

HCS SS SB 43 -- PROTECTION OF VULNERABLE PERSONS

CHAMPION FOR CHILDREN TAX CREDIT (Section 135.341)

Current law authorizes a tax credit for contributions made to Court-Appointed Special Advocate entities (CASAs), child advocacy centers, and crisis care centers, as those terms are defined in the bill, with such tax credit equal to 50% of the contribution. For all tax years beginning on or after January 1, 2025, this bill increases the credit to 70% of the contribution and provides that a taxpayer will not be allowed to claim a credit in excess of \$50,000 in any tax year.

Additionally, the current maximum amount of tax credits that can be authorized for contributions made to qualified agencies must not exceed \$1.5 million. This bill increases the maximum amount to \$2.5 million for all fiscal years beginning on or after July 1, 2025.

Currently, if a taxpayer is denied a tax credit because of a lack of available funds, and that denial results in a balance owed to the State, the taxpayer has 60 days from the notice of denial to make payment arrangements. If the balance is not paid within 60 days from the notice, the remaining balance will be due and payable in the same manner as personal income tax.

This bill states that if a full or partial denial of a tax credit because the cumulative maximum amount of credits has already been redeemed results in an income tax balance owed to the State, the taxpayer will not be held liable for any additional tax, penalty, or interest on that income tax balance due, provided that payment arrangements are made within 60 days from the issuance of the notice of the credit denial.

The bill repeals the provision stating that if the balance is not paid within 60 days from the notice, the remaining balance will be treated as personal income tax.

Finally, this bill reauthorizes and extends the expiration of the tax credit to December 31, 2031.

This provision is the same as a provision in HB 1292 (2025).

YOUTH OPPORTUNITIES AND VIOLENCE PREVENTION ACT (Section 135.460)

Current law authorizes a tax credit in the amount of 50% of contributions made to certain youth programs. This bill increases the tax credit to 70% of the amount of contributions made.

This provision is the same as a provision in HCS HB 235 and TAFP CCS SS HCS HB 737 & 486 (2025).

CONTRIBUTIONS TO DIAPER BANKS TAX CREDIT (Section 135.621)

This bill reauthorizes the provisions of the "Diaper Bank Tax Credit" by extending the sunset date to December 31, 2031.

The bill expands the definition of a "diaper bank" to include the term national diaper bank, as described in the bill.

This provision is the same as a provision in HB 1522.

CHILDREN'S DIVISION SERVICE PROVIDER CONTRACTS (Section 210.112)

Under this bill, provisions in service provider contracts with Children's Division in which the State is indemnified, held harmless, or insured for damages, claims, losses, or expenses arising from any injury caused by or resulting from the State's negligence, in whole or in part, must be void as against public policy and unenforceable.

This provision is the same as a provision in TAFP CCS SS HCS HB 737 & 486 (2025).

SERVICES FOR YOUTH (Section 210.119)

This bill requires the Department of Social Services to establish a program to provide a comprehensive system of service delivery, education, and residential care for youth with severe behavioral challenges. To be eligible for the program, a youth must be under 21 years of age and in the custody of children's division within the Department of Social Services, and a team in the Department must have made a determination that the needs of the youth cannot be met with existing State programs.

The Department will have the authority to contract with qualified service providers to provide services to the youth under this bill. Such service providers must be: certified, licensed, or accredited in their respective fields of service; based in Missouri; and entities with proven experience in the areas for which they will provide services.

A qualified service provider providing services under this bill will have immunity as specified in the bill.

The Department will be authorized to enter into memoranda of understanding with any facility or campus under state ownership that is appropriate for the program and youth being served.

No qualified service provider will be liable for damages for any services provided under a contract entered into under this provision if such services or duties are performed in good faith and without gross negligence. In no case will a qualified service provider be immune for abuse or neglect of a child.

This provision is the same as a provision in TAFP HB 737 & 486 (2025).

CHILD ABUSE INVESTIGATIONS (Section 210.145)

Under this bill, if Children's Division is responding to an investigation of abuse or neglect of a child, the person responding must first ensure the safety of the child through direct observation and communication with the child. If the parent or alleged perpetrator is present during the investigation, the responding person must present identification and verbally identify himself or herself and his or her role in the investigation and must inform the child's parent or the alleged perpetrator of his or her rights during the visit. The parent must be given a reasonable amount of time to read such notice or have such notice read to him or her by the case worker before the visit commences but must not exceed five minutes. If the child faces immediate threat or danger, exceptions will apply. If the Division is responding to an assessment of abuse or neglect, the person responding must present identification and verbally identify himself or herself and his or her role in the investigation prior to the child being interviewed.

This provision is the same as a provision in TAFP CCS SS HCS HB 737 & 486 (2025).

