonment of child in the first degree under section 568.030;
69 abandonment of child in the second degree under section 568.032; endangering the welfare of
70 a child in the first degree under section 568.045; abuse of a child under section 568.060; child
71 used in a sexual performance; promoting sexual performance by a child; or trafficking in
72 children under section 568.175; and

73 (4) Any of the following offenses involving child pornography **as it existed prior to**
74 **August 28, 2025, or child sexual abuse material** and related offenses: promoting obscenity
75 in the first degree under section 573.020; promoting pornography for minors or obscenity in
76 the second degree when the penalty is enhanced to a class E felony under section 573.030;
77 promoting child pornography in the first degree under section 573.025 **as it existed prior to**
78 **August 28, 2025; promoting child sexual abuse material in the first degree under section**
79 **573.025; promoting child pornography in the second degree under section 573.035 as it**
80 **existed prior to August 28, 2025; promoting child sexual abuse material in the second**
81 **degree under section 573.035; possession of child pornography under section 573.037 as it**
82 **existed prior to August 28, 2025; possession of child sexual abuse material under section**
83 **573.037; furnishing pornographic materials to minors under section 573.040; or coercing**
84 **acceptance of obscene material under section 573.065.**

85 7. When a certificate holder is found guilty of any offense that would authorize the
86 state board of education to seek discipline against that holder's certificate of license to teach,
87 the local board of education or the department of elementary and secondary education shall
88 immediately provide written notice to the state board of education and the attorney general
89 regarding the finding of guilt.

90 8. The certificate holder whose certificate was revoked pursuant to subsection 6 of
91 this section may appeal such revocation to the state board of education. Notice of this appeal
92 must be received by the commissioner of education within ninety days of notice of revocation
93 pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the
94 intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate
95 holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the
96 commissioner of education, with the final decision made by the state board of education,
97 based upon the record of that hearing. The certificate holder shall be given not less than thirty
98 days' notice of the hearing, and an opportunity to be heard by the hearing officer, together
99 with witnesses.

100 9. In the case of any certificate holder who has surrendered or failed to renew his or
101 her certificate of license to teach, the state board of education may refuse to issue or renew, or
102 may suspend or revoke, such certificate for any of the reasons contained in this section.

103 10. In those cases where the charges filed pursuant to this section are based upon an
104 allegation of misconduct involving a minor child, the hearing officer may accept into the
105 record the sworn testimony of the minor child relating to the misconduct received in any court
106 or administrative hearing.

107 11. Hearings, appeals or other matters involving certificate holders, licensees or
108 applicants pursuant to this section may be informally resolved by consent agreement or
109 agreed settlement or voluntary surrender of the certificate of license pursuant to the rules
110 promulgated by the state board of education.

111 12. The final decision of the state board of education is subject to judicial review
112 pursuant to sections 536.100 to 536.140.

113 13. A certificate of license to teach to an individual who has been convicted of a
114 felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued
115 only upon motion of the state board of education adopted by a unanimous affirmative vote of
116 those members present and voting.

 190.098. 1. **As used in this section, the term "community paramedic services"**
2 **means services that are:**

3 **(1) Provided by any entity that:**

4 **(a) Employs licensed paramedics who are certified as community paramedics by**
5 **the department; and**

6 **(b) Has received an endorsement by the department as a community paramedic**
7 **service entity;**

8 **(2) Provided in a nonemergent setting, independent of a 911 system or**
9 **emergency summons;**

10 **(3) Consistent with the training and education, as well as within the scope of skill**
11 **and practice, of the personnel and with the supervisory standard approved by the**
12 **medical director; and**

13 **(4) Reflected and documented in the entity's patient care plans or protocols**
14 **approved by the medical director in accordance with section 190.142.**

15 **2.** In order for a person to be eligible for certification by the department as a
16 community paramedic, an individual shall:

17 (1) Be currently ~~[certified]~~ **licensed** as a paramedic;

18 (2) Successfully complete or have successfully completed a community paramedic
19 certification program from a college, university, or educational institution that has been
20 approved by the department or accredited by a national accreditation organization approved
21 by the department; and

22 (3) Complete an application form approved by the department.

23 ~~[2-]~~ **3.** A community paramedic shall practice in accordance with protocols and
24 supervisory standards established by the medical director. A community paramedic shall
25 provide services of a health care plan if the plan has been developed by the patient's physician
26 or by an advanced practice registered nurse through a collaborative practice arrangement with
27 a physician or a physician assistant through a collaborative practice arrangement with a
28 physician and there is no duplication of services to the patient from another provider.

29 ~~[3. Any ambulance service shall enter into a written contract to provide community~~
30 ~~paramedic services in another ambulance service area, as that term is defined in section~~
31 ~~190.100. The contract that is agreed upon may be for an indefinite period of time, as long as~~
32 ~~it includes at least a sixty-day cancellation notice by either ambulance service]~~

33 **4. (1) Any ambulance service that seeks to provide community paramedic services outside of its**
34 **ambulance service area, as described in section 190.105 and administered by the**
35 **department, and in the service area of another ambulance service that currently**
36 **provides community paramedic services shall be required to have a memorandum of**
37 **understanding with that ambulance service regarding the provision of such community**
38 **paramedic services. An ambulance service that provides community paramedic services**
39 **may provide community paramedic services without a memorandum of understanding**
40 **in the ambulance service area of an ambulance service that is not providing community**
41 **paramedic services, but the ambulance service providing community paramedic**
42 **services shall provide notification to the ambulance service with emergency service**
43 **responsibilities in the service area of the general community paramedic activities being**
44 **performed.**

45 **(2) Any emergency medical response agency seeking to provide community**
46 **paramedic services within its designated response service area may do so if the ground**

47 ambulance service covering the area within which the emergency medical response
48 agency is located does not provide community paramedic services. If such ground
49 ambulance service does provide community paramedic services, the ground ambulance
50 service may establish, at its sole discretion, a memorandum of understanding with the
51 emergency medical response agency planning to offer community paramedic services in
52 order to coordinate programs and avoid service duplication. If an emergency medical
53 response agency is providing community paramedic services in a service area before the
54 ground ambulance service in that service area begins offering community paramedic
55 services, the emergency medical response agency and the ground ambulance service
56 shall establish a memorandum of understanding for the coordination of services.

57 (3) A community paramedic program shall notify the appropriate local
58 ambulance service when providing services within the service area of an ambulance
59 service.

60 (4) The department shall establish regulations for the purpose of recognizing
61 community paramedic service entities that have met the standards necessary to provide
62 community paramedic services, including physician medical oversight, training, patient
63 record keeping, formal relationships with primary care services where necessary, and
64 quality improvement policies. The department shall issue an endorsement to any
65 community paramedic service entity that meets such standards that allows the entity to
66 provide community paramedic services for a period of five years.

67 [4-] 5. A community paramedic is subject to the provisions of sections 190.001 to
68 190.245 and rules promulgated under sections 190.001 to 190.245.

69 [5-] 6. No person shall hold himself or herself out as a community paramedic or
70 provide the services of a community paramedic unless such person is certified by the
71 department.

72 [6-] 7. The medical director shall approve the implementation of the community
73 paramedic program.

74 [7-] 8. Any rule or portion of a rule, as that term is defined in section 536.010, that is
75 created under the authority delegated in this section shall become effective only if it complies
76 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
77 This section and chapter 536 are nonseverable and if any of the powers vested with the
78 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
79 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
80 rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid
81 and void.

190.101. 1. There is hereby established a "State Advisory Council on Emergency
2 Medical Services" which shall consist of [sixteen] **no fewer than thirteen** members[~~one of~~

3 ~~which shall be a resident of a city not within a county].~~ The members of the council shall be
4 appointed ~~[by the governor with the advice and consent of the senate and]~~ **as follows:**

5 **(1) One member with a background in mobile integrated health care and**
6 **community paramedicine shall be appointed by the director of the department of health**
7 **and senior services from the recommendations described in subdivision (4) of this**
8 **subsection;**

9 **(2) One member shall be appointed by each regional EMS advisory committee;**

10 **(3) One member, who shall be a member of the time-critical diagnosis advisory**
11 **committee, shall be appointed by the time-critical diagnosis advisory committee; and**

12 **(4) All other members shall be appointed by the director of the department of**
13 **health and senior services from recommendations provided by:**

14 **(a) A statewide professional association representing ambulance service**
15 **managers;**

16 **(b) A statewide professional association representing emergency medical**
17 **technicians and paramedics;**

18 **(c) A statewide professional association representing ambulance districts;**

19 **(d) A statewide professional association representing fire chiefs;**

20 **(e) A statewide professional association representing fire protection districts;**

21 **(f) A statewide professional association representing firefighters;**

22 **(g) A statewide professional association representing emergency nurses;**

23 **(h) A statewide professional association representing the air ambulance**
24 **industry;**

25 **(i) A statewide professional association representing emergency medical services**
26 **physicians;**

27 **(j) A statewide association representing hospitals; and**

28 **(k) A statewide association representing pediatric emergency professionals.**

29 **2. The members of the council shall serve terms of four years. The [governor]**
30 **council shall [designate] annually elect one of [the] its members as chairperson and may**
31 **elect other officers as deemed necessary. The chairperson may appoint subcommittees that**
32 **include noncouncil members.**

33 ~~[2-]~~ **3. The state EMS medical directors advisory committee and the regional EMS**
34 **advisory committees will be recognized as subcommittees of the state advisory council on**
35 **emergency medical services.**

36 ~~[3-]~~ **4. The council shall have geographical representation and representation from**
37 **appropriate areas of expertise in emergency medical services including volunteers,**
38 **professional organizations involved in emergency medical services, EMT's, paramedics,**
39 **nurses, firefighters, physicians, ambulance service administrators, hospital administrators and**

40 other health care providers concerned with emergency medical services. ~~[The regional EMS~~
41 ~~advisory committees shall serve as a resource for the identification of potential members of~~
42 ~~the state advisory council on emergency medical services.~~

43 ~~4.]~~ 5. The state EMS medical director, as described under section 190.103, shall serve
44 as an ex officio member of the council.

45 ~~[5.]~~ 6. The members of the council and subcommittees shall serve without
46 compensation except that members of the council shall, subject to appropriations, be
47 reimbursed for reasonable travel expenses and meeting expenses related to the functions of
48 the council.

49 ~~[6.]~~ 7. The purpose of the council is to make recommendations to the governor, the
50 general assembly, and the department on policies, plans, procedures and proposed regulations
51 on how to improve the statewide emergency medical services system. The council shall
52 advise the governor, the general assembly, and the department on all aspects of the emergency
53 medical services system.

54 ~~[7.]~~ 8. (1) There is hereby established a standing subcommittee of the council to
55 monitor the implementation of the recognition of the EMS personnel licensure interstate
56 compact under sections 190.900 to 190.939, the interstate commission for EMS personnel
57 practice, and the involvement of the state of Missouri. The subcommittee shall meet at least
58 biannually and receive reports from the Missouri delegate to the interstate commission for
59 EMS personnel practice. The subcommittee shall consist of at least seven members appointed
60 by the chair of the council, to include at least two members as recommended by the Missouri
61 state council of firefighters and one member as recommended by the Missouri Association of
62 Fire Chiefs. The subcommittee may submit reports and recommendations to the council, the
63 department of health and senior services, the general assembly, and the governor regarding
64 the participation of Missouri with the recognition of the EMS personnel licensure interstate
65 compact.

66 (2) The subcommittee shall formally request a public hearing for any rule proposed
67 by the interstate commission for EMS personnel practice in accordance with subsection 7 of
68 section 190.930. The hearing request shall include the request that the hearing be presented
69 live through the internet. The Missouri delegate to the interstate commission for EMS
70 personnel practice shall be responsible for ensuring that all hearings, notices of, and related
71 rulemaking communications as required by the compact be communicated to the council and
72 emergency medical services personnel under the provisions of subsections 4, 5, 6, and 8 of
73 section 190.930.

74 (3) The department of health and senior services shall not establish or increase fees
75 for Missouri emergency medical services personnel licensure in accordance with this chapter

76 for the purpose of creating the funds necessary for payment of an annual assessment under
77 subdivision (3) of subsection 5 of section 190.924.

78 [8:] 9. The council shall consult with the time-critical diagnosis advisory committee,
79 as described under section 190.257, regarding time-critical diagnosis.

190.106. 1. The department of health and senior services may require that
2 fingerprint submissions be made as part of an application seeking licensure as an
3 emergency medical technician or "EMT", an advanced emergency medical technician
4 or "AEMT", or a paramedic, and an application seeking certification as an emergency
5 medical technician-community paramedic or "EMT-CP", as such terms are defined in
6 section 190.100.

7 2. If the department of health and senior services requires that fingerprint
8 submissions be made as part of such application, the department of health and senior
9 services shall require applicants to submit the fingerprints to the Missouri state highway
10 patrol for the purpose of conducting a state and federal fingerprint-based criminal
11 history background check.

12 3. The fingerprints and any required fees shall be sent to the Missouri state
13 highway patrol's central repository. The fingerprints shall be used for searching the
14 state criminal records repository and shall also be forwarded to the Federal Bureau of
15 Investigation for a federal criminal records search under section 43.540. The Missouri
16 state highway patrol shall notify the department of health and senior services of any
17 criminal history record information or lack of criminal history record information
18 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
19 contrary, all records related to any criminal history information discovered shall be
20 accessible and available to the department of health and senior services.

196.1170. 1. This section shall be known and may be cited as the "Kratom
2 Consumer Protection Act".

3 2. As used in this section, the following terms mean:

4 (1) "Dealer", a person who sells, prepares, or maintains kratom or advertises,
5 represents, or holds oneself out as selling, preparing, or maintaining kratom. Such
6 person may include, but not be limited to, a manufacturer, wholesaler, store, restaurant,
7 hotel, catering facility, camp, bakery, delicatessen, supermarket, grocery store,
8 convenience store, nursing home, or food or drink company;

9 (2) "Kratom", any good placed in the marketplace containing any part of the
10 leaf of the plant *Mitragyna speciosa*.

11 3. A dealer who prepares, distributes, sells, or exposes for sale kratom including,
12 but not limited to, kratom intended for human consumption, shall disclose the factual
13 basis upon which that representation is made.

14 **4. A dealer shall not prepare, distribute, sell, or expose for sale any of the**
15 **following:**

16 **(1) Kratom that is adulterated with a dangerous nonkratom substance. Kratom**
17 **shall be considered to be adulterated with a dangerous nonkratom substance if the**
18 **kratom is mixed or packed with a nonkratom substance and that substance affects the**
19 **quality or strength of the kratom to such a degree as to render the kratom injurious to a**
20 **consumer;**

21 **(2) Kratom that is contaminated with a dangerous nonkratom substance.**
22 **Kratom shall be considered to be contaminated with a dangerous nonkratom substance**
23 **if the kratom contains a poisonous or otherwise deleterious nonkratom ingredient**
24 **including, but not limited to, any substance listed in section 195.017;**

25 **(3) Any product marketed or sold as kratom that contains a level of 7-**
26 **hydroxymitragynine in the alkaloid fraction that is greater than two percent of the**
27 **alkaloid composition contained therein;**

28 **(4) Kratom containing fully any synthetic alkaloids, including synthetic**
29 **mitragynine, synthetic 7-hydroxymitragynine, or any other fully synthetically derived**
30 **compounds of the plant *Mitragyna speciosa*;**

31 **(5) Kratom that does not include on its package or label the amount of**
32 **mitragynine and 7-hydroxymitragynine contained therein; or**

33 **(6) Synthetic analogs, derivatives, or mimetics of naturally occurring indole**
34 **alkaloids found specifically in the genus *Mitragyna* or other closely related genera**
35 **within the Rubiaceae family, excluding commonly consumed xanthine alkaloids such as**
36 **caffeine.**

37 **5. A dealer shall not distribute, sell, or expose for sale kratom to an individual**
38 **under twenty-one years of age.**

39 **6. (1) A dealer who violates subsection 3 of this section shall be guilty of an**
40 **infraction.**

41 **(2) A dealer who violates subsection 4 or 5 of this section shall be guilty of a class**
42 **D misdemeanor.**

43 **(3) A person aggrieved by a violation of subsection 3 or 4 of this section may, in**
44 **addition to and distinct from any other remedy at law or in equity, bring a private cause**
45 **of action in a court of competent jurisdiction for damages resulting from that violation**
46 **including, but not limited to, economic, noneconomic, and consequential damages.**

47 **(4) A dealer does not violate subsection 3 or 4 of this section if a preponderance**
48 **of the evidence shows that the dealer relied in good faith upon the representations of a**
49 **manufacturer, processor, packer, or distributor represented to be kratom.**

208.222. 1. The Missouri Medicaid audit and compliance unit within the department of social services may require that fingerprint submissions be made as part of an application seeking to be licensed as a MO HealthNet provider for the purpose of providing MO HealthNet services to eligible persons and obtaining from the department of social services or its divisions reimbursement for eligible services.

2. If the Missouri Medicaid audit and compliance unit within the department of social services requires that fingerprint submissions be made as part of such application, the Missouri Medicaid audit and compliance unit within the department of social services shall require applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the Missouri Medicaid audit and compliance unit within the department of social services of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the Missouri Medicaid audit and compliance unit within the department of social services.

4. For purposes of this section, the following terms mean:

(1) "MO HealthNet provider", an individual or business that enters into a contractor provider agreement with the department of social services or its divisions for the purpose of providing services to eligible persons and obtaining from the department of social services or its divisions reimbursement for such services;

(2) "MO HealthNet services", medical services defined and determined by the department of social services or listed specifically in section 208.152 in which eligible persons receive as part of their Missouri Medicaid coverage.

209.324. 1. The state committee of interpreters may require that fingerprint submissions be made as part of an application seeking licensure as an interpreter, as such term is defined in section 209.285, and temporary interpreter, as provided in section 209.326.

2. If the state committee of interpreters requires that fingerprint submissions be made as part of such application, the state committee of interpreters shall require applicants to submit the fingerprints to the Missouri state highway patrol for the

8 **purpose of conducting a state and federal fingerprint-based criminal history**
9 **background check.**

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**
11 **highway patrol's central repository. The fingerprints shall be used for searching the**
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**
14 **state highway patrol shall notify the committee of any criminal history record**
15 **information or lack of criminal history record information discovered on the individual.**
16 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
17 **any criminal history information discovered shall be accessible and available to the**
18 **committee.**

210.482. 1. If the emergency placement of a child in a private home is necessary due
2 to the unexpected absence of the child's parents, legal guardian, or custodian, the juvenile
3 court or children's division **of the department of social services:**

4 (1) May request that a local or state law enforcement agency or juvenile officer[;
5 ~~subject to any required federal authorization;~~] immediately conduct a name-based criminal
6 history record check to include full orders of protection and outstanding warrants of each
7 person over the age of ~~[seventeen]~~ **eighteen** residing in the home by using the Missouri
8 uniform law enforcement system (MULES) and the National Crime Information Center to
9 access the Interstate Identification Index **(III)** maintained by the Federal Bureau of
10 Investigation; and

11 (2) Shall determine or, in the case of the juvenile court, shall request the division to
12 determine whether any person over the age of ~~[seventeen]~~ **eighteen** years residing in the
13 home is listed on the child abuse and neglect registry. For any children less than ~~[seventeen]~~
14 **eighteen** years of age residing in the home, the children's division shall inquire of the person
15 with whom an emergency placement of a child will be made whether any children less than
16 ~~[seventeen]~~ **eighteen** years of age residing in the home have ever been certified as an adult
17 and convicted of or pled guilty or nolo contendere to any crime.

18 2. If a name-based search has been conducted pursuant to subsection 1 of this section,
19 within fifteen calendar days **of the Interstate Identification Index (III) name-based check,**
20 after the emergency placement of the child in the private home, and if the private home has
21 not previously been approved as a foster or adoptive home, all persons over the age of
22 ~~[seventeen]~~ **eighteen** residing in the home and all children less than ~~[seventeen]~~ **eighteen**
23 residing in the home who the **children's** division has determined have been certified as an
24 adult for the commission of a crime shall ~~[report to a local law enforcement agency for the~~
25 ~~purpose of providing fingerprints and accompanying fees]~~ **be fingerprinted,** pursuant to
26 sections 43.530 and 43.540. **The fingerprints shall be used for searching the state**

27 **criminal records repository and shall also be forwarded to the Federal Bureau of**
28 **Investigation for a federal criminal records search under section 43.540.** Results of the
29 checks shall be provided to the juvenile court or children's division office requesting such
30 information. Any child placed in emergency placement in a private home shall be removed
31 immediately if any person residing in the home fails to provide fingerprints after being
32 requested to do so, unless the person refusing to provide fingerprints ceases to reside in the
33 private home.

34 3. If the placement of a child is denied as a result of a name-based criminal history
35 check and the denial is contested, all persons over the age of ~~[seventeen]~~ **eighteen** residing in
36 the home and all children less than ~~[seventeen]~~ **eighteen** years of age residing in the home
37 who the **children's** division has determined have been certified as an adult for the
38 commission of a crime shall, within fifteen calendar days **of conducting the Interstate**
39 **Identification Index (III) name-based check**, submit ~~[to the juvenile court or the children's~~
40 ~~division]~~ fingerprints **and any required fees**, in the same manner described in subsection 2 of
41 this section~~], accompanying fees, and written permission authorizing the juvenile court or the~~
42 ~~children's division to forward the fingerprints to the state criminal record repository for~~
43 ~~submission to the Federal Bureau of Investigation.~~

44 4. ~~No person who submits fingerprints under this section shall be required to submit~~
45 ~~additional fingerprints under this section or section 210.487 unless the original fingerprints~~
46 ~~retained by the division are lost or destroyed].~~

47 ~~[5.]~~ 4. Subject to appropriation, the total cost of fingerprinting required by this section
48 may be paid by the state, including reimbursement of persons incurring fingerprinting costs
49 under this section.

50 ~~[6.]~~ 5. For the purposes of this section, "emergency placement" refers to those limited
51 instances when the juvenile court or children's division is placing a child in the home of
52 private individuals, including neighbors, friends, or relatives, as a result of a sudden
53 unavailability of the child's primary caretaker.

210.487. 1. **The children's division of the department of social services may**
2 **require fingerprint submissions to the Missouri state highway patrol for the purpose of**
3 **conducting a state and federal fingerprint-based criminal background check.** When
4 conducting investigations of persons for the purpose of foster parent licensing, the **children's**
5 division shall:

6 (1) Conduct a search for all persons over the age of ~~[seventeen]~~ **eighteen** in the
7 applicant's household and for any child less than ~~[seventeen]~~ **eighteen** years of age residing in
8 the applicant's home who the division has determined has been certified as an adult for the
9 commission of a crime for evidence of full orders of protection. The office of state courts
10 administrator shall allow access to the automated court information system by the division.

11 The clerk of each court contacted by the division shall provide the division information within
12 ten days of a request;

13 (2) Obtain fingerprints for any person over the age of ~~[seventeen]~~ **eighteen** in the
14 applicant's household and for any child less than ~~[seventeen]~~ **eighteen** years of age residing in
15 the applicant's home who the division has determined has been certified as an adult for the
16 commission of a crime ~~[in the same manner set forth in subsection 2 of section 210.482]~~. **The**
17 **fingerprints and any required fees shall be sent to the Missouri state highway patrol's**
18 **central repository. The fingerprints shall be used for searching the state criminal**
19 **records repository and shall also be forwarded to the Federal Bureau of Investigation**
20 **for a federal criminal records search under section 43.540. The Missouri state highway**
21 **patrol shall notify the juvenile court or the division of any criminal history record**
22 **information or lack of criminal history record information discovered on the individual.**
23 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
24 **any criminal history information discovered shall be accessible and available to the**
25 **juvenile court or the division.** The highway patrol shall assist the division and provide the
26 criminal fingerprint background information, upon request, under and in accordance with the
27 provisions of section 43.540; and

28 (3) Determine whether any person over the age of ~~[seventeen]~~ **eighteen** residing in
29 the home and any child less than ~~[seventeen]~~ **eighteen** years of age residing in the applicant's
30 home who the division has determined has been certified as an adult for the commission of a
31 crime is listed on the child abuse and neglect registry. For any children less than ~~[seventeen]~~
32 **eighteen** years of age residing in the applicant's home, the ~~[children's]~~ division shall inquire
33 of the applicant whether any children less than ~~[seventeen]~~ **eighteen** years of age residing in
34 the home have ever been certified as an adult and been convicted of or pled guilty or nolo
35 contendere to any crime.

36 2. ~~[After the initial investigation is completed under subsection 1 of this section:~~

37 (1) ~~No person who submits fingerprints under subsection 1 of this section or section~~
38 ~~210.482 shall be required to submit additional fingerprints under this section or section~~
39 ~~210.482 unless the original fingerprints retained by the division are lost or destroyed;~~

40 (2) ~~The highway patrol shall provide ongoing electronic updates to criminal history~~
41 ~~background checks of those persons previously submitted as part of the licensing or approval~~
42 ~~process under subsection 1 of this section. Ongoing electronic updates for such persons and~~
43 ~~for those in their households shall terminate when such persons cease to be applicant or~~
44 ~~licensed foster parents; and~~

45 (3) ~~The children's division and the department of health and senior services may~~
46 ~~waive the requirement for a fingerprint background check for any subsequent recertification.~~

47 ~~3-~~ Subject to appropriation, the total cost of fingerprinting required by this section
48 may be paid by the state, including reimbursement of persons incurring fingerprinting costs
49 under this section.

50 ~~[4-]~~ 3. The division may make arrangements with other executive branch agencies to
51 obtain any investigative background information.

52 ~~[5-]~~ 4. The division may promulgate rules that are necessary to implement the
53 provisions of this section. Any rule or portion of a rule, as that term is defined in section
54 536.010, that is created under the authority delegated in this section shall become effective
55 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
56 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
57 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
58 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
59 of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be
60 invalid and void.

210.950. 1. This section shall be known and may be cited as the "Safe Place for
2 Newborns Act of 2002". The purpose of this section is to protect newborn children from
3 injury and death caused by abandonment by a parent, and to provide safe and secure
4 alternatives to such abandonment.

5 2. As used in this section, the following terms mean:

6 (1) "Hospital", as defined in section 197.020;

7 (2) "Maternity home", the same meaning as such term is defined in section 135.600;

8 (3) "Newborn safety incubator", a medical device used to maintain an optimal
9 environment for the care of a newborn infant;

10 (4) "Nonrelinquishing parent", the biological parent who does not leave a newborn
11 infant in a newborn safety incubator or with any person listed in subsection 3 of this section in
12 accordance with this section;

13 (5) "Pregnancy resource center", the same meaning as such term is defined in section
14 135.630;

15 (6) "Relinquishing parent", the biological parent or person acting on such parent's
16 behalf who leaves a newborn infant in a newborn safety incubator or with any person listed in
17 subsection 3 of this section in accordance with this section.

18 3. A parent shall not be prosecuted for a violation of section 568.030, 568.032,
19 568.045 or 568.050 for actions related to the voluntary relinquishment of a child up to ~~[forty-~~
20 ~~five]~~ **ninety** days old pursuant to this section if:

21 (1) Expressing intent not to return for the child, the parent voluntarily delivered the
22 child safely to a newborn safety incubator or to the physical custody of any of the following
23 persons:

24 (a) An employee, agent, or member of the staff of any hospital, maternity home, or
25 pregnancy resource center in a health care provider position or on duty in a nonmedical paid
26 or volunteer position;

27 (b) A firefighter or emergency medical technician on duty in a paid position or on
28 duty in a volunteer position; or

29 (c) A law enforcement officer;

30 (2) The child was no more than ~~[forty-five]~~ **ninety** days old when delivered by the
31 parent to the newborn safety incubator or to any person listed in subdivision (1) of this
32 subsection; and

33 (3) The child has not been abused or neglected by the parent prior to such voluntary
34 delivery.

35 4. A parent voluntarily relinquishing a child under this section shall not be required to
36 provide any identifying information about the child or the parent. No person shall induce or
37 coerce, or attempt to induce or coerce, a parent into revealing his or her identity. No officer,
38 employee, or agent of this state or any political subdivision of this state shall attempt to locate
39 or determine the identity of such parent. In addition, any person who obtains information on
40 the relinquishing parent shall not disclose such information except to the following:

41 (1) A birth parent who has waived anonymity or the child's adoptive parent;

42 (2) The staff of the department of health and senior services, the department of social
43 services, or any county health or social services agency or licensed child welfare agency that
44 provides services to the child;

45 (3) A person performing juvenile court intake or dispositional services;

46 (4) The attending physician;

47 (5) The child's foster parent or any other person who has physical custody of the
48 child;

49 (6) A juvenile court or other court of competent jurisdiction conducting proceedings
50 relating to the child;

51 (7) The attorney representing the interests of the public in proceedings relating to the
52 child; and

53 (8) The attorney representing the interests of the child.

54 5. A person listed in subdivision (1) of subsection 3 of this section shall, without a
55 court order, take physical custody of a child the person reasonably believes to be no more than
56 ~~[forty-five]~~ **ninety** days old and is delivered in accordance with this section by a person
57 purporting to be the child's parent or is delivered in accordance with this section to a newborn
58 safety incubator. If delivery of a newborn is made pursuant to this section in any place other
59 than a hospital, the person taking physical custody of the child shall arrange for the immediate
60 transportation of the child to the nearest hospital licensed pursuant to chapter 197.

61 6. The hospital, its employees, agents and medical staff shall perform treatment in
62 accordance with the prevailing standard of care as necessary to protect the physical health or
63 safety of the child. The hospital shall notify the children's division and the local juvenile
64 officer upon receipt of a child pursuant to this section. The local juvenile officer shall
65 immediately begin protective custody proceedings and request the child be made a ward of
66 the court during the child's stay in the medical facility. Upon discharge of the child from the
67 medical facility and pursuant to a protective custody order ordering custody of the child to the
68 division, the children's division shall take physical custody of the child. The parent's
69 voluntary delivery of the child in accordance with this section shall constitute the parent's
70 implied consent to any such act and a voluntary relinquishment of such parent's parental
71 rights.

72 7. In any termination of parental rights proceeding initiated after the relinquishment
73 of a child pursuant to this section, the juvenile officer shall make public notice that a child has
74 been relinquished, including the sex of the child, and the date and location of such
75 relinquishment. Within thirty days of such public notice, the parent wishing to establish
76 parental rights shall identify himself or herself to the court and state his or her intentions
77 regarding the child. The court shall initiate proceedings to establish paternity, or if no person
78 identifies himself as the father within thirty days, maternity. The juvenile officer shall make
79 examination of the putative father registry established in section 192.016 to determine
80 whether attempts have previously been made to preserve parental rights to the child. If such
81 attempts have been made, the juvenile officer shall make reasonable efforts to provide notice
82 of the abandonment of the child to such putative father.

83 8. (1) If a relinquishing parent of a child relinquishes custody of the child to a
84 newborn safety incubator or to any person listed in subsection 3 of this section in accordance
85 with this section and to preserve the parental rights of the nonrelinquishing parent, the
86 nonrelinquishing parent shall take such steps necessary to establish parentage within thirty
87 days after the public notice or specific notice provided in subsection 7 of this section.

88 (2) If either parent fails to take steps to establish parentage within the thirty-day
89 period specified in subdivision (1) of this subsection, either parent may have all of his or her
90 rights terminated with respect to the child.

91 (3) When either parent inquires at a hospital regarding a child whose custody was
92 relinquished pursuant to this section, such facility shall refer such parent to the children's
93 division and the juvenile court exercising jurisdiction over the child.

94 9. The persons listed in subdivision (1) of subsection 3 of this section shall be
95 immune from civil, criminal, and administrative liability for accepting physical custody of a
96 child pursuant to this section if such persons accept custody in good faith. Such immunity

97 shall not extend to any acts or omissions, including negligent or intentional acts or omissions,
98 occurring after the acceptance of such child.

99 10. The children's division shall:

100 (1) Provide information and answer questions about the process established by this
101 section on the statewide, toll-free telephone number maintained pursuant to section 210.145;

102 (2) Provide information to the public by way of pamphlets, brochures, or by other
103 ways to deliver information about the process established by this section.

104 11. It shall be an affirmative defense to prosecution for a violation of sections
105 568.030, 568.032, 568.045, and 568.050 that a parent who is a defendant voluntarily
106 relinquished a child no more than one year old under this section.

107 12. Nothing in this section shall be construed as conflicting with section 210.125.

108 13. **(1) There is hereby created in the state treasury the "Safe Place for**
109 **Newborns Fund", which shall consist of moneys appropriated by the general assembly**
110 **from general revenue and any gifts, bequests, or donations. The state treasurer shall be**
111 **custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer**
112 **may approve disbursements. The fund shall be a dedicated fund and, upon**
113 **appropriation, moneys in this fund shall be used solely for the installation of**
114 **newborn safety incubators.**

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

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

121 **14. The state of Missouri shall provide matching moneys from the general**
122 **revenue fund for the installation of newborn safety incubators. The total amount**
123 **available to the fund from state sources under such a match program shall be up to ten**
124 **thousand dollars for each newborn safety incubator installed.**

125 **15. The director of the department of health and senior services may promulgate all**
126 **necessary rules and regulations for the administration of this section, including rules**
127 **governing the specifications, installation, maintenance, and oversight of newborn safety**
128 **incubators. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
129 **created under the authority delegated in this section shall become effective only if it complies**
130 **with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.**
131 **This section and chapter 536 are nonseverable and if any of the powers vested with the**
132 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**
133 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**

134 rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid
135 and void.

210.1080. 1. As used in this section, the following terms mean:

2 (1) "Child care provider", a person licensed, regulated, or registered to provide child
3 care within the state of Missouri, including the member or members, manager or managers,
4 shareholder or shareholders, director or directors, and officer or officers of any entity
5 licensed, regulated, or registered to provide child care within the state of Missouri;

6 (2) "Child care staff member", a child care provider; persons employed by the child
7 care provider for compensation, including contract employees or self-employed individuals;
8 individuals or volunteers whose activities involve the care or supervision of children for a
9 child care provider or unsupervised access to children who are cared for or supervised by a
10 child care provider; individuals residing in a home where child care is provided who are
11 eighteen years of age or older; or individuals residing in a home where child care is provided
12 who are under eighteen years of age and have been certified as an adult for the commission of
13 an offense;

14 (3) "Criminal background check":

15 (a) A Federal Bureau of Investigation fingerprint check;

16 (b) A search of the National Crime Information Center's National Sex Offender
17 Registry; and

18 (c) A search of the following registries, repositories, or databases in Missouri, the
19 state where the child care staff member resides, and each state where such staff member
20 resided during the preceding five years:

21 a. The state criminal registry or repository, with the use of fingerprints being required
22 in the state where the staff member resides and optional in other states;

23 b. The state sex offender registry or repository; and

24 c. The state-based child abuse and neglect registry and database;

25 (4) "Department", the department of elementary and secondary education;

26 (5) "Qualifying result" or "qualifying criminal background check", a finding that a
27 child care staff member or prospective child care staff member is eligible for employment or
28 presence in a child care setting described under this section.

29 2. (1) Prior to the employment or presence of a child care staff member in a licensed,
30 license-exempt, or unlicensed registered child care facility, the child care provider shall
31 request the results of a criminal background check for such child care staff member from the
32 department.

33 (2) A prospective child care staff member may begin work for a child care provider
34 after receiving the qualifying result of either a Federal Bureau of Investigation fingerprint
35 check or a search of the Missouri criminal registry or repository with the use of fingerprints;

36 however, pending completion of the criminal background check, the prospective child care
37 staff member shall be supervised at all times by another child care staff member who received
38 a qualifying result on the criminal background check within the past five years.

39 (3) Any individual who meets the definition of child care provider but is not
40 responsible for the oversight or direction of the child care facility and does not have
41 independent access to the child care facility shall not be required to request the results of a
42 criminal background check under this section; however, such individual shall be accompanied
43 by an individual with a qualifying criminal background check in order to be present at the
44 child care facility during child care hours.

45 3. The costs of the criminal background check shall be the responsibility of the child
46 care staff member, but may be paid or reimbursed by the child care provider at the provider's
47 discretion. The fees charged for the criminal background check shall not exceed the actual
48 cost of processing and administration.

49 4. Upon completion of the criminal background check, any child care staff member or
50 prospective child care staff member shall be ineligible for employment or presence at a
51 licensed or license-exempt child care facility or an unlicensed child care facility registered
52 with the department and shall be disqualified from receipt of state or federal funds for
53 providing child care services either by direct payment or through reimbursement to an
54 individual who receives child care benefits if such person:

55 (1) Refuses to consent to the criminal background check as required by this section;

56 (2) Knowingly makes a materially false statement in connection with the criminal
57 background check as required by this section;

58 (3) Is registered, or is required to be registered, on a state sex offender registry or
59 repository or the National Sex Offender Registry;

60 (4) Is listed as a perpetrator of child abuse or neglect under sections 210.109 to
61 210.183 or any other finding of child abuse or neglect based on any other state's registry or
62 database; or

63 (5) Has pled guilty or nolo contendere to or been found guilty of:

64 (a) Any felony for an offense against the person as defined in chapter 565;

65 (b) Any other offense against the person involving the endangerment of a child as
66 prescribed by law;

67 (c) Any misdemeanor or felony for a sexual offense as defined in chapter 566;

68 (d) Any misdemeanor or felony for an offense against the family as defined in chapter
69 568;

70 (e) Burglary in the first degree as defined in 569.160;

71 (f) Any misdemeanor or felony for robbery as defined in chapter 570;

72 (g) Any misdemeanor or felony for pornography or related offense as defined in
73 chapter 573;

74 (h) Any felony for arson as defined in chapter 569;

75 (i) Any felony for armed criminal action as defined in section 571.015, unlawful use
76 of a weapon as defined in section 571.030, unlawful possession of a firearm as defined in
77 section 571.070, or the unlawful possession of an explosive as defined in section 571.072;

78 (j) Any felony for making a terrorist threat as defined in section 574.115, 574.120, or
79 574.125;

80 (k) A felony drug-related offense committed during the preceding five years; or

81 (l) Any similar offense in any federal, state, municipal, or other court of similar
82 jurisdiction of which the department has knowledge.

