

HCS HBs 145 & 59 -- SUNSHINE LAW

SPONSOR: Falkner

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Legislative Review by a vote of 10 to 0.

The following is a summary of the House Committee Substitute for HBs 145 & 59.

This bill allows for the closure of certain records under the Sunshine law.

This bill authorizes a public governmental body to close records that contain individually identifiable information of a minor 17 years and under held by a city, town, village, or park board, except when the records are requested by the Division of Labor Standards within the Department of Labor and Industrial Relations for the purpose of enforcing Chapter 294 RSMo, regarding child labor. It also authorizes the closing of records containing individually identifiable customer information for visitors who make a camping, lodging, or shelter reservation for a Missouri state park or state historic site unless the records are requested or authorized for release by the visitor.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that, right now, if your child participates in a municipality activity, the child's information can be requested via a Sunshine request and there is nothing a city can do to stop it. This allows the ability to close information for a person 17 or under. This brings municipal record retention policies in line with other similar requirements, such as schools' requirements to keep this information confidential. This started in Frontenac because of a school legislative club the school had in the city, and the city realized it could not protect the kids' information. It's not just activities; it's also applicable to kids who work in the government over the summers. The information could be requested by the Department of Labor, so it's not completely closed.

Testifying in person for the bill were Representative Falkner; Missouri Municipal League; MO Press Association; MO Parks & Recreation Association; Municipal League Metro St. Louis.

OPPONENTS: Those who oppose the bill say that this is not a good policy for the people, and lacks transparency. It covers all public governmental bodies, not just municipalities. This would not protect children; this would protect the government in the event it was a bad actor and wanted to keep information from parents.

Testifying in person against the bill was Amorvine.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.