REPRESENTATION BY COUNSEL (Sections 210.160, 210.560, 210.565, 210.762, 211.032, 211.211, 211.261, 211.462, 477.700, 477.705, 477.710, and 477.715)

Beginning January 1, 2028, and subject to a specific appropriation for this purpose, unless operating under a pilot project established by the Missouri Supreme Court, a judge must appoint a child's counsel instead of a guardian ad litem (GAL) for children in certain abuse or neglect proceedings who are at least 14 but less than 18 years of age.

This bill creates the "Child and Family Legal Representation Coordinating Commission" within the judicial branch, with nine members appointed by the Chief Justice of the Missouri Supreme Court and specifies the requirements for appointment. Duties are described in the bill and include making recommendations to the Missouri Supreme Court concerning the establishment or modification

of minimum training requirements and practice standards for attorneys serving as GALs, children's counsel, or parent's counsel. The Commission can also develop, coordinate, and evaluate pilot projects relating to GALs, children's counsel, or parents' counsel and outcomes relating to the various models of representation, as well as implementation of the children's counsel appointment provisions of this bill.

The bill creates the "Child and Family Legal Representation Fund" in the State Treasury, to be distributed by the Coordinating Commission to the judicial circuits for the purpose of improving or providing high-quality legal representation for children or families, including the appointment of GALs, children's counsel, or parents' counsel. Under this bill, a circuit can participate in a pilot project established by the Missouri Supreme Court relating to GALs, children's counsel, or parents' counsel, in which case a judge can appoint a child's counsel instead of a GAL. This provision will expire on January 1, 2028.

These provisions are the same as provisions in TAFP CCS SS HCS HB 737 & 486 (2025).

NEWBORN SAFETY INCUBATORS (Section 210.950)

Currently, newborn safety incubators are authorized to be installed in certain locations for a relinquishing parent to leave a newborn child, up to 45 days of age, without fear of prosecution. This bill modifies the age limit of a newborn infant that may be brought to a newborn safety incubator from 45 days old to 90 days old.

Additionally, the bill creates the "Safe Place for Newborns Fund", and provides that the State will match moneys from the General Revenue Fund, in the amount of up to \$10,000 per installation of newborn safety incubators.

This provision is the same as a provision in HB 121 (2025).

JUVENILE COURT PROCEEDINGS (Sections 211.033, 211.071, 211.072, 219.021, and 221.044)

This bill applies provisions related to the filing of petitions to transfer a juvenile to a court of general jurisdiction when a juvenile is accused of an offense to motions to modify.

Additionally, if a juvenile who has been certified as an adult and is awaiting trial is ordered to be released from an adult jail following a transfer order and is subsequently detained on a violation of the conditions of release or bond, the juvenile must return to the custody of the adult jail pending further court

order. An extension must be granted to hold a juvenile in an adult jail for longer than 180 days. If an extension is granted, this bill requires the court to hold a hearing every 30 days to determine whether the placement of the juvenile in an adult jail is still in the best interests of justice.

Currently, when a juvenile turns 18 or is convicted of adult charges, the juvenile must be transferred from juvenile detention to an adult facility. This bill applies this requirement to when a juvenile pleads guilty as well.

The bill requires county jail staff to designate a liaison who will be assigned to each juvenile who is awaiting trial in a juvenile detention facility and who has been certified as an adult. The liaison will assist in communication with the facility on the needs of the juvenile. Currently, the Division of Youth Services cannot keep any youth beyond his or her 18th birthday. This bill increases that to a youth's 19th birthday. As specified in this bill, if a person is 18 years old or older or turns 18 while in juvenile detention, upon a motion filed by a juvenile officer, the court can order that the person in juvenile detention be detained in an adult jail or other adult detention facility until the disposition of that person's juvenile court case.

These provisions are the same as provisions in HB 592 (2025).

USE OF RESTRAINTS ON A CHILD IN JUVENILE COURT (Section 211.436)

This bill prohibits the use of instruments of restraint on a child during a juvenile court proceeding and it requires the restraints to be removed prior to the child's appearance before the court, unless the court finds that certain exceptions, specified in the bill, apply. If the juvenile officer believes there is an immediate safety or flight risk, the juvenile officer must advise the child's attorney and make a written request, prior to the commencement of the proceeding, for the child to remain restrained during the proceeding. The child's attorney will have an opportunity to be heard and, if restraints are ordered, the court will make findings of fact in support of the order.

This provision is the same as a provision in HB 782 (2025).

AGE OF MARRIAGE (Sections 451.040, 451.080, and 451.090)

Currently, a marriage license cannot be issued in Missouri for individuals under 16 years of age or issued when one party to the marriage is under 18 years of age and the other party is over 21 years of age. Additionally, no marriage license can be issued if

any party to the marriage is under 18 years of age without parental consent.

This bill repeals those provisions so no marriage license can be issued in Missouri for individuals under 18 years of age.