83 5. Household members eighteen years of age or older, or household members under
84 eighteen years of age who have been certified as an adult for the commission of an offense,
85 shall be ineligible to maintain a presence at a home where child care is provided during child
86 care hours if any one or more of the provisions of subsection 4 of this section apply to such
87 members.

88 6. A child care provider may also be disqualified from receipt of state or federal funds
89 for providing child care services either by direct payment or through reimbursement to an
90 individual who receives child care benefits if such person, or any person eighteen years of age
91 or older residing in the household in which child care is being provided, excluding child care
92 provided in the child's home, has been refused licensure or has experienced licensure
93 suspension or revocation under section 210.221 or 210.496.

94 7. A child care provider shall not be required to submit a request for a criminal
95 background check under this section for a child care staff member if:

96 (1) The staff member received a qualifying criminal background check within five
97 years before the latest date on which such a submission may be made and while employed by
98 or seeking employment by another child care provider within Missouri;

99 (2) The departments of elementary and secondary education, health and senior
100 services, or [ef] social services provided to the first provider a qualifying criminal
101 background check result, consistent with this section, for the staff member; and

102 (3) The staff member is employed by a child care provider within Missouri or has
103 been separated from employment from a child care provider within Missouri for a period of
104 not more than one hundred eighty consecutive days.

105 8. (1) The department shall process the request for a criminal background check for
106 any prospective child care staff member or child care staff member as expeditiously as
107 possible, but not to exceed forty-five days after the date on which the provider submitted the
108 request.

109 (2) The department shall provide the results of the criminal background check to the
110 child care provider in a statement that indicates whether the prospective child care staff
111 member or child care staff member is eligible or ineligible for employment or presence at the
112 child care facility or receipt of state or federal funds for providing child care services either by
113 direct payment or through reimbursement to an individual who receives child care benefits.
114 The department shall not reveal to the child care provider any disqualifying crime or other
115 related information regarding the prospective child care staff member or child care staff
116 member.

117 (3) If such prospective child care staff member or child care staff member is ineligible
118 for employment or presence at the child care facility, the department shall, when providing
119 the results of criminal background check, include information related to each disqualifying
120 crime or other related information, in a report to such prospective child care staff member or
121 child care staff member, along with information regarding the opportunity to appeal under
122 subsection 9 of this section.

123 (4) If a prospective child care provider or child care provider has been denied state or
124 federal funds by the department for providing child care, he or she may appeal such denial to
125 the department pursuant to section 210.027.

126 9. (1) The prospective child care staff member or child care staff member may appeal
127 a finding of ineligibility for employment or presence at a child care facility in writing to the
128 department to challenge the accuracy or completeness of the information contained in his or
129 her criminal background check if his or her finding of ineligibility is based on one or more of
130 the following offenses:

131 (a) Murder, as described in 18 U.S.C. Section 1111;

132 (b) Felony child abuse or neglect;

133 (c) A felony crime against children, including child pornography **as it existed prior**
134 **to August 28, 2025, or child sexual abuse material;**

135 (d) Felony spousal abuse;

136 (e) A felony crime involving rape or sexual assault;

137 (f) Felony kidnapping;

138 (g) Felony arson;

139 (h) Felony physical assault or battery;

140 (i) A violent misdemeanor offense committed as an adult against a child, including
141 the offense of child abuse, child endangerment, or sexual assault, or a misdemeanor offense
142 involving child pornography **as it existed prior to August 28, 2025, or child sexual abuse**
143 **material;** or

144 (j) Any similar offense in any federal, state, municipal, or other court.

(2) If a finding of ineligibility is based on an offense not provided for in subdivision (1) of this subsection, the prospective child care staff member or child care staff member may appeal to challenge the accuracy or completeness of the information contained in his or her criminal background check or to offer information mitigating the results and explaining why an eligibility exception should be granted.

(3) The written appeal shall be filed with the department within ten days from the mailing of the notice of ineligibility. The department shall attempt to verify the accuracy of the information challenged by the individual, including making an effort to locate any missing disposition information related to the disqualifying offense. After the department verifies the accuracy of the information challenged by the individual, the department shall make a final decision on the written appeal, and such decision shall be made in a timely manner. Such decision shall be considered a noncontested final agency decision by the department, appealable under section 536.150. Such decision shall be appealed within thirty days of the mailing of the decision.

10. Nothing in this section shall prohibit the department from requiring more frequent checks of the family care safety registry established under section 210.903 or the central registry for child abuse established under section 210.109 in order to determine eligibility for employment or presence at the child care facility or receipt of state or federal funds for providing child care services either by direct payment or through reimbursement to an individual who receives child care benefits.

11. The department may adopt emergency rules to implement the requirements of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.

12. The provisions of this section shall not apply to any child care facility, as defined in section 210.201, maintained or operated under the exclusive control of a religious organization, as described in subdivision (17) of subsection 1 of section 210.211, unless such facility is a recipient of federal funds for providing care for children, except for federal funds for those programs that meet the requirements for participation in the Child and Adult Care Food Program under 42 U.S.C. Section 1766.

210.1505. 1. There is hereby created the "Statewide Council ~~[on Sex]~~ **Against Adult** Trafficking and **the Commercial Sexual Exploitation of Children**" ~~[to]~~ **within the office of**

3 **the attorney general to make recommendations for a coordinated statewide effort**
4 **against the trafficking of adults and children within the state of Missouri. The council**
5 **shall** consist of the following members:

6 (1) The following four members of the general assembly:

7 (a) Two members of the senate, with one member to be appointed by the president pro
8 tempore of the senate and one member to be appointed by the minority floor leader of the
9 senate; and

10 (b) Two members of the house of representatives, with one member to be appointed
11 by the speaker of the house of representatives and one member to be appointed by the
12 minority floor leader of the house of representatives;

13 (2) The director of the children's division or his or her designee **who is involved in**
14 **anti-human trafficking efforts or has knowledge or experience in human trafficking**
15 **investigations;**

16 (3) The director of the department of public safety or his or her designee **who is**
17 **involved in anti-human trafficking efforts or has knowledge or experience in human**
18 **trafficking investigations;**

19 (4) The director of the department of mental health or his or her designee **who is**
20 **involved in anti-human trafficking efforts or has knowledge or experience in human**
21 **trafficking investigations;**

22 (5) The director of the office of prosecution services or his or her designee **who is**
23 **involved in anti-human trafficking efforts or has knowledge or experience in human**
24 **trafficking investigations;**

25 (6) The superintendent of the Missouri state highway patrol or his or her designee
26 **who is involved in anti-human trafficking efforts or has knowledge or experience in**
27 **human trafficking investigations;**

28 (7) The executive director of the statewide network of child advocacy organizations
29 ~~[specializing in the prevention of child abuse or neglect]~~ or his or her designee **who is**
30 **involved in anti-human trafficking efforts or has knowledge or experience in human**
31 **trafficking investigations;**

32 (8) The executive director of the statewide coalition against domestic and sexual
33 violence or his or her designee **who is involved in anti-human trafficking efforts or has**
34 **knowledge or experience in human trafficking investigations;**

35 (9) The executive director of the Missouri Juvenile Justice Association or his or her
36 designee **who is involved in anti-human trafficking efforts or has knowledge or**
37 **experience in human trafficking investigations;**

38 (10) The director of the attorney general's human trafficking task force or his or her
39 designee **who is involved in anti-human trafficking efforts or has knowledge or**
40 **experience in human trafficking investigations;**

41 (11) ~~[Two representatives from agencies providing services to victims of child sex~~
42 ~~trafficking and sexual exploitation who reflect the geographic diversity of the state and who~~
43 ~~shall be appointed by the director of the department of social services; and]~~ **A member of the**
44 **Missouri Hospital Association with experience and knowledge of human trafficking;**

45 (12) A member of the judiciary **with experience in juvenile court**, who shall be
46 appointed by the **Missouri** supreme court;

47 (13) The commissioner of the department of elementary and secondary
48 **education or his or her designee;**

49 (14) A designee from the governor's office;

50 (15) A member of the Missouri Sheriffs' Association or a member of the
51 **Missouri Police Chiefs Association; and**

52 (16) Any other nongovernment organization deemed necessary by the attorney
53 **general.**

54 2. A majority of the members of the council shall constitute a quorum. The council
55 **shall be created within thirty days of August 28, 2025, and shall** hold its first meeting
56 within thirty days after the council's creation ~~[and organize by selecting a chair and a vice~~
57 ~~chair]~~. The council shall meet at ~~[the call of the chair]~~ **least quarterly. The council may**
58 **create a subgroup to offer recommendations on specific issues as deemed necessary.**

59 3. ~~[The council shall:~~

60 (1) ~~Collect and analyze data relating to sex trafficking and sexual exploitation of~~
61 ~~children, including the number of reports made to the children's division under section~~
62 ~~210.115, any information obtained from phone calls to the national sex trafficking hotline, the~~
63 ~~number of reports made to law enforcement, arrests, prosecution rates, and any other data~~
64 ~~important for any recommendations of the council. State departments and council members~~
65 ~~shall provide relevant data as requested by the council to fulfill the council's duties; and~~

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

72 4.] **There shall be an executive director who shall be appointed by the attorney**
73 **general who shall fix his or her compensation and provide for such other administrative**
74 **personnel as necessary within the limits of appropriations provided in subsection 4 of**

75 **this section. The executive director shall serve under the supervision of the [department**
76 **of social services] attorney general, who** shall provide administrative support **[to the**
77 **council] and necessary office space.**

78 ~~[5:] 4. [On or before December 31, 2023, the council shall submit a report of the~~
79 ~~council's activities to the governor and general assembly and the joint committee on child~~
80 ~~abuse and neglect under section 21.771. The report shall include recommendations for~~
81 ~~priority needs and actions, including statutory or regulatory changes relating to the response~~
82 ~~to sex trafficking and sexual exploitation of children and services for child victims.~~

83 ~~6. The council shall expire on December 31, 2023.]~~ (1) **There is hereby created in**
84 **the state treasury the "Commercial Sexual Exploitation of Children Education and**
85 **Awareness Fund", which shall consist of moneys appropriated to it by the general**
86 **assembly, any proceeds as provided under subsection 2 of section 566.218, and any**
87 **grants, gifts, donations, and bequests. The state treasurer shall be custodian of the fund.**
88 **In accordance with sections 30.170 and 30.180, the state treasurer shall approve**
89 **disbursements as required by the attorney general. The fund shall be a dedicated fund**
90 **and, upon appropriation, moneys in this fund shall be used to pay for the position of the**
91 **executive director and for administrative support of the statewide council against adult**
92 **trafficking and the commercial exploitation of children, education and awareness**
93 **regarding human trafficking, and anti-trafficking efforts throughout the state of**
94 **Missouri.**

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

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

217.721. Any probation violation shall be reported by a probation officer to the
2 **court that placed the offender on probation and the office of the prosecuting attorney by**
3 **the last day of the calendar month in which the violation occurred.**

287.243. 1. **This section shall be known and may be cited as the "Line of Duty**
2 **Compensation Act".**

3 2. **As used in this section, unless otherwise provided, the following words shall mean:**

4 (1) **"Air ambulance pilot", a person certified as an air ambulance pilot in accordance**
5 **with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances**
6 **adopted by the department of health and senior services;**

7 (2) **"Air ambulance registered professional nurse", a person licensed as a registered**
8 **professional nurse in accordance with sections 335.011 to 335.096 and corresponding**

9 regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides
10 registered professional nursing services as a flight nurse in conjunction with an air ambulance
11 program that is certified in accordance with sections 190.001 to 190.245 and the
12 corresponding regulations applicable to such programs;

13 (3) "Air ambulance registered respiratory therapist", a person licensed as a registered
14 respiratory therapist in accordance with sections 334.800 to 334.930 and corresponding
15 regulations adopted by the state board for respiratory care, who provides respiratory therapy
16 services in conjunction with an air ambulance program that is certified in accordance with
17 sections 190.001 to 190.245 and corresponding regulations applicable to such programs;

18 (4) "Child", any natural, illegitimate, adopted, or posthumous child or stepchild of a
19 deceased public safety officer who, at the time of the public safety officer's fatality is:

20 (a) Eighteen years of age or under;

21 (b) Over eighteen years of age and a student, as defined in 5 U.S.C. Section 8101; or

22 (c) Over eighteen years of age and incapable of self-support because of physical or
23 mental disability;

24 (5) "Emergency medical technician", a person licensed in emergency medical care in
25 accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by
26 the department of health and senior services under sections 190.001 to 190.245;

27 (6) "Firefighter", any person, including a volunteer firefighter, employed by the state
28 or a local governmental entity as an employer defined under subsection 1 of section 287.030,
29 or otherwise serving as a member or officer of a fire department either for the purpose of the
30 prevention or control of fire or the underwater recovery of drowning victims;

31 (7) "Flight crew member", an individual engaged in flight responsibilities with an air
32 ambulance licensed in accordance with sections 190.001 to 190.245 and corresponding
33 regulations applicable to such programs;

34 (8) "Killed in the line of duty", when any person defined in this section loses his or
35 her life when:

36 (a) Death is caused by an accident or the willful act of violence of another;

37 (b) The public safety officer is in the active performance of his or her duties in his or
38 her respective profession and there is a relationship between the accident or commission of
39 the act of violence and the performance of the duty, even if the individual is off duty; the
40 public safety officer is traveling to or from employment; or the public safety officer is taking
41 any meal break or other break which takes place while that individual is on duty;

42 (c) Death is the natural and probable consequence of the injury; and

43 (d) Death occurs within three hundred weeks from the date the injury was received.

44

45 The term excludes death resulting from the willful misconduct or intoxication of the public
46 safety officer. The division of workers' compensation shall have the burden of proving such
47 willful misconduct or intoxication;

48 (9) "Law enforcement officer", any person employed by the state or a local
49 governmental entity as a police officer, peace officer certified under chapter 590, or serving as
50 an auxiliary police officer or in some like position involving the enforcement of the law and
51 protection of the public interest at the risk of that person's life;

52 (10) "Local governmental entity", includes counties, municipalities, townships, board
53 or other political subdivision, cities under special charter, or under the commission form of
54 government, fire protection districts, ambulance districts, and municipal corporations;

55 (11) "Public safety officer", any law enforcement officer, firefighter, uniformed
56 employee of the office of the state fire marshal, emergency medical technician, police officer,
57 capitol police officer, parole officer, probation officer, state correctional employee, water
58 safety officer, park ranger, conservation officer, or highway patrolman employed by the state
59 of Missouri or a political subdivision thereof who is killed in the line of duty or any
60 emergency medical technician, air ambulance pilot, air ambulance registered professional
61 nurse, air ambulance registered respiratory therapist, or flight crew member who is killed in
62 the line of duty;

63 (12) "State", the state of Missouri and its departments, divisions, boards, bureaus,
64 commissions, authorities, and colleges and universities;

65 (13) "Volunteer firefighter", a person having principal employment other than as a
66 firefighter, but who is carried on the rolls of a regularly constituted fire department either for
67 the purpose of the prevention or control of fire or the underwater recovery of drowning
68 victims, the members of which are under the jurisdiction of the corporate authorities of a city,
69 village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an
70 individual who volunteers assistance without being regularly enrolled as a firefighter.

71 3. (1) A claim for compensation under this section shall be filed by survivors of the
72 deceased with the division of workers' compensation not later than one year from the date of
73 death of a public safety officer. If a claim is made within one year of the date of death of a
74 public safety officer killed in the line of duty, compensation shall be paid, if the division finds
75 that the claimant is entitled to compensation under this section.

76 (2) The amount of compensation paid to the claimant shall be twenty-five thousand
77 dollars, subject to appropriation, for death occurring on or after June 19, 2009.

78 4. Any compensation awarded under the provisions of this section shall be distributed
79 as follows:

80 (1) To the surviving spouse of the public safety officer if there is no child who
81 survived the public safety officer;

82 (2) Fifty percent to the surviving child, or children, in equal shares, and fifty percent
83 to the surviving spouse if there is at least one child who survived the public safety officer, and
84 a surviving spouse of the public safety officer;

85 (3) To the surviving child, or children, in equal shares, if there is no surviving spouse
86 of the public safety officer;

87 (4) If there is no surviving spouse of the public safety officer and no surviving child:

88 (a) To the surviving individual, or individuals, in shares per the designation or,
89 otherwise, in equal shares, designated by the public safety officer to receive benefits under
90 this subsection in the most recently executed designation of beneficiary of the public safety
91 officer on file at the time of death with the public safety agency, organization, or unit; or

92 (b) To the surviving individual, or individuals, in equal shares, designated by the
93 public safety officer to receive benefits under the most recently executed life insurance policy
94 of the public safety officer on file at the time of death with the public safety agency,
95 organization, or unit if there is no individual qualifying under paragraph (a) **of this**
96 **subdivision**;

97 (5) To the surviving parent, or parents, in equal shares, of the public safety officer if
98 there is no individual qualifying under subdivision (1), (2), (3), or (4) of this subsection; or

99 (6) To the surviving individual, or individuals, in equal shares, who would qualify
100 under the definition of the term "child" but for age if there is no individual qualifying under
101 subdivision (1), (2), (3), (4), or (5) of this subsection.

102 5. Notwithstanding subsection 3 of this section, no compensation is payable under
103 this section unless a claim is filed within the time specified under this section setting forth:

104 (1) The name, address, and title or designation of the position in which the public
105 safety officer was serving at the time of his or her death;

106 (2) The name and address of the claimant;

107 (3) A full, factual account of the circumstances resulting in or the course of events
108 causing the death at issue; and

109 (4) Such other information that is reasonably required by the division.
110

111 When a claim is filed, the division of workers' compensation shall make an investigation for
112 substantiation of matters set forth in the application.

113 6. The compensation provided for under this section is in addition to, and not
114 exclusive of, any pension rights, death benefits, or other compensation the claimant may
115 otherwise be entitled to by law.

116 7. Neither employers nor workers' compensation insurers shall have subrogation
117 rights against any compensation awarded for claims under this section. Such compensation
118 shall not be assignable, shall be exempt from attachment, garnishment, and execution, and

119 shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that
120 the division or commission may allow as lien on the compensation, reasonable attorney's fees
121 for services in connection with the proceedings for compensation if the services are found to
122 be necessary. Such fees are subject to regulation as set forth in section 287.260.

123 8. Any person seeking compensation under this section who is aggrieved by the
124 decision of the division of workers' compensation regarding his or her compensation claim,
125 may make application for a hearing as provided in section 287.450. The procedures
126 applicable to the processing of such hearings and determinations shall be those established by
127 this chapter. Decisions of the administrative law judge under this section shall be binding,
128 subject to review by either party under the provisions of section 287.480.

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

130 (1) The provisions of the new program authorized under this section shall **be**
131 **reauthorized as of August 28, 2025, and shall** automatically sunset ~~six years after June 19,~~
132 ~~2019]~~ **on December 31, 2031**, unless reauthorized by an act of the general assembly; and

133 (2) If such program is reauthorized, the program authorized under this section shall
134 automatically sunset twelve years after the effective date of the reauthorization of this section;
135 and

136 (3) This section shall terminate on September first of the calendar year immediately
137 following the calendar year in which the program authorized under this section is sunset.

138 10. The provisions of this section, unless specified, shall not be subject to other
139 provisions of this chapter.

140 11. There is hereby created in the state treasury the "Line of Duty Compensation
141 Fund", which shall consist of moneys appropriated to the fund and any voluntary
142 contributions, gifts, or bequests to the fund. The state treasurer shall be custodian of the
143 fund and shall approve disbursements from the fund in accordance with sections 30.170 and
144 30.180. Upon appropriation, money in the fund shall be used solely for paying claims under
145 this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
146 remaining in the fund at the end of the biennium shall not revert to the credit of the general
147 revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other
148 funds are invested. Any interest and moneys earned on such investments shall be credited to
149 the fund.

150 12. The division shall promulgate rules to administer this section, including but not
151 limited to the appointment of claims to multiple claimants, record retention, and procedures
152 for information requests. Any rule or portion of a rule, as that term is defined in section
153 536.010, that is created under the authority delegated in this section shall become effective
154 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
155 section 536.028. This section and chapter 536 are nonseverable and if any of the powers

156 vested with the general assembly under chapter 536 to review, to delay the effective date, or
157 to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
158 rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be invalid
159 and void.

292.606. 1. Fees shall be collected for a period of six years from August 28, ~~[2018]~~
2 **2025**.

3 2. (1) Any employer required to report under subsection 1 of section 292.605, except
4 local governments and family-owned farm operations, shall submit an annual fee to the
5 commission of one hundred dollars along with the Tier II form. Owners or operators of
6 petroleum retail facilities shall pay a fee of no more than fifty dollars for each such facility.
7 Any person, firm or corporation selling, delivering or transporting petroleum or petroleum
8 products and whose primary business deals with petroleum products or who is covered by the
9 provisions of chapter 323, if such person, firm or corporation is paying fees under the
10 provisions of the federal hazardous materials transportation registration and fee assessment
11 program, shall deduct such federal fees from those fees owed to the state under the provisions
12 of this subsection. If the federal fees exceed or are equal to what would otherwise be owed
13 under this subsection, such employer shall not be liable for state fees under this subsection.
14 In relation to petroleum products "primary business" shall mean that the person, firm or
15 corporation shall earn more than fifty percent of hazardous chemical revenues from the sale,
16 delivery or transport of petroleum products. For the purpose of calculating fees, all grades of
17 gasoline are considered to be one product, all grades of heating oils, diesel fuels, kerosenes,
18 naphthas, aviation turbine fuel, and all other heavy distillate products except for grades of
19 gasoline are considered to be one product, and all varieties of motor lubricating oil are
20 considered to be one product. For the purposes of this section "facility" shall mean all
21 buildings, equipment, structures and other stationary items that are located on a single site or
22 on contiguous or adjacent sites and which are owned or operated by the same person. If more
23 than three hazardous substances or mixtures are reported on the Tier II form, the employer
24 shall submit an additional twenty-dollar fee for each hazardous substance or mixture. Fees
25 collected under this subdivision shall be for each hazardous chemical on hand at any one time
26 in excess of ten thousand pounds or for extremely hazardous substances on hand at any one
27 time in excess of five hundred pounds or the threshold planning quantity, whichever is less, or
28 for explosives or blasting agents on hand at any one time in excess of one hundred pounds.
29 However, no employer shall pay more than ten thousand dollars per year in fees. Moneys
30 acquired through litigation and any administrative fees paid pursuant to subsection 3 of this
31 section shall not be applied toward this cap.

32 (2) Employers engaged in transporting hazardous materials by pipeline except local
33 gas distribution companies regulated by the Missouri public service commission shall pay to
34 the commission a fee of two hundred fifty dollars for each county in which they operate.

35 (3) Payment of fees is due each year by March first. A late fee of ten percent of the
36 total owed, plus one percent per month of the total, may be assessed by the commission.

37 (4) If, on March first of each year, fees collected under this section and natural
38 resources damages made available pursuant to section 640.235 exceed one million dollars,
39 any excess over one million dollars shall be proportionately credited to fees payable in the
40 succeeding year by each employer who was required to pay a fee and who did pay a fee in the
41 year in which the excess occurred. The limit of one million dollars contained herein shall be
42 reviewed by the commission concurrent with the review of fees as required in subsection 1 of
43 this section.

44 3. Beginning January 1, 2013, any employer filing its Tier II form pursuant to
45 subsection 1 of section 292.605 may request that the commission distribute that employer's
46 Tier II report to the local emergency planning committees and fire departments listed in its
47 Tier II report. Any employer opting to have the commission distribute its Tier II report shall
48 pay an additional fee of ten dollars for each facility listed in the report at the time of filing to
49 recoup the commission's distribution costs. Fees shall be deposited in the chemical
50 emergency preparedness fund established under section 292.607. An employer who pays the
51 additional fee and whose Tier II report includes all local emergency planning committees and
52 fire departments required to be notified under subsection 1 of section 292.605 shall satisfy the
53 reporting requirements of subsection 1 of section 292.605. The commission shall develop a
54 mechanism for an employer to exercise its option to have the commission distribute its Tier II
55 report.

56 4. Local emergency planning committees receiving funds under section 292.604 shall
57 coordinate with the commission and the department in chemical emergency planning,
58 training, preparedness, and response activities. Local emergency planning committees
59 receiving funds under this section, section 260.394, sections 292.602, 292.604, 292.605,
60 292.615 and section 640.235 shall provide to the commission an annual report of
61 expenditures and activities.

62 5. Fees collected by the department and all funds provided to local emergency
63 planning committees shall be used for chemical emergency preparedness purposes as outlined
64 in sections 292.600 to 292.625 and the federal act, including contingency planning for
65 chemical releases; exercising, evaluating, and distributing plans, providing training related to
66 chemical emergency preparedness and prevention of chemical accidents; identifying facilities
67 required to report; processing the information submitted by facilities and making it available
68 to the public; receiving and handling emergency notifications of chemical releases; operating

69 a local emergency planning committee; and providing public notice of chemical preparedness
70 activities. Local emergency planning committees receiving funds under this section may
71 combine such funds with other local emergency planning committees to further the purposes
72 of sections 292.600 to 292.625, or the federal act.

73 6. The commission shall establish criteria and guidance on how funds received by
74 local emergency planning committees may be used.

75 **7. A one-time fee shall be assessed in accordance with subsection 2 of this section**
76 **and shall be calculated based on the filing due on March 1, 2025, and shall be paid by**
77 **November 1, 2025.**

300.100. 1. The driver of an authorized emergency vehicle, when responding to an
2 emergency call or when in the pursuit of an actual or suspected violator of the law or when
3 responding to but not upon returning from a fire alarm, may exercise the privileges set forth in
4 this section, but subject to the conditions herein stated.

5 2. The driver of an authorized emergency vehicle may:

6 (1) Park or stand, irrespective of the provisions of this ordinance;

7 (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may
8 be necessary for safe operation;

9 (3) Exceed the maximum speed limits so long as he does not endanger life or
10 property;

11 (4) Disregard regulations governing direction of movement or turning in specified
12 directions.

13 3. The exemptions herein granted to an authorized emergency vehicle shall apply
14 only when the driver of any said vehicle while in motion sounds audible signal by siren or
15 while having at least one lighted lamp exhibiting a red light visible under normal atmospheric
16 conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue
17 light authorized by section 307.175, **except that an authorized emergency vehicle operated**
18 **as a police vehicle is not required to use an audible signal or display a visual signal when**
19 **the vehicle is being used to:**

20 (1) **Obtain evidence of a speeding violation on a maintained federal or state**
21 **highway and where the speed limit is set by state statute;**

22 (2) **Respond to a suspected crime in progress when use of an audible or visual**
23 **signal, or both, could reasonably result in the destruction of evidence or escape of a**
24 **suspect; or**

25 (3) **Conduct surveillance of a vehicle or the passengers of a vehicle who are**
26 **suspected of involvement in a crime.**

27 4. The foregoing provisions shall not relieve the driver of an authorized emergency
28 vehicle from the duty to drive with due regard for the safety of all persons, nor shall such

29 provisions protect the driver from the consequences of his reckless disregard for the safety of
30 others.

301.218. 1. No person shall, except as an incident to the sale, repair, rebuilding or
2 servicing of vehicles by a licensed franchised motor vehicle dealer, carry on or conduct the
3 following business unless licensed to do so by the department of revenue under sections
4 301.217 to 301.229:

5 (1) Selling used parts of or used accessories for vehicles as a used parts dealer, as
6 defined in section 301.010;

7 (2) Salvaging, wrecking, or dismantling vehicles for resale of the parts thereof as a
8 salvage dealer [ø] and dismantler, as defined in section 301.010, **or otherwise engaging in**
9 **the buying or selling of catalytic converters or the component parts of catalytic**
10 **converters;**

11 (3) Rebuilding and repairing four or more wrecked or dismantled vehicles in a
12 calendar year as a rebuilder or body shop, as defined in section 301.010;

13 (4) Processing scrapped vehicles or vehicle parts as a scrap processor, as defined in
14 section 301.010.

15 2. Sales at a salvage pool or a salvage disposal sale shall be open only to and made to
16 persons actually engaged in and holding a current license under sections 301.217 to 301.221
17 and 301.550 to 301.573 or any person from another state or jurisdiction who is legally
18 allowed in his or her state of domicile to purchase for resale, rebuild, dismantle, crush, or
19 scrap either motor vehicles or salvage vehicles, and to persons who reside in a foreign country
20 that are purchasing salvage vehicles for export outside of the United States. Operators of
21 salvage pools or salvage disposal sales shall keep a record, for three years, of sales of salvage
22 vehicles with the purchasers' name and address, and the year, make, and vehicle identification
23 number for each vehicle. These records shall be open for inspection as provided in section
24 301.225. Such records shall be submitted to the department on a quarterly basis.

25 3. The operator of a salvage pool or salvage disposal sale, or subsequent purchaser,
26 who sells a nonrepairable motor vehicle or a salvage motor vehicle to a person who is not a
27 resident of the United States at a salvage pool or a salvage disposal sale shall:

28 (1) Stamp on the face of the title so as not to obscure any name, date, or mileage
29 statement on the title the words "FOR EXPORT ONLY" in capital letters that are black; and

30 (2) Stamp in each unused reassignment space on the back of the title the words "FOR
31 EXPORT ONLY" and print the number of the dealer's salvage vehicle license, name of the
32 salvage pool, or the name of the governmental entity, as applicable.

33

34 The words "FOR EXPORT ONLY" required under subdivisions (1) and (2) of this subsection
35 shall be at least two inches wide and clearly legible. Copies of the stamped titles shall be
36 forwarded to the department.

37 4. The director of revenue shall issue a separate license for each kind of business
38 described in subsection 1 of this section, to be entitled and designated as either "used parts
39 dealer"; "salvage dealer or dismantler"; "rebuilder or body shop"; or "scrap processor" license

**301.551. 1. The department of revenue may require that fingerprint submissions
2 be made as part of an application seeking licensure for a new motor vehicle franchise
3 dealer, used motor vehicle dealer, powersport dealer, wholesale motor vehicle dealer,
4 motor vehicle dealer, public motor vehicle auction, recreational motor vehicle dealer,
5 trailer dealer, boat dealer, manufacturer, or boat manufacturer, as such terms are
6 defined in section 301.550.**

7 **2. If the department of revenue requires that fingerprint submissions be made as**
8 **part of such application, the department of revenue shall require applicants to submit**
9 **the fingerprints to the Missouri state highway patrol for the purpose of conducting a**
10 **state and federal fingerprint-based criminal history background check.**

11 **3. The fingerprints and any required fees shall be sent to the Missouri state**
12 **highway patrol's central repository. The fingerprints shall be used for searching the**
13 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
14 **Investigation for a federal criminal records search under section 43.540. The Missouri**
15 **state highway patrol shall notify the department of any criminal history record**
16 **information or lack of criminal history record information discovered on the individual.**
17 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
18 **any criminal history information discovered shall be accessible and available to the**
19 **department.**

~~2 [304.022. 1. Upon the immediate approach of an emergency vehicle
3 giving audible signal by siren or while having at least one lighted lamp
4 exhibiting red light visible under normal atmospheric conditions from a
5 distance of five hundred feet to the front of such vehicle or a flashing blue light
6 authorized by section 307.175, the driver of every other vehicle shall yield the
7 right of way and shall immediately drive to a position parallel to, and as far as
8 possible to the right of, the traveled portion of the highway and thereupon stop
9 and remain in such position until such emergency vehicle has passed, except
when otherwise directed by a police or traffic officer.~~

~~10 2. Upon approaching a stationary vehicle displaying lighted red or red
11 and blue lights, or a stationary vehicle displaying lighted amber or amber and
12 white lights, the driver of every motor vehicle shall:~~

~~13 (1) Proceed with caution and yield the right of way, if possible with
14 due regard to safety and traffic conditions, by making a lane change into a lane
15 not adjacent to that of the stationary vehicle, if on a roadway having at least~~

16 ~~four lanes with not less than two lanes proceeding in the same direction as the~~
17 ~~approaching vehicle; or~~

18 ~~(2) Proceed with due caution and reduce the speed of the vehicle;~~
19 ~~maintaining a safe speed for road conditions, if changing lanes would be~~
20 ~~unsafe or impossible.~~

21 ~~3. The motorman of every streetcar shall immediately stop such car~~
22 ~~clear of any intersection and keep it in such position until the emergency~~
23 ~~vehicle has passed, except as otherwise directed by a police or traffic officer.~~

24 ~~4. An "emergency vehicle" is a vehicle of any of the following types:~~

25 ~~(1) A vehicle operated by the state highway patrol, the state water~~
26 ~~patrol, the Missouri capitol police, a conservation agent, or a state or a county~~
27 ~~or municipal park ranger, those vehicles operated by enforcement personnel of~~
28 ~~the state highways and transportation commission, police or fire department,~~
29 ~~sheriff, constable or deputy sheriff, federal law enforcement officer authorized~~
30 ~~to carry firearms and to make arrests for violations of the laws of the United~~
31 ~~States, traffic officer, coroner, medical examiner, or forensic investigator of the~~
32 ~~county medical examiner's office, or by a privately owned emergency vehicle~~
33 ~~company;~~

34 ~~(2) A vehicle operated as an ambulance or operated commercially for~~
35 ~~the purpose of transporting emergency medical supplies or organs;~~

36 ~~(3) Any vehicle qualifying as an emergency vehicle pursuant to~~
37 ~~section 307.175;~~

38 ~~(4) Any wrecker, or tow truck or a vehicle owned and operated by a~~
39 ~~public utility or public service corporation while performing emergency~~
40 ~~service;~~

41 ~~(5) Any vehicle transporting equipment designed to extricate human~~
42 ~~beings from the wreckage of a motor vehicle;~~

43 ~~(6) Any vehicle designated to perform emergency functions for a civil~~
44 ~~defense or emergency management agency established pursuant to the~~
45 ~~provisions of chapter 44;~~

46 ~~(7) Any vehicle operated by an authorized employee of the department~~
47 ~~of corrections who, as part of the employee's official duties, is responding to a~~
48 ~~riot, disturbance, hostage incident, escape or other critical situation where~~
49 ~~there is the threat of serious physical injury or death, responding to mutual aid~~
50 ~~call from another criminal justice agency, or in accompanying an ambulance~~
51 ~~which is transporting an offender to a medical facility;~~

52 ~~(8) Any vehicle designated to perform hazardous substance emergency~~
53 ~~functions established pursuant to the provisions of sections 260.500 to~~
54 ~~260.550;~~

55 ~~(9) Any vehicle owned by the state highways and transportation~~
56 ~~commission and operated by an authorized employee of the department of~~
57 ~~transportation that is marked as a department of transportation emergency~~
58 ~~response or motorist assistance vehicle; or~~

59 ~~(10) Any vehicle owned and operated by the civil support team of the~~
60 ~~Missouri National Guard while in response to or during operations involving~~
61 ~~chemical, biological, or radioactive materials or in support of official requests~~
62 ~~from the state of Missouri involving unknown substances, hazardous~~

63 materials, or as may be requested by the appropriate state agency acting on
64 behalf of the governor.

65 ~~5. (1) The driver of any vehicle referred to in subsection 4 of this~~
66 ~~section shall not sound the siren thereon or have the front red lights or blue~~
67 ~~lights on except when such vehicle is responding to an emergency call or when~~
68 ~~in pursuit of an actual or suspected law violator, or when responding to, but~~
69 ~~not upon returning from, a fire.~~

70 ~~(2) The driver of an emergency vehicle may:~~

71 ~~(a) Park or stand irrespective of the provisions of sections 304.014 to~~
72 ~~304.025;~~

73 ~~(b) Proceed past a red or stop signal or stop sign, but only after~~
74 ~~slowing down as may be necessary for safe operation;~~

75 ~~(c) Exceed the prima facie speed limit so long as the driver does not~~
76 ~~endanger life or property;~~

77 ~~(d) Disregard regulations governing direction of movement or turning~~
78 ~~in specified directions.~~

79 ~~(3) The exemptions granted to an emergency vehicle pursuant to~~
80 ~~subdivision (2) of this subsection shall apply only when the driver of any such~~
81 ~~vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle~~
82 ~~as may be reasonably necessary, and when the vehicle is equipped with at least~~
83 ~~one lighted lamp displaying a red light or blue light visible under normal~~
84 ~~atmospheric conditions from a distance of five hundred feet to the front of~~
85 ~~such vehicle.~~

86 ~~6. No person shall purchase an emergency light as described in this~~
87 ~~section without furnishing the seller of such light an affidavit stating that the~~
88 ~~light will be used exclusively for emergency vehicle purposes.~~

89 ~~7. Violation of this section shall be deemed a class A misdemeanor.]~~

304.022. 1. Upon the immediate approach of an emergency vehicle giving audible
2 signal by siren or while having at least one lighted lamp exhibiting red light visible under
3 normal atmospheric conditions from a distance of five hundred feet to the front of such
4 vehicle or a flashing blue light authorized by section 307.175, the driver of every other
5 vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and
6 as far as possible to the right of, the traveled portion of the highway and thereupon stop and
7 remain in such position until such emergency vehicle has passed, except when otherwise
8 directed by a police or traffic officer.

9 2. Upon approaching a stationary vehicle displaying lighted red or red and blue lights,
10 or a stationary vehicle displaying lighted amber or amber and white lights, the driver of every
11 motor vehicle shall:

12 (1) Proceed with caution and yield the right-of-way, if possible with due regard to
13 safety and traffic conditions, by making a lane change into a lane not adjacent to that of the
14 stationary vehicle, if on a roadway having at least four lanes with not less than two lanes
15 proceeding in the same direction as the approaching vehicle; or

16 (2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe
17 speed for road conditions, if changing lanes would be unsafe or impossible.

18 3. The motorman of every streetcar shall immediately stop such car clear of any
19 intersection and keep it in such position until the emergency vehicle has passed, except as
20 otherwise directed by a police or traffic officer.

