

SECOND REGULAR SESSION

# HOUSE BILL NO. 2526

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LAUBINGER.

6038H.01I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal sections 1.020, 9.372, 37.020, 37.735, 43.539, 43.540, 67.1660, 135.714, 160.410, 160.975, 161.223, 170.015, 173.831, 186.019, 191.1855, 211.425, 217.361, 221.097, 302.171, 303.425, 304.670, 324.203, 324.243, 333.151, 337.535, 337.739, 375.024, 375.936, 375.1402, 407.300, 443.863, 455.543, 566.200, 571.014, 571.101, 571.205, 589.407, 590.040, 590.650, 590.653, 595.201, 620.586, and 660.026, RSMo, and to enact in lieu thereof forty-three new sections relating to sex-related classifications.

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

Section A. Sections 1.020, 9.372, 37.020, 37.735, 43.539, 43.540, 67.1660, 135.714, 160.410, 160.975, 161.223, 170.015, 173.831, 186.019, 191.1855, 211.425, 217.361, 221.097, 302.171, 303.425, 304.670, 324.203, 324.243, 333.151, 337.535, 337.739, 375.024, 375.936, 375.1402, 407.300, 443.863, 455.543, 566.200, 571.014, 571.101, 571.205, 589.407, 590.040, 590.650, 590.653, 595.201, 620.586, and 660.026, RSMo, are repealed and forty-three new sections enacted in lieu thereof, to be known as sections 1.020, 9.372, 37.020, 37.735, 43.539, 43.540, 67.1660, 135.714, 160.410, 160.975, 161.223, 170.015, 173.831, 186.019, 191.1855, 211.425, 217.361, 221.097, 302.171, 303.425, 304.670, 324.203, 324.243, 333.151, 337.535, 337.739, 375.024, 375.936, 375.1402, 407.300, 443.863, 455.543, 566.200, 571.014, 571.101, 571.205, 589.407, 590.040, 590.650, 590.653, 595.201, 620.586, and 660.026, to read as follows:

- 1.020. As used in the statutory laws of this state, unless otherwise specially provided or unless plainly repugnant to the intent of the legislature or to the context thereof:
- (1) **"Boy" means a minor human male;**

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.

4       (2) "Certified mail" or "certified mail with return receipt requested", includes  
5 certified mail carried by the United States Postal Service, or any parcel or letter carried by an  
6 overnight, express, or ground delivery service that allows a sender or recipient to  
7 electronically track its location and provides record of the signature of the recipient;

8       ~~[(2)]~~ (3) "County or circuit attorney" means prosecuting attorney;

9       ~~[(3)]~~ (4) "Executor" includes administrator where the subject matter applies to an  
10 administrator;

11       ~~[(4)]~~ (5) "Father" means a male parent;

12       (6) "Female" means an individual who naturally has, had, will have, or would  
13 have, but for a congenital anomaly or intentional or unintentional disruption, the  
14 reproductive system that at some point produces, transports, and utilizes eggs for  
15 fertilization;

16       (7) "Gender identity", if used in state law, administrative rules, or guidelines,  
17 shall not be considered a synonym or substitute for "sex" or "gender";

18       (8) "General election" means the election required to be held on the Tuesday  
19 succeeding the first Monday of November, biennially;

20       ~~[(5)]~~ (9) "Girl" means a minor human female;

21       (10) "Guardian", if used in a section in a context relating to property rights or  
22 obligations, means conservator of the estate as defined in chapter 475. "Guardianship", if  
23 used in a section in a context relating to rights and obligations other than property rights or  
24 obligations, means guardian of the person as defined in chapter 475;

25       ~~[(6)]~~ (11) "Handicap" means a mental or physical impairment that substantially limits  
26 one or more major life activities, whether the impairment is congenital or acquired by  
27 accident, injury, or disease, and where the impairment is verified by medical findings;

28       ~~[(7)]~~ (12) "Heretofore" means any time previous to the day when the statute  
29 containing it takes effect; and "hereafter" means the time after the statute containing it takes  
30 effect;