This provision is the same as a provision in TAFP CCS SS HCS HB 737 & 486 (2025).

ADMISSIBILITY OF EVIDENCE IN CRIMINAL CASES (Sections 491.075 and 492.304)

Currently, a statement made by a child under 14 years of age that would otherwise be inadmissible in court, including a visual and an aural recording of a verbal or nonverbal statement of that child, is admissible in court in matters relating to offenses under Chapter 565, 566, 568, or 573. This bill changes the age to children under 18 years of age. The bill also adds that a visual and an aural recording of a verbal or nonverbal statement of a "vulnerable person", as defined in the bill, is also admissible when relating to an offense under Chapter 565, 566, 568, or 573. These provisions of a delayed effective date of August 28, 2026.

These provisions are similar to provisions in Perfected HCS HB 615 (2025).

CIVIL ACTIONS FOR CHILDHOOD SEXUAL ABUSE (Section 537.046)

This bill modifies the offenses included in the definition of "childhood sexual abuse" for civil actions to recover damages from injury or illness caused by childhood sexual abuse. The bill will apply to any action arising on or after August 28, 2025. This bill also provides that a nondisclosure agreement by any party to a childhood sexual abuse action must not be judicially enforceable in a dispute involving childhood sexual abuse allegations or claims and will be void.

These provisions are the same as provisions in TAFP CCS SS HCS HBs 737 & 486 (2025).

SEXUAL OFFENSES (Sections 566.151 and 567.030)

This bill also modifies the offense of enticement of a child by increasing the age of the victim from less than 15 years of age to less than 17 years of age. The bill modifies the penalty provisions for the offense of patronizing prostitution. Currently, the penalty distinctions are for victims older than 14 years of age and 14 or younger. This bill increases the age from 14 to 15 years old and modifies the offense of patronizing prostitution if the

individual being patronized is 15 years of age or younger from a class D felony to a class B felony.

These provisions are the same as provisions in Perfected HCS HB 615 (2025).

ENDANGERING THE WELFARE OF A CHILD IN THE FIRST DEGREE (Section 568.045)

Currently, a person commits the offense of endangering the welfare of a child in the first degree if he or she knowingly engages in sexual conduct with a person under the age of 17 years over whom the person is a parent, guardian, or otherwise charged with the care and custody of the child. This bill changes the age of the child from under 17 to under 18 years of age.

This provision is the same as a provision in TAFP SS#2 SCS HCS#2 HB 495 (2025) and TAFP CCS SS HCS HBs 737 & 486 (2025).

COLLEGE OR UNIVERSITY HAZING (Section 578.365)

This bill provides that the offense of hazing will be known as "Danny's Law" and provides that a person must be found guilty of the offense of hazing if a person knowingly, actively, and not under duress, participates in, solicits another person to participate in, or causes or plans a willful act that endangers a student or certain members of organizations under the sanction of a public or private college or university.

This bill provides that a person will not be guilty of the offense of hazing if the person establishes that he or she:

- (1) Was present at the event where hazing occurred and a person was in need of immediate medical assistance;
- (2) Was the first person to call 911 or campus security to report the need for medical attention;
- (3) Provided the relevant information to the 911 operator or campus security; and
- (4) Remained at the scene until medical assistance arrived and cooperated with such assistance.

Additionally, this bill provides that a person is immune from prosecution if the person can establish he or she rendered aid to the hazing victim before assistance arrived.

These provisions are the same as provisions in HCS HB 234 (2025).

HUMAN TRAFFICKING AND SEXUAL EXPLOITATION FUND (SECTION 589.700)

This bill provides that a person who pled guilty to or was found guilty of certain sexual offenses, as specified in the bill, will be required to pay \$10,000 in restitution per identified victim, or \$2,500 in restitution if the person pled guilty to or was found guilty of patronizing prostitution, and \$2,500 for each county in which the offense or offenses occurred, payable to the State to be deposited into the newly established "Human Trafficking and Sexual Exploitation Fund". Upon receipt of money from the Fund, a county must allocate disbursement of the funds according to the requirements in the bill. The moneys in the Fund will be distributed to the county where the human trafficking offense or offenses occurred. The county will allocate \$10,000, or \$2,500 if the offense for which the restitution was assessed was patronizing prostitution, toward local rehabilitation of human trafficking victims and \$2,500 toward local education programs for convicted human trafficking offenders and to increase the number of law enforcement officers to enforce human trafficking laws.

These provisions are similar to provisions in Perfected HCS HB 615 (2025).

CRIME VICTIMS' COMPENSATION FUND (SECTION 595.045)

Currently a fee of \$46 is payable to the Crime Victims' Compensation Fund by a person who pleads to or is found guilty of a Class C or D felony. This bill adds a class E felony to the list of offenses required to pay the \$46 fee.

These provisions are the same as provisions in SCS HSC SB 615 (2025).