21 4. An "emergency vehicle" is a vehicle of any of the following types:

22 (1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri
23 capitol police, a conservation agent, or a state **or a county or municipal** park ranger, those
24 vehicles operated by enforcement personnel of the state highways and transportation
25 commission, police or fire department, sheriff, constable or deputy sheriff, federal law
26 enforcement officer authorized to carry firearms and to make arrests for violations of the laws
27 of the United States, traffic officer, coroner, medical examiner, or forensic investigator of the
28 county medical examiner's office, or by a privately owned emergency vehicle company;

29 (2) A vehicle operated as an ambulance or operated commercially for the purpose of
30 transporting emergency medical supplies or organs;

31 (3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

32 (4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or
33 public service corporation while performing emergency service;

34 (5) Any vehicle transporting equipment designed to extricate human beings from the
35 wreckage of a motor vehicle;

36 (6) Any vehicle designated to perform emergency functions for a civil defense or
37 emergency management agency established pursuant to the provisions of chapter 44;

38 (7) Any vehicle operated by an authorized employee of the department of corrections
39 who, as part of the employee's official duties, is responding to a riot, disturbance, hostage
40 incident, escape or other critical situation where there is the threat of serious physical injury
41 or death, responding to mutual aid call from another criminal justice agency, or in
42 accompanying an ambulance which is transporting an offender to a medical facility;

43 (8) Any vehicle designated to perform hazardous substance emergency functions
44 established pursuant to the provisions of sections 260.500 to 260.550;

45 (9) Any vehicle owned by the state highways and transportation commission and
46 operated by an authorized employee of the department of transportation that is marked as a
47 department of transportation emergency response or motorist assistance vehicle; or

48 (10) Any vehicle owned and operated by the civil support team of the Missouri
49 National Guard while in response to or during operations involving chemical, biological, or
50 radioactive materials or in support of official requests from the state of Missouri involving
51 unknown substances, hazardous materials, or as may be requested by the appropriate state
52 agency acting on behalf of the governor.

53 5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not
54 sound the siren thereon or have the front red lights or blue lights on except when such vehicle
55 is responding to an emergency call or when in pursuit of an actual or suspected law violator,
56 or when responding to, but not upon returning from, a fire.

57 (2) The driver of an emergency vehicle may:

58 (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

59 (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may
60 be necessary for safe operation;

61 (c) Exceed the prima facie speed limit so long as the driver does not endanger life or
62 property;

63 (d) Disregard regulations governing direction of movement or turning in specified
64 directions.

65 (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of
66 this subsection shall apply only when the driver of any such vehicle while in motion sounds
67 audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the
68 vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible
69 under normal atmospheric conditions from a distance of five hundred feet to the front of such
70 vehicle.

71 6. No person shall purchase an emergency light as described in this section without
72 furnishing the seller of such light an affidavit stating that the light will be used exclusively for
73 emergency vehicle purposes.

74 7. Violation of this section shall be deemed a class A misdemeanor.

304.822. 1. This section shall be known as the "Siddens Bening Hands Free Law".

2 2. As used in this section, the following terms shall mean:

3 (1) "Commercial motor vehicle", the same meaning as is ascribed to such term in
4 section 302.700;

5 (2) "Electronic communication device", a portable device that is used to initiate,
6 receive, store, or view communication, information, images, or data electronically.

7 (a) Such term shall include but not be limited to: cellular telephones; portable
8 telephones; text-messaging devices; personal digital assistants; pagers; broadband personal
9 communication devices; electronic devices with mobile data access; computers, including but
10 not limited to tablets, laptops, notebook computers, and electronic or video game systems;
11 devices capable of transmitting, retrieving, or displaying a video, movie, broadcast television
12 image, or visual image; and any substantially similar device that is used to initiate or receive
13 communication or store and review information, videos, images, or data.

14 (b) Such term shall not include: radios; citizens band radios; commercial two-way
15 radio communication devices or their functional equivalent; subscription-based emergency

16 communication devices; prescribed medical devices; amateur or ham radio devices; or global
17 positioning system receivers, security, navigation, communication, or remote diagnostics
18 systems permanently affixed to the vehicle;

19 (3) "Highway", the same meaning as is ascribed to such term in section 302.010;

20 (4) "Noncommercial motor vehicle", the same meaning as is ascribed to such term in
21 section 302.700;

22 (5) "Operating", the actual physical control of a vehicle;

23 (6) "Operator", a person who is in actual physical control;

24 (7) "School bus", the same meaning as is ascribed to such term in section 302.700;

25 (8) "Voice-operated or hands-free feature or function", a feature or function, whether
26 internally installed or externally attached or connected to an electronic communication
27 device, that allows a person to use an electronic communication device without the use of
28 either hand, except to activate, deactivate, or initiate the feature or function with a single
29 touch or single swipe.

30 3. Except as otherwise provided in this section, while operating a noncommercial
31 motor vehicle or commercial motor vehicle on any highway or property open to the public for
32 vehicular traffic in this state, no operator shall:

33 (1) Physically hold or support, with any part of his or her body, an electronic
34 communication device;

35 (2) Write, send, or read any text-based communication, including but not limited to a
36 text message, instant message, email, or social media interaction on an electronic
37 communication device. This subdivision shall not apply to operators of a noncommercial
38 motor vehicle using a voice-operated or hands-free feature or function that converts the
39 message to be sent as a message in a written form, provided that the operator does not divert
40 his or her attention from lawful operation of the vehicle;

41 (3) Make any communication on an electronic communication device, including a
42 phone call, voice message, or one-way voice communication; provided however, that this
43 prohibition shall not apply to use of a voice-operated or hands-free feature or function;

44 (4) Engage in any form of electronic data retrieval or electronic data communication
45 on an electronic communication device;

46 (5) Manually enter letters, numbers, or symbols into any website, search engine, or
47 application on an electronic communication device;

48 (6) Watch a video or movie on an electronic communication device, other than
49 watching data related to the navigation of the vehicle; or

50 (7) Record, post, send, or broadcast video, including a video conference, on an
51 electronic communication device, provided that this prohibition shall not apply to electronic

52 devices used for the sole purpose of continually monitoring operator behavior by recording or
53 broadcasting video within or outside the vehicle.

54 4. The operator of a school bus shall not use or operate an electronic communication
55 device while the school bus is in motion unless the device is being used in a similar manner as
56 a two-way radio to allow live communication between the operator and school officials or
57 public safety officials. The operator of a school bus shall not use or operate an electronic
58 communication device or a two-way radio while loading or unloading passengers.

59 5. This section shall not apply to:

60 (1) Law enforcement officers or operators of emergency vehicles, as such term is
61 defined in section 304.022, who are both using the electronic communication device and
62 operating the emergency vehicle in the performance of their official duties;

63 (2) Operators using an electronic communication device for the sole purpose of
64 reporting an emergency situation and continuing communication with emergency personnel
65 during the emergency situation;

66 (3) Operators of noncommercial motor vehicles using an electronic communication
67 device solely through a voice-operated or hands-free feature or function;

68 (4) Operators of commercial motor vehicles using a voice-operated or hands-free
69 feature or function, as long as the operator remains seated and is restrained by a seat belt as
70 required by law;

71 (5) Operators of commercial motor vehicles reading a message displayed on a
72 permanently installed communication device designed for a commercial motor vehicle with a
73 screen that does not exceed ten inches tall by ten inches wide in size;

74 (6) Operators using electronic communication devices while the vehicle is lawfully
75 stopped or parked;

76 (7) Commercial motor vehicles that are responding to a request for roadside
77 assistance, when such response is conducted by a motor club as defined in section 385.450 or
78 a towing company as defined in section 304.001;

79 (8) The use of an electronic communication device to relay information between a
80 transit or for-hire vehicle operator and that operator's dispatcher, provided the device is
81 mounted or affixed to the vehicle;

82 (9) The use of an electronic communication device to access or view a map for
83 navigational purposes;

84 (10) The use of an electronic communication device to access or listen to an audio
85 broadcast or digital audio recording; or

86 (11) The use of an electronic communication device to relay information through a
87 transportation network company's digital network to a transportation network company
88 driver, provided the device is mounted or affixed to the vehicle.

89 6. (1) Except as otherwise provided in this subsection, violation of this section shall
90 be an infraction. Penalties for violations of this section shall be as provided in this
91 subsection. Prior convictions shall be pleaded and proven in the same manner as required
92 under section 558.021.

93 (2) For a conviction under this section where there is no prior conviction under this
94 section within the preceding twenty-four months, the court shall impose a fine of up to one
95 hundred fifty dollars.

96 (3) For a conviction under this section where there is one prior conviction under this
97 section within the preceding twenty-four months, the court shall impose a fine of up to two
98 hundred fifty dollars.

99 (4) For a conviction under this section where there are two or more prior convictions
100 under this section in the preceding twenty-four months, the court shall impose a fine of up to
101 five hundred dollars.

102 (5) For a conviction under this section where the violation occurred in a work zone
103 when workers are present, as such terms are defined in section 304.580, or for a conviction
104 under this section where the violation occurred in an area designated as a school zone and
105 marked in any way that would alert a reasonably prudent operator to the presence of the
106 school zone, the court shall impose a fine of up to five hundred dollars.

107 (6) A violation of this section that is the proximate cause of damage to property in
108 excess of five thousand dollars shall be a class D misdemeanor.

109 (7) A violation of this section that is the proximate cause of serious physical injury to
110 another person shall be a class B misdemeanor.

111 (8) A violation of this section that is the proximate cause of the death of another
112 person shall be a class D felony.

113 (9) A violation of this section while operating a commercial motor vehicle shall be
114 deemed a serious traffic violation, as such term is defined in section 302.700, for purposes of
115 commercial driver's license disqualification under section 302.755.

116 7. A law enforcement officer who stops a noncommercial motor vehicle for a
117 violation of this section shall inform the operator of the operator's right to decline a search of
118 their electronic communication device. No warrant shall be issued to confiscate or access an
119 electronic communication device based on a violation of this section unless the violation
120 results in serious bodily injury or death.

121 8. A violation of this section shall not be used to establish probable cause for any
122 other violation.

123 9. The provisions of this section shall be subject to the reporting requirements set
124 forth in section 590.650.

125 10. ~~[The state preempts the field of regulating the use of electronic communication~~
126 ~~devices by the operators of commercial and noncommercial motor vehicles. The provisions~~
127 ~~of this section shall supercede any local laws, ordinances, orders, rules, or regulations enacted~~
128 ~~by a county, municipality, or other political subdivision to regulate the use of electronic~~
129 ~~communication devices by the operator of a commercial or noncommercial motor vehicle]~~
130 **The provisions of this section preempt any local law, ordinance, or regulation that**
131 **conflicts with this section. Notwithstanding any other provision of law, political**
132 **subdivisions of this state shall not enact or enforce any ordinance or other local law or**
133 **regulation that conflicts with or is preempted by this section.**

134 11. Prior to January 1, 2025, a law enforcement officer who stops a noncommercial
135 motor vehicle for a violation of this section shall not issue a citation for a violation of this
136 section and shall only issue a warning.

137 12. No person shall be stopped, inspected, or detained solely for a violation of this
138 section.

320.500. The provisions of sections 320.500 to 320.528 shall be known and
2 **referred to as the "Firefighters' Procedural Bill of Rights Act".**

320.502. For purposes of sections 320.500 to 320.528, the following terms mean:

2 **(1) "Firefighter", any Missouri resident who is employed full-time or part-time**
3 **by a public agency located in the state as a firefighter or as a first responder or ancillary**
4 **service personnel, including emergency medical service workers, dispatchers,**
5 **paramedics, emergency maintenance technicians, and emergency medical technicians**
6 **(EMT) who are employed by a fire district, fire protection district, fire department, or**
7 **fire authority. The term "firefighter" does not apply to any employee who has not**
8 **successfully completed the probationary period established by his or her employer as a**
9 **condition of employment;**

10 **(2) "Interrogation", any formal interview, inquiry, or questioning of any**
11 **firefighter by the appointing authority's designee regarding misconduct or violation of**
12 **policy;**

13 **(3) "Public agency", any fire district, municipal fire department, ambulance**
14 **district, or emergency 911 dispatching agency;**

15 **(4) "Punitive action", any action that may lead to dismissal, demotion,**
16 **suspension, reduction in salary, written reprimand, or transfer for purposes of**
17 **punishment;**

18 **(5) "Representative", an individual who accompanies and advises a firefighter**
19 **during an interrogation and during the course of an investigation and who may**
20 **intervene, raise objections, and provide moral support to the firefighter;**

21 (6) "Social media account", any electronic service or account or any electronic
22 content including, but not limited to, videos, photographs, audio blogs, video blogs,
23 podcasts, instant messages or text messages, email programs or services, online services,
24 or website profiles.

 320.504. 1. Except as otherwise provided in chapter 36, or whenever on duty or
2 in uniform, no firefighter shall be prohibited from engaging, or be coerced or required
3 to engage, in political activity.

 2. A firefighter shall not be prohibited from seeking election to, or serving as a
5 member of, the governing board of a school district or any local agency where the
6 firefighter is not employed including, but not limited to, any city, county, or political
7 subdivision thereof.

 320.506. 1. When any firefighter is under investigation and subjected to
2 interrogation by his or her commanding officer, or any other member designated by the
3 employing department or licensing or certifying agency, that could lead to punitive
4 action, the interrogation shall be conducted under the following conditions:

 (1) The interrogation shall be conducted at a reasonable hour, at a time when the
6 firefighter is on duty, unless an imminent threat to the safety of the public requires
7 otherwise. If the interrogation does occur during off-duty time of the firefighter being
8 interrogated, the firefighter shall be compensated for any off-duty time in accordance
9 with regular department procedures. The firefighter's compensation shall not be
10 reduced as a result of any work missed while being interrogated;

 (2) The firefighter under investigation shall be informed, prior to the
12 interrogation, of the rank, name, and command of the officer or other person in
13 charge of the interrogation; the interrogating officer; and all other persons to be present
14 during the interrogation. All questions directed to the firefighter under investigation
15 shall be asked by and through no more than two interrogators at one time;

 (3) The firefighter under investigation shall be informed of the nature of the
17 investigation prior to any interrogation;

 (4) The interrogating session shall be for a reasonable period taking into
19 consideration the gravity and complexity of the issue being investigated. The firefighter
20 under interrogation shall be allowed reasonable breaks to attend to his or her own
21 personal physical necessities;

 (5) Prior to an interview session, the investigator or investigators conducting the
23 investigation shall advise the firefighter or the rule set out in *Garrity v. New Jersey*, 385
24 U.S. 493 (1967), specifically that the firefighter is being ordered to answer questions
25 under threat of disciplinary action and that the firefighter's answers to the questions
26 will not be used against the firefighter in criminal proceedings;

27 (6) (a) The firefighter under investigation shall not be subjected to offensive
28 language or threatened with punitive action. A promise of reward shall not be made as
29 an inducement to answer any question. The employer shall provide to, and obtain from,
30 the firefighter under investigation a formal grant of immunity from criminal
31 prosecution, in writing, before the firefighter may be compelled to respond to
32 incriminating questions in an interrogation. Subject to that grant of immunity, a
33 firefighter refusing to respond to questions or subject to interrogations directly related
34 to the investigation shall be informed that the failure to answer questions directly
35 related to the investigation may result in punitive action;

36 (b) The employer shall not cause the firefighter under investigation to be
37 subjected to visits by the press or news media without his or her express written consent
38 free of duress, and the firefighter's photograph, home address, telephone number, or
39 other contact information shall not be given to the press or news media without his or
40 her express written consent free of duress;

41 (7) A statement made during interrogation by a firefighter under duress,
42 coercion, or threat of punitive action shall not be admissible in any subsequent judicial
43 proceeding, subject to the following qualifications:

44 (a) This subdivision shall not limit the use of statements otherwise made by a
45 firefighter when the employing fire department is seeking civil service sanctions against
46 any firefighter; and

47 (b) This subdivision shall not prevent the admissibility of statements otherwise
48 made by the firefighter during interrogation in any civil action, including administrative
49 actions, brought by that firefighter, or that firefighter's exclusive representative, arising
50 out of a disciplinary action;

51 (8) The complete interrogation of a firefighter may be recorded. If a recording is
52 made of the interrogation, the firefighter shall have access to the recording if any
53 further proceedings are contemplated or prior to any further interrogation at a
54 subsequent time. The firefighter shall be entitled to a transcribed copy of any notes
55 made by a stenographer or to any reports or complaints made by investigators or other
56 persons, except those portions that are otherwise required by law to be kept
57 confidential. Notes or reports that are deemed to be confidential shall not be entered
58 in the firefighter's personnel file. The firefighter being interrogated shall have the right
59 to bring his or her own recording device and record any and all aspects of the
60 interrogation;

61 (9) Upon the filing of a formal written statement of charges, or whenever an
62 interrogation focuses on matters that may result in punitive action against any
63 firefighter, that firefighter, at his or her request, shall have the right to be represented

64 by a representative of his or her choice who may be present at all times during the
65 interrogation. The representative shall not be a person subject to the same
66 investigation. The representative shall not be required to disclose, or be subject to
67 any punitive action for refusing to disclose, any information received from the
68 firefighter under investigation for noncriminal matters;

69 (10) An employer shall not, either directly or indirectly, require, request,
70 suggest, or cause any firefighter to disclose the username, password, or any other
71 information that would provide access to any of his or her personal social media
72 accounts.

73 2. The provisions of this section shall not be construed to apply to counseling,
74 instruction, or informal verbal admonishment by, or other routine or unplanned contact
75 with, a supervisor or any other firefighter.

320.508. 1. A firefighter shall not be subjected to punitive action or denied
2 promotion, or threatened with that treatment, because of the lawful exercise of the
3 rights granted under sections 320.500 to 320.528 or the exercise of any rights under any
4 existing administrative grievance procedure.

5 2. Punitive action or denial of promotion on grounds other than merit shall not
6 be undertaken by any employing department or licensing or certifying agency against
7 any firefighter who has successfully completed the probationary period without
8 providing the firefighter with an opportunity for administrative appeal.

9 3. A fire chief shall not be removed by a public agency or appointing authority
10 without providing that person with written notice, the reason or reasons for removal,
11 and an opportunity for administrative appeal. For purposes of this subsection, the
12 removal of a fire chief by a public agency or appointing authority, for the purpose of
13 implementing the goals or policies, or both, of the public agency or appointing authority,
14 or for reasons including, but not limited to, incompatibility of management styles or as a
15 result of change in administration, shall be sufficient to constitute reason. Nothing in
16 this subsection shall be construed to create a property interest, if one does not otherwise
17 exist by rule or law, in the job of fire chief.

18 4. Punitive action or denial of promotion on grounds other than merit shall not
19 be undertaken for any act, omission, or other allegation of misconduct if the
20 investigation of the allegation is not completed within one year of discovery by the
21 employing fire department or licensing or certifying agency. This one-year limitation
22 period shall apply only if the discovery of the act, omission, or other misconduct
23 occurred on or after August 28, 2025. If the employing department or licensing or
24 certifying agency determines that discipline may be taken, it shall complete its

25 investigation and notify the firefighter of its proposed disciplinary action within that
26 year, except in any of the following circumstances:

27 (1) If the firefighter voluntarily waives the one-year time period in writing, the
28 time period shall be tolled for the period of time specified in the written waiver;

29 (2) If the act, omission, or other allegation of misconduct is also the subject of a
30 criminal investigation or criminal prosecution, the time during which the criminal
31 investigation or criminal prosecution is pending shall toll the one-year period;

32 (3) If the investigation is a multi-jurisdictional investigation that requires a
33 reasonable extension for coordination of the involved agencies;

34 (4) If the investigation involves an employee who is incapacitated or otherwise
35 unavailable;

36 (5) If the investigation involves a matter in civil litigation where the firefighter is
37 named as a party defendant, the one-year time period shall be tolled while that civil
38 action is pending;

39 (6) If the investigation involves a matter in criminal litigation in which the
40 complainant is a criminal defendant, the one-year time period shall be tolled during the
41 period of that defendant's criminal investigation and prosecution; or

42 (7) If the investigation involves an allegation of workers' compensation fraud on
43 the part of the firefighter.

44 5. If a predisciplinary response or grievance procedure is required or utilized,
45 the time for that response or procedure shall not be governed or limited by sections
46 320.500 to 320.528.

47 6. If, after investigation and any predisciplinary response or procedure, the
48 employing department or licensing or certifying agency decides to impose discipline,
49 that agency shall notify the firefighter in writing of its decision to impose discipline
50 within thirty days of its decision but not less than forty-eight hours prior to imposing the
51 discipline.

52 7. Notwithstanding the one-year time period specified in subsection 4 of this
53 section, an investigation may be reopened against a firefighter if both of the following
54 circumstances exist:

55 (1) Significant new evidence has been discovered that is likely to affect the
56 outcome of the investigation; and

57 (2) One of the following conditions exists:

58 (a) The evidence could not reasonably be discovered in the normal course of
59 investigation without resorting to extraordinary measures by the agency; or

60 (b) The evidence resulted from the firefighter's predisciplinary response or
61 procedure.

320.510. 1. An administrative appeal instituted by a firefighter under sections 2 320.500 to 320.528 shall be conducted in accordance with rules and procedures adopted 3 by the employing department or licensing or certifying agency that are in accordance 4 with chapter 536.

5 2. Notwithstanding subsection 1 of this section, if the employing department is 6 subject to a memorandum of understanding that provides for binding arbitration of 7 administrative appeals, the arbitrator or arbitration panel shall serve as the hearing 8 officer in accordance with chapter 536 and, notwithstanding any other provision of law, 9 that hearing officer's decision shall be binding. However, a memorandum of 10 understanding negotiated with an employing agency shall not control the process for 11 administrative appeals instituted with licensing or certifying agencies. Any 12 administrative appeal instituted with licensing or certifying agencies shall adhere to 13 the requirements prescribed in subsection 1 of this section.

320.512. A firefighter shall not have any comment adverse to his or her interest 2 entered in his or her personnel file, or any other file used for any personnel purposes by 3 his or her employer, without the firefighter having first read and signed the instrument 4 containing the adverse comment indicating he or she is aware of the comment. 5 However, the entry may be made if after reading the instrument, the firefighter refuses 6 to sign it. That fact shall be noted on that document and signed or initialed by the 7 firefighter.

320.514. A firefighter shall have thirty days to file a written response to any 2 adverse comment entered in his or her personnel file. The written response shall be 3 attached to, and shall accompany, the adverse comment.

320.516. 1. Every employer shall, at reasonable times and at reasonable 2 intervals, upon the request of a firefighter, during usual business hours, with no loss of 3 compensation to the firefighter, permit that firefighter to inspect personnel files that are 4 used or have been used to determine that firefighter's qualifications for employment, 5 promotion, additional compensation, or termination or other disciplinary action.

6 2. Each employer shall keep each firefighter's personnel file or a true and 7 correct copy thereof and shall make the file or copy thereof available within a 8 reasonable period of time after a request therefor by the firefighter.

9 3. If, after examination of the firefighter's personnel file, the firefighter believes 10 that any portion of the material is mistakenly or unlawfully placed in the file, the 11 firefighter may request, in writing, that the mistaken or unlawful portion be corrected 12 or deleted. Any request made pursuant to this subsection shall include a statement by 13 the firefighter describing the corrections or deletions from the personnel file requested

14 and the reasons supporting those corrections or deletions. A statement submitted
15 pursuant to this subsection shall become part of the personnel file of the firefighter.

16 4. Within thirty calendar days of receipt of a request made under subsection 3 of
17 this section, the employer shall either grant the firefighter's request or notify the officer
18 of the decision to refuse to grant the request. If the employer refuses to grant the
19 request, in whole or in part, the employer shall state in writing the reasons for refusing
20 the request and that written statement shall become part of the personnel file of the
21 firefighter.

320.518. 1. A firefighter shall not be compelled to submit to a lie detector test
2 against his or her will.

3 2. Disciplinary action or other recrimination shall not be taken against a
4 firefighter refusing to submit to a lie detector test.

5 3. No comment shall be entered anywhere in the investigator's notes or
6 anywhere else that the firefighter refused to take, or did not take, a lie detector test.

7 4. Testimony or evidence to the effect that the firefighter refused to take, or was
8 subjected to, a lie detector test shall not be admissible at a subsequent hearing, trial, or
9 proceeding, judicial or administrative.

10 5. For purposes of this section, "lie detector" means a polygraph, deceptograph,
11 voice stress analyzer, psychological stress evaluator, or any other similar device, whether
12 mechanical or electrical, that is used, or the results of which are used, for the purpose of
13 rendering a diagnostic opinion regarding the honesty or dishonesty of an individual.

320.520. A firefighter shall not be required or requested for purposes of job
2 assignment or other personnel action to disclose any item of his or her property, income,
3 assets, source of income, debts, or personal or domestic expenditures, including those of
4 any member of his or her family or household, unless that information is otherwise
5 required to be furnished under state law or obtained pursuant to court order.

320.522. A firefighter shall not have his or her locker searched, except in his or
2 her presence or with his or her consent, or unless a valid search warrant has been
3 obtained or unless he or she has been notified that a search will be conducted. This
4 section shall apply only to lockers that are owned or leased by the employing
5 department or licensing or certifying agency.

320.524. 1. It shall be unlawful for any employing department or licensing or
2 certifying agency to deny or refuse to any firefighter the rights and protections
3 guaranteed by sections 320.500 to 320.528.

4 2. The circuit court of the county of proper venue shall have initial jurisdiction
5 over any proceeding brought by any firefighter against any employing department or
6 licensing or certifying agency for alleged violations of sections 320.500 to 320.528.

7 **3. (1) If the court finds that the employing department or licensing or certifying**
8 **agency has violated any of the provisions of sections 320.500 to 320.528, the court shall**
9 **render appropriate injunctive or other extraordinary relief to remedy the violation and**
10 **to prevent future violations of a like or similar nature including, but not limited to, the**
11 **granting of a temporary restraining order or preliminary or permanent injunction**
12 **prohibiting the employing department or licensing or certifying agency from taking any**
13 **punitive action against the firefighter.**

14 **(2) If the court finds that a bad faith or frivolous action or a filing for an**
15 **improper purpose has been brought under sections 320.500 to 320.528, the court may**
16 **order sanctions against the party filing the action, the party's attorney, or both,**
17 **pursuant to the applicable Missouri rules of civil procedure. Those sanctions may**
18 **include, but not be limited to, reasonable expenses, including attorney's fees, incurred**
19 **by a fire department as the court deems appropriate.**

20 **(3) Nothing in this subsection is intended to subject actions or filings under this**
21 **section to rules or standards that are different from those applicable to other civil**
22 **actions or filings subject to the Missouri rules of civil procedure.**

23 **4. In addition to the extraordinary relief afforded under sections 320.500 to**
24 **320.528, upon a finding by the court that a fire department, its employees, agents, or**
25 **assigns, with respect to acts taken within the scope of employment, maliciously violated**
26 **any provision of sections 320.500 to 320.528 with the intent to injure the firefighter, the**
27 **fire department shall, for each and every violation, be liable for a civil penalty not to**
28 **exceed twenty-five thousand dollars to be awarded to the firefighter whose right or**
29 **protection was denied and for reasonable attorney's fees as may be determined by the**
30 **court. If the court so finds, and there is sufficient evidence to establish actual damages**
31 **suffered by the firefighter whose right or protection was denied, the fire department**
32 **shall also be liable for the amount of the actual damages. Notwithstanding these**
33 **provisions, a fire department shall not be required to indemnify a contractor for the**
34 **contractor's liability under this subsection if there is, within the contract between the**
35 **fire department and the contractor, a hold harmless or similar provision that protects**
36 **the fire department from liability for the actions of the contractor. An individual shall**
37 **not be liable for any act for which a fire department is liable under this section.**

320.526. Nothing in sections 320.500 to 320.528 shall in any way be construed to
2 **limit the ability of any employment department, licensing or certifying agency, or any**
3 **firefighter to fulfill mutual aid agreements with other jurisdictions or agencies, and the**
4 **provisions of sections 320.500 to 320.528 shall not be construed in any way to limit any**
5 **jurisdictional or interagency cooperation under any circumstances where that activity is**
6 **deemed necessary or desirable by the jurisdictions or agencies involved.**

320.528. 1. The rights and protections described in sections 320.500 to 320.528 shall apply only to a firefighter during events and circumstances involving the performance of his or her official duties.

2. Notwithstanding any provision of law to the contrary, an employer shall provide legal defense for any firefighter who, while acting in the normal course of his or her duties, is named as a defendant in civil litigation relating to such duties.

321.295. 1. The board of directors of a fire protection district may distribute surplus or unneeded supplies or property to volunteer fire protection associations, as defined in section 320.300, to fire protection districts, to fire departments, and to eligible donees, as such term is defined in connection with the federal surplus property program, in the same manner as provided for the distribution of federal surplus property. The board may distribute surplus or unneeded supplies or property to an organization registered as a non-for-profit organization pursuant to 26 U.S.C. Section 501(c)3, public service corporation that provides training to fire departments, emergency medical technicians, or police officers in search and recovery techniques, water rescue, ice rescue, or watercraft operation in the same manner as provided for the distribution of federal surplus property.

2. The board of directors of a fire protection district may sell surplus or unneeded supplies or property that are not transferred to fire protection associations, districts, or departments or eligible donees to the general public by auction, sealed bid.

3. Notwithstanding the provisions of subsections 1 and 2 of this section to the contrary, the board of directors of a fire protection district may not donate or sell surplus emergency vehicles or unneeded supplies or property to board members, officers, or employees of the fire protection district or their relatives within the fourth degree, by consanguinity or affinity, nor to an entity of which a board member, officer, or employee is a board member or officer, unless such surplus is sold on an online auction platform approved by the Missouri Office of Administration.

324.012. 1. This section shall be known and may be cited as the "Fresh Start Act of 2020".

2. As used in this section, the following terms mean:

(1) "Criminal conviction", any conviction, finding of guilt, plea of guilty, or plea of nolo contendere;

(2) "Licensing", any required training, education, or fee to work in a specific occupation, profession, or activity in the state;

(3) "Licensing authority", an agency, examining board, credentialing board, or other office of the state with the authority to impose occupational fees or licensing requirements on any profession. For purposes of the provisions of this section other than subsection 7 of this

11 section, the term "licensing authority" shall not include the state board of education's
12 licensure of teachers pursuant to chapter 168, the Missouri state board of accountant's
13 licensure of accountants pursuant to chapter 326, the board of podiatric medicine's licensure
14 of podiatrists pursuant to chapter 330, the Missouri dental board's licensure of dentists
15 pursuant to chapter 332, the state board of registration for the healing art's licensure of
16 physicians and surgeons pursuant to chapter 334, the Missouri state board of nursing's
17 licensure of nurses pursuant to chapter 335, the board of pharmacy's licensure of pharmacists
18 pursuant to chapter 338, the Missouri real estate commission's licensure of real estate brokers,
19 real estate salespersons, or real estate broker-salespersons pursuant to sections 339.010 to
20 339.205, the Missouri veterinary medical board's licensure of veterinarian's pursuant to
21 chapter 340, the Missouri director of finance appointed pursuant to chapter 361, or the peace
22 officer standards and training commission's licensure of peace officers or other law
23 enforcement personnel pursuant to chapter 590;

24 (4) "Political subdivision", a city, town, village, municipality, or county.

25 3. Notwithstanding any other provision of law, beginning January 1, 2021, no person
26 shall be disqualified by a state licensing authority from pursuing, practicing, or engaging in
27 any occupation for which a license is required solely or in part because of a prior conviction
28 of a crime in this state or another state, unless the criminal conviction directly relates to the
29 duties and responsibilities for the licensed occupation as set forth in this section or is violent
30 or sexual in nature.

31 4. Beginning August 28, 2020, applicants for examination of licensure who have
32 pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the
33 following offenses or offenses of a similar nature established under the laws of this state, any
34 other state, United States, or any other country, notwithstanding whether sentence is imposed,
35 shall be considered by state licensing authorities to have committed a criminal offense that
36 directly relates to the duties and responsibilities of a licensed profession:

37 (1) Any murder in the first degree, or dangerous felony as defined under section
38 556.061 excluding an intoxication-related traffic offense or intoxication-related boating
39 offense if the person is found to be a habitual offender or habitual boating offender as such
40 terms are defined in section 577.001;

41 (2) Any of the following sexual offenses: rape in the first degree, forcible rape, rape,
42 statutory rape in the first degree, statutory rape in the second degree, rape in the second
43 degree, sexual assault, sodomy in the first degree, forcible sodomy, statutory sodomy in the
44 first degree, statutory sodomy in the second degree, child molestation in the first degree, child
45 molestation in the second degree, sodomy in the second degree, deviate sexual assault, sexual
46 misconduct involving a child, sexual misconduct in the first degree under section 566.090 as
47 it existed prior to August 28, 2013, sexual abuse under section 566.100 as it existed prior to

48 August 28, 2013, sexual abuse in the first or second degree, enticement of a child, or
49 attempting to entice a child;

50 (3) Any of the following offenses against the family and related offenses: incest,
51 abandonment of a child in the first degree, abandonment of a child in the second degree,
52 endangering the welfare of a child in the first degree, abuse of a child, using a child in a
53 sexual performance, promoting sexual performance by a child, or trafficking in children; and

54 (4) Any of the following offenses involving child pornography **as it existed prior to**
55 **August 28, 2025, or child sexual abuse material** and related offenses: promoting obscenity
56 in the first degree, promoting obscenity in the second degree when the penalty is enhanced to
57 a class E felony, promoting child pornography in the first degree **as it existed prior to**
58 **August 28, 2025, promoting child sexual abuse material in the first degree**, promoting
59 child pornography in the second degree **as it existed prior to August 28, 2025, promoting**
60 **child sexual abuse material in the second degree**, possession of child pornography in the
61 first degree **as it existed prior to August 28, 2025, possession of child sexual abuse**
62 **material in the first degree**, possession of child pornography in the second degree **as it**
63 **existed prior to August 28, 2025, possession of child sexual abuse material in the second**
64 **degree**, furnishing child pornography to a minor **as it existed prior to August 28, 2025,**
65 **furnishing child sexual abuse material to a minor**, furnishing pornographic materials to
66 minors, or coercing acceptance of obscene material;

67 (5) The offense of delivery of a controlled substance, as provided in section 579.020,
68 may be a disqualifying criminal offense for the following occupations: real estate appraisers
69 and appraisal management companies, licensed pursuant to sections 339.500 to 339.549; and
70 nursing home administrators, licensed pursuant to chapter 344; and

71 (6) Any offense an essential element of which is fraud may be a disqualifying
72 criminal offense for the following occupations: private investigators, licensed pursuant to
73 sections 324.1100 to 324.1148; accountants, licensed pursuant to chapter 326; architects,
74 licensed pursuant to sections 327.091 to 327.172; engineers, licensed pursuant to sections
75 327.181 to 327.271; land surveyors, licensed pursuant to sections 327.272 to 327.371;
76 landscape architects, licensed pursuant to sections 327.600 to 327.635; chiropractors, licensed
77 pursuant to chapter 331; embalmers and funeral directors, licensed pursuant to chapter 333;
78 real estate appraisers and appraisal management companies, licensed pursuant to sections
79 339.500 to 339.549; and nursing home administrators, licensed pursuant to chapter 344.

80 5. If an individual is charged with any of the crimes set forth in subsection 4 of this
81 section, and is convicted, pleads guilty to, or is found guilty of a lesser-included offense and
82 is sentenced to a period of incarceration, such conviction shall only be considered by state
83 licensing authorities as a criminal offense that directly relates to the duties and responsibilities

84 of a licensed profession for four years, beginning on the date such individual is released from
85 incarceration.

86 6. (1) The licensing authority shall determine whether an applicant with a criminal
87 conviction will be denied a license based on the following factors:

88 (a) The nature and seriousness of the crime for which the individual was convicted;

89 (b) The passage of time since the commission of the crime, including consideration of
90 the factors listed under subdivision (2) of this subsection;

91 (c) The relationship of the crime to the ability, capacity, and fitness required to
92 perform the duties and discharge the responsibilities of the occupation; and

93 (d) Any evidence of rehabilitation or treatment undertaken by the individual that
94 might mitigate against a direct relation.

95 (2) If an individual has a valid criminal conviction for a criminal offense that could
96 disqualify the individual from receiving a license, the disqualification shall not apply to an
97 individual who has been exonerated for a crime for which he or she has previously been
98 convicted of or incarcerated.

99 7. An individual with a criminal record may petition a licensing authority at any time
100 for a determination of whether the individual's criminal record will disqualify the individual
101 from obtaining a license. This petition shall include details on the individual's criminal
102 record. The licensing authority shall inform the individual of his or her standing within thirty
103 days after the licensing authority has met, but in no event more than four months after
104 receiving the petition from the applicant. The decision shall be binding, unless the individual
105 has subsequent criminal convictions or failed to disclose information in his or her petition. If
106 the decision is that the individual is disqualified, the individual shall be notified in writing of
107 the grounds and reasons for disqualification. The licensing authority may charge a fee by rule
108 to recoup its costs as set by rulemaking authority not to exceed twenty-five dollars for each
109 petition.

110 8. (1) If a licensing authority denies an individual a license solely or in part because
111 of the individual's prior conviction of a crime, the licensing authority shall notify the
112 individual in writing of the following:

113 (a) The grounds and reasons for the denial or disqualification;

114 (b) That the individual has the right to a hearing as provided by chapter 621 to
115 challenge the licensing authority's decision;

116 (c) The earliest date the person may reapply for a license; and

117 (d) That evidence of rehabilitation may be considered upon reapplication.

118 (2) Any written determination by the licensing authority that an applicant's criminal
119 conviction is a specifically listed disqualifying conviction and is directly related to the duties
120 and responsibilities for the licensed occupation shall be documented with written findings for

121 each of the grounds or reasons under paragraph (a) of subdivision (1) of this subsection by
122 clear and convincing evidence sufficient for a reviewing court.