31       ~~[(8)]~~ (13) "In vacation" includes any adjournment of court for more than one day  
32 whenever any act is authorized to be done by or any power given to a court, or judge thereof  
33 in vacation, or whenever any act is authorized to be done by or any power given to a clerk of  
34 any court in vacation;

35       ~~[(9)]~~ (14) "Incompetent", if used in a section in a context relating to actual  
36 occupational ability without reference to a court adjudication of incompetency, means the  
37 actual ability of a person to perform in that occupation. "Incompetent", if used in a section in  
38 a context relating to the property rights and obligations of a person, means a disabled person  
39 as defined in chapter 475. "Incompetent", if used in a section in a context relating to the

40 rights and obligations of a person other than property rights and obligations, means an  
41 incapacitated person as defined in chapter 475;

42 ~~[(10)]~~ **(15) "Justice of the county court" means commissioner of the county**  
43 **commission;**

44 ~~[(11)]~~ **(16) "Male" means an individual who naturally has, had, will have, or**  
45 **would have, but for a congenital anomaly or intentional or unintentional disruption, the**  
46 **reproductive system that at some point produces, transports, and utilizes sperm for**  
47 **fertilization;**

48 **(17) "Man" means an adult human male;**

49 **(18) "Month" and "year". "Month" means a calendar month, and "year" means a**  
50 **calendar year unless otherwise expressed, and is equivalent to the words year of our Lord;**

51 ~~[(12)]~~ **(19) "Mother" means a female parent;**

52 **(20) The word "person" may extend and be applied to bodies politic and corporate,**  
53 **and to partnerships and other unincorporated associations;**

54 ~~[(13)]~~ **(21) "Personal property" includes money, goods, chattels, things in action and**  
55 **evidences of debt;**

56 ~~[(14)]~~ **(22) "Place of residence" means the place where the family of any person**  
57 **permanently resides in this state, and the place where any person having no family generally**  
58 **lodges;**

59 ~~[(15)]~~ **(23) "Preceding" and "following", when used by way of reference to any**  
60 **section of the statutes, mean the section next preceding or next following that in which the**  
61 **reference is made, unless some other section is expressly designated in the reference;**

62 ~~[(16)]~~ **(24) "Property" includes real and personal property;**

63 ~~[(17)]~~ **(25) "Real property" or "premises" or "real estate" or "lands" is coextensive**  
64 **with lands, tenements and hereditaments;**

65 ~~[(18)]~~ **(26) "Sex", if used to classify or describe a natural person, means the state**  
66 **of being either male or female as observed or clinically verified at birth. The term "sex"**  
67 **shall be interpreted in accordance with the following provisions:**

68 **(a) There are only two sexes, and every individual is either male or female;**

69 **(b) Individuals with congenital and medically verifiable DSD conditions,**  
70 **sometimes referred to as differences in sex development, disorders in sex development,**  
71 **or intersex conditions, are not members of a third sex and shall be accommodated**  
72 **consistent with state and federal law; and**

73 **(c) The term "sex" does not include "gender identity" or any other term**  
74 **intended to convey a person's subjective sense of self. "Gender identity" and other**  
75 **subjective terms shall not be considered synonyms or substitutes for "sex";**

76           (27) "State", when applied to any of the United States, includes the District of  
77 Columbia and the territories, and the words "United States" includes such district and  
78 territories;

79           ~~[(19)]~~ (28) "Under legal disability" includes persons within the age of minority or of  
80 unsound mind or imprisoned;

81           ~~[(20)]~~ (29) "Ward", if used in a section in a context relating to the property rights and  
82 obligations of a person, means a protectee as defined in chapter 475. "Ward", if used in a  
83 section in a context relating to the rights and obligations of a person other than property rights  
84 and obligations, means a ward as defined in chapter 475;

85           ~~[(21)]~~ (30) "Will" includes the words testament and codicil;

86           ~~[(22)]~~ (31) **"Woman" means an adult human female;**

87           (32) "Written" and "in writing" and "writing word for word" includes printing,  
88 lithographing, or other mode of representing words and letters, but in all cases where the  
89 signature of any person is required, the proper handwriting of the person, or his mark, is  
90 intended.

