

SECOND REGULAR SESSION

HOUSE BILL NO. 1907

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STEINMEYER.

5543H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 355, RSMo, by adding thereto one new section relating to the child protection through nonprofit integrity act, with penalty provisions and an emergency clause.

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

Section A. Chapter 355, RSMo, is amended by adding thereto one new section, to be known as section 355.1100, to read as follows:

355.1100. 1. This section shall be known and may be cited as the "Child Protection Through Nonprofit Integrity Act".

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

(1) "Child-serving organization", any nonprofit corporation, cooperative, unincorporated association, church, religious institution, charitable organization, youth program, camp, sports league, school-affiliated group, mentorship program, after-school program, child care program, community center, arts program, counseling program, or any entity registered with the secretary of state that provides services, programming, activities, or events in which minors participate, receive services, or are beneficiaries;

(2) "Covered individual", any incorporator, organizer, director, officer, employee, contractor, agent, advisor, mentor, coach, teacher, volunteer, or any individual who directly or indirectly participates in, influences, or has access to the operations, governance, or activities of a child-serving organization;

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.

15 **(3) "Disqualified offender", any individual required to register under sections**
16 **589.400 to 589.425 for any sexual offense involving a minor, including attempt,**
17 **conspiracy, or solicitation of such offenses.**

18 **3. No disqualified offender shall form, organize, operate, manage, advise,**
19 **volunteer with, work for, contract with, or otherwise participate in a child-serving**
20 **organization in any capacity. Such prohibition shall apply to in-person, remote, online,**
21 **intermittent, advisory, or informal participation.**

22 **4. No child-serving organization shall employ, appoint, elect, contract with, or**
23 **permit the participation of any disqualified offender as a covered individual.**

24 **5. The secretary of state shall require all child-serving organizations, upon**
25 **registration and annually thereafter, to file a certification under penalty of perjury**
26 **affirming that:**

27 **(1) No covered individual is a disqualified offender; and**

28 **(2) The organization has conducted a registry check of all covered individuals**
29 **through the Missouri sex offender registry established under section 589.400.**

30 **6. The secretary of state shall reject any filing, registration, or renewal that does**
31 **not contain the certification required under subsection 5 of this section. Knowingly**
32 **submitting a false certification shall be a class E felony.**

33 **7. Any disqualified offender who violates subsection 3 of this section shall be**
34 **guilty of a class D felony for a first offense and a class C felony for any subsequent**
35 **offense. A court shall not grant a suspended imposition of sentence for violations of this**
36 **subsection.**

37 **8. Any director, officer, pastor, supervisor, or person in authority within a child-**
38 **serving organization who knowingly permits a disqualified offender to participate in**
39 **violation of this section shall be guilty of a class E felony and shall be prohibited from**
40 **serving in any fiduciary, supervisory, or volunteer capacity in any child-serving**
41 **organization for a period of ten years.**

42 **9. The attorney general shall have concurrent jurisdiction to investigate**
43 **violations of this section and may:**

44 **(1) Seek civil penalties of up to fifty thousand dollars per violation;**

45 **(2) Institute proceedings to suspend or dissolve the entity if the violation was**
46 **knowing or repeated;**

47 **(3) Seek removal of any disqualified offender from the organization; or**

48 **(4) Seek injunctive relief to prevent future violations.**

49 **10. Any child-serving organization found to have knowingly violated this section**
50 **shall be ineligible for any state grant, tax credit, or public funding for a period of five**
51 **years following the finding of the violation.**

Section B. Because immediate action is necessary for the protection of minors from
2 sexual exploitation and constitutes a compelling governmental interest, section A of this act is
3 deemed necessary for the immediate preservation of the public health, welfare, peace, and
4 safety, and is hereby declared to be an emergency act within the meaning of the constitution,
5 and section A of this act shall be in full force and effect upon its passage and approval.

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