123 (3) In any administrative hearing or civil litigation authorized under this subsection,
124 the licensing authority shall carry the burden of proof on the question of whether the
125 applicant's criminal conviction directly relates to the occupation for which the license is
126 sought.

127 9. The provisions of this section shall apply to any profession for which an
128 occupational license is issued in this state, including any new occupational license created by
129 a state licensing authority after August 28, 2020. Notwithstanding any other provision of law,
130 political subdivisions shall be prohibited from creating any new occupational licenses after
131 August 28, 2020. The provisions of this section shall not apply to business licenses, where
132 the terms "occupational licenses" and "business licenses" are used interchangeably in a city or
133 county charter definition.

**324.055. 1. The Missouri board of occupational therapy may require that
2 fingerprint submissions be made as part of an application seeking licensure as an
3 occupational therapist or an occupational therapy assistant, or a limited permit to
4 practice occupational therapy, as such terms are defined in section 324.050 and as
5 provided in section 324.077.**

**6 2. If the Missouri board of occupational therapy requires that fingerprint
7 submissions be made as part of such application, the Missouri board of occupational
8 therapy shall require applicants to submit the fingerprints to the Missouri state highway
9 patrol for the purpose of conducting a state and federal fingerprint-based criminal
10 history background check.**

**11 3. The fingerprints and any required fees shall be sent to the Missouri state
12 highway patrol's central repository. The fingerprints shall be used for searching the
13 state criminal records repository and shall also be forwarded to the Federal Bureau of
14 Investigation for a federal criminal records search under section 43.540. The Missouri
15 state highway patrol shall notify the Missouri board of occupational therapy of any
16 criminal history record information or lack of criminal history record information
17 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
18 contrary, all records related to any criminal history information discovered shall be
19 accessible and available to the Missouri board of occupational therapy.**

**324.129. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application seeking licensure as a licensed
3 clinical perfusionist and provisional clinical licensed perfusionist, as defined in section
4 324.128.**

5 2. If the state board of registration for the healing arts requires that fingerprint
6 submissions be made as part of such application, the state board of registration for the
7 healing arts shall require applicants to submit the fingerprints to the Missouri state
8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the state board of registration for the healing arts of
15 any criminal history record information or lack of criminal history record information
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
17 contrary, all records related to any criminal history information discovered shall be
18 accessible and available to the state board of registration for the healing arts.

 324.246. 1. The board of therapeutic massage may require that fingerprint
2 submissions be made as part of an application seeking a license, provisional license, or
3 student license as a massage therapist and a license as a massage business, as such terms
4 are defined in section 324.240 and as provided in sections 324.247 and 324.265.

5 2. If the board of therapeutic massage requires that fingerprint submissions be
6 made as part of such application, the board of therapeutic massage shall require
7 applicants to submit the fingerprints to the Missouri state highway patrol for the
8 purpose of conducting a state and federal fingerprint-based criminal history
9 background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the board of therapeutic massage of any criminal
15 history record information or lack of criminal history record information discovered on
16 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
17 records related to any criminal history information discovered shall be accessible and
18 available to the board of therapeutic massage.

 324.488. 1. The state board of chiropractic examiners may require that
2 fingerprint submissions be made as part of an application seeking licensure as an
3 acupuncturist, as such term is defined in section 324.475.

4 2. If the state board of chiropractic examiners requires that fingerprint
5 submissions be made as part of such application, the state board of chiropractic

6 examiners shall require applicants to submit the fingerprints to the Missouri state
7 highway patrol for the purpose of conducting a state and federal fingerprint-based
8 criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the state board of chiropractic examiners of any
14 criminal history record information or lack of criminal history record information
15 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
16 contrary, all records related to any criminal history information discovered shall be
17 accessible and available to the state board of chiropractic examiners.

324.1105. 1. The board of private investigator and private fire investigator
2 examiners may require that fingerprint submissions be made as part of an application
3 seeking licensure as a private investigator or private fire investigator or as an employee
4 of a private investigator agency or private fire investigator agency, as such terms are
5 defined in section 324.1100.

6 2. If the board of private investigator and private fire investigator examiners
7 requires that fingerprint submissions be made as part of such application, the board of
8 private investigator and private fire investigator examiners shall require applicants to
9 submit the fingerprints to the Missouri state highway patrol for the purpose of
10 conducting a state and federal fingerprint-based criminal history background check.

11 3. The fingerprints and any required fees shall be sent to the Missouri state
12 highway patrol's central repository. The fingerprints shall be used for searching the
13 state criminal records repository and shall also be forwarded to the Federal Bureau of
14 Investigation for a federal criminal records search under section 43.540. The Missouri
15 state highway patrol shall notify the board of private investigator and private fire
16 investigator examiners of any criminal history record information or lack of criminal
17 history record information discovered on the individual. Notwithstanding the
18 provisions of section 610.120 to the contrary, all records related to any criminal
19 history information discovered shall be accessible and available to the board of private
20 investigator and private fire investigator examiners.

326.257. 1. The Missouri state board of accountancy may require that
2 fingerprint submissions be made as part of an application seeking licensure as a
3 certified public accountant and a permit for a certified public accounting firm, as
4 defined in section 326.256.

5 **2. If the Missouri state board of accountancy requires that fingerprint**
6 **submissions be made as part of such application, the Missouri state board of**
7 **accountancy shall require applicants to submit the fingerprints to the Missouri state**
8 **highway patrol for the purpose of conducting a state and federal fingerprint-based**
9 **criminal history background check.**

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**
11 **highway patrol's central repository. The fingerprints shall be used for searching the**
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**
14 **state highway patrol shall notify the Missouri state board of accountancy of any**
15 **criminal history record information or lack of criminal history record information**
16 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**
17 **contrary, all records related to any criminal history information discovered shall be**
18 **accessible and available to the Missouri state board of accountancy.**

 329.050. 1. Applicants for examination or licensure pursuant to this chapter shall
2 possess the following qualifications:

3 (1) They shall provide documentation of successful completion of courses approved
4 by the board, have an education equivalent to the successful completion of the tenth grade,
5 and be at least seventeen years of age;

6 (2) If the applicants are apprentices, they shall have served and completed, as an
7 apprentice under the supervision of a licensed cosmetologist, the time and studies required by
8 the board which shall be no less than three thousand hours for cosmetologists, and no less
9 than eight hundred hours for manicurists and no less than fifteen hundred hours for esthetics.
10 However, when the classified occupation of manicurist is apprenticed in conjunction with the
11 classified occupation of cosmetologist, the apprentice shall be required to successfully
12 complete an apprenticeship of no less than a total of three thousand hours;

13 (3) If the applicants are students, they shall have had the required time in a licensed
14 school of no less than one thousand five hundred hours training or the credit hours determined
15 by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal
16 Regulations, as amended, for the classification of cosmetologist, with the exception of public
17 vocational technical schools in which a student shall complete no less than one thousand two
18 hundred twenty hours training. All students shall complete no less than four hundred hours or
19 the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title
20 34 of the Code of Federal Regulations, as amended, for the classification of manicurist. All
21 students shall complete no less than seven hundred fifty hours or the credit hours determined
22 by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal
23 Regulations, as amended, for the classification of esthetician. However, when the classified

24 occupation of manicurist is taken in conjunction with the classified occupation of
25 cosmetologist, the student shall not be required to serve the extra four hundred hours or
26 the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title
27 34 of the Code of Federal Regulations, as amended, otherwise required to include manicuring
28 of nails; and

29 (4) They shall have passed an examination to the satisfaction of the board.

30 2. A person may apply to take the examination required by subsection 1 of this
31 section if the person is a graduate of a school of cosmetology or apprentice program in
32 another state or territory of the United States which has substantially the same requirements
33 as an educational establishment licensed pursuant to this chapter. A person may apply to take
34 the examination required by subsection 1 of this section if the person is a graduate of an
35 educational establishment in a foreign country that provides training for a classified
36 occupation of cosmetology, as defined by section 329.010, and has educational requirements
37 that are substantially the same requirements as an educational establishment licensed under
38 this chapter. The board has sole discretion to determine the substantial equivalency of such
39 educational requirements. The board may require that transcripts from foreign schools be
40 submitted for its review, and the board may require that the applicant provide an approved
41 English translation of such transcripts.

42 3. Each application shall contain a statement that, subject to the penalties of making a
43 false affidavit or declaration, the application is made under oath or affirmation and that its
44 representations are true and correct to the best knowledge and belief of the person signing the
45 application.

46 4. The sufficiency of the qualifications of applicants shall be determined by the board,
47 but the board may delegate this authority to its executive director subject to such provisions as
48 the board may adopt.

49 5. Applications for examination or licensure may be denied if the applicant has
50 pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the
51 following offenses or offenses of a similar nature established under the laws of this state, any
52 other state, the United States, or any other country, notwithstanding whether sentence is
53 imposed:

54 (1) Any dangerous felony as defined under section 556.061 or murder in the first
55 degree;

56 (2) Any of the following sexual offenses: rape in the first degree, forcible rape, rape,
57 statutory rape in the first degree, statutory rape in the second degree, rape in the second
58 degree, sexual assault, sodomy in the first degree, forcible sodomy, statutory sodomy in the
59 first degree, statutory sodomy in the second degree, child molestation in the first degree, child
60 molestation in the second degree, sodomy in the second degree, deviate sexual assault, sexual

61 misconduct involving a child, sexual misconduct in the first degree under section 566.090 as
62 it existed prior to August 28, 2013, sexual abuse under section 566.100 as it existed prior to
63 August 28, 2013, sexual abuse in the first or second degree, enticement of a child, or
64 attempting to entice a child;

65 (3) Any of the following offenses against the family and related offenses: incest,
66 abandonment of a child in the first degree, abandonment of a child in the second degree,
67 endangering the welfare of a child in the first degree, abuse of a child, using a child in a
68 sexual performance, promoting sexual performance by a child, or trafficking in children; and

69 (4) Any of the following offenses involving child pornography **as it existed prior to**
70 **August 28, 2025, or child sexual abuse material** and related offenses: promoting obscenity
71 in the first degree, promoting obscenity in the second degree when the penalty is enhanced to
72 a class E felony, promoting child pornography in the first degree **as it existed prior to**
73 **August 28, 2025, promoting child sexual abuse material in the first degree**, promoting
74 child pornography in the second degree **as it existed prior to August 28, 2025, promoting**
75 **child sexual abuse material in the second degree**, possession of child pornography in the
76 first degree **as it existed prior to August 28, 2025, possession of child sexual abuse**
77 **material in the first degree**, possession of child pornography in the second degree **as it**
78 **existed prior to August 28, 2025, possession of child sexual abuse material in the second**
79 **degree**, furnishing child pornography to a minor **as it existed prior to August 28, 2025,**
80 **furnishing child sexual abuse material to a minor**, furnishing pornographic materials to
81 minors, or coercing acceptance of obscene material.

330.025. 1. The state board of podiatric medicine may require that fingerprint
2 submissions be made as part of an application seeking a permanent license or a
3 temporary license to practice podiatric medicine, as provided in sections 330.045 and
4 330.065, or a permanent podiatric medicine license with ankle certification, as such term
5 is defined in subsection 4 of this section.

6 2. If the state board of podiatric medicine requires that fingerprint submissions
7 be made as part of such application, the state board of podiatric medicine shall require
8 applicants to submit the fingerprints to the Missouri state highway patrol for the
9 purpose of conducting a state and federal fingerprint-based criminal history
10 background check.

11 3. The fingerprints and any required fees shall be sent to the Missouri state
12 highway patrol's central repository. The fingerprints shall be used for searching the
13 state criminal records repository and shall also be forwarded to the Federal Bureau of
14 Investigation for a federal criminal records search under section 43.540. The Missouri
15 state highway patrol shall notify the state board of podiatric medicine of any criminal
16 history record information or lack of criminal history record information discovered on

17 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
18 records related to any criminal history information discovered shall be accessible and
19 available to the state board of podiatric medicine.

20 4. For purposes of this section, the term "permanent podiatric medicine license
21 with ankle certification" means a license issued to a doctor of podiatric medicine who
22 has met the requirements for performing surgery on the ankle as provided in section
23 330.010.

331.025. 1. The state board of chiropractic examiners may require that
2 fingerprint submissions be made as part of an application seeking licensure to engage in
3 the practice of chiropractic, as such term is defined in section 331.010.

4 2. If the state board of chiropractic examiners requires that fingerprint
5 submissions be made as part of such application, the state board of chiropractic
6 examiners shall require applicants to submit the fingerprints to the Missouri state
7 highway patrol for the purpose of conducting a state and federal fingerprint-based
8 criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the state board of chiropractic examiners of any
14 criminal history record information or lack of criminal history record information
15 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
16 contrary, all records related to any criminal history information discovered shall be
17 accessible and available to the state board of chiropractic examiners.

332.015. 1. The Missouri dental board may require that fingerprint submissions
2 be made as part of an application seeking licensure as a dentist, a dental specialist, a
3 volunteer dentist, a temporary dentist, a dental hygienist, or a volunteer dental
4 hygienist, a limited dental teaching license, and a dental faculty permit, as provided in
5 sections 332.091, 332.112, 332.113, 332.171, 332.181, 332.183, 332.201, and 332.425.

6 2. If the Missouri dental board requires that fingerprint submissions be made as
7 part of such application, the Missouri dental board shall require applicants to submit
8 the fingerprints to the Missouri state highway patrol for the purpose of conducting a
9 state and federal fingerprint-based criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri

14 state highway patrol shall notify the Missouri dental board of any criminal history
15 record information or lack of criminal history record information discovered on the
16 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
17 records related to any criminal history information discovered shall be accessible and
18 available to the Missouri dental board.

334.015. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application for a permanent license,
3 temporary license, or limited license as a physician and assistant physician, as provided
4 in sections 334.035, 334.036, 334.045, 334.046, and 334.112.

5 2. If the state board of registration for the healing arts requires that fingerprint
6 submissions be made as part of such application, the state board of registration for the
7 healing arts shall require applicants to submit the fingerprints to the Missouri state
8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the state board of registration for the healing arts of
15 any criminal history record information or lack of criminal history record information
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
17 contrary, all records related to any criminal history information discovered shall be
18 accessible and available to the state board of registration for the healing arts.

334.403. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application seeking licensure as an
3 anesthesiologist assistant, as such term is defined in section 334.400, or a temporary
4 license to practice as an anesthesiologist assistant, as provided in section 334.406.

5 2. If the state board of registration for the healing arts requires that fingerprint
6 submissions be made as part of such application, the state board of registration for the
7 healing arts shall require applicants to submit the fingerprints to the Missouri state
8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the state board of registration for the healing arts of

15 any criminal history record information or lack of criminal history record information
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
17 contrary, all records related to any criminal history information discovered shall be
18 accessible and available to the state board of registration for the healing arts.

334.501. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application seeking a license or
3 temporary license as a physical therapist or physical therapist assistant, as such terms
4 are defined in section 334.500 and as provided in section 334.550.

5 2. If the state board of registration for the healing arts requires that fingerprint
6 submissions be made as part of such application, the state board of registration for the
7 healing arts shall require applicants to submit the fingerprints to the Missouri state
8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the state board of registration for the healing arts of
15 any criminal history record information or lack of criminal history record information
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
17 contrary, all records related to any criminal history information discovered shall be
18 accessible and available to the state board of registration for the healing arts.

334.701. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application seeking licensure as an
3 athletic trainer, as such term is defined in section 334.702.

4 2. If the state board of registration for the healing arts requires that fingerprint
5 submissions be made as part of such application, the state board of registration for the
6 healing arts shall require applicants to submit the fingerprints to the Missouri state
7 highway patrol for the purpose of conducting a state and federal fingerprint-based
8 criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the state board of registration for the healing arts of
14 any criminal history record information or lack of criminal history record information
15 discovered on the individual. Notwithstanding the provisions of section 610.120 to the

16 contrary, all records related to any criminal history information discovered shall be
17 accessible and available to the state board of registration for the healing arts.

334.739. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application seeking a license or
3 temporary license as a physician assistant, as such term is defined in section 334.735 and
4 as provided in section 334.736.

5 2. If the state board of registration for the healing arts requires that fingerprint
6 submissions be made as part of such application, the state board of registration for the
7 healing arts shall require applicants to submit the fingerprints to the Missouri state
8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the state board of registration for the healing arts of
15 any criminal history record information or lack of criminal history record information
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
17 contrary, all records related to any criminal history information discovered shall be
18 accessible and available to the state board of registration for the healing arts.

334.805. 1. The Missouri board for respiratory care may require that
2 fingerprint submissions be made as part of an application seeking licensure as a
3 respiratory care practitioner, an educational permit to practice respiratory care, or a
4 temporary permit to practice respiratory care, as such terms are defined in section
5 334.800 and as provided in section 334.890.

6 2. If the Missouri board for respiratory care requires that fingerprint
7 submissions be made as part of such application, the Missouri board for respiratory
8 care shall require applicants to submit the fingerprints to the Missouri state highway
9 patrol for the purpose of conducting a state and federal fingerprint-based criminal
10 history background check.

11 3. The fingerprints and any required fees shall be sent to the Missouri state
12 highway patrol's central repository. The fingerprints shall be used for searching the
13 state criminal records repository and shall also be forwarded to the Federal Bureau of
14 Investigation for a federal criminal records search under section 43.540. The Missouri
15 state highway patrol shall notify the Missouri board for respiratory care of any criminal
16 history record information or lack of criminal history record information discovered on
17 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all

18 records related to any criminal history information discovered shall be accessible and
19 available to the Missouri board for respiratory care.

335.022. 1. The state board of nursing may require applicants to submit
2 fingerprints to the Missouri state highway patrol for the purpose of conducting a state
3 and federal fingerprint-based criminal history background check for employment
4 purposes with the state board of nursing.

5 2. The fingerprints and any required fees shall be sent to the Missouri state
6 highway patrol's central repository. The fingerprints shall be used for searching the
7 state criminal records repository and shall also be forwarded to the Federal Bureau of
8 Investigation for a federal criminal records search under section 43.540. The Missouri
9 state highway patrol shall notify the state board of nursing of any criminal history
10 record information or lack of criminal history record information discovered on the
11 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
12 records related to any criminal history information discovered shall be accessible and
13 available to the state board of nursing.

335.042. 1. The state board of nursing may require that fingerprint submissions
2 be made as part of an application seeking licensure to practice as a registered nurse,
3 practical nurse, and advanced practice registered nurse, as such terms are defined in
4 section 335.016.

5 2. If the state board of nursing requires that fingerprint submissions be made as
6 part of such application, the state board of nursing shall require nursing applicants to
7 submit the fingerprints to the Missouri state highway patrol for the purpose of
8 conducting a state and federal fingerprint-based criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the state board of nursing of any criminal history
14 record information or lack of criminal history record information discovered on the
15 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
16 records related to any criminal history information discovered shall be accessible and
17 available to the state board of nursing.

336.025. 1. The state board of optometry may require that fingerprint
2 submissions be made as part of an application seeking licensure to practice as an
3 optometrist, as provided in sections 336.010 and 336.030.

4 2. If the state board of optometry requires that fingerprint submissions be made
5 as part of such application, the state board of optometry shall require applicants to

6 submit the fingerprints to the Missouri state highway patrol for the purpose of
7 conducting a state and federal fingerprint-based criminal history background check.

8 3. The fingerprints and any required fees shall be sent to the Missouri state
9 highway patrol's central repository. The fingerprints shall be used for searching the
10 state criminal records repository and shall also be forwarded to the Federal Bureau of
11 Investigation for a federal criminal records search under section 43.540. The Missouri
12 state highway patrol shall notify the state board of optometry of any criminal history
13 record information or lack of criminal history record information discovered on the
14 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
15 records related to any criminal history information discovered shall be accessible and
16 available to the state board of optometry.

337.018. 1. The state committee of psychologists may require that fingerprint
2 submissions be made as part of an application seeking licensure as a licensed
3 psychologist, provisional licensed psychologist, and temporary license for a licensed
4 psychologist.

5 2. If the state committee of psychologists requires that fingerprint submissions
6 be made as part of such application, the state committee of psychologists shall require
7 applicants to submit the fingerprints to the Missouri state highway patrol for the
8 purpose of conducting a state and federal fingerprint-based criminal history
9 background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the state committee of psychologists of any criminal
15 history record information or lack of criminal history record information discovered on
16 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
17 records related to any criminal history information discovered shall be accessible and
18 available to the state committee of psychologists.

337.308. 1. The behavior analyst advisory board may require that fingerprint
2 submissions be made as part of an application seeking licensure, provisional licensure,
3 or temporary licensure as a licensed behavior analyst or a licensed assistant behavior
4 analyst, as such terms are defined in section 337.300.

5 2. If the behavior analyst advisory board requires that fingerprint submissions
6 be made as part of such application, the behavior analyst advisory board shall require
7 applicants to submit the fingerprints to the Missouri state highway patrol for the

8 purpose of conducting a state and federal fingerprint-based criminal history
9 background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the behavior analyst advisory board of any criminal
15 history record information or lack of criminal history record information discovered on
16 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
17 records related to any criminal history information discovered shall be accessible and
18 available to the behavior analyst advisory board.

337.501. 1. The committee for professional counselors may require that
2 fingerprint submissions be made as part of an application seeking licensure as a licensed
3 professional counselor and provisional licensed professional counselor, as defined in
4 section 337.500.

5 2. If the committee for professional counselors requires that fingerprint
6 submissions be made as part of such application, the committee for professional
7 counselors shall require applicants to submit the fingerprints to the Missouri state
8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the committee for professional counselors of any
15 criminal history record information or lack of criminal history record information
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
17 contrary, all records related to any criminal history information discovered shall be
18 accessible and available to the committee for professional counselors.

337.605. 1. The state committee for social workers may require that fingerprint
2 submissions be made as part of an application seeking a license or a temporary permit
3 to practice as a licensed clinical social worker, licensed advanced macro social worker,
4 licensed master social worker, and licensed baccalaureate social worker, as such terms
5 are defined in section 337.600 and as provided in section 337.621.

6 2. If the state committee for social workers requires that fingerprint submissions
7 be made as part of such application, the state committee for social workers shall require
8 applicants to submit the fingerprints to the Missouri state highway patrol for the

9 purpose of conducting a state and federal fingerprint-based criminal history
10 background check.

11 3. The fingerprints and any required fees shall be sent to the Missouri state
12 highway patrol's central repository. The fingerprints shall be used for searching the
13 state criminal records repository and shall also be forwarded to the Federal Bureau of
14 Investigation for a federal criminal records search under section 43.540. The Missouri
15 state highway patrol shall notify the state committee for social workers of any criminal
16 history record information or lack of criminal history record information discovered on
17 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
18 records related to any criminal history information discovered shall be accessible and
19 available to the state committee for social workers.

337.702. 1. The state committee of marital and family therapists may require
2 that fingerprint submissions be made as part of an application seeking licensure as a
3 licensed marital and family therapist or provisional licensed marital and family
4 therapist as such terms are defined in section 337.700.

5 2. If the state committee of marital and family therapists requires that
6 fingerprint submissions be made as part of such application, the state committee of
7 marital and family therapists shall require applicants to submit the fingerprints to the
8 Missouri state highway patrol for the purpose of conducting a state and federal
9 fingerprint-based criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the state committee of marital and family therapists of
15 any criminal history record information or lack of criminal history record information
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
17 contrary, all records related to any criminal history information discovered shall be
18 accessible and available to the state committee of marital and family therapists.

338.052. 1. The board of pharmacy may require that fingerprint submissions be
2 made as part of an application seeking a license to practice pharmacy as a pharmacist, a
3 certificate of registration as a pharmacy technician, a license as an intern pharmacist, a
4 license as a wholesale drug distributor, a license as a third-party logistics provider, a
5 temporary license as a pharmacist, a permit for the practice of pharmacy to be
6 conducted at a pharmacy, and a license as a drug outsourcer, as provided in sections
7 338.010, 338.013, 338.035, 338.043, 338.050, 338.210, and 338.330, and a manager-in-
8 charge, wholesale drug distributor facility manager, third-party logistics provider

9 facility manager, wholesale drug distributor facility owner, or third-party logistics
10 provider facility owner, as such terms are defined in subsection 4 of this section.

11 2. If the board of pharmacy requires that fingerprint submissions be made as
12 part of such application, the board of pharmacy shall require applicants to submit the
13 fingerprints to the Missouri state highway patrol for the purpose of conducting a state
14 and federal fingerprint-based criminal history background check.

15 3. The fingerprints and any required fees shall be sent to the Missouri state
16 highway patrol's central repository. The fingerprints shall be used for searching the
17 state criminal records repository and shall also be forwarded to the Federal Bureau of
18 Investigation for a federal criminal records search under section 43.540. The Missouri
19 state highway patrol shall notify the board of pharmacy of any criminal history record
20 information or lack of criminal history record information discovered on the individual.
21 Notwithstanding the provisions of section 610.120 to the contrary, all records related to
22 any criminal history information discovered shall be accessible and available to the
23 board of pharmacy.

24 4. For purposes of this section, the following terms mean:

25 (1) "Manager-in-charge", a person who directly supervises a licensed wholesale
26 drug distributor or a third-party logistics provider, as such terms are defined in section
27 338.330, and whose fingerprints are required by federal or state law for licensure of a
28 wholesale drug distributor facility or third-party logistics provider facility;

29 (2) "Third-party logistics provider facility manager", a person who is a manager
30 and direct supervisor of a licensed third-party logistics provider, as such term is defined
31 in section 338.330, and whose fingerprints are required by federal or state law for
32 licensure of a third-party logistics provider facility;

33 (3) "Third-party logistics provider facility owner", a person who is an owner
34 with greater than ten percent ownership interest of a licensed third-party logistics
35 provider, as such term is defined in section 338.330, and whose fingerprints are required
36 by federal or state law for licensure of a third-party logistics provider facility;

37 (4) "Wholesale drug distributor facility manager", a person who is a manager of
38 a wholesale drug distributor, as such term is defined in section 338.330, and whose
39 fingerprints are required by federal or state law for licensure of a wholesale drug
40 distributor facility;

41 (5) "Wholesale drug distributor facility owner", a person who is an owner with
42 greater than ten percent ownership interest of a licensed wholesale drug distributor, as
43 such term is defined in section 338.330, and whose fingerprints are required by federal
44 or state law for licensure of a wholesale drug distributor facility.

2 **339.015. 1. The Missouri real estate commission may require that fingerprint**
3 **submissions be made as part of an application seeking licensure as a real estate broker,**
4 **real estate salesperson, and real estate broker-salesperson, as such terms are defined in**
5 **section 339.010 and as provided in sections 339.030 and 339.040.**

6 **2. If the Missouri real estate commission requires that fingerprint submissions**
7 **be made as part of such application, the Missouri real estate commission shall require**
8 **applicants to submit the fingerprints to the Missouri state highway patrol for the**
9 **purpose of conducting a state and federal fingerprint-based criminal history**
10 **background check.**

11 **3. The fingerprints and any required fees shall be sent to the Missouri state**
12 **highway patrol's central repository. The fingerprints shall be used for searching the**
13 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
14 **Investigation for a federal criminal records search under section 43.540. The Missouri**
15 **state highway patrol shall notify the Missouri real estate commission of any criminal**
16 **history record information or lack of criminal history record information discovered on**
17 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
18 **records related to any criminal history information discovered shall be accessible and**
19 **available to the Missouri real estate commission.**

2 339.100. 1. The commission may, upon its own motion, and shall upon receipt of a
3 written complaint filed by any person, investigate any real estate-related activity of a licensee
4 licensed under sections 339.010 to 339.180 and sections 339.710 to 339.860 or an individual
5 or entity acting as or representing themselves as a real estate licensee. In conducting such
6 investigation, if the questioned activity or written complaint involves an affiliated licensee,
7 the commission may forward a copy of the information received to the affiliated licensee's
8 designated broker. The commission shall have the power to hold an investigatory hearing to
9 determine whether there is a probability of a violation of sections 339.010 to 339.180 and
10 sections 339.710 to 339.860. The commission shall have the power to issue a subpoena to
11 compel the production of records and papers bearing on the complaint. The commission shall
12 have the power to issue a subpoena and to compel any person in this state to come before the
13 commission to offer testimony or any material specified in the subpoena. Subpoenas and
14 subpoenas duces tecum issued pursuant to this section shall be served in the same manner as
15 subpoenas in a criminal case. The fees and mileage of witnesses shall be the same as that
16 allowed in the circuit court in civil cases.

17 2. The commission may cause a complaint to be filed with the administrative hearing
18 commission as provided by the provisions of chapter 621 against any person or entity licensed
19 under this chapter or any licensee who has failed to renew or has surrendered his or her
individual or entity license for any one or any combination of the following acts:

20 (1) Failure to maintain and deposit in a special account, separate and apart from his or
21 her personal or other business accounts, all moneys belonging to others entrusted to him or
22 her while acting as a real estate broker or as the temporary custodian of the funds of others,
23 until the transaction involved is consummated or terminated, unless all parties having an
24 interest in the funds have agreed otherwise in writing;

25 (2) Making substantial misrepresentations or false promises or suppression,
26 concealment or omission of material facts in the conduct of his or her business or pursuing
27 a flagrant and continued course of misrepresentation through agents, salespersons, advertising
28 or otherwise in any transaction;

29 (3) Failing within a reasonable time to account for or to remit any moneys, valuable
30 documents or other property, coming into his or her possession, which belongs to others;

31 (4) Representing to any lender, guaranteeing agency, or any other interested party,
32 either verbally or through the preparation of false documents, an amount in excess of the true
33 and actual sale price of the real estate or terms differing from those actually agreed upon;

34 (5) Failure to timely deliver a duplicate original of any and all instruments to any
35 party or parties executing the same where the instruments have been prepared by the licensee
36 or under his or her supervision or are within his or her control, including, but not limited to,
37 the instruments relating to the employment of the licensee or to any matter pertaining to the
38 consummation of a lease, listing agreement or the purchase, sale, exchange or lease of
39 property, or any type of real estate transaction in which he or she may participate as a
40 licensee;

41 (6) Acting for more than one party in a transaction without the knowledge of all
42 parties for whom he or she acts, or accepting a commission or valuable consideration for
43 services from more than one party in a real estate transaction without the knowledge of all
44 parties to the transaction;

45 (7) Paying a commission or valuable consideration to any person for acts or services
46 performed in violation of sections 339.010 to 339.180 and sections 339.710 to 339.860;

47 (8) Guaranteeing or having authorized or permitted any licensee to guarantee future
48 profits which may result from the resale of real property;

49 (9) Having been finally adjudicated and been found guilty of the violation of any state
50 or federal statute which governs the sale or rental of real property or the conduct of the real
51 estate business as defined in subsection 1 of section 339.010;

52 (10) Obtaining a certificate or registration of authority, permit or license for himself
53 or herself or anyone else by false or fraudulent representation, fraud or deceit;

54 (11) Representing a real estate broker other than the broker with whom associated
55 without the express written consent of the broker with whom associated;

56 (12) Accepting a commission or valuable consideration for the performance of any of
57 the acts referred to in section 339.010 from any person except the broker with whom
58 associated at the time the commission or valuable consideration was earned;

59 (13) Using prizes, money, gifts or other valuable consideration as inducement to
60 secure customers or clients to purchase, lease, sell or list property when the awarding of such
61 prizes, money, gifts or other valuable consideration is conditioned upon the purchase, lease,
62 sale or listing; or soliciting, selling or offering for sale real property by offering free lots, or
63 conducting lotteries or contests, or offering prizes for the purpose of influencing a purchaser
64 or prospective purchaser of real property;

65 (14) Placing a sign on or advertising any property offering it for sale or rent without
66 the written consent of the owner or his or her duly authorized agent;

67 (15) Violation of, or attempting to violate, directly or indirectly, or assisting or
68 enabling any person to violate, any provision of sections 339.010 to 339.180 and sections
69 339.710 to 339.860, or of any lawful rule adopted pursuant to sections 339.010 to 339.180
70 and sections 339.710 to 339.860;

71 (16) Committing any act which would otherwise be grounds for the commission to
72 refuse to issue a license under section 339.040;

73 (17) Failure to timely inform seller of all written offers unless otherwise instructed in
74 writing by the seller;

75 (18) Been finally adjudicated and found guilty, or entered a plea of guilty or nolo
76 contendere, in a criminal prosecution under the laws of this state or any other state or of the
77 United States, for any offense reasonably related to the qualifications, functions or duties of
78 any profession licensed or regulated under this chapter, or for any offense an essential
79 element of which is fraud, dishonesty or an act of violence, whether or not sentence is
80 imposed;

81 (19) Any other conduct which constitutes untrustworthy, improper or fraudulent
82 business dealings, demonstrates bad faith or incompetence, misconduct, or gross negligence;

83 (20) Disciplinary action against the holder of a license or other right to practice any
84 profession regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860
85 granted by another state, territory, federal agency, or country upon grounds for which
86 revocation, suspension, or probation is authorized in this state;

87 (21) Been found by a court of competent jurisdiction of having used any controlled
88 substance, as defined in chapter 195, to the extent that such use impairs a person's ability to
89 perform the work of any profession licensed or regulated by sections 339.010 to 339.180 and
90 sections 339.710 to 339.860;

91 (22) Been finally adjudged insane or incompetent by a court of competent
92 jurisdiction;

93 (23) Assisting or enabling any person to practice or offer to practice any profession
94 licensed or regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 who
95 is not registered and currently eligible to practice under sections 339.010 to 339.180 and
96 sections 339.710 to 339.860;

97 (24) Use of any advertisement or solicitation which:

98 (a) Is knowingly false, misleading or deceptive to the general public or persons to
99 whom the advertisement or solicitation is primarily directed; or

100 (b) Includes a name or team name that uses the terms "realty", "brokerage",
101 "company", or any other terms that can be construed to advertise a real estate company other
102 than the licensee or a business entity licensed under this chapter with whom the licensee is
103 associated. The context of the advertisement or solicitation may be considered by the
104 commission when determining whether a licensee has committed a violation of this
105 paragraph;

106 (25) Making any material misstatement, misrepresentation, or omission with regard
107 to any application for licensure or license renewal. As used in this section, "material" means
108 important information about which the commission should be informed and which may
109 influence a licensing decision;

110 (26) Engaging in, committing, or assisting any person in engaging in or committing
111 mortgage fraud, as defined in section 443.930.

112 3. After the filing of such complaint, the proceedings will be conducted in accordance
113 with the provisions of law relating to the administrative hearing commission. A finding of the
114 administrative hearing commissioner that the licensee has performed or attempted to perform
115 one or more of the foregoing acts shall be grounds for the suspension or revocation of his
116 license by the commission, or the placing of the licensee on probation on such terms and
117 conditions as the real estate commission shall deem appropriate, or the imposition of a civil
118 penalty by the commission not to exceed two thousand five hundred dollars for each offense.
119 Each day of a continued violation shall constitute a separate offense.

120 4. The commission may prepare a digest of the decisions of the administrative
121 hearing commission which concern complaints against licensed brokers or salespersons and
122 cause such digests to be mailed to all licensees periodically. Such digests may also contain
123 reports as to new or changed rules adopted by the commission and other information of
124 significance to licensees.

125 5. Notwithstanding other provisions of this section, a broker or salesperson's license
126 shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant
127 has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the
128 following offenses or offenses of a similar nature established under the laws of this, any other
129 state, the United States, or any other country, notwithstanding whether sentence is imposed:

130 (1) Any dangerous felony as defined under section 556.061 or murder in the first
131 degree;

132 (2) Any of the following sexual offenses: rape in the first degree, forcible rape, rape,
133 statutory rape in the first degree, statutory rape in the second degree, rape in the second
134 degree, sexual assault, sodomy in the first degree, forcible sodomy, statutory sodomy in the
135 first degree, statutory sodomy in the second degree, child molestation in the first degree, child
136 molestation in the second degree, sodomy in the second degree, deviate sexual assault, sexual
137 misconduct involving a child, sexual misconduct in the first degree under section 566.090 as
138 it existed prior to August 28, 2013, sexual abuse under section 566.100 as it existed prior to
139 August 28, 2013, sexual abuse in the first or second degree, enticement of a child, or
140 attempting to entice a child;

141 (3) Any of the following offenses against the family and related offenses: incest,
142 abandonment of a child in the first degree, abandonment of a child in the second degree,
143 endangering the welfare of a child in the first degree, abuse of a child, using a child in a
144 sexual performance, promoting sexual performance by a child, or trafficking in children;

145 (4) Any of the following offenses involving child pornography **as it existed prior to**
146 **August 28, 2025, or child sexual abuse material** and related offenses: promoting obscenity
147 in the first degree, promoting obscenity in the second degree when the penalty is enhanced to
148 a class E felony, promoting child pornography in the first degree **as it existed prior to**
149 **August 28, 2025, promoting child sexual abuse material in the first degree**, promoting
150 child pornography in the second degree **as it existed prior to August 28, 2025, promoting**
151 **child sexual abuse material in the second degree**, possession of child pornography in the
152 first degree **as it existed prior to August 28, 2025, possession of child sexual abuse**
153 **material in the first degree**, possession of child pornography in the second degree **as it**
154 **existed prior to August 28, 2025, possession of child sexual abuse material in the second**
155 **degree**, furnishing child pornography to a minor **as it existed prior to August 28, 2025,**
156 **furnishing child sexual abuse material to a minor**, furnishing pornographic materials to
157 minors, or coercing acceptance of obscene material; and

158 (5) Mortgage fraud as defined in section 570.310.

159 6. A person whose license was revoked under subsection 5 of this section may appeal
160 such revocation to the administrative hearing commission. Notice of such appeal must be
161 received by the administrative hearing commission within ninety days of mailing, by certified
162 mail, the notice of revocation. Failure of a person whose license was revoked to notify the
163 administrative hearing commission of his or her intent to appeal waives all rights to appeal the
164 revocation. Upon notice of such person's intent to appeal, a hearing shall be held before the
165 administrative hearing commission.