          9.372. The third Saturday of October of each year is hereby designated as "Domestic  
2 Violence Awareness Day" in Missouri. The citizens of this state are encouraged to participate  
3 in appropriate events and activities to bring awareness to domestic violence and its impacts on  
4 individuals regardless of race, ethnicity, ~~[gender]~~ sex, religion, or socioeconomic status.

          37.020. 1. As used in this section, the following words and phrases mean:

2           (1) "Certification", the determination, through whatever procedure is used by the  
3 office of administration, that a legal entity is a socially and economically disadvantaged small  
4 business concern for purposes of this section;

5           (2) "Department", the office of administration and any public institution of higher  
6 learning in the state of Missouri;

7           (3) "Minority business enterprise", a business that is:

8           (a) A sole proprietorship owned and controlled by a minority;

9           (b) A partnership or joint venture owned and controlled by minorities in which at  
10 least fifty-one percent of the ownership interest is held by minorities and the management and  
11 daily business operations of which are controlled by one or more of the minorities who own  
12 it; or

13           (c) A corporation or other entity whose management and daily business operations  
14 are controlled by one or more minorities who own it, and which is at least fifty-one percent  
15 owned by one or more minorities, or if stock is issued, at least fifty-one percent of the stock is  
16 owned by one or more minorities;

17           (4) "Socially and economically disadvantaged individuals", individuals, regardless of  
18 ~~[gender]~~ sex, who have been subjected to racial, ethnic, or sexual prejudice or cultural bias

19 because of their identity as a member of a group without regard to their individual qualities  
20 and whose ability to compete in the free enterprise system has been impaired due to  
21 diminished capital and credit opportunities as compared to others in the same business area.  
22 In determining the degree of diminished credit and capital opportunities the office of  
23 administration shall consider, but not be limited to, the assets and net worth of such  
24 individual;

25 (5) "Socially and economically disadvantaged small business concern", any small  
26 business concern:

27 (a) Which is at least fifty-one percentum owned by one or more socially and  
28 economically disadvantaged individuals; or, in the case of any publicly owned business, at  
29 least fifty-one percentum of the stock of which is owned by one or more socially and  
30 economically disadvantaged individuals; and

31 (b) Whose management and daily business operations are controlled by one or more  
32 of such individuals;

33 (6) "Women's business enterprise", a business that is:

34 (a) A sole proprietorship owned and controlled by a woman;

35 (b) A partnership or joint venture owned and controlled by women in which at least  
36 fifty-one percent of the ownership interest is held by women and the management and daily  
37 business operations of which are controlled by one or more of the women who own it; or

38 (c) A corporation or other entity whose management and daily business operations  
39 are controlled by one or more women who own it, and which is at least fifty-one percent  
40 owned by women, or if stock is issued, at least fifty-one percent of the stock is owned by one  
41 or more women.

42 2. The office of administration, in consultation with each department, shall establish  
43 and implement a plan to increase and maintain the participation of certified socially and  
44 economically disadvantaged small business concerns or minority business enterprises,  
45 directly or indirectly, in contracts for supplies, services, and construction contracts, consistent  
46 with goals determined after an appropriate study conducted to determine the availability of  
47 socially and economically disadvantaged small business concerns and minority business  
48 enterprises in the marketplace. The commissioner of administration shall appoint an  
49 oversight review committee to oversee and review the results of such study. The committee  
50 shall be composed of nine members, four of whom shall be members of business, three of  
51 whom shall be from staff of selected departments, one of whom shall be a member of the  
52 house of representatives, and one of whom shall be a member of the senate.

53 3. The goals to be pursued by each department under the provisions of this section  
54 shall be construed to overlap with those imposed by federal law or regulation, if any, shall run  
55 concurrently therewith and shall be in addition to the amount required by federal law only to

56 the extent the percentage set by this section exceeds those required by federal law or  
57 regulations.

58 4. The commissioner of administration may designate a nonprofit organization as a  
59 minority business enterprise or women's business enterprise for the exclusive purpose of  
60 competing in other states, provided that the organization is headquartered in Missouri and the  
61 collective majority of the organization's board of directors and executive management in  
62 charge of daily business operations are minorities or women.

