

HOUSE BILL NO. 1028

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FOUNTAIN HENDERSON.

1533H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 568, RSMo, by adding thereto one new section relating to failing to supervise a child, with a penalty provision.

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

Section A. Chapter 568, RSMo, is amended by adding thereto one new section, to be known as section 568.180, to read as follows:

568.180. 1. A person is guilty of failing to supervise a child if the person is the parent, lawful guardian, or other person lawfully charged with the care or custody of a child under fifteen years of age and the child:

(1) Commits an act that brings the child within the jurisdiction of the juvenile court under chapter 211;

(2) Violates a curfew law of a county or any other political subdivision; or

(3) Fails to attend school as required under section 167.031.

2. Nothing in this section applies to a child-placing agency or to foster parents.

3. In a prosecution of a person for failing to supervise a child under subdivision (1) of subsection 1 of this section, it is an affirmative defense that the person:

(1) Is a victim of the act that brings the child within the jurisdiction of the juvenile court; or

(2) Reported the act to the appropriate authorities.

4. In a prosecution of a person for failing to supervise a child under subsection 1 of this section, it is an affirmative defense that the person took reasonable steps to control the conduct of the child at the time the person is alleged to have failed to supervise the child.

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

18 **5. In a prosecution of a person for failing to supervise a child under subdivision**
19 **(1) of subsection 1 of this section, the court shall order the person to perform no more**
20 **than two hundred fifty hours of community service.**

21 **6. The juvenile court shall have jurisdiction over a first offense of failing to**
22 **supervise a child under this section.**

23 **7. A violation of this section shall be punishable as an infraction.**

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