339.510. 1. The Missouri real estate appraisers commission may require that
2 fingerprint submissions be made as part of an application seeking licensure as a
3 certified residential appraiser, a certified residential appraiser trainee, a certified
4 general appraiser, a certified general appraiser trainee, a state-licensed appraiser, a
5 state-licensed appraiser trainee, an appraisal management company, a controlling
6 person of an appraisal management company, and an owner of an appraisal
7 management company.

8 2. If the Missouri real estate appraisers commission requires that fingerprint
9 submissions be made as part of such application, the Missouri real estate appraisers
10 commission shall require applicants to submit the fingerprints to the Missouri state
11 highway patrol for the purpose of conducting a state and federal fingerprint-based
12 criminal history background check.

13 3. The fingerprints and any required fees shall be sent to the Missouri state
14 highway patrol's central repository. The fingerprints shall be used for searching the
15 state criminal records repository and shall also be forwarded to the Federal Bureau of
16 Investigation for a federal criminal records search under section 43.540. The Missouri
17 state highway patrol shall notify the Missouri real estate appraisers commission of any
18 criminal history record information or lack of criminal history record information
19 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
20 contrary, all records related to any criminal history information discovered shall be
21 accessible and available to the Missouri real estate appraisers commission.

22 4. For purposes of this section, the following terms mean:

23 (1) "Appraisal management company", an individual that utilizes an appraisal
24 panel and performs appraisal management services for licensure;

25 (2) "Appraisal management services", to perform any of the following functions
26 on behalf of a lender, financial institution, or client:

27 (a) Administer an appraiser panel;

28 (b) Recruit, qualify, verify licensing or certification, and negotiate fees and
29 service level expectations with persons who are part of an appraiser panel;

30 (c) Receive an order for an appraisal from one individual and deliver the order
31 for the appraisal to an appraiser that is part of an appraiser panel for completion;

32 (d) Track and determine the status of orders for appraisals performed by
33 appraisers who are part of an appraisal panel;

34 (e) Conduct quality control of a completed appraisal performed by an appraiser
35 who is part of an appraisal panel prior to the delivery of the appraisal to the individual
36 who ordered the appraisal; and

- 37 (f) Provide a completed appraisal performed by an appraiser who is part of an
38 appraisal panel to one or more individuals who have ordered an appraisal;
- 39 (3) "Certified general appraiser", an individual who is qualified by education,
40 experience, and examination to appraise any real property, and whose fingerprints are
41 required for licensure;
- 42 (4) "Certified general appraiser trainee", an individual who, under supervision,
43 is qualified to appraise certain real property and whose fingerprints are required for
44 licensure;
- 45 (5) "Certified residential appraiser", an individual who is qualified to appraise
46 certain real property and whose fingerprints are required for licensure;
- 47 (6) "Certified residential appraiser trainee", an individual who, under
48 supervision, is qualified to appraise certain real property and whose fingerprints are
49 required for licensure;
- 50 (7) "Controlling person of an appraisal management company":
51 (a) An owner of an appraisal management company;
52 (b) An individual employed, appointed, or authorized by an appraisal
53 management company that has the authority to enter into a contractual relationship
54 with other persons for the performance of appraisal management services and has the
55 authority to enter into agreements with appraisers for the performance of appraisals; or
56 (c) An individual who possesses the power to direct or cause the direction of the
57 management or policies of an appraisal management company whose fingerprints are
58 required for licensure;
- 59 (8) "Owner of an appraisal management company", an individual who owns ten
60 percent or more of a licensed appraisal management company and whose fingerprints
61 are required for licensure;
- 62 (9) "State-licensed appraiser", an individual who is qualified to appraise certain
63 real property and whose fingerprints are required for licensure;
- 64 (10) "State-licensed appraiser trainee", an individual who, under supervision, is
65 qualified to appraise certain real property and whose fingerprints are required for
66 licensure.

345.016. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application seeking a license, as described
3 in section 345.020, or provisional license, as described in section 345.021, as an
4 audiologist, an audiology aide, a speech-language pathologist, a speech-language
5 pathology aide, and a speech-language pathology assistant, as such terms are defined
6 in section 345.015.

7 **2. If the state board of registration for the healing arts requires that fingerprint**
8 **submissions be made as part of such application, the state board of registration for the**
9 **healing arts shall require applicants to submit the fingerprints to the Missouri state**
10 **highway patrol for the purpose of conducting a state and federal fingerprint-based**
11 **criminal history background check.**

12 **3. The fingerprints and any required fees shall be sent to the Missouri state**
13 **highway patrol's central repository. The fingerprints shall be used for searching the**
14 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
15 **Investigation for a federal criminal records search under section 43.540. The Missouri**
16 **state highway patrol shall notify the state board of registration for the healing arts of**
17 **any criminal history record information or lack of criminal history record information**
18 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**
19 **contrary, all records related to any criminal history information discovered shall be**
20 **accessible and available to the state board of registration for the healing arts.**

374.711. 1. The department of commerce and insurance may require that
2 **fingerprint submissions be made as part of an application seeking a license, or renewal**
3 **of a license, for a general bail bond agent, a bail bond agent, or a surety recovery agent,**
4 **as such terms are defined in section 374.700.**

5 **2. If the department of commerce and insurance requires that fingerprint**
6 **submissions be made as part of such application, the department of commerce and**
7 **insurance shall require applicants to submit the fingerprints to the Missouri state**
8 **highway patrol for the purpose of conducting a state and federal fingerprint-based**
9 **criminal history background check.**

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**
11 **highway patrol's central repository. The fingerprints shall be used for searching the**
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**
14 **state highway patrol shall notify the department of any criminal history record**
15 **information or lack of criminal history record information discovered on the individual.**
16 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
17 **any criminal history information discovered shall be accessible and available to the**
18 **department.**

407.300. 1. Every purchaser or collector of, or dealer in, junk, scrap metal, or any
2 **secondhand property who obtains items for resale or profit shall keep a register containing a**
3 **written or electronic record for each purchase or ~~trade-in which~~ trade-in of each type of**
4 **material subject to the provisions of this section ~~is~~ obtained for value. There shall be a**
5 **separate record for each transaction involving any:**

6 (1) Copper, brass, or bronze;
7 (2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener;
8 (3) Material containing copper or aluminum that is knowingly used for farming
9 purposes as farming is defined in section 350.010; whatever may be the condition or length of
10 such metal;

11 (4) Detached catalytic converter; or

12 (5) Motor vehicle, heavy equipment, or tractor battery.

13 2. The record required by this section shall contain the following data:

14 (1) A copy of the driver's license, or **other** photo identification issued by the state or
15 by the United States government or agency thereof, of the person from whom the material is
16 obtained;

17 (2) The current address, gender, birth date, and a color photograph of the person from
18 whom the material is obtained if not included or are different from the identification required
19 in subdivision (1) of this subsection;

20 (3) The date, time, and place of the transaction;

21 (4) The license plate number of the vehicle used by the seller during the transaction;
22 ~~[and]~~

23 (5) A full description of the material, including the weight and purchase price; **and**

24 **(6) If the purchase or trade-in includes a detached catalytic converter:**

25 **(a) Either proof the seller is a bona fide automobile repair shop or an affidavit**
26 **that attests the detached catalytic converter was acquired lawfully; and**

27 **(b) The make, model, year, and vehicle identification number of the vehicle from**
28 **which the detached catalytic converter originated.**

29 3. **(1)** The records required under this section shall be maintained **in order of**
30 **transaction date** for a minimum of ~~[thirty-six months]~~ **four years** from when such material
31 is obtained and shall be available for inspection by any law enforcement officer.

32 **(2) The department of revenue shall create and make available on the**
33 **department website a standardized form for recording the records required under this**
34 **section.**

35 **(3) At least monthly, a purchaser or collector of, or dealer in, junk, scrap metal,**
36 **or any secondhand property shall submit to the department of revenue the records**
37 **required under this section on the department's form, with copies of the purchaser's,**
38 **collector's, or dealer's other records, if any, attached. The submission may be in either a**
39 **paper or electronic format. The department of revenue may prescribe the format of**
40 **forms submitted electronically.**

41 4. No transaction that includes a detached catalytic converter shall occur at any
42 location other than the fixed place of business of the purchaser or collector of, or dealer in,

43 junk, scrap metal, or any secondhand property. No detached catalytic converter shall be
44 altered, modified, disassembled, or destroyed until it has been in the purchaser's, collector's,
45 or dealer's possession for five business days.

46 5. Anyone ~~[licensed under section 301.218 who knowingly purchases a stolen~~
47 ~~detached catalytic converter shall be subject to the following penalties:~~

48 ~~(1) For a first violation, a fine in the amount of five thousand dollars;~~

49 ~~(2) For a second violation, a fine in the amount of ten thousand dollars; and~~

50 ~~(3) For a third violation, revocation of the]~~ **convicted of violating this section shall**
51 **be guilty of a class E felony and shall be subject to having any** license for a business
52 described under section 301.218 **revoked.**

53 6. This section shall not apply to ~~[either of]~~ the following transactions:

54 (1) Any transaction for which the seller has an existing business relationship with the
55 scrap metal dealer and is known to the scrap metal dealer making the purchase to be an
56 established business or political subdivision that operates a business with a fixed location that
57 can be reasonably expected to generate regulated scrap metal and can be reasonably identified
58 as such a business, and for which the seller is paid by check or by electronic funds transfer, or
59 the seller produces an acceptable identification, which shall be a copy of the driver's license
60 or photo identification issued by the state or by the United States government or agency
61 thereof, and a copy is retained by the purchaser; or

62 (2) Any transaction for which the type of metal subject to subsection 1 of this section
63 is a minor part of a larger item, except ~~[for]~~ **that minor parts of** heating and cooling
64 equipment or **of** equipment used in the generation and transmission of electrical power or
65 telecommunications, **including any catalytic converter of such equipment, shall remain**
66 **subject to this section.**

67 7. As used in this section, "catalytic converter" means any device designed to be
68 used as an emissions control device when connected to an internal combustion engine,
69 including the constituent parts of such a device, whether assembled into a complete unit
70 or disassembled into separate constituent parts or components.

436.225. 1. The director of the division of professional registration may require
2 that fingerprint submissions be made as part of an application seeking licensure as an
3 athlete agent.

4 2. If the director of the division of professional registration requires that
5 fingerprint submissions be made as part of such application, the director of the division
6 of professional registration shall require applicants to submit the fingerprints to the
7 Missouri state highway patrol for the purpose of conducting a state and federal
8 fingerprint-based criminal history background check.

9 **3. The fingerprints and any required fees shall be sent to the Missouri state**
10 **highway patrol's central repository. The fingerprints shall be used for searching the**
11 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
12 **Investigation for a federal criminal records search under section 43.540. The Missouri**
13 **state highway patrol shall notify the director of the division of professional registration**
14 **of any criminal history record information or lack of criminal history record**
15 **information discovered on the individual. Notwithstanding the provisions of section**
16 **610.120 to the contrary, all records related to any criminal history information**
17 **discovered shall be accessible and available to the director of the division of professional**
18 **registration.**

19 **4. For purposes of this section, the term "athlete agent" means an individual**
20 **who:**

21 **(1) Recruits or solicits a student athlete to enter into an agency contract or, for**
22 **compensation, procures employment or offers, promises, attempts, or negotiates to**
23 **obtain employment for a student athlete as a professional athlete or member of a**
24 **professional sports team or organization;**

25 **(2) For compensation or in anticipation of compensation related to a student**
26 **athlete's participation in athletics:**

27 **(a) Serves the student athlete in an advisory capacity on a matter related to**
28 **finances, business pursuits, or career management decisions, unless the individual is an**
29 **employee of an educational institution acting exclusively as an employee of the**
30 **educational institution for the benefit of the educational institution; or**

31 **(b) Manages the business affairs of the student athlete by providing assistance**
32 **with bills, payments, contracts, or taxes; or**

33 **(3) In anticipation of representing a student athlete for a purpose related to the**
34 **student athlete's participation in athletics:**

35 **(a) Gives consideration to the student athlete or another person;**

36 **(b) Serves the student athlete in an advisory capacity on a matter related to**
37 **finances, business pursuits, or career management decisions; or**

38 **(c) Manages the business affairs of the student athlete by providing assistance**
39 **with bills, payments, contracts, or taxes.**

443.702. 1. The division of finance may require that fingerprint submissions be
2 **made as part of an application seeking licensure to act as a residential mortgage loan**
3 **broker or a mortgage loan originator.**

4 **2. If the division of finance requires that fingerprint submissions be made as part**
5 **of such application, the division of finance shall require applicants to submit the**

6 fingerprints to the Missouri state highway patrol for the purpose of conducting a state
7 and federal fingerprint-based criminal history background check.

8 **3. The fingerprints and any required fees shall be sent to the Missouri state**
9 **highway patrol's central repository. The fingerprints shall be used for searching the**
10 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
11 **Investigation for a federal criminal records search under section 43.540. The Missouri**
12 **state highway patrol shall notify the division of finance of any criminal history record**
13 **information or lack of criminal history record information discovered on the individual.**
14 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
15 **any criminal history information discovered shall be accessible and available to the**
16 **division of finance.**

17 **4. For purposes of this section, the following terms mean:**

18 **(1) "Mortgage loan originator", an individual who for compensation or gain or**
19 **in the expectation of compensation or gain takes a residential mortgage loan application,**
20 **or offers or negotiates terms of a residential mortgage loan. Mortgage loan originator**
21 **does not include:**

22 **(a) An individual engaged solely as a loan processor or underwriter except as**
23 **otherwise provided in sections 443.701 to 443.893;**

24 **(b) An individual that only performs real estate brokerage activities and is**
25 **licensed or registered in accordance with the law of this state, unless the person is**
26 **compensated by a lender, a mortgage broker, or other mortgage loan originator or by**
27 **any agent of such lender, mortgage broker, or other mortgage loan originator;**

28 **(c) An individual solely involved in extensions of credit relating to time-share**
29 **plans, as the term time-share plans is defined in 11 U.S.C. Section 101(53D);**

30 **(d) An individual who is servicing a mortgage loan; or**

31 **(e) An individual employed by a licensed mortgage broker or loan originator**
32 **who accepts or receives residential mortgage loan applications;**

33 **(2) "Residential mortgage loan broker", an individual, other than an exempt**
34 **individual, engaged in the business of brokering, funding, servicing, or purchasing**
35 **residential mortgage loans.**

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

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

- 7 (a) "Abusing a pet", purposely or knowingly causing, attempting to cause, or
8 threatening to cause physical injury to a pet with the intent to control, punish, intimidate, or
9 distress the petitioner;
- 10 (b) "Assault", purposely or knowingly placing or attempting to place another in fear
11 of physical harm;
- 12 (c) "Battery", purposely or knowingly causing physical harm to another with or
13 without a deadly weapon;
- 14 (d) "Coercion", compelling another by force or threat of force to engage in conduct
15 from which the latter has a right to abstain or to abstain from conduct in which the person has
16 a right to engage;
- 17 (e) "Harassment", engaging in a purposeful or knowing course of conduct involving
18 more than one incident that alarms or causes distress to an adult or child and serves no
19 legitimate purpose. The course of conduct must be such as would cause a reasonable adult or
20 child to suffer substantial emotional distress and must actually cause substantial emotional
21 distress to the petitioner or child. Such conduct might include, but is not limited to:
- 22 a. Following another about in a public place or places;
- 23 b. Peering in the window or lingering outside the residence of another; but does not
24 include constitutionally protected activity;
- 25 (f) "Sexual assault", causing or attempting to cause another to engage involuntarily in
26 any sexual act by force, threat of force, duress, or without that person's consent;
- 27 (g) "Unlawful imprisonment", holding, confining, detaining or abducting another
28 person against that person's will;
- 29 (2) "Adult", any person ~~[seventeen]~~ **eighteen** years of age or older or otherwise
30 emancipated;
- 31 (3) "Child", any person under ~~[seventeen]~~ **eighteen** years of age unless otherwise
32 emancipated;
- 33 (4) "Court", the circuit or associate circuit judge or a family court commissioner;
- 34 (5) "Domestic violence", abuse or stalking committed by a family or household
35 member, as such terms are defined in this section;
- 36 (6) "Ex parte order of protection", an order of protection issued by the court before
37 the respondent has received notice of the petition or an opportunity to be heard on it;
- 38 (7) "Family" or "household member", spouses, former spouses, any person related by
39 blood or marriage, persons who are presently residing together or have resided together in the
40 past, any person who is or has been in a continuing social relationship of a romantic or
41 intimate nature with the victim, and anyone who has a child in common regardless of whether
42 they have been married or have resided together at any time;

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

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

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

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

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

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

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

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

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

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

455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to
2 455.085 and for good cause shown in the petition, the court may immediately issue an ex
3 parte order of protection. An immediate and present danger of domestic violence to the
4 petitioner or the child on whose behalf the petition is filed shall constitute good cause for
5 purposes of this section. An ex parte order of protection entered by the court shall take effect
6 when entered and shall remain in effect until there is valid service of process and a hearing is
7 held on the motion. The court shall deny the ex parte order and dismiss the petition if the
8 petitioner is not authorized to seek relief pursuant to section 455.020.

9 2. Failure to serve an ex parte order of protection on the respondent shall not affect
10 the validity or enforceability of such order. If the respondent is less than ~~seventeen~~ **eighteen**
11 years of age, unless otherwise emancipated, service of process shall be made upon a custodial

12 parent or guardian of the respondent, or upon a guardian ad litem appointed by the court,
13 requiring that the person appear and bring the respondent before the court at the time and
14 place stated.

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

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

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

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

7
8 An immediate and present danger of domestic violence, including danger to the child's pet,
9 stalking, or sexual assault to a child shall constitute good cause for purposes of this section.
10 An ex parte order of protection entered by the court shall be in effect until the time of the
11 hearing. The court shall deny the ex parte order and dismiss the petition if the petitioner is not
12 authorized to seek relief pursuant to section 455.505.

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

16 3. If the allegations in the petition would give rise to jurisdiction under section
17 211.031, the court may direct the children's division to conduct an investigation and to
18 provide appropriate services. The division shall submit a written investigative report to the
19 court and to the juvenile officer within thirty days of being ordered to do so. The report shall
20 be made available to the parties and the guardian ad litem or court-appointed special
21 advocate.

22 4. If the allegations in the petition would give rise to jurisdiction under section
23 211.031 because the respondent is less than [~~seventeen~~] **eighteen** years of age, the court may
24 issue an ex parte order and shall transfer the case to juvenile court for a hearing on a full order
25 of protection. Service of process shall be made pursuant to section 455.035.

476.802. 1. The office of state courts administrator may require that fingerprint
2 **submissions be made as part of the application of certification as a qualified interpreter,**
3 **pursuant to section 476.800.**

4 **2. If the office of state courts administrator requires that fingerprint submissions**
5 **be made as part of such application, the office of state courts administrator shall submit**

6 fingerprints to the Missouri state highway patrol for the purpose of conducting a state
7 and federal fingerprint-based criminal history background check on applicants.

8 3. The fingerprints and any required fees shall be sent to the Missouri state
9 highway patrol's central repository. The fingerprints shall be used for searching the
10 state criminal records repository and shall also be forwarded to the Federal Bureau of
11 Investigation for a federal criminal records search under section 43.540. The Missouri
12 state highway patrol shall notify the office of state courts administrator of any criminal
13 history record information or lack of criminal history record information discovered on
14 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
15 records related to any criminal history information discovered shall be accessible and
16 available to the office of state courts administrator of Missouri.

484.125. 1. The Missouri supreme court may require that fingerprint
2 submissions be made as part of an application of licensure for admission or
3 reinstatement to the Missouri Bar in order to engage in the practice of law or law
4 business, as such terms are defined in section 484.010.

5 2. If the Missouri supreme court requires that fingerprint submissions be made
6 as part of such application, the Missouri supreme court shall submit the fingerprints to
7 the Missouri state highway patrol for the purpose of conducting a state and federal
8 fingerprint-based criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the Missouri supreme court of any criminal history
14 record information or lack of criminal history record information discovered on the
15 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
16 records related to any criminal history information discovered shall be accessible and
17 available to the Missouri supreme court.

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

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

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

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

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

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

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

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

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

491.641. 1. (1) There is hereby created in the state treasury the "Pretrial Witness
2 Protection Services Fund", which shall consist of moneys collected under this section. The
3 state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180,
4 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money
5 in the fund shall be used solely by the department of public safety for the purposes of witness
6 protection services pursuant to this section.

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

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

13 2. Any law enforcement agency **and any prosecuting or circuit attorney's office**
14 may provide for the security of witnesses, potential witnesses, and their immediate families in

15 criminal proceedings instituted or investigations pending against a person alleged to have
16 engaged in a violation of state law. Providing for witnesses may include provision of housing
17 facilities and for the health, safety, and welfare of such witnesses and their immediate
18 families, if testimony by such a witness might subject the witness or a member of his or her
19 immediate family to danger of bodily injury, and may continue so long as such danger exists.
20 Subject to appropriations from the general assembly for the purposes provided for in this
21 section, funds may be appropriated from the pretrial witness protection services fund.

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

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

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

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

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

39 ~~(4) If the requesting agency expects the person to provide evidence in any court of~~
40 ~~competent jurisdiction;~~

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

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

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

45 ~~(d) Any offer made in exchange for the person agreeing to give evidence.]~~ **Law**
46 **enforcement agencies and prosecuting or circuit attorneys' offices seeking**
47 **reimbursement shall submit an application to be approved by the department of**
48 **public safety.**

49 5. The application **and any associated documents** submitted in subsection 4 of this
50 section shall be a closed record and not subject to disclosure under the provisions of chapter
51 610. Any information contained in the application~~[, or]~~ **and** any other documents, which

52 reveals or could reveal the location or address of the individual or individuals who qualify for
53 services under this section shall be confidential and shall not be disclosed by any entity.

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

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

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

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

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

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

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

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

25 2. If the child **or vulnerable person** does not testify at the proceeding, the visual and
26 aural recording of a verbal or nonverbal statement of the child **or vulnerable person** shall not
27 be admissible under this section unless the recording qualifies for admission under section
28 491.075.

29 3. If the visual and aural recording of a verbal or nonverbal statement of a child **or**
30 **vulnerable person** is admissible under this section and the child **or vulnerable person**
31 testifies at the proceeding, it shall be admissible in addition to the testimony of the child **or**
32 **vulnerable person** at the proceeding whether or not it repeats or duplicates the child's **or**
33 **vulnerable person's** testimony.

34 4. As used in this section, a nonverbal statement shall be defined as any
35 demonstration of the child **or vulnerable person** by his or her actions, facial expressions,

36 demonstrations with a doll or other visual aid whether or not this demonstration is
37 accompanied by words.

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

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

2 (1) "Childhood sexual abuse", any act committed by the defendant against the
3 plaintiff which act occurred when the plaintiff was under the age of eighteen years and which
4 act would have been a violation of section 566.030, 566.040, 566.050, 566.060, 566.070,
5 566.080, 566.090, 566.100, 566.110, or 566.120, or section 568.020;

6 (2) "Injury" or "illness", either a physical injury or illness or a psychological injury or
7 illness. A psychological injury or illness need not be accompanied by physical injury or
8 illness.

9 2. Any action to recover damages from injury or illness caused by childhood sexual
10 abuse in an action brought pursuant to this section shall be commenced within ten years of
11 the plaintiff attaining the age of twenty-one or within three years of the date the plaintiff
12 discovers, or reasonably should have discovered, that the injury or illness was caused by
13 childhood sexual abuse, whichever later occurs.

14 3. This section shall apply to any action commenced on or after August 28, [2004,
15 ~~including any action which would have been barred by the application of the statute of~~
16 ~~limitation applicable prior to that date]~~ 2025.

17 **4. Notwithstanding any other provision of law, a nondisclosure agreement by any**
18 **party to any child sexual abuse claim shall not be judicially enforceable in a dispute**
19 **involving any child sexual abuse claims and shall be null and void.**

537.047. 1. Any person who, while a child or minor as defined by section 573.010,
2 was a victim of a violation of sections 573.023, 573.025, 573.035, or 573.037, and who
3 suffers physical or psychological injury or illness as a result of such violation, shall be
4 entitled to bring a civil action to recover the actual damages sustained as a result of the
5 violation, and shall also be entitled to recover the costs of the civil action and reasonable fees
6 for attorneys and expert witnesses. A psychological injury or illness as described under this
7 section need not be accompanied by physical injury or illness.

8 2. Any action described under this section shall be commenced within [ten] twenty
9 years of the plaintiff attaining the age of twenty-one, or within three years of the date the
10 plaintiff discovers that the injury or illness was caused by the violation of an offense
11 enumerated in subsection 1 of this section, whichever later occurs.

12 3. A cause of action under this section may arise only if the violation that caused the
13 injury occurs on or after August 28, [2007] 2025.

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

2 (1) "Child sex trafficking", any act committed by the defendant against the
3 plaintiff that occurred when the plaintiff was under the age of eighteen years and that
4 would have been a violation of section 566.203, 566.206, 566.209, 566.210, 566.211, or
5 566.215;

6 (2) "Injury" or "illness", either a physical injury or illness or a psychological
7 injury or illness. A psychological injury or illness need not be accompanied by physical
8 injury or illness.

9 2. Any action to recover damages from injury or illness caused by child sex
10 trafficking in an action brought pursuant to this section shall be commenced within
11 twenty years of the plaintiff attaining the age of twenty-one or within three years of the
12 date the plaintiff discovers, or reasonably should have discovered, that the injury or
13 illness was caused by child sex trafficking.

14 3. This section shall apply to any action commenced on or after August 28, 2025.

 542.301. 1. Property which comes into the custody of an officer or of a court as the
2 result of any seizure and which has not been forfeited pursuant to any other provisions of law
3 or returned to the claimant shall be disposed of as follows:

4 (1) Stolen property, or property acquired in any other manner declared an offense by
5 chapters 569 and 570, but not including any of the property referred to in subdivision (2) of
6 this subsection, shall be delivered by order of court upon claim having been made and
7 established, to the person who is entitled to possession:

8 (a) The claim shall be made by written motion filed with the court with which a
9 motion to suppress has been, or may be, filed. The claim shall be barred if not made within
10 one year from the date of the seizure;

11 (b) Upon the filing of such motion, the judge shall order notice to be given to all
12 persons interested in the property, including other claimants and the person from whose
13 possession the property was seized, of the time, place and nature of the hearing to be held on
14 the motion. The notice shall be given in a manner reasonably calculated to reach the attention
15 of all interested persons. Notice may be given to unknown persons and to persons whose
16 address is unknown by publication in a newspaper of general circulation in the county. No
17 property shall be delivered to any claimant unless all interested persons have been given a
18 reasonable opportunity to appear and to be heard;

19 (c) After a hearing, the judge shall order the property delivered to the person or
20 persons entitled to possession, if any. The judge may direct that delivery of property required
21 as evidence in a criminal proceeding shall be postponed until the need no longer exists;

22 (d) A law enforcement officer having custody of seized property may, at any time that
23 seized property has ceased to be useful as evidence, request that the prosecuting attorney of
24 the county in which property was seized file a motion with the court of such county for the
25 disposition of the seized property. If the prosecuting attorney does not file such motion
26 within sixty days of the request by the law enforcement officer having custody of the seized
27 property, then such officer may request that the attorney general file a written motion with the
28 circuit court of the county or judicial district in which the seizure occurred. Upon filing of the
29 motion, the court shall issue an order directing the disposition of the property. Such
30 disposition may, if the property is not claimed within one year from the date of the seizure or
31 if no one establishes a right to it, and the seized property has ceased to be useful as evidence,
32 include a public sale of the property. Pursuant to a motion properly filed and granted under
33 this section, the proceeds of any sale, less necessary expenses of preservation and sale, shall
34 be paid into the county treasury for the use of the county. If the property is not salable, the
35 judge may order its destruction. Notwithstanding any other provision of law, if no claim is
36 filed within one year of the seizure and no motion pursuant to this section is filed within six
37 months thereafter, and the seized property has ceased to be useful as evidence, the property
38 shall be deemed abandoned, converted to cash and shall be turned over immediately to the
39 treasurer pursuant to section 447.543;

40 (e) If the property is a living animal or is perishable, the judge may, at any time, order
41 it sold at public sale. The proceeds shall be held in lieu of the property. A written description
42 of the property sold shall be filed with the judge making the order of sale so that the claimant
43 may identify the property. If the proceeds are not claimed within the time limited for the
44 claim of the property, the proceeds shall be paid into the county treasury. If the property is
45 not salable, the judge may order its destruction.

46 (2) Weapons, tools, devices, computers, computer equipment, computer software,
47 computer hardware, cellular telephones, or other devices capable of accessing the internet,
48 and substances other than motor vehicles, aircraft or watercraft, used by the owner or with the
49 owner's consent as a means for committing felonies other than the offense of possessing
50 burglary tools in violation of section 569.180, and property, the possession of which is an
51 offense under the laws of this state or which has been used by the owner, or used with the
52 owner's acquiescence or consent, as a raw material or as an instrument to manufacture,
53 produce, or distribute, or be used as a means of storage of anything the possession of which is
54 an offense under the laws of this state, or which any statute authorizes or directs to be seized,
55 other than lawfully possessed weapons seized by an officer incident to an arrest, shall be
56 forfeited to the state of Missouri.

57 2. The officer who has custody of the property shall inform the prosecuting attorney
58 of the fact of seizure and of the nature of the property. The prosecuting attorney shall

59 thereupon file a written motion with the court with which the motion to suppress has been, or
60 may be, filed praying for an order directing the forfeiture of the property. If the prosecuting
61 attorney of a county in which property is seized fails to file a motion with the court for the
62 disposition of the seized property within sixty days of the request by a law enforcement
63 officer, the officer having custody of the seized property may request the attorney general to
64 file a written motion with the circuit court of the county or judicial district in which the
65 seizure occurred. Upon filing of the motion, the court shall issue an order directing the
66 disposition of the property. The signed motion shall be returned to the requesting agency. A
67 motion may also be filed by any person claiming the right to possession of the property
68 praying that the court declare the property not subject to forfeiture and order it delivered to
69 the moving party.

70 3. Upon the filing of a motion either by the prosecuting attorney or by a claimant, the
71 judge shall order notice to be given to all persons interested in the property, including the
72 person out of whose possession the property was seized and any lienors, of the time, place
73 and nature of the hearing to be held on the motion. The notice shall be given in a manner
74 reasonably calculated to reach the attention of all interested persons. Notice may be given to
75 unknown persons and to persons of unknown address by publication in a newspaper of
76 general circulation in the county. Every interested person shall be given a reasonable
77 opportunity to appear and to be heard as to the nature of the person's claim to the property and
78 upon the issue of whether or not it is subject to forfeiture.

79 4. If the evidence is clear and convincing that the property in issue is in fact of a kind
80 subject to forfeiture under this subsection, the judge shall declare it forfeited and order its
81 destruction or sale. The judge shall direct that the destruction or sale of property needed as
82 evidence in a criminal proceeding shall be postponed until this need no longer exists.

83 5. If the forfeited property can be put to a lawful use, it may be ordered sold after any
84 alterations which are necessary to adapt it to a lawful use have been made. In the case of
85 computers, computer equipment, computer software, computer hardware, cellular telephones,
86 or other devices capable of accessing the internet, or other devices used in the acquisition,
87 possession, or distribution of child pornography **as it existed prior to August 28, 2025, child**
88 **sexual abuse material**, or obscene material, the law enforcement agency in possession of
89 such items may, upon court order, retain possession of such property and convert such
90 property to the use of the law enforcement agency for use in criminal investigations. If there
91 is a holder of a bona fide lien against property which has been used as a means for committing
92 an offense or which has been used as a raw material or as an instrument to manufacture or
93 produce anything which is an offense to possess, who establishes that the use was without the
94 lienholder's acquiescence or consent, the proceeds, less necessary expenses of preservation

95 and sale, shall be paid to the lienholder to the amount of the lienholder's lien. The remaining
96 amount shall be paid into the county treasury.

97 6. If the property is perishable the judge may order it sold at a public sale or
98 destroyed, as may be appropriate, prior to a hearing. The proceeds of a sale, less necessary
99 expenses of preservation and sale, shall be held in lieu of the property.

100 7. When a warrant has been issued to search for and seize allegedly obscene matter
101 for forfeiture to the state, after an adversary hearing, the judge, upon return of the warrant
102 with the matter seized, shall give notice of the fact to the prosecuting attorney of the county in
103 which the matter was seized and the dealer, exhibitor or displayer and shall conduct further
104 adversary proceedings to determine whether the matter is subject to forfeiture. If the evidence
105 is clear and convincing that the matter is obscene as defined by law and it was being held or
106 displayed for sale, exhibition, distribution or circulation to the public, the judge shall declare
107 it to be obscene and forfeited to the state and order its destruction or other disposition; except
108 that, no forfeiture shall be declared without the dealer, distributor or displayer being given a
109 reasonable opportunity to appear in opposition and without the judge having thoroughly
110 examined each item. If the material to be seized is the same as or another copy of matter that
111 has already been determined to be obscene in a criminal proceeding against the dealer,
112 exhibitor, displayer or such person's agent, the determination of obscenity in the criminal
113 proceeding shall constitute clear and convincing evidence that the matter to be forfeited
114 pursuant to this subsection is obscene. Except when the dealer, exhibitor or displayer
115 consents to a longer period, or by such person's actions or pleadings willfully prevents the
116 prompt resolution of the hearing, judgment shall be rendered within ten days of the return of
117 the warrant. If the matter is not found to be obscene or is not found to have been held or
118 displayed for sale, exhibition or distribution to the public, or a judgment is not entered within
119 the time provided for, the matter shall be restored forthwith to the dealer, exhibitor or
120 displayer.

121 8. If an appeal is taken by the dealer, exhibitor or displayer from an adverse judgment,
122 the case should be assigned for hearing at the earliest practicable date and expedited in every
123 way. Destruction or disposition of a matter declared forfeited shall be postponed until the
124 judgment has become final by exhaustion of appeal, or by expiration of the time for appeal,
125 and until the matter is no longer needed as evidence in a criminal proceeding.

126 9. A determination of obscenity, pursuant to this subsection, shall not be admissible in
127 any criminal proceeding against any person or corporation for sale or possession of obscene
128 matter; except that dealer, distributor or displayer from which the obscene matter was seized
129 for forfeiture to the state.

130 10. When allegedly obscene matter or pornographic material for minors has been
131 seized under a search warrant issued pursuant to subsection 2 of section 542.281 and the

132 matter is no longer needed as evidence in a criminal proceeding the prosecuting attorney of
133 the county in which the matter was seized may file a written motion with the circuit court of
134 the county or judicial district in which the seizure occurred praying for an order directing the
135 forfeiture of the matter. Upon filing of the motion, the court shall set a date for a hearing.
136 Written notice of date, time, place and nature of the hearing shall be personally served upon
137 the owner, dealer, exhibitor, displayer or such person's agent. Such notice shall be served no
138 less than five days before the hearing.

139 11. If the evidence is clear and convincing that the matter is obscene as defined by
140 law, and that the obscene material was being held or displayed for sale, exhibition,
141 distribution or circulation to the public or that the matter is pornographic for minors and that
142 the pornographic material was being held or displayed for sale, exhibition, distribution or
143 circulation to minors, the judge shall declare it to be obscene or pornographic for minors and
144 forfeited to the state and order its destruction or other disposition. A determination that the
145 matter is obscene in a criminal proceeding as well as a determination that such obscene
146 material was held or displayed for sale, exhibition, distribution or circulation to the public or a
147 determination that the matter is pornographic for minors in a criminal proceeding as well as a
148 determination that such pornographic material was held or displayed for sale, exhibition,
149 distribution or circulation to minors shall be clear and convincing evidence that such material
150 should be forfeited to the state; except that, no forfeiture shall be declared without the dealer,
151 distributor or displayer being given a reasonable opportunity to appear in opposition and
152 without a judge having thoroughly examined each item. A dealer, distributor or displayer
153 shall have had reasonable opportunity to appear in opposition if the matter the prosecutor
154 seeks to destroy is the same matter that formed the basis of a criminal proceeding against the
155 dealer, distributor or displayer where the dealer, distributor or displayer has been charged and
156 found guilty of holding or displaying for sale, exhibiting, distributing or circulating obscene
157 material to the public or pornographic material for minors to minors. If the matter is not
158 found to be obscene, or if obscene material is not found to have been held or displayed for
159 sale, exhibition, distribution or circulation to the public, or if the matter is not found to be
160 pornographic for minors or if pornographic material is not found to have been held or
161 displayed for sale, exhibition, distribution or circulation to minors, the matter shall be restored
162 forthwith to the dealer, exhibitor or displayer.

163 12. If an appeal is taken by the dealer, exhibitor or displayer from an adverse
164 judgment, the case shall be assigned for hearing at the earliest practicable date and expedited
165 in every way. Destruction or disposition of matter declared forfeited shall be postponed until
166 the judgment has become final by exhaustion of appeal, or by expiration of the time for
167 appeal, and until the matter is no longer needed as evidence in a criminal proceeding.

13. A determination of obscenity shall not be admissible in any criminal proceeding against any person or corporation for sale or possession of obscene matter.

14. An appeal by any party shall be allowed from the judgment of the court as in other civil actions.

15. All other property still in the custody of an officer or of a court as the result of any seizure and which has not been forfeited pursuant to this section or any other provision of law after three years following the seizure and which has ceased to be useful as evidence shall be deemed abandoned, converted to cash and shall be turned over immediately to the treasurer pursuant to section 447.543.

556.039. Notwithstanding the provisions of section 556.036, prosecutions:

(1) Under sections 566.203 to 566.211 involving a person nineteen years of age or older; or

(2) Under section 566.203 or 566.206 involving a person under nineteen years of age

shall be commenced no later than twenty years after the commission of the offense.