37.735. 1. The "Governor's Council on Disability" is hereby assigned to the office of  
2 administration.

3 2. The council shall consist of a chairperson, twenty members, and an executive  
4 director.

5 3. The chairperson shall be appointed by the governor with the advice and consent of  
6 the senate. The members of the council shall be appointed by the governor. Recruitment and  
7 appointment of members to the council shall provide for representation of various ethnic, age,  
8 ~~[gender]~~ sex, and physical and mental disability groups.

9 4. The funds necessary for the executive director and such other personnel as  
10 necessary shall be appropriated through the office of administration. The executive director  
11 shall serve under the supervision of the committee chairman. The executive director shall be  
12 exempted from the state merit system.

13 5. All members shall be appointed for four-year terms. Vacancies occurring in the  
14 membership of the council for any reason shall be filled by appointment by the governor for  
15 the unexpired term. Upon expiration of their terms, members of the council shall continue to  
16 hold office until the appointment and qualification of their successors. No person shall be  
17 appointed for more than two consecutive terms, except that a person appointed to fill a  
18 vacancy may serve for two additional successive terms. The governor may remove a member  
19 for cause.

20 6. Members of the council shall be chosen to meet the following criteria:

21 (1) The majority of the council shall be comprised of people with disabilities,  
22 representing the various disability groups. The remaining positions shall be filled by family  
23 members of people with disabilities, persons who represent other disability-related groups,  
24 and other advocates. A person considered to have a disability shall meet the federal definition  
25 of disability as defined by P.L. 101-336;

26 (2) The council shall include at least one member from each congressional district;

27 (3) Members of the council shall be knowledgeable about disability-related issues and  
28 have demonstrated a commitment to full participation of people with disabilities in all aspects  
29 of community life.

30           7. The chairperson of the council shall serve without compensation but shall be  
31 reimbursed for actual and necessary travel and other expenses incurred in the performance of  
32 the duties as chairperson of the council on disability. The members of the council shall serve  
33 without compensation but may be reimbursed for their actual and necessary expenses  
34 incurred in attending all meetings provided for by sections 37.735 to 37.745.

35           8. The council shall meet at least once each calendar quarter to conduct its business.  
36 The executive director shall give notice to each member of the time and place of each meeting  
37 of the council at least ten days before the scheduled date of the meeting, and notice of any  
38 special meeting shall state the specific matters to be considered in the special meeting which  
39 is not a regular quarterly meeting.

40           9. The chairperson, with the advice and consent of the council, shall appoint an  
41 executive director who shall serve as a nonvoting member and executive officer of the  
42 council. The executive director shall serve under the supervision of the chairperson of the  
43 council. The executive director shall be a person who is knowledgeable about disability-  
44 related issues and has demonstrated a commitment to full participation of people with  
45 disabilities in all aspects of community life.

46           10. The director of each state department shall designate at least one employee who  
47 shall act as a liaison with the council.

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

- 2           (1) "Applicant", a person who:  
3           (a) Is actively employed by or seeks employment with a qualified entity;  
4           (b) Is actively licensed or seeks licensure with a qualified entity;  
5           (c) Actively volunteers or seeks to volunteer with a qualified entity;  
6           (d) Is actively contracted with or seeks to contract with a qualified entity; or  
7           (e) Owns or operates a qualified entity;  
8           (2) "Care", the provision of care, treatment, education, training, instruction,  
9 supervision, or recreation to children, the elderly, or disabled persons;  
10           (3) "Missouri criminal record review", a review of criminal history records and sex  
11 offender registration records under sections 589.400 to 589.425 maintained by the Missouri  
12 state highway patrol in the Missouri criminal records repository;  
13           (4) "Missouri Rap Back program", any type of automatic notification made by the  
14 Missouri state highway patrol to a qualified entity indicating that an applicant who is  
15 employed, licensed, or otherwise under the purview of that entity has been arrested for a  
16 reported criminal offense in Missouri as required under section 43.506;  
17           (5) "National criminal record review", a review of the criminal history records  
18 maintained by the Federal Bureau of Investigation;

19 (6) "National Rap Back program", any type of automatic notification made by the  
20 Federal Bureau of Investigation through the Missouri state highway patrol to a qualified  
21 entity indicating that an applicant who is employed, licensed, or otherwise under the purview  
22 of that entity has been arrested for a reported criminal offense outside the state of Missouri  
23 and the fingerprints for that arrest were forwarded to the Federal Bureau of Investigation by  
24 the arresting agency;

25 (7) "Patient or resident", a person who by reason of age, illness, disease, or physical  
26 or mental infirmity receives or requires care or services furnished by an applicant, as defined  
27 in this section, or who resides or boards in, or is otherwise kept, cared for, treated, or  
28 accommodated in a facility as defined in section 198.006, for a period exceeding twenty-four  
29 consecutive hours;

30 (8) "Qualified entity", a person, business, or organization that provides care, care  
31 placement, or educational services for children, the elderly, or persons with disabilities as  
32 patients or residents, including a business or organization that licenses or certifies others to  
33 provide care or care placement services;

34 (9) "Youth services agency", any agency, school, or association that provides  
35 programs, care, or treatment for or exercises supervision over minors.

36 2. The central repository shall have the authority to submit applicant fingerprints to  
37 the National Rap Back program to be retained for the purpose of being searched against future  
38 submissions to the National Rap Back program, including latent fingerprint searches.  
39 Qualified entities may conduct Missouri and national criminal record reviews on applicants  
40 and participate in Missouri and National Rap Back programs for the purpose of determining  
41 suitability or fitness for a permit, license, or employment, and shall abide by the following  
42 requirements:

43 (1) The qualified entity shall register with the Missouri state highway patrol prior to  
44 submitting a request for screening under this section. As part of the registration, the qualified  
45 entity shall indicate if it chooses to enroll applicants in the Missouri and National Rap Back  
46 programs;

47 (2) Qualified entities shall notify applicants subject to a criminal record review under  
48 this section that the applicant's fingerprints shall be retained by the state central repository and  
49 the Federal Bureau of Investigation and shall be searched against other fingerprints on file,  
50 including latent fingerprints;

51 (3) Qualified entities shall notify applicants subject to enrollment in the National Rap  
52 Back program that the applicant's fingerprints, while retained, may continue to be compared  
53 against other fingerprints submitted or retained by the Federal Bureau of Investigation,  
54 including latent fingerprints;



55 (4) The criminal record review and Rap Back process described in this section shall  
56 be voluntary and conform to the requirements established in the National Child Protection  
57 Act of 1993, as amended, and other applicable state or federal law. As a part of the  
58 registration, the qualified entity shall agree to comply with state and federal law and shall  
59 indicate so by signing an agreement approved by the Missouri state highway patrol. The  
60 Missouri state highway patrol may periodically audit qualified entities to ensure compliance  
61 with federal law and this section;

62 (5) A qualified entity shall submit to the Missouri state highway patrol a request for  
63 screening on applicants covered under this section using a completed fingerprint card;

64 (6) Each request shall be accompanied by a reasonable fee, as provided in section  
65 43.530, plus the amount required, if any, by the Federal Bureau of Investigation for the  
66 national criminal record review and enrollment in the National Rap Back program in  
67 compliance with the National Child Protection Act of 1993, as amended, and other applicable  
68 state or federal laws;

69 (7) The Missouri state highway patrol shall provide, directly to the qualified entity,  
70 the applicant's state criminal history records that are not exempt from disclosure under  
71 chapter 610 or otherwise confidential under law;

72 (8) The national criminal history data shall be available to qualified entities to use  
73 only for the purpose of screening applicants as described under this section. The Missouri  
74 state highway patrol shall provide the applicant's national criminal history record information  
75 directly to the qualified entity;

76 (9) The determination whether the criminal history record shows that the applicant  
77 has been convicted of or has a pending charge for any crime that bears upon the fitness of the  
78 applicant to have responsibility for the safety and well-being of children, the elderly, or  
79 disabled persons shall be made solely by the qualified entity. This section shall not require  
80 the Missouri state highway patrol to make such a determination on behalf of any qualified  
81 entity;