566.010. As used in this chapter and chapter 568, the following terms mean:

(1) "Aggravated sexual offense", any sexual offense, in the course of which, the actor:

(a) Inflicts serious physical injury on the victim;

(b) Displays a deadly weapon or dangerous instrument in a threatening manner;

(c) Subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person;

(d) Had previously been found guilty of an offense under this chapter or under section 573.200, child used in sexual performance; section 573.205, promoting sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography in the first degree **as it existed prior to August 28, 2025, or promoting child sexual abuse material in the first degree**; section 573.035, promoting child pornography in the second degree **as it existed prior to August 28, 2025, or promoting child sexual abuse material in the second degree**; section 573.037, possession of child pornography **as it existed prior to August 28, 2025, or possession of child sexual abuse material**; or section 573.040, furnishing pornographic materials to minors; or has previously been found guilty of an offense in another jurisdiction which would constitute an offense under this chapter or said sections;

(e) Commits the offense as part of an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity; or

(f) Engages in the act that constitutes the offense with a person the actor knows to be, without regard to legitimacy, the actor's:

- 22 a. Ancestor or descendant by blood or adoption;
23 b. Stepchild while the marriage creating that relationship exists;
24 c. Brother or sister of the whole or half blood; or
25 d. Uncle, aunt, nephew, or niece of the whole blood;
26 (2) "Commercial sex act", any sex act on account of which anything of value is given
27 to or received by any person;
28 (3) "Deviate sexual intercourse", any act involving the genitals of one person and the
29 hand, mouth, tongue, or anus of another person or a sexual act involving the penetration,
30 however slight, of the penis, female genitalia, or the anus by a finger, instrument or object
31 done for the purpose of arousing or gratifying the sexual desire of any person or for the
32 purpose of terrorizing the victim;
33 (4) "Forced labor", a condition of servitude induced by means of:
34 (a) Any scheme, plan, or pattern of behavior intended to cause a person to believe
35 that, if the person does not enter into or continue the servitude, such person or another person
36 will suffer substantial bodily harm or physical restraint; or
37 (b) The abuse or threatened abuse of the legal process;
38 (5) "Sexual conduct", sexual intercourse, deviate sexual intercourse or sexual contact;
39 (6) "Sexual contact", any touching of another person with the genitals or any touching
40 of the genitals or anus of another person, or the breast of a female person, or such touching
41 through the clothing, or causing semen, seminal fluid, or other ejaculate to come into contact
42 with another person, for the purpose of arousing or gratifying the sexual desire of any person
43 or for the purpose of terrorizing the victim;
44 (7) "Sexual intercourse", any penetration, however slight, of the female genitalia by
45 the penis.

566.147. 1. Any person who, since July 1, 1979, has been or hereafter has been found
2 guilty of:
3 (1) Violating any of the provisions of this chapter or the provisions of section
4 568.020, incest; section 568.045, endangering the welfare of a child in the first degree;
5 subsection 2 of section 568.080 as it existed prior to January 1, 2017, or section 573.200, use
6 of a child in a sexual performance; section 568.090 as it existed prior to January 1, 2017, or
7 section 573.205, promoting a sexual performance by a child; section 573.023, sexual
8 exploitation of a minor; section 573.025, promoting child pornography in the first degree **as it**
9 **existed prior to August 28, 2025, or promoting child sexual abuse material in the first**
10 **degree;** section 573.035, promoting child pornography in the second degree **as it existed**
11 **prior to August 28, 2025, or promoting child sexual abuse material in the second degree;**
12 section 573.037, possession of child pornography **as it existed prior to August 28, 2025, or**

13 **possession of child sexual abuse material;** or section 573.040, furnishing pornographic
14 material to minors; or

15 (2) Any offense in any other jurisdiction which, if committed in this state, would be a
16 violation listed in this section;

17

18 shall not reside within one thousand feet of any public school as defined in section 160.011,
19 any private school giving instruction in a grade or grades not higher than the twelfth grade, or
20 any child care facility that is licensed under chapter 210, or any child care facility as defined
21 in section 210.201 that is exempt from state licensure but subject to state regulation under
22 section 210.252 and holds itself out to be a child care facility, where the school or facility is in
23 existence at the time the individual begins to reside at the location. Such person shall also not
24 reside within one thousand feet of the property line of the residence of a former victim of such
25 person.

26 2. If such person has already established a residence and a public school, a private
27 school, or child care facility is subsequently built or placed within one thousand feet of such
28 person's residence, or a former victim subsequently resides on property with a property line
29 within one thousand feet of such person's residence, then such person shall, within one week
30 of the opening of such public school, private school, or child care facility, or the former
31 victim residing on the property, notify the county sheriff where such public school, private
32 school, child care facility, or residence of a former victim is located that he or she is now
33 residing within one thousand feet of such public school, private school, child care facility, or
34 property line of the residence of a former victim, and shall provide verifiable proof to the
35 sheriff that he or she resided there prior to the opening of such public school, private school,
36 or child care facility, or the former victim residing on the property.

37 3. For purposes of this section, "resides" means sleeps in a residence, which may
38 include more than one location and may be mobile or transitory, but shall not include
39 transitory or longer term presence in facilities licensed under chapters 197 and 198 for
40 purposes of receiving care, treatment, or services from such licensed facility.

41 4. For the purposes of ~~[the]~~ **this** section, one thousand feet shall be measured from the
42 edge of the offender's property nearest the public school, private school, child care facility, or
43 former victim to the nearest edge of the public school, private school, child care facility, or
44 former victim's property.

45 5. Violation of the provisions of subsection 1 of this section is a class E felony except
46 that the second or any subsequent violation is a class B felony. Violation of the provisions of
47 subsection 2 of this section is a class A misdemeanor except that the second or subsequent
48 violation is a class E felony.

566.148. 1. Any person who has been found guilty of:

2 (1) Violating any of the provisions of this chapter or the provisions of section
3 568.020, incest; section 568.045, endangering the welfare of a child in the first degree;
4 subsection 2 of section 568.080 as it existed prior to January 1, 2017, or section 573.200, use
5 of a child in a sexual performance; section 568.090 as it existed prior to January 1, 2017, or
6 section 573.205, promoting a sexual performance by a child; section 573.023, sexual
7 exploitation of a minor; section 573.025, promoting child pornography in the first degree **as it**
8 **existed prior to August 28, 2025, or promoting child sexual abuse material in the first**
9 **degree;** section 573.035, promoting child pornography in the second degree **as it existed**
10 **prior to August 28, 2025, or promoting child sexual abuse material in the second degree;**
11 section 573.037, possession of child pornography **as it existed prior to August 28, 2025, or**
12 **possession of child sexual abuse material;** or section 573.040, furnishing pornographic
13 material to minors; or

14 (2) Any offense in any other jurisdiction which, if committed in this state, would be a
15 violation listed in this section;

16

17 shall not knowingly be physically present in or loiter within five hundred feet of or to
18 approach, contact, or communicate with any child under eighteen years of age in any child
19 care facility building, on the real property comprising any child care facility when persons
20 under the age of eighteen are present in the building, on the grounds, or in the conveyance,
21 unless the offender is a parent, legal guardian, or custodian of a student present in the building
22 or on the grounds.

23 2. For purposes of this section, "child care facility" shall include any child care
24 facility licensed under chapter 210, or any child care facility that is exempt from state
25 licensure but subject to state regulation under section 210.252 and holds itself out to be a
26 child care facility.

27 3. Violation of the provisions of this section is a class A misdemeanor.

566.149. 1. Any person who has been found guilty of:

2 (1) Violating any of the provisions of this chapter or the provisions of section
3 568.020, incest; section 568.045, endangering the welfare of a child in the first degree;
4 subsection 2 of section 568.080 as it existed prior to January 1, 2017, or section 573.200, use
5 of a child in a sexual performance; section 568.090 as it existed prior to January 1, 2017, or
6 section 573.205, promoting a sexual performance by a child; section 573.023, sexual
7 exploitation of a minor; section 573.037, possession of child pornography **as it existed prior**
8 **to August 28, 2025, or possession of child sexual abuse material;** section 573.025,
9 promoting child pornography **as it existed prior to August 28, 2025, or promoting child**
10 **sexual abuse material;** or section 573.040, furnishing pornographic material to minors; or

11 (2) Any offense in any other jurisdiction which, if committed in this state, would be a
12 violation listed in this section;

13

14 shall not be present in or loiter within five hundred feet of any school building, on real
15 property comprising any school, or in any conveyance owned, leased, or contracted by a
16 school to transport students to or from school or a school-related activity when persons under
17 the age of eighteen are present in the building, on the grounds, or in the conveyance, unless
18 the offender is a parent, legal guardian, or custodian of a student present in the building and
19 has met the conditions set forth in subsection 2 of this section.

20 2. No parent, legal guardian, or custodian who has been found guilty of violating any
21 of the offenses listed in subsection 1 of this section shall be present in any school building, on
22 real property comprising any school, or in any conveyance owned, leased, or contracted by a
23 school to transport students to or from school or a school-related activity when persons under
24 the age of eighteen are present in the building, on the grounds or in the conveyance unless the
25 parent, legal guardian, or custodian has permission to be present from the superintendent or
26 school board or in the case of a private school from the principal. In the case of a public
27 school, if permission is granted, the superintendent or school board president must inform the
28 principal of the school where the sex offender will be present. Permission may be granted by
29 the superintendent, school board, or in the case of a private school from the principal for more
30 than one event at a time, such as a series of events, however, the parent, legal guardian, or
31 custodian must obtain permission for any other event he or she wishes to attend for which he
32 or she has not yet had permission granted.

33 3. Regardless of the person's knowledge of his or her proximity to school property or
34 a school-related activity, violation of the provisions of this section is a class A misdemeanor.

566.150. 1. Any person who has been found guilty of:

2 (1) Violating any of the provisions of this chapter or the provisions of section
3 568.020, incest; section 568.045, endangering the welfare of a child in the first degree;
4 section 573.200, use of a child in a sexual performance; section 573.205, promoting a sexual
5 performance by a child; section 573.023, sexual exploitation of a minor; section 573.025,
6 promoting child pornography **as it existed prior to August 28, 2025, or promoting child**
7 **sexual abuse material**; section 573.037, possession of child pornography **as it existed prior**
8 **to August 28, 2025, or possession of child sexual abuse material**; or section 573.040,
9 furnishing pornographic material to minors; or

10 (2) Any offense in any other jurisdiction which, if committed in this state, would be a
11 violation listed in this section;

12

13 shall not knowingly be present in or loiter within five hundred feet of any real property
14 comprising any public park with playground equipment, a public swimming pool, athletic
15 complex or athletic fields if such facilities exist for the primary use of recreation for children,
16 any museum if such museum holds itself out to the public as and exists with the primary
17 purpose of entertaining or educating children under eighteen years of age, or Missouri
18 department of conservation nature or education center properties.

19 2. The first violation of the provisions of this section is a class E felony.

20 3. A second or subsequent violation of this section is a class D felony.

21 4. Any person who has been found guilty of an offense under subdivision (1) or (2) of
22 subsection 1 of this section who is the parent, legal guardian, or custodian of a child under the
23 age of eighteen attending a program on the property of a nature or education center of the
24 Missouri department of conservation may receive permission from the nature or education
25 center manager to be present on the property with the child during the program.

566.151. 1. A person twenty-one years of age or older commits the offense of
2 enticement of a child if he or she persuades, solicits, coaxes, entices, or lures whether by
3 words, actions or through communication via the internet or any electronic communication,
4 any person who is less than ~~fifteen~~ **seventeen** years of age for the purpose of engaging in
5 sexual conduct.

6 2. It is not a defense to a prosecution for a violation of this section that the other
7 person was a peace officer masquerading as a minor.

8 3. Enticement of a child or an attempt to commit enticement of a child is a felony for
9 which the authorized term of imprisonment shall be not less than five years and not more than
10 thirty years. No person convicted under this section shall be eligible for parole, probation,
11 conditional release, or suspended imposition or execution of sentence for a period of five
12 calendar years.

566.155. 1. Any person who has been found guilty of:

2 (1) Violating any of the provisions of this chapter or the provisions of section
3 568.020, incest; section 568.045, endangering the welfare of a child in the first degree;
4 section 573.200, use of a child in a sexual performance; section 573.205, promoting a sexual
5 performance by a child; section 573.023, sexual exploitation of a minor; section 573.037,
6 possession of child pornography **as it existed prior to August 28, 2025, or possession of**
7 **child sexual abuse material**; section 573.025, promoting child pornography **as it existed**
8 **prior to August 28, 2025, or promoting child sexual abuse material**; or section 573.040,
9 furnishing pornographic material to minors; or

10 (2) Any offense in any other jurisdiction which, if committed in this state, would be a
11 violation listed in this section;
12

13 shall not serve as an athletic coach, manager, or athletic trainer for any sports team in which a
14 child less than seventeen years of age is a member or shall not supervise or employ any child
15 under eighteen years of age.

16 2. The first violation of the provisions of this section is a class E felony.

17 3. A second or subsequent violation of this section is a class D felony.

**566.201. A prosecuting or circuit attorney may request assistance from the
2 attorney general, or one of his or her assistants, to assist in the prosecution of child sex
3 trafficking cases. The prosecuting or circuit attorney may request any resource or
4 capability of the attorney general when prosecuting such cases.**

566.210. 1. A person commits the offense of sexual trafficking of a child in the first
2 degree if he or she knowingly:

3 (1) Recruits, entices, harbors, transports, provides, or obtains by any means, including
4 but not limited to through the use of force, abduction, coercion, fraud, deception, blackmail,
5 or causing or threatening to cause financial harm, a person under the age of ~~[twelve]~~ **fourteen**
6 to participate in a commercial sex act, a sexual performance, or the production of explicit
7 sexual material as defined in section 573.010, or benefits, financially or by receiving anything
8 of value, from participation in such activities;

9 (2) Causes a person under the age of ~~[twelve]~~ **fourteen** to engage in a commercial sex
10 act, a sexual performance, or the production of explicit sexual material as defined in section
11 573.010; or

12 (3) Advertises the availability of a person under the age of ~~[twelve]~~ **fourteen** to
13 participate in a commercial sex act, a sexual performance, or the production of explicit sexual
14 material as defined in section 573.010.

15 2. It shall not be a defense that the defendant believed that the person was ~~[twelve]~~
16 **fourteen** years of age or older.

17 3. The offense of sexual trafficking of a child in the first degree is a felony for which
18 the authorized term of imprisonment is life imprisonment without eligibility for probation or
19 parole until the offender has served not less than ~~[twenty-five]~~ **thirty** years of such sentence.
20 Subsection 4 of section 558.019 shall not apply to the sentence of a person who has been
21 found guilty of sexual trafficking of a child less than ~~[twelve]~~ **fourteen** years of age, and "life
22 imprisonment" shall mean imprisonment for the duration of a person's natural life for the
23 purposes of this section.

566.211. 1. A person commits the offense of sexual trafficking of a child in the
2 second degree if he or she knowingly:

3 (1) Recruits, entices, harbors, transports, provides, or obtains by any means, including
4 but not limited to through the use of force, abduction, coercion, fraud, deception, blackmail,
5 or causing or threatening to cause financial harm, a person under the age of eighteen to

6 participate in a commercial sex act, a sexual performance, or the production of explicit sexual
7 material as defined in section 573.010, or benefits, financially or by receiving anything of
8 value, from participation in such activities;

9 (2) Causes a person under the age of eighteen to engage in a commercial sex act, a
10 sexual performance, or the production of explicit sexual material as defined in section
11 573.010; or

12 (3) Advertises the availability of a person under the age of eighteen to participate in a
13 commercial sex act, a sexual performance, or the production of explicit sexual material as
14 defined in section 573.010.

15 2. It shall not be a defense that the defendant believed that the person was eighteen
16 years of age or older.

17 3. **(1)** The offense of sexual trafficking of a child in the second degree is a felony
18 punishable by imprisonment for a term of years not less than ~~ten~~ twenty years or life and a
19 fine not to exceed two hundred fifty thousand dollars if the child is under the age of eighteen.
20 If a violation of this section was effected by force, abduction, or coercion, the crime of sexual
21 trafficking of a child shall be a felony for which the authorized term of imprisonment is life
22 imprisonment without eligibility for probation or parole until the defendant has served not
23 less than twenty-five years of such sentence.

24 **(2) The offense of sexual trafficking of a child in the second degree by a parent,**
25 **legal guardian, or other person having custody or control of a child is a felony for which**
26 **the authorized term of imprisonment is life imprisonment. As used in this subdivision,**
27 **"life imprisonment" shall mean imprisonment for the duration of a person's natural**
28 **life.**

566.218. 1. Notwithstanding sections 557.011, 558.019, and 559.021, a person found
2 guilty of violating any provisions of section 566.203, 566.206, 566.209, 566.210, 566.211,
3 566.212, 566.213, or 566.215 shall be ordered by the sentencing court to pay restitution to the
4 victim of the offense regardless of whether the defendant is sentenced to a term of
5 imprisonment or probation. The minimum restitution ordered by the court shall be in the
6 amount determined by the court necessary to compensate the victim for the value of the
7 victim's labor and/or for the mental and physical rehabilitation of the victim and any child of
8 the victim.

9 2. Any real or personal property that was used, attempted to be used, or
10 intended to be used by the defendant in violating a section listed under subsection 1 of
11 this section may be seized. If such property is seized, the property shall be forfeited as
12 provided under section 513.607. After satisfying any liens on the property, the
13 remaining proceeds from the sale of any property seized under this subsection that was
14 owned by a defendant convicted of violating a section listed under subsection 1 of this

15 section shall first be allocated to pay any order of restitution to a victim of human
16 trafficking in the criminal case for which the defendant was convicted. If there are
17 multiple victims of human trafficking in the criminal case, the remaining proceeds shall
18 be allocated equally among the victims to pay restitution. If the proceeds are sufficient
19 to pay any such order of restitution, any remaining proceeds shall be deposited into the
20 commercial sexual exploitation of children education and awareness fund under section
21 210.1505.

567.030. 1. A person commits the offense of patronizing prostitution if he or she:

2 (1) Pursuant to a prior understanding, gives something of value to another person as
3 compensation for having engaged in sexual conduct with any person; or

4 (2) Gives or agrees to give something of value to another person with the
5 understanding that such person or another person will engage in sexual conduct with any
6 person; or

7 (3) Solicits or requests another person to engage in sexual conduct with any person in
8 return for something of value.

9 2. It shall not be a defense that the person believed that the individual he or she
10 patronized for prostitution was eighteen years of age or older.

11 3. The offense of patronizing prostitution is a class B misdemeanor, unless the
12 individual who the person patronizes is less than eighteen years of age but older than
13 ~~fourteen~~ fifteen years of age, in which case patronizing prostitution is a class E felony.

14 4. The offense of patronizing prostitution is a class ~~D~~ B felony if the individual who
15 the person patronizes is ~~fourteen~~ fifteen years of age or younger. Nothing in this section
16 shall preclude the prosecution of an individual for the offenses of:

17 (1) Statutory rape in the first degree pursuant to section 566.032;

18 (2) Statutory rape in the second degree pursuant to section 566.034;

19 (3) Statutory sodomy in the first degree pursuant to section 566.062; or

20 (4) Statutory sodomy in the second degree pursuant to section 566.064.

570.030. 1. A person commits the offense of stealing if he or she:

2 (1) Appropriates property or services of another with the purpose to deprive him or
3 her thereof, either without his or her consent or by means of deceit or coercion;

4 (2) Attempts to appropriate anhydrous ammonia or liquid nitrogen of another with the
5 purpose to deprive him or her thereof, either without his or her consent or by means of deceit
6 or coercion; ~~or~~

7 (3) For the purpose of depriving the owner of a lawful interest therein, receives,
8 retains or disposes of property of another knowing that it has been stolen, or believing that it
9 has been stolen; **or**

10 **(4) For the purpose of depriving the owner of a lawful interest therein, receives,**
11 **retains, or disposes of a catalytic converter, as defined in subsection 7 of section 407.300,**
12 **and knows that it has been stolen, believes that it has been stolen, or reasonably should**
13 **suspect that it has been stolen.**

14 2. The offense of stealing is a class A felony if the property appropriated consists of
15 any of the following containing any amount of anhydrous ammonia: a tank truck, tank trailer,
16 rail tank car, bulk storage tank, field nurse, field tank or field applicator.

17 3. The offense of stealing is a class B felony if:

18 (1) The property appropriated or attempted to be appropriated consists of any amount
19 of anhydrous ammonia or liquid nitrogen;

20 (2) The property consists of any animal considered livestock as the term livestock is
21 defined in section 144.010, or any captive wildlife held under permit issued by the
22 conservation commission, and the value of the animal or animals appropriated exceeds three
23 thousand dollars and that person has previously been found guilty of appropriating any animal
24 considered livestock or captive wildlife held under permit issued by the conservation
25 commission. Notwithstanding any provision of law to the contrary, such person shall serve a
26 minimum prison term of not less than eighty percent of his or her sentence before he or she is
27 eligible for probation, parole, conditional release, or other early release by the department of
28 corrections;

29 (3) A person appropriates property consisting of a motor vehicle, watercraft, or
30 aircraft, and that person has previously been found guilty of two stealing-related offenses
31 committed on two separate occasions where such offenses occurred within ten years of the
32 date of occurrence of the present offense;

33 (4) The property appropriated or attempted to be appropriated consists of any animal
34 considered livestock as the term is defined in section 144.010 if the value of the livestock
35 exceeds ten thousand dollars; or

36 (5) The property appropriated or attempted to be appropriated is owned by or in the
37 custody of a financial institution and the property is taken or attempted to be taken physically
38 from an individual person to deprive the owner or custodian of the property.

39 4. The offense of stealing is a class C felony if the value of the property or services
40 appropriated is twenty-five thousand dollars or more or the property is a teller machine or the
41 contents of a teller machine, including cash, regardless of the value or amount.

42 5. The offense of stealing is a class D felony if:

43 (1) The value of the property or services appropriated is seven hundred fifty dollars or
44 more;

45 (2) The offender physically takes the property appropriated from the person of the
46 victim; or

- 47 (3) The property appropriated consists of:
- 48 (a) Any motor vehicle, watercraft or aircraft;
- 49 (b) Any will or unrecorded deed affecting real property;
- 50 (c) Any credit device, debit device or letter of credit;
- 51 (d) Any firearms;
- 52 (e) Any explosive weapon as defined in section 571.010;
- 53 (f) Any United States national flag designed, intended and used for display on
- 54 buildings or stationary flagstaffs in the open;
- 55 (g) Any original copy of an act, bill or resolution, introduced or acted upon by the
- 56 legislature of the state of Missouri;
- 57 (h) Any pleading, notice, judgment or any other record or entry of any court of this
- 58 state, any other state or of the United States;
- 59 (i) Any book of registration or list of voters required by chapter 115;
- 60 (j) Any animal considered livestock as that term is defined in section 144.010;
- 61 (k) Any live fish raised for commercial sale with a value of seventy-five dollars or
- 62 more;
- 63 (l) Any captive wildlife held under permit issued by the conservation commission;
- 64 (m) Any controlled substance as defined by section 195.010;
- 65 (n) Ammonium nitrate;
- 66 (o) Any wire, electrical transformer, or metallic wire associated with transmitting
- 67 telecommunications, video, internet, or voice over internet protocol service, or any other
- 68 device or pipe that is associated with conducting electricity or transporting natural gas or
- 69 other combustible fuels; or
- 70 (p) Any material appropriated with the intent to use such material to manufacture,
- 71 compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of
- 72 their analogues.
- 73 6. The offense of stealing is a class E felony if:
- 74 (1) The property appropriated is an animal;
- 75 (2) The property is a catalytic converter, **as defined in subsection 7 of section**
- 76 **407.300;**
- 77 (3) A person has previously been found guilty of three stealing-related offenses
- 78 committed on three separate occasions where such offenses occurred within ten years of the
- 79 date of occurrence of the present offense; or
- 80 (4) The property appropriated is a letter, postal card, package, bag, or other sealed
- 81 article that was delivered by a common carrier or delivery service and not yet received by the
- 82 addressee or that had been left to be collected for shipment by a common carrier or delivery
- 83 service.

84 7. The offense of stealing is a class D misdemeanor if the property is not of a type
85 listed in subsection 2, 3, 5, or 6 of this section, the property appropriated has a value of less
86 than one hundred fifty dollars, and the person has no previous findings of guilt for a stealing-
87 related offense.

88 8. The offense of stealing is a class A misdemeanor if no other penalty is specified in
89 this section.

90 9. If a violation of this section is subject to enhanced punishment based on prior
91 findings of guilt, such findings of guilt shall be pleaded and proven in the same manner as
92 required by section 558.021.

93 10. The appropriation of any property or services of a type listed in subsection 2, 3, 5,
94 or 6 of this section or of a value of seven hundred fifty dollars or more may be considered a
95 separate felony and may be charged in separate counts.

96 11. The value of property or services appropriated pursuant to one scheme or course
97 of conduct, whether from the same or several owners and whether at the same or different
98 times, constitutes a single criminal episode and may be aggregated in determining the grade
99 of the offense, except as set forth in subsection 10 of this section.

**570.031. 1. A person commits the offense of unlawful possession of a detached
2 catalytic converter if the person possesses a catalytic converter that is detached from a
3 motor vehicle with the intent to sell the catalytic converter unless:**

4 **(1) The detached catalytic converter is possessed in the course of a legitimate
5 business purpose;**

6 **(2) The detached catalytic converter is a component or constituent part of an
7 item or equipment owned by the person; or**

8 **(3) The possession of the detached catalytic converter is for some other lawful
9 purpose.**

10 **2. The offense of unlawful possession of a detached catalytic converter is a class
11 E felony.**

 573.010. As used in this chapter the following terms shall mean:

2 (1) "Adult cabaret", a nightclub, bar, juice bar, restaurant, bottle club, or other
3 commercial establishment, regardless of whether alcoholic beverages are served, which
4 regularly features persons who appear semi-nude;

5 (2) "Characterized by", describing the essential character or dominant theme of an
6 item;

7 (3) "Child", any person under the age of fourteen;

8 (4) "Child ~~[pornography]~~ **sexual abuse material**";

9 (a) Any obscene material or performance depicting sexual conduct, sexual contact as
10 defined in section 566.010, or a sexual performance and which has as one of its participants or
11 portrays as an observer of such conduct, contact, or performance a minor; ~~or~~

12 (b) Any visual depiction, including any photograph, film, video, picture, or computer
13 or computer-generated image or picture, whether made or produced by electronic,
14 mechanical, or other means, of sexually explicit conduct where:

15 a. The production of such visual depiction involves the use of a minor engaging in
16 sexually explicit conduct;

17 b. Such visual depiction is a digital image, computer image, or computer-generated
18 image that is, or is indistinguishable from, that of a minor engaging in sexually explicit
19 conduct, in that the depiction is such that an ordinary person viewing the depiction would
20 conclude that the depiction is of an actual minor engaged in sexually explicit conduct; or

21 c. Such visual depiction has been created, adapted, or modified to show that an
22 identifiable minor is engaging in sexually explicit conduct. "Identifiable minor" means a
23 person who was a minor at the time the visual depiction was created, adapted, or modified; or
24 whose image as a minor was used in creating, adapting, or modifying the visual depiction;
25 and who is recognizable as an actual person by the person's face, likeness, or other
26 distinguishing characteristic, such as a unique birthmark or other recognizable feature. The
27 term identifiable minor shall not be construed to require proof of the actual identity of the
28 identifiable minor; **or**

29 **(c) Any anatomically correct doll, mannequin, or robot, or any other item, with**
30 **features of, or with features that resemble those of, a minor under eighteen years of age,**
31 **intended to be used for the purpose of arousing or gratifying the sexual desire of any**
32 **person, or for the purpose of terrorizing or causing emotional distress to any person;**

33 (5) "Employ", "employee", or "employment", any person who performs any service
34 on the premises of a sexually oriented business, on a full-time, part-time, or contract basis,
35 whether or not the person is denominated an employee, independent contractor, agent, or
36 otherwise. Employee does not include a person exclusively on the premises for repair or
37 maintenance of the premises or for the delivery of goods to the premises;

38 (6) "Explicit sexual material", any pictorial or three-dimensional material depicting
39 human masturbation, deviate sexual intercourse, sexual intercourse, direct physical
40 stimulation or unclothed genitals, sadomasochistic abuse, or emphasizing the depiction of
41 postpubertal human genitals; provided, however, that works of art or of anthropological
42 significance shall not be deemed to be within the foregoing definition;

43 (7) "Furnish", to issue, sell, give, provide, lend, mail, deliver, transfer, circulate,
44 disseminate, present, exhibit or otherwise provide;

45 (8) "Material", anything printed or written, or any picture, drawing, photograph,
46 motion picture film, videotape or videotape production, or pictorial representation, or any
47 recording or transcription, or any mechanical, chemical, or electrical reproduction, or stored
48 computer data, or anything which is or may be used as a means of communication. Material
49 includes undeveloped photographs, molds, printing plates, stored computer data and other
50 latent representational objects;

51 (9) "Minor", any person less than eighteen years of age;

52 (10) "Nudity" or "state of nudity", the showing of the human genitals, pubic area,
53 vulva, anus, anal cleft, or the female breast with less than a fully opaque covering of any part
54 of the nipple or areola;

55 (11) "Obscene", any material or performance if, taken as a whole:

56 (a) Applying contemporary community standards, its predominant appeal is to
57 prurient interest in sex; and

58 (b) The average person, applying contemporary community standards, would find the
59 material depicts or describes sexual conduct in a patently offensive way; and

60 (c) A reasonable person would find the material lacks serious literary, artistic,
61 political or scientific value;

62 (12) "Operator", any person on the premises of a sexually oriented business who
63 causes the business to function, puts or keeps the business in operation, or is authorized to
64 manage the business or exercise overall operational control of the business premises. A
65 person may be found to be operating or causing to be operated a sexually oriented business
66 whether or not such person is an owner, part owner, or licensee of the business;

67 (13) "Performance", any play, motion picture film, videotape, dance or exhibition
68 performed before an audience of one or more;

69 (14) "Pornographic for minors", any material or performance if the following apply:

70 (a) The average person, applying contemporary community standards, would find
71 that the material or performance, taken as a whole, has a tendency to cater or appeal to a
72 prurient interest of minors; and

73 (b) The material or performance depicts or describes nudity, sexual conduct, the
74 condition of human genitals when in a state of sexual stimulation or arousal, or
75 sadomasochistic abuse in a way which is patently offensive to the average person applying
76 contemporary adult community standards with respect to what is suitable for minors; and

77 (c) The material or performance, taken as a whole, lacks serious literary, artistic,
78 political, or scientific value for minors;

79 (15) "Premises", the real property upon which a sexually oriented business is located,
80 and all appurtenances thereto and buildings thereon, including but not limited to the sexually
81 oriented business, the grounds, private walkways, and parking lots or parking garages or both;

82 (16) "Promote", to manufacture, issue, sell, provide, mail, deliver, transfer, transmute,
83 publish, distribute, circulate, disseminate, present, exhibit, or advertise, or to offer or agree to
84 do the same, by any means including a computer;

85 (17) "Regularly", the consistent and repeated doing of the act so described;

86 (18) "Sadomasochistic abuse", flagellation or torture by or upon a person as an act of
87 sexual stimulation or gratification;

88 (19) "Semi-nude" or "state of semi-nudity", the showing of the female breast below a
89 horizontal line across the top of the areola and extending across the width of the breast at such
90 point, or the showing of the male or female buttocks. Such definition includes the lower
91 portion of the human female breast, but shall not include any portion of the cleavage of the
92 female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel
93 provided the areola is not exposed in whole or in part;

94 (20) "Sexual conduct", actual or simulated, normal or perverted acts of human
95 masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a
96 person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act
97 of apparent sexual stimulation or gratification or any sadomasochistic abuse or acts including
98 animals or any latent objects in an act of apparent sexual stimulation or gratification;

99 (21) "Sexually explicit conduct", actual or simulated:

100 (a) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-
101 anal, whether between persons of the same or opposite sex;

102 (b) Bestiality;

103 (c) Masturbation;

104 (d) Sadistic or masochistic abuse; or

105 (e) Lascivious exhibition of the genitals or pubic area of any person;

106 (22) "Sexually oriented business" includes:

107 (a) An adult bookstore or adult video store. "Adult bookstore" or "adult video store"
108 means a commercial establishment which, as one of its principal business activities, offers for
109 sale or rental for any form of consideration any one or more of the following: books,
110 magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video
111 cassettes, compact discs, digital video discs, slides, or other visual representations which are
112 characterized by their emphasis upon the display of specified sexual activities or specified
113 anatomical areas. A principal business activity exists where the commercial establishment:
114 a. Has a substantial portion of its displayed merchandise which consists of such
115 items; or
116 b. Has a substantial portion of the wholesale value of its displayed merchandise
117 which consists of such items; or

- 118 c. Has a substantial portion of the retail value of its displayed merchandise which
119 consists of such items; or
- 120 d. Derives a substantial portion of its revenues from the sale or rental, for any form of
121 consideration, of such items; or
- 122 e. Maintains a substantial section of its interior business space for the sale or rental of
123 such items; or
- 124 f. Maintains an adult arcade. "Adult arcade" means any place to which the public is
125 permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or
126 mechanically controlled still or motion picture machines, projectors, or other image-
127 producing devices are regularly maintained to show images to five or fewer persons per
128 machine at any one time, and where the images so displayed are characterized by their
129 emphasis upon matter exhibiting specified sexual activities or specified anatomical areas;
- 130 (b) An adult cabaret;
- 131 (c) An adult motion picture theater. "Adult motion picture theater" means a
132 commercial establishment where films, motion pictures, video cassettes, slides, or similar
133 photographic reproductions, which are characterized by their emphasis upon the display of
134 specified sexual activities or specified anatomical areas are regularly shown to more than five
135 persons for any form of consideration;
- 136 (d) A semi-nude model studio. "Semi-nude model studio" means a place where
137 persons regularly appear in a state of semi-nudity for money or any form of consideration in
138 order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly
139 depicted by other persons. Such definition shall not apply to any place where persons
140 appearing in a state of semi-nudity do so in a modeling class operated:
- 141 a. By a college, junior college, or university supported entirely or partly by taxation;
- 142 b. By a private college or university which maintains and operates educational
143 programs in which credits are transferable to a college, junior college, or university supported
144 entirely or partly by taxation; or
- 145 c. In a structure:
- 146 (i) Which has no sign visible from the exterior of the structure and no other
147 advertising that indicates a semi-nude person is available for viewing; and
- 148 (ii) Where, in order to participate in a class, a student must enroll at least three days in
149 advance of the class;
- 150 (e) A sexual encounter center. "Sexual encounter center" means a business or
151 commercial enterprise that, as one of its principal purposes, purports to offer for any form of
152 consideration physical contact in the form of wrestling or tumbling between two or more
153 persons when one or more of the persons is semi-nude;

- 154 (23) "Sexual performance", any performance, or part thereof, which includes sexual
155 conduct by a child who is less than eighteen years of age;
- 156 (24) "Specified anatomical areas" include:
- 157 (a) Less than completely and opaquely covered: human genitals, pubic region,
158 buttock, and female breast below a point immediately above the top of the areola; and
- 159 (b) Human male genitals in a discernibly turgid state, even if completely and
160 opaquely covered;
- 161 (25) "Specified sexual activity", includes any of the following:
- 162 (a) Intercourse, oral copulation, masturbation, or sodomy; or
- 163 (b) Excretory functions as a part of or in connection with any of the activities
164 described in paragraph (a) of this subdivision;
- 165 (26) "Substantial", at least thirty percent of the item or items so modified;
- 166 (27) "Visual depiction", includes undeveloped film and videotape, and data stored on
167 computer disk or by electronic means which is capable of conversion into a visual image.

573.023. 1. A person commits the offense of sexual exploitation of a minor if such
2 person knowingly or recklessly photographs, films, videotapes, produces or otherwise creates
3 obscene material with a minor or child ~~[pornography]~~ **sexual abuse material**.

4 2. The offense of sexual exploitation of a minor is a class B felony unless the minor is
5 a child, in which case it is a class A felony.

573.025. 1. A person commits the offense of promoting child ~~[pornography]~~ **sexual**
2 **abuse material** in the first degree if, knowing of its content and character, such person
3 possesses with the intent to promote or promotes child ~~[pornography]~~ **sexual abuse material**
4 of a child less than fourteen years of age or obscene material portraying what appears to be a
5 child less than fourteen years of age.

6 2. The offense of promoting child ~~[pornography]~~ **sexual abuse material** in the first
7 degree is a class B felony unless the person knowingly promotes such material to a minor, in
8 which case it is a class A felony. No person who is found guilty of promoting child
9 ~~[pornography]~~ **sexual abuse material** in the first degree shall be eligible for probation,
10 parole, or conditional release for a period of three calendar years.

11 3. Nothing in this section shall be construed to require a provider of electronic
12 communication services or remote computing services to monitor any user, subscriber or
13 customer of the provider, or the content of any communication of any user, subscriber or
14 customer of the provider.

573.035. 1. A person commits the offense of promoting child ~~[pornography]~~ **sexual**
2 **abuse material** in the second degree if, knowing of its content and character, such person
3 possesses with the intent to promote or promotes child ~~[pornography]~~ **sexual abuse material**

4 of a minor under the age of eighteen or obscene material portraying what appears to be a
5 minor under the age of eighteen.

6 2. The offense of promoting child ~~[pornography]~~ **sexual abuse material** in the
7 second degree is a class D felony unless the person knowingly promotes such material to a
8 minor, in which case it is a class B felony. No person who is found guilty of promoting child
9 ~~[pornography]~~ **sexual abuse material** in the second degree shall be eligible for probation.

573.037. 1. A person commits the offense of possession of child ~~[pornography]~~
2 **sexual abuse material** if such person knowingly or recklessly possesses any child
3 ~~[pornography]~~ **sexual abuse material** of a minor less than eighteen years of age or obscene
4 material portraying what appears to be a minor less than eighteen years of age.