82 (10) The qualified entity shall notify the applicant, in writing, of his or her right to  
83 obtain a copy of any criminal record review, including the criminal history records, if any,  
84 contained in the report and of the applicant's right to challenge the accuracy and completeness  
85 of any information contained in any such report and obtain a determination as to the validity  
86 of such challenge before a final determination regarding the applicant is made by the qualified  
87 entity reviewing the criminal history information. A qualified entity that is required by law to  
88 apply screening criteria, including any right to contest or request an exemption from  
89 disqualification, shall apply such screening criteria to the state and national criminal history  
90 record information received from the Missouri state highway patrol for those applicants  
91 subject to the required screening; and

92 (11) Failure to obtain the information authorized under this section, with respect to an  
93 applicant, shall not be used as evidence in any negligence action against a qualified entity.  
94 The state, any political subdivision of the state, or any agency, officer, or employee of the  
95 state or a political subdivision shall not be liable for damages for providing the information  
96 requested under this section.

97 3. The criminal record review shall include the submission of fingerprints to the  
98 Missouri state highway patrol, who shall conduct a Missouri criminal record review,  
99 including closed record information under section 610.120. The Missouri state highway  
100 patrol shall also forward a copy of the applicant's fingerprints to the Federal Bureau of  
101 Investigation for a national criminal record review.

102 4. The applicant subject to a criminal record review shall provide the following  
103 information to the qualified entity:

104 (1) Consent to obtain the applicant's fingerprints, conduct the criminal record review,  
105 and participate in the Missouri and National Rap Back programs;

106 (2) Consent to obtain the identifying information required to conduct the criminal  
107 record review, which may include, but not be limited to:

- 108 (a) Name;
- 109 (b) Date of birth;
- 110 (c) Height;
- 111 (d) Weight;
- 112 (e) Eye color;
- 113 (f) Hair color;
- 114 (g) ~~[Gender]~~ Sex;
- 115 (h) Race;
- 116 (i) Place of birth;
- 117 (j) Social Security number; and
- 118 (k) The applicant's photo.

119 5. Any information received by an authorized state agency or a qualified entity under  
120 the provisions of this section shall be used solely for internal purposes in determining the  
121 suitability of an applicant. The dissemination of criminal history information from the  
122 Federal Bureau of Investigation beyond the authorized state agency or related governmental  
123 entity is prohibited. All criminal record check information shall be confidential, and any  
124 person who discloses the information beyond the scope allowed is guilty of a class A  
125 misdemeanor.

126 6. A qualified entity enrolled in either the Missouri or National Rap Back program  
127 shall be notified by the Missouri state highway patrol that a new arrest has been reported on  
128 an applicant who is employed, licensed, or otherwise under the purview of the qualified

129 entity. Upon receiving the Rap Back notification, if the qualified entity deems that the  
130 applicant is still serving in an active capacity, the entity may request and receive the  
131 individual's updated criminal history record. This process shall only occur if:

132 (1) The entity has abided by all procedures and rules promulgated by the Missouri  
133 state highway patrol and Federal Bureau of Investigation regarding the Missouri and National  
134 Rap Back programs;

135 (2) The individual upon whom the Rap Back notification is being made has  
136 previously had a Missouri and national criminal record review completed for the qualified  
137 entity under this section; and

138 (3) The individual upon whom the Rap Back notification is being made is a current  
139 employee, licensee, or otherwise still actively under the purview of the qualified entity.

140 7. The Missouri state highway patrol shall make available or approve the necessary  
141 forms, procedures, and agreements necessary to implement the provisions of this section.

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

2 (1) "Applicant", a person who:

3 (a) Is actively employed by or seeks employment with a qualified entity;

4 (b) Is actively licensed or seeks licensure with a qualified entity;

5 (c) Actively volunteers or seeks to volunteer with a qualified entity; or

6 (d) Is actively contracted with or seeks to contract with a qualified entity;

7 (2) "Missouri criminal record review", a review of criminal history records and sex  
8 offender registration records pursuant to sections 589.400 to 589.425 maintained by the  
9 Missouri state highway patrol in the Missouri criminal records repository;

10 (3) "Missouri Rap Back program", shall include any type of automatic notification  
11 made by the Missouri state highway patrol to a qualified entity indicating that an applicant  
12 who is employed, licensed, or otherwise under the purview of that entity has been arrested for  
13 a reported criminal offense in Missouri as required under section 43.506;

14 (4) "National criminal record review", a review of the criminal history records  
15 maintained by the Federal Bureau of Investigation;

16 (5) "National Rap Back program", shall include any type of automatic notification  
17 made by the Federal Bureau of Investigation through the Missouri state highway patrol to a  
18 qualified entity indicating that an applicant who is employed, licensed, or otherwise under the  
19 purview of that entity has been arrested for a reported criminal offense outside the state of  
20 Missouri and the fingerprints for that arrest were forwarded to the Federal Bureau of  
21 Investigation by the arresting agency;

22 (6) "Qualified entity", an entity that is:

23 (a) An office or division of state, county, or municipal government, including a  
24 political subdivision or a board or commission designated by statute or approved local  
25 ordinance, to issue or renew a license, permit, certification, or registration of authority;

26 (b) An office or division of state, county, or municipal government, including a  
27 political subdivision or a board or commission designated by statute or approved local  
28 ordinance, to make fitness determinations on applications for state, county, or municipal  
29 government employment; or

30 (c) Any entity that is authorized to obtain criminal history record information under  
31 28 CFR 20.33.

32 2. The central repository shall have the authority to submit applicant fingerprints to  
33 the National Rap Back program to be retained for the purpose of being searched against future  
34 submissions to the National Rap Back program, including latent fingerprint searches.  
35 Qualified entities may conduct Missouri and national criminal record reviews on applicants  
36 and participate in Missouri and National Rap Back programs for the purpose of determining  
37 suitability or fitness for a permit, license, or employment, and shall abide by the following  
38 requirements:

39 (1) The qualified entity shall register with the Missouri state highway patrol prior to  
40 submitting a request for screening under this section. As part of such registration, the  
41 qualified entity shall indicate if it chooses to enroll their applicants in the Missouri and  
42 National Rap Back programs;

43 (2) Qualified entities shall notify applicants subject to a criminal record review under  
44 this section that the applicant's fingerprints shall be retained by the state central repository and  
45 the Federal Bureau of Investigation and shall be searched against other fingerprints on file,  
46 including latent fingerprints;

47 (3) Qualified entities shall notify applicants subject to enrollment in the National Rap  
48 Back program that the applicant's fingerprints, while retained, may continue to be compared  
49 against other fingerprints submitted or retained by the Federal Bureau of Investigation,  
50 including latent fingerprints;

51 (4) The criminal record review and Rap Back process described in this section shall  
52 be voluntary and conform to the requirements established in Pub. L. 92-544 and other  
53 applicable state or federal law. As a part of the registration, the qualified entity shall agree to  
54 comply with state and federal law and shall indicate so by signing an agreement approved by  
55 the Missouri state highway patrol. The Missouri state highway patrol may periodically audit  
56 qualified entities to ensure compliance with federal law and this section;

57 (5) A qualified entity shall submit to the Missouri state highway patrol a request for  
58 screening on applicants covered under this section using a completed fingerprint card;

59 (6) Each request shall be accompanied by a reasonable fee, as provided in section  
60 43.530, plus the amount required, if any, by the Federal Bureau of Investigation for the  
61 national criminal record review and enrollment in the National Rap Back program in  
62 compliance with applicable state or federal laws;

63 (7) The Missouri state highway patrol shall provide, directly to the qualified entity,  
64 the applicant's state criminal history records that are not exempt from disclosure under  
65 chapter 610 or are otherwise confidential under law;

66 (8) The national criminal history data shall be available to qualified entities to use  
67 only for the purpose of screening applicants as described under this section. The Missouri  
68 state highway patrol shall provide the applicant's national criminal history record information  
69 directly to the qualified entity;