5 2. The offense of possession of child ~~[pornography]~~ **sexual abuse material** is a class
6 D felony if the person possesses one still image of child ~~[pornography]~~ **sexual abuse**
7 **material** or one obscene still image. The offense of possession of child ~~[pornography]~~ **sexual**
8 **abuse material** is a class B felony if the person:

9 (1) Possesses:

10 (a) More than twenty still images of child ~~[pornography]~~ **sexual abuse material**; or

11 (b) More than twenty obscene still images; or

12 (c) Child ~~[pornography]~~ **sexual abuse material** comprised of one motion picture,
13 film, videotape, videotape production, or other moving image; or

14 (d) Obscene material comprised of one motion picture, film, videotape production, or
15 other moving image; or

16 (2) Has previously been found guilty of an offense under this section.

17 3. A person who has committed the offense of possession of child ~~[pornography]~~
18 **sexual abuse material** is subject to separate punishments for each item of child
19 ~~[pornography]~~ **sexual abuse material** or obscene material possessed by the person.

573.038. 1. In any criminal proceeding, any property or material that constitutes
2 child pornography **as it existed prior to August 28, 2025, or child sexual abuse material**
3 shall remain in the care, custody, and control of either the state or the court.

4 2. (1) Notwithstanding Missouri rule of criminal procedure 25.03 or any other rule or
5 statute to the contrary, a court shall deny, in any criminal proceeding, any request by the
6 defendant to copy, photograph, duplicate, or otherwise reproduce any property or material
7 that constitutes child pornography **as it existed prior to August 28, 2025, or child sexual**
8 **abuse material**, so long as the state makes the property or material reasonably available to
9 the defendant.

10 (2) For the purposes of subdivision (1) of this subsection, property or material shall
11 be deemed to be reasonably available to the defendant if the state provides ample opportunity
12 for inspection, viewing, and examination at a state or other governmental facility of the

13 property or material by the defendant, his or her attorney, and any individual the defendant
14 may seek to qualify to furnish expert testimony at trial.

573.050. 1. In any prosecution under this chapter evidence shall be admissible to
2 show:

3 (1) What the predominant appeal of the material or performance would be for
4 ordinary adults or minors;

5 (2) The literary, artistic, political or scientific value of the material or performance;

6 (3) The degree of public acceptance in this state and in the local community;

7 (4) The appeal to prurient interest in advertising or other promotion of the material or
8 performance;

9 (5) The purpose of the author, creator, promoter, furnisher or publisher of the material
10 or performance.

11 2. Testimony of the author, creator, promoter, furnisher, publisher, or expert
12 testimony, relating to factors entering into the determination of the issues of obscenity or child
13 pornography **as it existed prior to August 28, 2025, or child sexual abuse material**, shall
14 be admissible.

15 3. In any prosecution under this chapter, when it becomes necessary to determine
16 whether a person was less than seventeen or eighteen years of age, the court or jury may make
17 this determination by any of the following methods:

18 (1) Personal inspection of the child;

19 (2) Inspection of the photograph or motion picture that shows the child engaging in
20 the sexual performance;

21 (3) Oral testimony by a witness to the sexual performance as to the age of the child
22 based on the child's appearance at the time;

23 (4) Expert medical testimony based on the appearance of the child engaging in the
24 sexual performance; or

25 (5) Any other method authorized by law or by the rules of evidence.

26 4. In any prosecution for promoting child pornography in the first or second degree **as**
27 **it existed prior to August 28, 2025, or for promoting child sexual abuse material in the**
28 **first or second degree**, no showing is required that the performance or material involved
29 appeals to prurient interest, that it lacks serious literary, artistic, political or scientific value, or
30 that it is patently offensive to prevailing standards in the community as a whole.

573.052. Upon receipt of any information that child ~~[pornography]~~ **sexual abuse**
2 **material** as defined in section 573.010 is contained on a website, the attorney general shall
3 investigate such information. If the attorney general has probable cause to believe the
4 website contains child ~~[pornography]~~ **sexual abuse material**, the attorney general shall notify
5 a website operator of any child ~~[pornography]~~ **sexual abuse material** site residing on that

6 website operator's server, in writing. If the website operator promptly, but in no event longer
7 than five days after receiving notice, removes the alleged pornography from its server, and so
8 long as the website operator is not the purveyor of such child ~~[pornography]~~ **sexual abuse**
9 **material**, it shall be immune from civil liability. If the website operator does not promptly
10 remove the alleged pornography, the attorney general may seek an injunction pursuant to
11 section 573.070 to remove the child ~~[pornography]~~ **sexual abuse material** site from the
12 website operator's server. This section shall not be construed to create any defense to any
13 criminal charges brought pursuant to this chapter.

573.215. 1. A person commits the offense of failure to report child ~~[pornography]~~
2 **sexual abuse material** if he or she being a film and photographic print processor, computer
3 provider, installer or repair person, or any internet service provider who has knowledge of or
4 observes, within the scope of the person's professional capacity or employment, any film,
5 photograph, videotape, negative, slide, or computer-generated image or picture depicting a
6 child under eighteen years of age engaged in an act of sexual conduct fails to report such
7 instance to any law enforcement agency immediately or as soon as practically possible.

8 2. The offense of failure to report child ~~[pornography]~~ **sexual abuse material** is a
9 class B misdemeanor.

10 3. Nothing in this section shall be construed to require a provider of electronic
11 communication services or remote computing services to monitor any user, subscriber or
12 customer of the provider, or the content of any communication of any user, subscriber or
13 customer of the provider.

574.207. 1. A person commits the offense of interference with a first responder
2 if:

3 (1) The person has received a verbal warning not to approach from a person that
4 he or she knows or reasonably should know to be a first responder;

5 (2) The first responder is engaged in the lawful performance of a legal duty; and

6 (3) The person knowingly and willfully violates the verbal warning and
7 approaches within twenty-five feet of the first responder with the intent to:

8 (a) Impede or interfere with the first responder's ability to perform his or her
9 legal duty;

10 (b) Threaten the first responder with physical harm; or

11 (c) Engage in a course of conduct directed at a first responder which
12 intentionally causes emotional distress in that first responder and serves no legitimate
13 purpose.

14 2. The offense of interference with a first responder is a class A misdemeanor.

15 3. As used in this section, the following terms mean:

- 16 (1) "Advanced emergency medical technician", the same meaning as such term
17 is defined in section 190.100;
- 18 (2) "Emergency medical technician", the same meaning as such term is defined
19 in section 190.100;
- 20 (3) "Firefighter", any officer or employee of a fire department or fire protection
21 district who is employed for the purpose of fighting fires, but does not include anyone
22 employed in a clerical or other capacity not involving fire-fighting duties;
- 23 (4) "First responder", any law enforcement officer, firefighter, paramedic,
24 emergency medical technician, or advanced emergency medical technician;
- 25 (5) "Paramedic", the same meaning as such term is defined in section 190.100.
- 579.065. 1. A person commits the offense of trafficking drugs in the first degree if,
2 except as authorized by this chapter or chapter 195, such person knowingly distributes,
3 delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce:
- 4 (1) More than thirty grams of a mixture or substance containing a detectable amount
5 of heroin;
- 6 (2) More than one hundred fifty grams of a mixture or substance containing a
7 detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which
8 cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts
9 and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their
10 salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains
11 any quantity of any of the foregoing substances;
- 12 (3) More than five hundred milligrams of a mixture or substance containing a
13 detectable amount of lysergic acid diethylamide (LSD);
- 14 (4) More than thirty grams of a mixture or substance containing a detectable amount
15 of phencyclidine (PCP);
- 16 (5) More than four grams of phencyclidine;
- 17 (6) More than thirty kilograms of a mixture or substance containing marijuana;
- 18 (7) More than thirty grams of any material, compound, mixture, or preparation
19 containing any quantity of the following substances having a stimulant effect on the central
20 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
21 methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine
22 and its salts; or methylphenidate;
- 23 (8) More than thirty grams of any material, compound, mixture, or preparation which
24 contains any quantity of 3,4-methylenedioxymethamphetamine;
- 25 (9) One gram or more of flunitrazepam for the first offense;
- 26 (10) Any amount of gamma-hydroxybutyric acid for the first offense; [Ø]

27 (11) More than ~~[ten]~~ **three but less than fourteen** milligrams of fentanyl ~~[or~~
28 ~~carfentanil]~~, or any derivative thereof, ~~[or any combination thereof,]~~ or any compound,
29 mixture, or substance containing a detectable amount of fentanyl ~~[or carfentanil]~~, or ~~[their]~~ **its**
30 optical isomers or analogues; **or**

31 **(12) Any amount of carfentanil.**

32 2. The offense of trafficking drugs in the first degree is a class B felony.

33 3. The offense of trafficking drugs in the first degree is a class A felony if the quantity
34 involved is:

35 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
36 heroin; or

37 (2) Four hundred fifty grams or more of a mixture or substance containing a
38 detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which
39 cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts
40 and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their
41 salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains
42 any quantity of any of the foregoing substances; or

43 (3) One gram or more of a mixture or substance containing a detectable amount of
44 lysergic acid diethylamide (LSD); or

45 (4) Ninety grams or more of a mixture or substance containing a detectable amount of
46 phencyclidine (PCP); or

47 (5) Twelve grams or more of phencyclidine; or

48 (6) One hundred kilograms or more of a mixture or substance containing marijuana;
49 or

50 (7) Ninety grams or more of any material, compound, mixture, or preparation
51 containing any quantity of the following substances having a stimulant effect on the central
52 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
53 methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine
54 and its salts; or methylphenidate; or

55 (8) More than thirty grams of any material, compound, mixture, or preparation
56 containing any quantity of the following substances having a stimulant effect on the central
57 nervous system: amphetamine, its salts, optical isomers, and salts of its optical isomers;
58 methamphetamine, its salts, optical isomers, and salts of its optical isomers; phenmetrazine
59 and its salts; or methylphenidate, and the location of the offense was within two thousand feet
60 of real property comprising a public or private elementary, vocational, or secondary school,
61 college, community college, university, or any school bus, in or on the real property
62 comprising public housing or any other governmental assisted housing, or within a motor
63 vehicle, or in any structure or building which contains rooms furnished for the

64 accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to
65 the public as a place where sleeping accommodations are sought for pay or compensation to
66 transient guests or permanent guests; or

67 (9) Ninety grams or more of any material, compound, mixture or preparation which
68 contains any quantity of 3,4-methylenedioxymethamphetamine; or

69 (10) More than thirty grams of any material, compound, mixture, or preparation
70 which contains any quantity of 3,4-methylenedioxymethamphetamine and the location of the
71 offense was within two thousand feet of real property comprising a public or private
72 elementary, vocational, or secondary school, college, community college, university, or any
73 school bus, in or on the real property comprising public housing or any other governmental
74 assisted housing, within a motor vehicle, or in any structure or building which contains rooms
75 furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised,
76 or held out to the public as a place where sleeping accommodations are sought for pay or
77 compensation to transient guests or permanent guests; or

78 (11) One gram or more of flunitrazepam for a second or subsequent offense; or

79 (12) Any amount of gamma-hydroxybutyric acid for a second or subsequent offense;
80 or

81 (13) ~~[Twenty]~~ **Fourteen** milligrams or more of fentanyl ~~[or carfentanil]~~, or any
82 derivative thereof, ~~[or any combination thereof]~~, or any compound, mixture, or substance
83 containing a detectable amount of fentanyl ~~[or carfentanil]~~, or ~~[their]~~ **its** optical isomers or
84 analogues; **or**

85 **(14) More than five hundredths of a milligram of carfentanil.**

579.068. 1. A person commits the offense of trafficking drugs in the second degree
2 if, except as authorized by this chapter or chapter 195, such person knowingly possesses or
3 has under his or her control, purchases or attempts to purchase, or brings into this state:

4 (1) More than thirty grams of a mixture or substance containing a detectable amount
5 of heroin;

6 (2) More than one hundred fifty grams of a mixture or substance containing a
7 detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which
8 cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts
9 and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their
10 salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains
11 any quantity of any of the foregoing substances;

12 (3) More than five hundred milligrams of a mixture or substance containing a
13 detectable amount of lysergic acid diethylamide (LSD);

14 (4) More than thirty grams of a mixture or substance containing a detectable amount
15 of phencyclidine (PCP);

- 16 (5) More than four grams of phencyclidine;
- 17 (6) More than thirty kilograms of a mixture or substance containing marijuana;
- 18 (7) More than thirty grams of any material, compound, mixture, or preparation
19 containing any quantity of the following substances having a stimulant effect on the central
20 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
21 methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine
22 and its salts; or methylphenidate;
- 23 (8) More than thirty grams of any material, compound, mixture, or preparation which
24 contains any quantity of 3,4-methylenedioxymethamphetamine; ~~or~~
- 25 (9) More than ~~ten~~ **three but less than fourteen** milligrams of fentanyl ~~or~~
26 ~~carfentanil~~, or any derivative thereof, ~~[or any combination thereof,]~~ or any compound,
27 mixture, or substance containing a detectable amount of fentanyl ~~or carfentanil~~, or ~~their~~ **its**
28 optical isomers or analogues; **or**
- 29 **(10) Any amount of carfentanil.**
- 30 2. The offense of trafficking drugs in the second degree is a class C felony.
- 31 3. The offense of trafficking drugs in the second degree is a class B felony if the
32 quantity involved is:
- 33 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
34 heroin; or
- 35 (2) Four hundred fifty grams or more of a mixture or substance containing a
36 detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which
37 cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts
38 and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their
39 salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains
40 any quantity of any of the foregoing substances; or
- 41 (3) One gram or more of a mixture or substance containing a detectable amount of
42 lysergic acid diethylamide (LSD); or
- 43 (4) Ninety grams or more of a mixture or substance containing a detectable amount of
44 phencyclidine (PCP); or
- 45 (5) Twelve grams or more of phencyclidine; or
- 46 (6) One hundred kilograms or more of a mixture or substance containing marijuana;
47 or
- 48 (7) More than five hundred marijuana plants; or
- 49 (8) Ninety grams or more but less than four hundred fifty grams of any material,
50 compound, mixture, or preparation containing any quantity of the following substances
51 having a stimulant effect on the central nervous system: amphetamine, its salts, optical

52 isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts
53 of its optical isomers; phenmetrazine and its salts; or methylphenidate; or

54 (9) Ninety grams or more but less than four hundred fifty grams of any material,
55 compound, mixture, or preparation which contains any quantity of 3,4-
56 methylenedioxymethamphetamine; or

57 (10) ~~[Twenty]~~ **Fourteen** milligrams or more of fentanyl ~~[or carfentanil]~~, or any
58 derivative thereof, ~~[or any combination thereof]~~, or any compound, mixture, or substance
59 containing a detectable amount of fentanyl ~~[or carfentanil]~~, or ~~[their]~~ **its** optical isomers or
60 analogues; **or**

61 **(11) More than five hundredths of a milligram of carfentanil.**

62 4. The offense of trafficking drugs in the second degree is a class A felony if the
63 quantity involved is four hundred fifty grams or more of any material, compound, mixture or
64 preparation which contains:

65 (1) Any quantity of the following substances having a stimulant effect on the central
66 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
67 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or
68 methylphenidate; or

69 (2) Any quantity of 3,4-methylenedioxymethamphetamine.

70 5. The offense of drug trafficking in the second degree is a class C felony for the first
71 offense and a class B felony for any second or subsequent offense for the trafficking of less
72 than one gram of flunitrazepam.

589.042. The court or the parole board shall have the authority to require a person
2 who is required to register as a sexual offender under sections 589.400 to 589.425 to give his
3 or her assigned probation or parole officer access to his or her personal home computer as a
4 condition of probation or parole in order to monitor and prevent such offender from obtaining
5 and keeping child ~~[pornography]~~ **sexual abuse material** or from committing an offense under
6 chapter 566. Such access shall allow the probation or parole officer to view the internet use
7 history, computer hardware, and computer software of any computer, including a laptop
8 computer, that the offender owns.

589.400. 1. Sections 589.400 to 589.425 shall apply to:

2 (1) Any person who, since July 1, 1979, has been or is hereafter adjudicated for an
3 offense referenced in section 589.414, unless such person is exempt from registering under
4 subsection 9 or 10 of this section or section 589.401;

5 (2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been
6 found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or
7 conspiring to commit one or more of the following offenses: kidnapping or kidnapping in the
8 first degree when the victim was a child and the defendant was not a parent or guardian of the

9 child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious
10 restraint or kidnapping in the second degree when the victim was a child and the defendant is
11 not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a
12 nursing home or sexual conduct with a nursing facility resident or vulnerable person in the
13 first or second degree; endangering the welfare of a child under section 568.045 when the
14 endangerment is sexual in nature; genital mutilation of a female child, under section 568.065;
15 promoting prostitution in the first degree; promoting prostitution in the second degree;
16 promoting prostitution in the third degree; sexual exploitation of a minor; promoting child
17 pornography in the first degree **as it existed prior to August 28, 2025; promoting child**
18 **sexual abuse material in the first degree;** promoting child pornography in the second
19 degree **as it existed prior to August 28, 2025; promoting child sexual abuse material in**
20 **the second degree;** possession of child pornography **as it existed prior to August 28, 2025;**
21 **possession of child sexual abuse material;** furnishing pornographic material to minors;
22 public display of explicit sexual material; coercing acceptance of obscene material; promoting
23 obscenity in the first degree; promoting pornography for minors or obscenity in the second
24 degree; incest; use of a child in a sexual performance; or promoting sexual performance by a
25 child; patronizing prostitution if the individual the person patronizes is less than eighteen
26 years of age;

27 (3) Any person who, since July 1, 1979, has been committed to the department of
28 mental health as a criminal sexual psychopath;

29 (4) Any person who, since July 1, 1979, has been found not guilty as a result of
30 mental disease or defect of any offense referenced in section 589.414;

31 (5) Any juvenile certified as an adult and transferred to a court of general jurisdiction
32 who has been adjudicated for an offense listed under section 589.414;

33 (6) Any juvenile fourteen years of age or older at the time of the offense who has
34 been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse
35 under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such
36 offense;

37 (7) Any person who is a resident of this state who has, since July 1, 1979, been or is
38 hereafter adjudicated in any other state, territory, the District of Columbia, or foreign country,
39 or under federal, tribal, or military jurisdiction for an offense which, if committed in this state,
40 would constitute an offense listed under section 589.414, or has been or is required to register
41 in another state, territory, the District of Columbia, or foreign country, or has been or is
42 required to register under tribal, federal, or military law; or

43 (8) Any person who has been or is required to register in another state, territory, the
44 District of Columbia, or foreign country, or has been or is required to register under tribal,
45 federal, or military law and who works or attends an educational institution, whether public or

46 private in nature, including any secondary school, trade school, professional school, or
47 institution of higher education on a full-time or on a part-time basis or has a temporary
48 residence in Missouri. "Part-time" in this subdivision means for more than seven days in any
49 twelve-month period.

50 2. Any person to whom sections 589.400 to 589.425 apply shall, within three business
51 days of adjudication, release from incarceration, or placement upon probation, register with
52 the chief law enforcement official of the county or city not within a county in which such
53 person resides unless such person has already registered in that county for the same offense.
54 For any juvenile under subdivision (6) of subsection 1 of this section, within three business
55 days of adjudication or release from commitment to the division of youth services, the
56 department of mental health, or other placement, such juvenile shall register with the chief
57 law enforcement official of the county or city not within a county in which he or she resides
58 unless he or she has already registered in such county or city not within a county for the same
59 offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in
60 their county of residence shall register with the chief law enforcement official of such county
61 or city not within a county within three business days. The chief law enforcement official
62 shall forward a copy of the registration form required by section 589.407 to a city, town,
63 village, or campus law enforcement agency located within the county of the chief law
64 enforcement official.

65 3. The registration requirements of sections 589.400 through 589.425 shall be as
66 provided under subsection 4 of this section unless:

67 (1) All offenses requiring registration are reversed, vacated, or set aside;

68 (2) The registrant is no longer required to register and his or her name shall be
69 removed from the registry under the provisions of section 589.414; or

70 (3) The court orders the removal or exemption of such person from the registry under
71 section 589.401.

72 4. The registration requirements shall be as follows:

73 (1) Fifteen years if the offender is a tier I sex offender as provided under section
74 589.414;

75 (2) Twenty-five years if the offender is a tier II sex offender as provided under section
76 589.414; or

77 (3) The life of the offender if the offender is a tier III sex offender.

78 5. (1) The registration period shall be reduced as described in subdivision (3) of this
79 subsection for a sex offender who maintains a clean record for the periods described under
80 subdivision (2) of this subsection by:

81 (a) Not being adjudicated of any offense for which imprisonment for more than one
82 year may be imposed;

- 83 (b) Not being adjudicated of any sex offense;
84 (c) Successfully completing any periods of supervised release, probation, or parole;
85 and
86 (d) Successfully completing an appropriate sex offender treatment program certified
87 by the attorney general.
- 88 (2) In the case of a:
89 (a) Tier I sex offender, the period during which the clean record shall be maintained is
90 ten years;
91 (b) Tier III sex offender adjudicated delinquent for the offense which required
92 registration in a sex offender registry under sections 589.400 to 589.425, the period during
93 which the clean record shall be maintained is twenty-five years.
- 94 (3) In the case of a:
95 (a) Tier I sex offender, the reduction is five years;
96 (b) Tier III sex offender adjudicated delinquent, the reduction is from life to that
97 period for which the clean record under paragraph (b) of subdivision (2) of this subsection is
98 maintained.
- 99 6. For processing an initial sex offender registration the chief law enforcement officer
100 of the county or city not within a county may charge the offender registering a fee of up to ten
101 dollars.
- 102 7. For processing any change in registration required pursuant to section 589.414 the
103 chief law enforcement official of the county or city not within a county may charge the person
104 changing their registration a fee of five dollars for each change made after the initial
105 registration.
- 106 8. Any person currently on the sexual offender registry or who otherwise would be
107 required to register for being adjudicated for the offense of felonious restraint of a nonsexual
108 nature when the victim was a child and he or she was the parent or guardian of the child,
109 nonsexual child abuse that was committed under section 568.060, or kidnapping of a
110 nonsexual nature when the victim was a child and he or she was the parent or guardian of the
111 child shall be removed from the registry. However, such person shall remain on the sexual
112 offender registry for any other offense for which he or she is required to register under
113 sections 589.400 to 589.425.
- 114 9. The following persons shall be exempt from registering as a sexual offender upon
115 petition to the court of jurisdiction under section 589.401; except that, such person shall
116 remain on the sexual offender registry for any other offense for which he or she is required to
117 register under sections 589.400 to 589.425:
- 118 (1) Any person currently on the sexual offender registry or who otherwise would be
119 required to register for a sexual offense involving:

120 (a) Sexual conduct where no force or threat of force was directed toward the victim or
121 any other individual involved, if the victim was an adult, unless the adult was under the
122 custodial authority of the offender at the time of the offense; or

123 (b) Sexual conduct where no force or threat of force was directed toward the victim,
124 the victim was at least fourteen years of age, and the offender was not more than four years
125 older than the victim at the time of the offense; or

126 (2) Any person currently required to register for the following sexual offenses:

127 (a) Promoting obscenity in the first degree under section 573.020;

128 (b) Promoting obscenity in the second degree under section 573.030;

129 (c) Furnishing pornographic materials to minors under section 573.040;

130 (d) Public display of explicit sexual material under section 573.060;

131 (e) Coercing acceptance of obscene material under section 573.065;

132 (f) Trafficking for the purpose of slavery, involuntary servitude, peonage, or forced
133 labor under section 566.206;

134 (g) Abusing an individual through forced labor under section 566.203;

135 (h) Contributing to human trafficking through the misuse of documentation under
136 section 566.215; or

137 (i) Acting as an international marriage broker and failing to provide the information
138 and notice as required under section 578.475.

139 10. Any person currently on the sexual offender registry for having been adjudicated
140 for a tier I or II offense or adjudicated delinquent for a tier III offense or other comparable
141 offenses listed under section 589.414 may file a petition under section 589.401.

142 11. Any nonresident worker, including work as a volunteer or intern, or nonresident
143 student shall register for the duration of such person's employment, including participation as
144 a volunteer or intern, or attendance at any school of higher education whether public or
145 private, including any secondary school, trade school, professional school, or institution of
146 higher education on a full-time or part-time basis in this state unless granted relief under
147 section 589.401. Any registered offender shall provide information regarding any place in
148 which the offender is staying when away from his or her residence for seven or more days,
149 including the period of time the offender is staying in such place. Any registered offender
150 from another state who has a temporary residence in this state and resides more than seven
151 days in a twelve-month period shall register for the duration of such person's temporary
152 residency unless granted relief under section 589.401.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall,
2 within three business days, appear in person to the chief law enforcement officer of the
3 county or city not within a county if there is a change to any of the following information:

4 (1) Name;

5 (2) Residence;

6 (3) Employment, including status as a volunteer or intern;

7 (4) Student status; or

8 (5) A termination to any of the items listed in this subsection.

9 2. Any person required to register under sections 589.400 to 589.425 shall, within

10 three business days, notify the chief law enforcement official of the county or city not within

11 a county of any changes to the following information:

12 (1) Vehicle information;

13 (2) Temporary lodging information;

14 (3) Temporary residence information;

15 (4) Email addresses, instant messaging addresses, and any other designations used in

16 internet communications, postings, or telephone communications; or

17 (5) Telephone or other cellular number, including any new forms of electronic

18 communication.

19 3. The chief law enforcement official in the county or city not within a county shall

20 immediately forward the registration changes described under subsections 1 and 2 of this

21 section to the Missouri state highway patrol within three business days.

22 4. If any person required by sections 589.400 to 589.425 to register changes such

23 person's residence or address to a different county or city not within a county, the person shall

24 appear in person and shall inform both the chief law enforcement official with whom the

25 person last registered and the chief law enforcement official of the county or city not within a

26 county having jurisdiction over the new residence or address in writing within three business

27 days of such new address and phone number, if the phone number is also changed. If any

28 person required by sections 589.400 to 589.425 to register changes his or her state, territory,

29 the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction of

30 residence, the person shall appear in person and shall inform both the chief law enforcement

31 official with whom the person was last registered and the chief law enforcement official of the

32 area in the new state, territory, the District of Columbia, or foreign country, or federal, tribal,

33 or military jurisdiction having jurisdiction over the new residence or address within three

34 business days of such new address. Whenever a registrant changes residence, the chief law

35 enforcement official of the county or city not within a county where the person was

36 previously registered shall inform the Missouri state highway patrol of the change within

37 three business days. When the registrant is changing the residence to a new state, territory,

38 the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction, the

39 Missouri state highway patrol shall inform the responsible official in the new state, territory,

40 the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction of

41 residence within three business days.

42 5. Tier I sexual offenders, in addition to the requirements of subsections 1 to 4 of this
43 section, shall report in person to the chief law enforcement official annually in the month of
44 their birth to verify the information contained in their statement made pursuant to section
45 589.407. Tier I sexual offenders include:

46 (1) Any offender who has been adjudicated for the offense of:

47 (a) Sexual abuse in the first degree under section 566.100 if the victim is eighteen
48 years of age or older;

49 (b) Sexual misconduct involving a child under section 566.083 if it is a first offense
50 and the punishment is less than one year;

51 (c) Sexual abuse in the second degree under section 566.101 if the punishment is less
52 than a year;

53 (d) Kidnapping in the second degree under section 565.120 with sexual motivation;

54 (e) Kidnapping in the third degree under section 565.130;

55 (f) Sexual conduct with a nursing facility resident or vulnerable person in the first
56 degree under section 566.115 if the punishment is less than one year;

57 (g) Sexual conduct under section 566.116 with a nursing facility resident or
58 vulnerable person;

59 (h) Sexual ~~[contact with a prisoner or offender]~~ **conduct in the course of public duty**
60 under section 566.145 if the victim is eighteen years of age or older;

61 (i) Sex with an animal under section 566.111;

62 (j) Trafficking for the purpose of sexual exploitation under section 566.209 if the
63 victim is eighteen years of age or older;

64 (k) Possession of child pornography under section 573.037 **as it existed prior to**
65 **August 28, 2025;**

66 (l) **Possession of child sexual abuse material under section 573.037;**

67 (m) Sexual misconduct in the first degree under section 566.093;

68 ~~[(m)]~~ (n) Sexual misconduct in the second degree under section 566.095;

69 ~~[(n)]~~ (o) Child molestation in the second degree under section 566.068 as it existed
70 prior to January 1, 2017, if the punishment is less than one year; or

71 ~~[(o)]~~ (p) Invasion of privacy under section 565.252 if the victim is less than eighteen
72 years of age;

73 (2) Any offender who is or has been adjudicated in any other state, territory, the
74 District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction of an
75 offense of a sexual nature or with a sexual element that is comparable to the tier I sexual
76 offenses listed in this subsection or, if not comparable to those in this subsection, comparable
77 to those described as tier I offenses under the Sex Offender Registration and Notification Act,
78 Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.

79 6. Tier II sexual offenders, in addition to the requirements of subsections 1 to 4 of this
80 section, shall report semiannually in person in the month of their birth and six months
81 thereafter to the chief law enforcement official to verify the information contained in their
82 statement made pursuant to section 589.407. Tier II sexual offenders include:

83 (1) Any offender who has been adjudicated for the offense of:

84 (a) Statutory sodomy in the second degree under section 566.064 if the victim is
85 sixteen to seventeen years of age;

86 (b) Child molestation in the third degree under section 566.069 if the victim is
87 between thirteen and fourteen years of age;

88 (c) Sexual contact with a student under section 566.086 if the victim is thirteen to
89 seventeen years of age;

90 (d) Enticement of a child under section 566.151;

91 (e) Abuse of a child under section 568.060 if the offense is of a sexual nature and the
92 victim is thirteen to seventeen years of age;

93 (f) Sexual exploitation of a minor under section 573.023;

94 (g) Promoting child pornography in the first degree under section 573.025 **as it**
95 **existed prior to August 28, 2025;**

96 (h) **Promoting child sexual abuse material in the first degree under section**
97 **573.025;**

98 (i) Promoting child pornography in the second degree under section 573.035 **as it**
99 **existed prior to August 28, 2025;**

100 (j) **Promoting child sexual abuse material in the second degree under section**
101 **573.035;**

102 ~~[(+)]~~ **(k)** Patronizing prostitution under section 567.030;

103 ~~[(+)]~~ **(l)** Sexual ~~contact with a prisoner or offender~~ **conduct in the course of public**
104 **duty** under section 566.145 if the victim is thirteen to seventeen years of age;

105 ~~[(+)]~~ **(m)** Child molestation in the fourth degree under section 566.071 if the victim is
106 thirteen to seventeen years of age;

107 ~~[(+)]~~ **(n)** Sexual misconduct involving a child under section 566.083 if it is a first
108 offense and the penalty is a term of imprisonment of more than a year; or

109 ~~[(+)]~~ **(o)** Age misrepresentation with intent to solicit a minor under section 566.153;

110 (2) Any person who is adjudicated of an offense comparable to a tier I offense listed
111 in this section or failure to register offense under section 589.425 or comparable out-of-state
112 failure to register offense and who is already required to register as a tier I offender due to
113 having been adjudicated of a tier I offense on a previous occasion; or

114 (3) Any person who is or has been adjudicated in any other state, territory, the District
115 of Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense

of a sexual nature or with a sexual element that is comparable to the tier II sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as tier II offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.

7. Tier III sexual offenders, in addition to the requirements of subsections 1 to 4 of this section, shall report in person to the chief law enforcement official every ninety days to verify the information contained in their statement made under section 589.407. Tier III sexual offenders include:

(1) Any offender registered as a predatory sexual offender as defined in section 566.123 or a persistent sexual offender as defined in section 566.124;

(2) Any offender who has been adjudicated for the crime of:

(a) Rape in the first degree under section 566.030;

(b) Statutory rape in the first degree under section 566.032;

(c) Rape in the second degree under section 566.031;

(d) Endangering the welfare of a child in the first degree under section 568.045 if the offense is sexual in nature;

(e) Sodomy in the first degree under section 566.060;

(f) Statutory sodomy under section 566.062;

(g) Statutory sodomy under section 566.064 if the victim is under sixteen years of age;

(h) Sodomy in the second degree under section 566.061;

(i) Sexual misconduct involving a child under section 566.083 if the offense is a second or subsequent offense;

(j) Sexual abuse in the first degree under section 566.100 if the victim is under thirteen years of age;

(k) Kidnapping in the first degree under section 565.110 if the victim is under eighteen years of age, excluding kidnapping by a parent or guardian;

(l) Child kidnapping under section 565.115;

(m) Sexual conduct with a nursing facility resident or vulnerable person in the first degree under section 566.115 if the punishment is greater than a year;

(n) Incest under section 568.020;

(o) Endangering the welfare of a child in the first degree under section 568.045 with sexual intercourse or deviate sexual intercourse with a victim under eighteen years of age;

(p) Child molestation in the first degree under section 566.067;

(q) Child molestation in the second degree under section 566.068;

(r) Child molestation in the third degree under section 566.069 if the victim is under thirteen years of age;

153 (s) Promoting prostitution in the first degree under section 567.050 if the victim is
154 under eighteen years of age;

155 (t) Promoting prostitution in the second degree under section 567.060 if the victim is
156 under eighteen years of age;

157 (u) Promoting prostitution in the third degree under section 567.070 if the victim is
158 under eighteen years of age;

159 (v) Promoting travel for prostitution under section 567.085 if the victim is under
160 eighteen years of age;

161 (w) Trafficking for the purpose of sexual exploitation under section 566.209 if the
162 victim is under eighteen years of age;

163 (x) Sexual trafficking of a child in the first degree under section 566.210;

164 (y) Sexual trafficking of a child in the second degree under section 566.211;

165 (z) Genital mutilation of a female child under section 568.065;

166 (aa) Statutory rape in the second degree under section 566.034;

167 (bb) Child molestation in the fourth degree under section 566.071 if the victim is
168 under thirteen years of age;

169 (cc) Sexual abuse in the second degree under section 566.101 if the penalty is a term
170 of imprisonment of more than a year;

171 (dd) Patronizing prostitution under section 567.030 if the offender is a persistent
172 offender;

173 (ee) Abuse of a child under section 568.060 if the offense is of a sexual nature and the
174 victim is under thirteen years of age;

175 (ff) Sexual ~~[contact with a prisoner or offender]~~ **conduct in the course of public**
176 **duty** under section 566.145 if the victim is under thirteen years of age;

177 (gg) ~~[Sexual intercourse with a prisoner or offender under section 566.145;~~

178 ~~(hh)]~~ Sexual contact with a student under section 566.086 if the victim is under
179 thirteen years of age;

180 ~~[(ii)]~~ **(hh)** Use of a child in a sexual performance under section 573.200; or

181 ~~[(jj)]~~ **(ii)** Promoting a sexual performance by a child under section 573.205;

182 (3) Any offender who is adjudicated for a crime comparable to a tier I or tier II
183 offense listed in this section or failure to register offense under section 589.425, or other
184 comparable out-of-state failure to register offense, who has been or is already required to
185 register as a tier II offender because of having been adjudicated for a tier II offense, two tier I
186 offenses, or combination of a tier I offense and failure to register offense, on a previous
187 occasion;

188 (4) Any offender who is adjudicated in any other state, territory, the District of
189 Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of

a sexual nature or with a sexual element that is comparable to a tier III offense listed in this section or a tier III offense under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248; or

(5) Any offender who is adjudicated in Missouri for any offense of a sexual nature requiring registration under sections 589.400 to 589.425 that is not classified as a tier I or tier II offense in this section.

8. In addition to the requirements of subsections 1 to 7 of this section, all Missouri registrants who work, including as a volunteer or unpaid intern, or attend any school whether public or private, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis or have a temporary residence in this state shall be required to report in person to the chief law enforcement officer in the area of the state where they work, including as a volunteer or unpaid intern, or attend any school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

9. If a person who is required to register as a sexual offender under sections 589.400 to 589.425 changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.

589.700. 1. In addition to any fine imposed for a violation of section 566.203, 566.206, 566.209, 566.210, 566.211, 566.215, or 567.030, the court shall enter a judgment of restitution in the amount specified in this subsection in favor of the state of Missouri, payable to the human trafficking and sexual exploitation fund established under this section, upon a plea of guilty or a finding of guilt for a violation of section 566.203, 566.206, 566.209, 566.210, 566.211, 566.215, or 567.030, excluding restitution ordered under section 566.218. The judgment of restitution shall be in the amount of:

(1) Under section 566.203, 566.206, 566.209, 566.210, or 566.211, ten thousand dollars for each identified victim of the offense or offenses for which restitution is required under this subsection;

(2) Under section 567.030, two thousand five hundred dollars for each identified victim of the offense or offenses for which restitution is required under this subsection; and

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

2. There is hereby created in the state treasury the "Human Trafficking and Sexual Exploitation Fund", which shall consist of proceeds from the human trafficking restitution collected for violations of sections 566.203, 566.206, 566.209, 566.210, 566.211, 566.215, and 567.030. The state treasurer shall be custodian of the fund. In accordance

20 with sections 30.170 and 30.180, the state treasurer may approve disbursements. The
21 fund shall be a dedicated fund and, upon appropriation, moneys in this fund shall be
22 distributed to the county or counties where the human trafficking offense or offenses
23 occurred. Upon receipt of moneys from the fund, a county shall allocate the
24 disbursement as follows:

25 (1) For any violation under section 566.203, 566.206, 566.209, 566.210, 566.211,
26 or 566.215, ten thousand dollars for each identified victim of the offense or offenses that
27 occurred in the county toward local rehabilitation services for victims of human
28 trafficking including, but not limited to, mental health and substance abuse counseling;
29 general education, including parenting skills; housing relief; vocational training; and
30 employment counseling;

31 (2) For any violation under section 567.030, two thousand five hundred dollars
32 for each identified victim of the offense or offenses that occurred in the county toward
33 local rehabilitation services for victims of human trafficking including, but not limited
34 to, mental health and substance abuse counseling; general education, including
35 parenting skills; housing relief; vocational training; and employment counseling; and

36 (3) Two thousand five hundred dollars toward local efforts to prevent human
37 trafficking including, but not limited to, education programs for persons convicted of
38 human trafficking offenses and increasing the number of local law enforcement
39 members charged with enforcing human trafficking laws.

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

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

590.040. 1. The POST commission shall set the minimum number of hours of basic
2 training for licensure as a peace officer no lower than six hundred, with the following
3 exceptions:

4 (1) Up to one thousand hours may be mandated for any class of license required for
5 commission by a state law enforcement agency;

6 (2) As few as one hundred twenty hours may be mandated for any class of license
7 restricted to commission as a reserve peace officer with police powers limited to the
8 commissioning political subdivision;

9 (3) Persons validly licensed on August 28, 2001, may retain licensure without
10 additional basic training;

11 (4) Persons licensed and commissioned within a county of the third classification
12 before July 1, 2002, may retain licensure with one hundred twenty hours of basic training if
13 the commissioning political subdivision has adopted an order or ordinance to that effect;

14 (5) Persons serving as a reserve officer on August 27, 2001, within a county of the
15 first classification or a county with a charter form of government and with more than one
16 million inhabitants on August 27, 2001, having previously completed a minimum of one
17 hundred sixty hours of training, shall be granted a license necessary to function as a reserve
18 peace officer only within such county. For the purposes of this subdivision, the term "reserve
19 officer" shall mean any person who serves in a less than full-time law enforcement capacity,
20 with or without pay and who, without certification, has no power of arrest and who, without
21 certification, must be under the direct and immediate accompaniment of a certified peace
22 officer of the same agency at all times while on duty; and

23 (6) The POST commission shall provide for the recognition of basic training received
24 at law enforcement training centers of other states, the military, the federal government and
25 territories of the United States regardless of the number of hours included in such training and
26 shall have authority to require supplemental training as a condition of eligibility for licensure.

27 2. The director shall have the authority to limit any exception provided in subsection
28 1 of this section to persons remaining in the same commission or transferring to a commission
29 in a similar jurisdiction.

30 3. The basic training of every peace officer, except agents of the conservation
31 commission, shall include at least thirty hours of training in the investigation and
32 management of cases involving domestic and family violence. Such training shall include
33 instruction, specific to domestic and family violence cases, regarding: report writing;
34 physical abuse, sexual abuse, child fatalities and child neglect; interviewing children and
35 alleged perpetrators; the nature, extent and causes of domestic and family violence; the safety
36 of victims, other family and household members and investigating officers; legal rights and
37 remedies available to victims, including rights to compensation and the enforcement of civil
38 and criminal remedies; services available to victims and their children; the effects of cultural,
39 racial and gender bias in law enforcement; and state statutes. Said curriculum shall be
40 developed and presented in consultation with the department of health and senior services, the
41 children's division, public and private providers of programs for victims of domestic and
42 family violence, persons who have demonstrated expertise in training and education
43 concerning domestic and family violence, and the Missouri coalition against domestic
44 violence.

45 **4. The basic training of every peace officer shall include at least four hours of**
46 **training on officer-canine encounters and canine behaviors. Such training shall include**
47 **instruction on the following:**

- 48 **(1) Understanding and anticipating canine behavior;**
49 **(2) Handling canine-related calls and unplanned encounters with canines;**
50 **(3) The use of humane methods and tools in handling canine encounters;**
51 **(4) State laws relating to canines;**
52 **(5) The use of force continuum principles in relation to canines; and**
53 **(6) The use of nonlethal methods to avoid and defend against potential canine**
54 **attacks.**

590.060. 1. The POST commission shall establish minimum standards for training
2 instructors and training centers, and the director shall establish minimum qualifications for
3 admittance into a basic training course.

4 2. The director shall license training instructors, centers, and curricula, and may
5 probate, suspend and revoke such licenses upon written notice stating the reasons for such
6 action. Any person aggrieved by a decision pursuant to this subsection may appeal as
7 provided in chapter 536.

8 3. ~~[Each person seeking entrance into a basic training program shall submit a~~
9 ~~fingerprint card and authorization for a criminal history background check to include the~~
10 ~~records of the Federal Bureau of Investigation to the training center where such person is~~
11 ~~seeking entrance. The training center shall cause a criminal history background check to be~~
12 ~~made and shall cause the resulting report to be forwarded to the director. The person seeking~~
13 ~~entrance may be charged a fee for the cost of this procedure.]~~ **Each person seeking entrance**
14 **into a basic training program shall submit fingerprints for the purpose of conducting a**
15 **state and federal fingerprint-based background check. Fingerprints and any required**
16 **fees shall be sent to the Missouri state highway patrol's central repository. The**
17 **fingerprints shall be used for searching the state criminal records repository and shall**
18 **also be forwarded to the Federal Bureau of Investigation for a federal criminal records**
19 **search under section 43.540. The Missouri state highway patrol shall notify the director**
20 **of any criminal history record information or lack of criminal history record**
21 **information discovered on the individual. Notwithstanding the provisions of section**
22 **610.120 to the contrary, all records related to any criminal history information**
23 **discovered shall be accessible and available to the director.**

595.045. 1. There is established in the state treasury the "Crime Victims'
2 Compensation Fund". A surcharge of seven dollars and fifty cents shall be assessed as costs
3 in each court proceeding filed in any court in the state in all criminal cases including
4 violations of any county ordinance or any violation of criminal or traffic laws of the state,
5 including an infraction and violation of a municipal ordinance; except that no such fee shall
6 be collected in any proceeding in any court when the proceeding or the defendant has been
7 dismissed by the court or when costs are to be paid by the state, county, or municipality. A

8 surcharge of seven dollars and fifty cents shall be assessed as costs in a juvenile court
9 proceeding in which a child is found by the court to come within the applicable provisions of
10 subdivision (3) of subsection 1 of section 211.031.

11 2. Notwithstanding any other provision of law to the contrary, the moneys collected
12 by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be
13 collected and disbursed in accordance with sections 488.010 to 488.020 and shall be payable
14 to the director of the department of revenue.

15 3. The director of revenue shall deposit annually the amount of two hundred fifty
16 thousand dollars to the state forensic laboratory account administered by the department of
17 public safety to provide financial assistance to defray expenses of crime laboratories if such
18 analytical laboratories are registered with the federal Drug Enforcement Agency or the
19 Missouri department of health and senior services. Subject to appropriations made therefor,
20 such funds shall be distributed by the department of public safety to the crime laboratories
21 serving the courts of this state making analysis of a controlled substance or analysis of blood,
22 breath or urine in relation to a court proceeding.

23 4. The remaining funds collected under subsection 1 of this section shall be denoted
24 to the payment of an annual appropriation for the administrative and operational costs of the
25 office for victims of crime and, if a statewide automated crime victim notification system is
26 established pursuant to section 650.310, to the monthly payment of expenditures actually
27 incurred in the operation of such system. Additional remaining funds shall be subject to the
28 following provisions:

29 (1) On the first of every month, the director of revenue or the director's designee shall
30 determine the balance of the funds in the crime victims' compensation fund available to
31 satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075,
32 excluding sections 595.050 and 595.055;

33 (2) Beginning on September 1, 2004, and on the first of each month, the director of
34 revenue or the director's designee shall deposit fifty percent of the balance of funds available
35 to the credit of the crime victims' compensation fund and fifty percent to the services to
36 victims' fund established in section 595.100.

37 5. The director of revenue or such director's designee shall at least monthly report the
38 moneys paid pursuant to this section into the crime victims' compensation fund and the
39 services to victims fund to the department of public safety.

40 6. The moneys collected by clerks of municipal courts pursuant to subsection 1 of this
41 section shall be collected and disbursed as provided by sections 488.010 to 488.020. Five
42 percent of such moneys shall be payable to the city treasury of the city from which such funds
43 were collected. The remaining ninety-five percent of such moneys shall be payable to the

44 director of revenue. The funds received by the director of revenue pursuant to this subsection
45 shall be distributed as follows:

46 (1) On the first of every month, the director of revenue or the director's designee shall
47 determine the balance of the funds in the crime victims' compensation fund available to
48 satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075,
49 excluding sections 595.050 and 595.055;

50 (2) Beginning on September 1, 2004, and on the first of each month the director of
51 revenue or the director's designee shall deposit fifty percent of the balance of funds available
52 to the credit of the crime victims' compensation fund and fifty percent to the services to
53 victims' fund established in section 595.100.

54 7. These funds shall be subject to a biennial audit by the Missouri state auditor. Such
55 audit shall include all records associated with crime victims' compensation funds collected,
56 held or disbursed by any state agency.

57 8. In addition to the moneys collected pursuant to subsection 1 of this section, the
58 court shall enter a judgment in favor of the state of Missouri, payable to the crime victims'
59 compensation fund, of sixty-eight dollars upon a plea of guilty or a finding of guilt for a class
60 A or B felony; forty-six dollars upon a plea of guilty or finding of guilt for a class C ~~or~~, D,
61 **or** E felony; and ten dollars upon a plea of guilty or a finding of guilt for any misdemeanor
62 under Missouri law except for those in chapter 252 relating to fish and game, chapter 302
63 relating to drivers' and commercial drivers' license, chapter 303 relating to motor vehicle
64 financial responsibility, chapter 304 relating to traffic regulations, chapter 306 relating to
65 watercraft regulation and licensing, and chapter 307 relating to vehicle equipment regulations.
66 Any clerk of the court receiving moneys pursuant to such judgments shall collect and disburse
67 such crime victims' compensation judgments in the manner provided by sections 488.010 to
68 488.020. Such funds shall be payable to the state treasury and deposited to the credit of the
69 crime victims' compensation fund.

70 9. The clerk of the court processing such funds shall maintain records of all
71 dispositions described in subsection 1 of this section and all dispositions where a judgment
72 has been entered against a defendant in favor of the state of Missouri in accordance with this
73 section; all payments made on judgments for alcohol-related traffic offenses; and any
74 judgment or portion of a judgment entered but not collected. These records shall be subject to
75 audit by the state auditor. The clerk of each court transmitting such funds shall report
76 separately the amount of dollars collected on judgments entered for alcohol-related traffic
77 offenses from other crime victims' compensation collections or services to victims
78 collections.

79 10. The department of revenue shall maintain records of funds transmitted to the
80 crime victims' compensation fund by each reporting court and collections pursuant to

81 subsection 16 of this section and shall maintain separate records of collection for alcohol-
82 related offenses.

83 11. The state courts administrator shall include in the annual report required by
84 section 476.350 the circuit court caseloads and the number of crime victims' compensation
85 judgments entered.

86 12. All awards made to injured victims under sections 595.010 to 595.105 and all
87 appropriations for administration of sections 595.010 to 595.105, except sections 595.050 and
88 595.055, shall be made from the crime victims' compensation fund. Any unexpended balance
89 remaining in the crime victims' compensation fund at the end of each biennium shall not be
90 subject to the provision of section 33.080 requiring the transfer of such unexpended balance
91 to the ordinary revenue fund of the state, but shall remain in the crime victims' compensation
92 fund. In the event that there are insufficient funds in the crime victims' compensation fund to
93 pay all claims in full, all claims shall be paid on a pro rata basis. If there are no funds in the
94 crime victims' compensation fund, then no claim shall be paid until funds have again
95 accumulated in the crime victims' compensation fund. When sufficient funds become
96 available from the fund, awards which have not been paid shall be paid in chronological order
97 with the oldest paid first. In the event an award was to be paid in installments and some
98 remaining installments have not been paid due to a lack of funds, then when funds do become
99 available that award shall be paid in full. All such awards on which installments remain due
100 shall be paid in full in chronological order before any other postdated award shall be paid.
101 Any award pursuant to this subsection is specifically not a claim against the state, if it cannot
102 be paid due to a lack of funds in the crime victims' compensation fund.

103 13. When judgment is entered against a defendant as provided in this section and such
104 sum, or any part thereof, remains unpaid, there shall be withheld from any disbursement,
105 payment, benefit, compensation, salary, or other transfer of money from the state of Missouri
106 to such defendant an amount equal to the unpaid amount of such judgment. Such amount
107 shall be paid forthwith to the crime victims' compensation fund and satisfaction of such
108 judgment shall be entered on the court record. Under no circumstances shall the general
109 revenue fund be used to reimburse court costs or pay for such judgment. The director of the
110 department of corrections shall have the authority to pay into the crime victims' compensation
111 fund from an offender's compensation or account the amount owed by the offender to the
112 crime victims' compensation fund, provided that the offender has failed to pay the amount
113 owed to the fund prior to entering a correctional facility of the department of corrections.

114 14. All interest earned as a result of investing funds in the crime victims'
115 compensation fund shall be paid into the crime victims' compensation fund and not into the
116 general revenue of this state.

117 15. Any person who knowingly makes a fraudulent claim or false statement in
118 connection with any claim hereunder is guilty of a class A misdemeanor.

119 16. The department may receive gifts and contributions for the benefit of crime
120 victims. Such gifts and contributions shall be credited to the crime victims' compensation
121 fund as used solely for compensating victims under the provisions of sections 595.010 to
122 595.075.

 610.021. Except to the extent disclosure is otherwise required by law, a public
2 governmental body is authorized to close meetings, records and votes, to the extent they relate
3 to the following:

4 (1) Legal actions, causes of action or litigation involving a public governmental body
5 and any confidential or privileged communications between a public governmental body or
6 its representatives and its attorneys. However, any minutes, vote or settlement agreement
7 relating to legal actions, causes of action or litigation involving a public governmental body
8 or any agent or entity representing its interests or acting on its behalf or with its authority,
9 including any insurance company acting on behalf of a public government body as its insured,
10 shall be made public upon final disposition of the matter voted upon or upon the signing by
11 the parties of the settlement agreement, unless, prior to final disposition, the settlement
12 agreement is ordered closed by a court after a written finding that the adverse impact to a
13 plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of
14 section 610.011, however, the amount of any moneys paid by, or on behalf of, the public
15 governmental body shall be disclosed; provided, however, in matters involving the exercise of
16 the power of eminent domain, the vote shall be announced or become public immediately
17 following the action on the motion to authorize institution of such a legal action. Legal work
18 product shall be considered a closed record;

19 (2) Leasing, purchase or sale of real estate by a public governmental body where
20 public knowledge of the transaction might adversely affect the legal consideration therefor.
21 However, any minutes, vote or public record approving a contract relating to the leasing,
22 purchase or sale of real estate by a public governmental body shall be made public upon
23 execution of the lease, purchase or sale of the real estate;

24 (3) Hiring, firing, disciplining or promoting of particular employees by a public
25 governmental body when personal information about the employee is discussed or recorded.
26 However, any vote on a final decision, when taken by a public governmental body, to hire,
27 fire, promote or discipline an employee of a public governmental body shall be made
28 available with a record of how each member voted to the public within seventy-two hours of
29 the close of the meeting where such action occurs; provided, however, that any employee so
30 affected shall be entitled to prompt notice of such decision during the seventy-two-hour
31 period before such decision is made available to the public. As used in this subdivision, the

32 term "personal information" means information relating to the performance or merit of
33 individual employees;

34 (4) The state militia or national guard or any part thereof;

35 (5) Nonjudicial mental or physical health proceedings involving identifiable persons,
36 including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or
37 treatment;

38 (6) Scholastic probation, expulsion, or graduation of identifiable individuals,
39 including records of individual test or examination scores; however, personally identifiable
40 student records maintained by public educational institutions shall be open for inspection by
41 the parents, guardian or other custodian of students under the age of eighteen years and by the
42 parents, guardian or other custodian and the student if the student is over the age of eighteen
43 years;

44 (7) Testing and examination materials, before the test or examination is given or, if it
45 is to be given again, before so given again;

46 (8) Welfare cases of identifiable individuals;

47 (9) Preparation, including any discussions or work product, on behalf of a public
48 governmental body or its representatives for negotiations with employee groups;

49 (10) Software codes for electronic data processing and documentation thereof;

50 (11) Specifications for competitive bidding, until either the specifications are
51 officially approved by the public governmental body or the specifications are published for
52 bid;

53 (12) Sealed bids and related documents, until the bids are opened; and sealed
54 proposals and related documents or any documents related to a negotiated contract until a
55 contract is executed, or all proposals are rejected;

56 (13) Individually identifiable personnel records, performance ratings or records
57 pertaining to employees or applicants for employment, except that this exemption shall not
58 apply to the names, positions, salaries and lengths of service of officers and employees of
59 public agencies once they are employed as such, and the names of private sources donating or
60 contributing money to the salary of a chancellor or president at all public colleges and
61 universities in the state of Missouri and the amount of money contributed by the source;

62 (14) Records which are protected from disclosure by law;

63 (15) Meetings and public records relating to scientific and technological innovations
64 in which the owner has a proprietary interest;

65 (16) Records relating to municipal hotlines established for the reporting of abuse and
66 wrongdoing;

67 (17) Records relating to reports of allegations of improper governmental activities
68 under section 29.221;

69 (18) Confidential or privileged communications between a public governmental body
70 and its auditor, including all auditor work product; however, all final audit reports issued by
71 the auditor are to be considered open records pursuant to this chapter;

72 (19) (a) Security measures, global positioning system (GPS) data, investigative
73 information, or investigative or surveillance techniques of any public agency responsible for
74 law enforcement or public safety that, if disclosed, has the potential to endanger the health or
75 safety of an individual or the public.

76 (b) Any information or data provided to a tip line for the purpose of safety or security
77 at an educational institution that, if disclosed, has the potential to endanger the health or
78 safety of an individual or the public.

79 (c) Any information contained in any suspicious activity report provided to law
80 enforcement that, if disclosed, has the potential to endanger the health or safety of an
81 individual or the public.

82 (d) Operational guidelines, policies and specific response plans developed, adopted,
83 or maintained by any public agency responsible for law enforcement, public safety, first
84 response, or public health for use in responding to or preventing any critical incident which
85 has the potential to endanger individual or public safety or health. Financial records related to
86 the procurement of or expenditures relating to operational guidelines, policies or plans
87 purchased with public funds shall be open. When seeking to close information pursuant to
88 this exception, the public governmental body shall affirmatively state in writing that
89 disclosure would impair the public governmental body's ability to protect the security or
90 safety of persons or real property, and shall in the same writing state that the public interest in
91 nondisclosure outweighs the public interest in disclosure of the records;

92 (20) Existing or proposed security systems and structural plans of real property
93 owned or leased by a public governmental body, and information that is voluntarily submitted
94 by a nonpublic entity owning or operating an infrastructure to any public governmental body
95 for use by that body to devise plans for protection of that infrastructure, the public disclosure
96 of which would threaten public safety:

97 (a) Records related to the procurement of or expenditures relating to security systems
98 purchased with public funds shall be open;

99 (b) When seeking to close information pursuant to this exception, the public
100 governmental body shall affirmatively state in writing that disclosure would impair the public
101 governmental body's ability to protect the security or safety of persons or real property, and
102 shall in the same writing state that the public interest in nondisclosure outweighs the public
103 interest in disclosure of the records;

104 (c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by
105 the receiving agency within ninety days of submission to determine if retention of the

106 document is necessary in furtherance of a state security interest. If retention is not necessary,
107 the documents shall be returned to the nonpublic governmental body or destroyed;

108 (21) The portion of a record that identifies security systems or access codes or
109 authorization codes for security systems of real property;

110 (22) Records that identify the configuration of components or the operation of a
111 computer, computer system, computer network, or telecommunications network, and would
112 allow unauthorized access to or unlawful disruption of a computer, computer system,
113 computer network, or telecommunications network of a public governmental body. This
114 exception shall not be used to limit or deny access to otherwise public records in a file,
115 document, data file or database containing public records. Records related to the procurement
116 of or expenditures relating to such computer, computer system, computer network, or
117 telecommunications network, including the amount of moneys paid by, or on behalf of, a
118 public governmental body for such computer, computer system, computer network, or
119 telecommunications network shall be open;

120 (23) Credit card numbers, personal identification numbers, digital certificates,
121 physical and virtual keys, access codes or authorization codes that are used to protect the
122 security of electronic transactions between a public governmental body and a person or entity
123 doing business with a public governmental body. Nothing in this section shall be deemed to
124 close the record of a person or entity using a credit card held in the name of a public
125 governmental body or any record of a transaction made by a person using a credit card or
126 other method of payment for which reimbursement is made by a public governmental body;

127 (24) Records submitted by an individual, corporation, or other business entity to a
128 public institution of higher education in connection with a proposal to license intellectual
129 property or perform sponsored research and which contains sales projections or other
130 business plan information the disclosure of which may endanger the competitiveness of a
131 business;

132 (25) Records relating to foster home or kinship placements of children in foster care
133 under section 210.498; ~~and~~

134 (26) Individually identifiable customer usage and billing records for customers of a
135 municipally owned utility, unless the records are requested by the customer or authorized for
136 release by the customer, except that a municipally owned utility shall make available to the
137 public the customer's name, billing address, location of service, and dates of service provided
138 for any commercial service account; **and**

139 **(27) Any portion of a record that contains individually identifiable information**
140 **of a minor under eighteen years of age held by a public governmental body, if such**
141 **public governmental body is a city, town, village, or park board except when such**

142 **records are requested by the division of labor standards within the department of labor**
143 **and industrial relations for the purpose of enforcing chapter 294.**

610.131. 1. Notwithstanding the provisions of section 610.140 to the contrary, a
2 person who ~~[at the time of the offense was under the age of eighteen, and]~~ has pleaded guilty
3 **to** or has been convicted ~~[for]~~ **of** the offense of prostitution under section 567.020 may apply
4 to the court in which he or she pled guilty or was sentenced for an order to expunge from all
5 official records all recordations of his or her arrest, plea, trial, or conviction. If the court
6 determines that such person ~~[was under the age of eighteen or]~~ was acting under the coercion,
7 as defined in section 566.200, of an agent when committing the offense that resulted in a plea
8 of guilty or conviction under section 567.020, the court shall enter an order of expungement.

9 2. Upon granting of the order of expungement, the records and files maintained in any
10 administrative or court proceeding in an associate or circuit division of the circuit court under
11 this section shall be confidential and only available to the parties or by order of the court for
12 good cause shown. The effect of such order shall be to restore such person to the status he or
13 she occupied prior to such arrest, plea, or conviction and as if such event had never taken
14 place. No person as to whom such order has been entered shall be held thereafter under any
15 provision of any law to be guilty of perjury or otherwise giving a false statement by reason of
16 his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement
17 in response to any inquiry made of him or her for any purpose whatsoever and no such
18 inquiry shall be made for information relating to an expungement under this section.

632.305. 1. An application for detention for evaluation and treatment at a mental
2 health facility may be executed by any adult person, who need not be an attorney or
3 represented by an attorney, on a form provided by the court for such purpose, and shall allege
4 under oath~~[-without a notarization requirement,]~~ that the applicant has reason to believe that
5 the respondent is suffering from a mental disorder and presents a likelihood of serious harm to
6 himself or herself or to others. The application shall specify the factual information on which
7 such belief is based and should contain the names and addresses of all persons known to the
8 applicant who have knowledge of such facts through personal observation.

9 2. The filing of a written application in court by any adult person, who need not be an
10 attorney or represented by an attorney, shall authorize the applicant to bring the matter before
11 the court on an ex parte basis to determine whether the respondent should be taken into
12 custody and transported to a mental health facility. The application may be filed in the court
13 having probate jurisdiction in any county where the respondent may be found. If the court
14 finds that there is probable cause, either upon testimony under oath or upon a review of
15 affidavits, declarations, or other supporting documentation, to believe that the respondent
16 may be suffering from a mental disorder and presents a likelihood of serious harm to himself
17 or herself or others, it shall direct a peace officer to take the respondent into custody and

18 transport him or her to a mental health facility for detention for evaluation and treatment for a
19 period not to exceed ninety-six hours unless further detention and treatment is authorized
20 pursuant to this chapter. Nothing herein shall be construed to prohibit the court, in the
21 exercise of its discretion, from giving the respondent an opportunity to be heard.

22 3. A peace officer may take a person into custody for detention for evaluation and
23 treatment at a mental health facility for a period not to exceed ninety-six hours only when
24 such peace officer has reasonable cause to believe that such person is suffering from a mental
25 disorder and that the likelihood of serious harm by such person to himself or herself or others
26 is imminent unless such person is immediately taken into custody. Upon arrival at the mental
27 health facility, the peace officer who conveyed such person or caused him or her to be
28 conveyed shall either present the application for detention for evaluation and treatment upon
29 which the court has issued a finding of probable cause and the respondent was taken into
30 custody or complete an application for initial detention for evaluation and treatment for a
31 period not to exceed ninety-six hours which shall be based upon his or her own personal
32 observations or investigations and shall contain the information required in subsection 1 of
33 this section.

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

44 5. **(1) No notarization shall be required for an application, or for any affidavits,**
45 **declarations, or other documents supporting an application, completed or executed by:**

46 **(a) A peace officer under subsection 3 of this section;**

47 **(b) A licensed physician, mental health professional, or registered professional**
48 **nurse under subsection 4 of this section; or**

49 **(c) An employee acting on behalf of a hospital, as defined in section 197.020,**
50 **under subsections 1 and 2 of this section.**

51 **(2) The application and any affidavits, declarations, or other documents supporting**
52 **the application shall be subject to the provisions of section 492.060 allowing for declaration**
53 **under penalty of perjury.**

2 **640.011. 1. The department of natural resources may require that fingerprint**
3 **submissions be made as part of an application seeking employment or to volunteer with**
4 **the department of natural resources.**

5 **2. If the department of natural resources requires that fingerprint submissions**
6 **be made as part of such application, the department of natural resources shall require**
7 **applicants to submit the fingerprints to the Missouri state highway patrol for the**
8 **purpose of conducting a state and federal fingerprint-based criminal history**
9 **background check.**

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**
11 **highway patrol's central repository. The fingerprints shall be used for searching the**
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**
14 **state highway patrol shall notify the department of natural resources of any criminal**
15 **history record information or lack of criminal history record information discovered on**
16 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
17 **records related to any criminal history information discovered shall be accessible and**
18 **available to the department of natural resources.**

19 **650.040. 1. As used in this section, the following terms shall mean:**

2 **(1) "Clearance rates", the rate at which law enforcement agencies clear an**
3 **offense by arrest or by exceptional means;**

4 **(2) "Offense cleared by an arrest", when at least one person has been arrested,**
5 **charged with the commission of the offense, and turned over to the court for**
6 **prosecution;**

7 **(3) "Offense cleared by exceptional means", when the law enforcement agency**
8 **has:**

9 **(a) Identified the offender;**

10 **(b) Gathered enough evidence to support an arrest, make a charge, and turn**
11 **over the offender to the court for prosecution;**

12 **(c) Identified the offender's exact location so that the suspect could be taken into**
13 **custody immediately; and**

14 **(d) Encountered a circumstance outside the control of such agency that**
15 **prohibited the agency from arresting, charging, and prosecuting the offender.**

16 **2. There is hereby created the "Missouri Violent Crime Clearance Grant**
17 **Program" within the department of public safety. This program shall be developed in**
18 **consultation with the Missouri peace officers standards and training commission**
19 **created pursuant to section 590.120, the office for victims of crime created pursuant to**

20 section 650.310, and the crime laboratory review commission created pursuant to
21 section 650.059.

22 3. The purpose of this program is to improve law enforcement strategies and
23 initiatives aimed at increasing violent crime clearance rates.

24 4. To the extent that such uses can be demonstrated to advance the purposes
25 described in subsection 3 of this section, eligible uses for the funding include:

26 (1) Improved investigatory resources, including the hiring of personnel assigned
27 to investigate violent crimes or collect, process, and test forensic evidence;

28 (2) Development of evidence-based policies, procedures, and training;

29 (3) Technical assistance;

30 (4) Law enforcement equipment or technology, including investigative, evidence-
31 processing, or forensic-testing equipment or technology;

32 (5) Contractual support;

33 (6) Information systems, with prioritization for projects that would improve
34 data integration and the ability to share information across and between law
35 enforcement agencies, prosecuting attorneys' offices, and crime labs;

36 (7) Officer health and wellness services;

37 (8) Hiring and retention of victim-witness coordinators;

38 (9) Partnership with hospital-based violence intervention programs;

39 (10) Partnership with accredited behavioral health programs; and

40 (11) Partnership with local community service providers to improve support for
41 victims of violent crime.

42 5. In awarding a grant under subsection 2 of this section for an allowable use
43 under subsection 4 of this section, the department of public safety shall give priority to
44 law enforcement agencies:

45 (1) With consistent public reporting of low clearance rates;

46 (2) That demonstrate a commitment to working with community-based
47 organizations and government agencies to reduce violent crime rates; or

48 (3) That detail a process for evaluating the effectiveness of both investigators
49 and investigative units, including the development of specific goals and performance
50 metrics.

51 6. All law enforcement agencies that receive funding under this section shall
52 report to the department of public safety annually on activities carried out to reduce
53 violent crime and improve clearance rates during the preceding fiscal year including,
54 but not limited to:

55 (1) The number of personnel hired or assigned to investigate violent crimes,
56 disaggregated between sworn law enforcement officers and civilian or unsworn
57 professional staff;

58 (2) The number of personnel hired or assigned to collect, process, and test
59 forensic evidence;

60 (3) The number of personnel hired or assigned to provide victim services;

61 (4) The description of any training developed or implemented;

62 (5) The description of any new technology purchased or acquired;

63 (6) How grant-funded activities have impacted clearance rates;

64 (7) The record management system, or equivalent, used to collect case
65 information and its ability to integrate with other agencies', prosecuting attorney
66 offices', and crime labs' record management systems; and

67 (8) How the grantee worked with community-based organizations to improve
68 violent crime rates and clearance rates for violent crimes.

69 7. Distribution of state funds or technical assistance shall be by contractual
70 arrangement between the department and each recipient law enforcement agency.
71 Terms of the contract shall be negotiable each year. The state auditor shall periodically
72 audit all law enforcement agencies receiving state funds.

73 8. Nothing in this section shall prohibit any law enforcement agency from
74 receiving federal or local funds should such funds become available.

75 9. No state funds shall be expended unless appropriated by the general assembly
76 for this purpose.

650.120. 1. There is hereby created in the state treasury the "Cyber Crime
2 Investigation Fund". The treasurer shall be custodian of the fund and may approve
3 disbursements from the fund in accordance with sections 30.170 and 30.180. The department
4 of public safety shall be the administrator of the fund. Moneys in the fund shall be used
5 solely for the administration of the grant program established under this section.
6 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in
7 the fund at the end of the biennium shall not revert to the credit of the general revenue fund.
8 The state treasurer shall invest moneys in the fund in the same manner as other funds are
9 invested. Any interest and moneys earned on such investments shall be credited to the fund.

10 2. The department of public safety shall create a program to distribute grants to
11 multijurisdictional internet cyber crime law enforcement task forces, multijurisdictional
12 enforcement groups, as defined in section 650.153, that are investigating internet sex crimes
13 against children, and other law enforcement agencies. The program shall be funded by the
14 cyber crime investigation fund created under subsection 1 of this section. Not more than
15 three percent of the money in the fund may be used by the department to pay the

16 administrative costs of the grant program. The grants shall be awarded and used to pay the
17 salaries of detectives and computer forensic personnel whose focus is investigating internet
18 sex crimes against children, including but not limited to enticement of a child, possession or
19 promotion of child ~~[pornography]~~ **sexual abuse material**, provide funding for the training of
20 law enforcement personnel and prosecuting and circuit attorneys as well as their assistant
21 prosecuting and circuit attorneys, and purchase necessary equipment, supplies, and services.
22 The funding for such training may be used to cover the travel expenses of those persons
23 participating.

24 3. A panel is hereby established in the department of public safety to award grants
25 under this program and shall be comprised of the following members:

26 (1) The director of the department of public safety, or his or her designee;

27 (2) Two members appointed by the director of the department of public safety from a
28 list of six nominees submitted by the Missouri Police Chiefs Association;

29 (3) Two members appointed by the director of the department of public safety from a
30 list of six nominees submitted by the Missouri Sheriffs' Association;

31 (4) Two members of the state highway patrol appointed by the director of the
32 department of public safety from a list of six nominees submitted by the Missouri State
33 Troopers Association;

34 (5) One member of the house of representatives appointed by the speaker of the house
35 of representatives; and

36 (6) One member of the senate appointed by the president pro tem.

37

38 The panel members who are appointed under subdivisions (2), (3), and (4) of this subsection
39 shall serve a four-year term ending four years from the date of expiration of the term for
40 which his or her predecessor was appointed. However, a person appointed to fill a vacancy
41 prior to the expiration of such a term shall be appointed for the remainder of the term. Such
42 members shall hold office for the term of his or her appointment and until a successor is
43 appointed. The members of the panel shall receive no additional compensation but shall be
44 eligible for reimbursement for mileage directly related to the performance of panel duties.

45 4. Local matching amounts, which may include new or existing funds or in-kind
46 resources including but not limited to equipment or personnel, are required for
47 multijurisdictional internet cyber crime law enforcement task forces and other law
48 enforcement agencies to receive grants awarded by the panel. Such amounts shall be
49 determined by the state appropriations process or by the panel.

50 5. When awarding grants, priority should be given to newly hired detectives and
51 computer forensic personnel.

52 6. The panel shall establish minimum training standards for detectives and computer
53 forensic personnel participating in the grant program established in subsection 2 of this
54 section.

55 7. Multijurisdictional internet cyber crime law enforcement task forces and other law
56 enforcement agencies participating in the grant program established in subsection 2 of this
57 section shall share information and cooperate with the highway patrol and with existing
58 internet crimes against children task force programs.

59 8. The panel may make recommendations to the general assembly regarding the need
60 for additional resources or appropriations.

61 9. The power of arrest of any peace officer who is duly authorized as a member of a
62 multijurisdictional internet cyber crime law enforcement task force shall only be exercised
63 during the time such peace officer is an active member of such task force and only within the
64 scope of the investigation on which the task force is working. Notwithstanding other
65 provisions of law to the contrary, such task force officer shall have the power of arrest, as
66 limited in this subsection, anywhere in the state and shall provide prior notification to the
67 chief of police of a municipality or the sheriff of the county in which the arrest is to take
68 place. If exigent circumstances exist, such arrest may be made and notification shall be made
69 to the chief of police or sheriff as appropriate and as soon as practical. The chief of police or
70 sheriff may elect to work with the multijurisdictional internet cyber crime law enforcement
71 task force at his or her option when such task force is operating within the jurisdiction of such
72 chief of police or sheriff.

73 10. Under section 23.253 of the Missouri sunset act:

74 (1) The provisions of the new program authorized under this section shall be
75 reauthorized on August 28, 2014, and shall expire on December 31, 2024, unless reauthorized
76 by an act of the general assembly; and

77 (2) If such program is reauthorized, the program authorized under this section shall
78 sunset automatically twelve years after the effective date of the reauthorization of this section;
79 and

80 (3) This section shall terminate on September first of the calendar year immediately
81 following the calendar year in which the program authorized under this section is sunset.

660.520. 1. There is hereby established in the department of social services a special
2 team, to be known as the "state technical assistance team", to assist in cases of child abuse,
3 child neglect, child sexual abuse, child exploitation, child ~~[pornography]~~ **sexual abuse**
4 **material**, or child fatality. It shall be the priority of the team to focus on those cases in which
5 more than one report has been received. The team shall:

6 (1) Provide assistance, expertise, and training to child protection agencies and
7 multidisciplinary teams for the investigation and prosecution of child abuse, child neglect,

8 child sexual abuse, child exploitation, child ~~[pornography]~~ **sexual abuse material**, or child
9 fatality cases;

10 (2) Assist in the investigation of child abuse, child neglect, child sexual abuse, child
11 exploitation, child ~~[pornography]~~ **sexual abuse material**, or child fatality cases, upon the
12 request of a local, county, state, or federal law enforcement agency, county, state, or federal
13 prosecutor, a representative of the family courts, medical examiner, coroner, juvenile officer,
14 or department of social services staff. Upon being requested to assist in an investigation, the
15 state technical assistance team shall notify appropriate parties specified in this subdivision of
16 the team's involvement. State technical assistance team investigators licensed as peace
17 officers by the director of the department of public safety pursuant to chapter 590 shall be
18 deemed to be peace officers within the state of Missouri while acting in an investigation or on
19 behalf of a child. The power of arrest of a state technical assistance team investigator acting
20 as a peace officer shall be limited to offenses involving child abuse, child neglect, child
21 sexual abuse, child exploitation, child ~~[pornography]~~ **sexual abuse material**, child fatality, or
22 in situations of imminent danger to the investigator or another person;

23 (3) Assist county multidisciplinary teams to develop and implement protocols for the
24 investigation and prosecution of child abuse, child neglect, child sexual abuse, child
25 exploitation, child ~~[pornography]~~ **sexual abuse material**, or child fatality cases.

26 2. The team may call upon the expertise of the office of the attorney general, the
27 Missouri office of prosecution services, the state highway patrol, the department of health and
28 senior services, the department of mental health or any other agency or institution.

29 3. Each county may develop a multidisciplinary team for the purpose of determining
30 the appropriate investigative and therapeutic action to be initiated on complaints referenced in
31 subsection 1 of this section reported to the children's division. The multidisciplinary team
32 may include, but is not limited to, a prosecutor, or his or her representative, an investigator
33 from the children's division, a physician, a representative from a mental health care services
34 agency and a representative of the police agency of primary jurisdiction.

35 4. All reports and records made and maintained by the state technical assistance team
36 or local law enforcement relating to criminal investigations conducted pursuant to this
37 section, including arrests, shall be available in the same manner as law enforcement records,
38 as set forth in sections 610.100 to 610.200, and to the individuals identified in subdivision
39 (13) of subsection 2 of section 210.150. All other records shall be available in the same
40 manner as provided for in section 210.150.

Section B. Because of the need to ensure that public safety officers killed in the line
2 of duty receive benefits entitled to under this act, the repeal and reenactment of section
3 287.243 of this act is deemed necessary for the immediate preservation of the public health,
4 welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning

5 of the constitution, and the repeal and reenactment of section 287.243 of this act shall be in
6 full force and effect upon its passage and approval.

Section C. The provisions of section A of this bill shall be severable. If any provision
2 of section A is found by a court of competent jurisdiction to be unconstitutional for any
3 reason, or otherwise unenforceable, the remaining provisions of section A shall be valid.

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