70 (9) This section shall not require the Missouri state highway patrol to make an  
71 eligibility determination on behalf of any qualified entity;

72 (10) The qualified entity shall notify the applicant, in writing, of his or her right to  
73 obtain a copy of any criminal record review, including the criminal history records, if any,  
74 contained in the report, and of the applicant's right to challenge the accuracy and  
75 completeness of any information contained in any such report and to obtain a determination  
76 as to the validity of such challenge before a final determination regarding the applicant is  
77 made by the qualified entity reviewing the criminal history information. A qualified entity  
78 that is required by law to apply screening criteria, including any right to contest or request an  
79 exemption from disqualification, shall apply such screening criteria to the state and national  
80 criminal history record information received from the Missouri state highway patrol for those  
81 applicants subject to the required screening; and

82 (11) Failure to obtain the information authorized under this section with respect to an  
83 applicant shall not be used as evidence in any negligence action against a qualified entity.  
84 The state, any political subdivision of the state, or any agency, officer, or employee of the  
85 state or a political subdivision shall not be liable for damages for providing the information  
86 requested under this section.

87 3. The criminal record review shall include the submission of fingerprints to the  
88 Missouri state highway patrol, who shall conduct a Missouri criminal record review,  
89 including closed record information under section 610.120. The Missouri state highway  
90 patrol shall also forward a copy of the applicant's fingerprints to the Federal Bureau of  
91 Investigation for a national criminal record review.

92 4. The applicant subject to a criminal record review shall provide the following  
93 information to the qualified entity:

94 (1) Consent to obtain the applicant's fingerprints, conduct the criminal record review,  
95 and participate in the Missouri and National Rap Back programs;

96           (2) Consent to obtain the identifying information required to conduct the criminal  
97 record review, which may include, but not be limited to:

- 98           (a) Name;
- 99           (b) Date of birth;
- 100           (c) Height;
- 101           (d) Weight;
- 102           (e) Eye color;
- 103           (f) Hair color;
- 104           (g) ~~[Gender]~~ Sex;
- 105           (h) Race;
- 106           (i) Place of birth;
- 107           (j) Social Security number; and
- 108           (k) The applicant's photo.

109           5. Any information received by an authorized state agency or a qualified entity  
110 pursuant to the provisions of this section shall be used solely for internal purposes in  
111 determining the suitability of an applicant. The dissemination of criminal history information  
112 from the Federal Bureau of Investigation beyond the authorized state agency or related  
113 governmental entity is prohibited. All criminal record check information shall be confidential  
114 and any person who discloses the information beyond the scope allowed is guilty of a class A  
115 misdemeanor.

116           6. A qualified entity enrolled in either the Missouri or National Rap Back programs  
117 shall be notified by the Missouri state highway patrol that a new arrest has been reported on  
118 an applicant who is employed, licensed, or otherwise under the purview of the qualified  
119 entity. Upon receiving the Rap Back notification, if the qualified entity deems that the  
120 applicant is still serving in an active capacity, the entity may request and receive the  
121 individual's updated criminal history record. This process shall only occur if:

122           (1) The agency has abided by all procedures and rules promulgated by the Missouri  
123 state highway patrol and Federal Bureau of Investigation regarding the Missouri and National  
124 Rap Back programs;

125           (2) The individual upon whom the Rap Back notification is being made has  
126 previously had a Missouri and national criminal record review completed for the qualified  
127 entity under this section; and

128           (3) The individual upon whom the Rap Back notification is being made is a current  
129 employee, licensee, or otherwise still actively under the purview of the qualified entity.

130           7. The highway patrol shall make available or approve the necessary forms,  
131 procedures, and agreements necessary to implement the provisions of this section.

67.1660. 1. No provision of sections 67.1600 to 67.1663 and no procedure, regulation, or bylaw of a governing commission and program created pursuant to the provisions of sections 67.1600 to 67.1663 shall abridge a member's right to forfeit the registration fee and guarantee and withdraw from the program at any time and sell the guaranteed residence in any legal manner he or she sees fit.

2. No provision of sections 67.1600 to 67.1663 or any procedure, regulation, or bylaw of a governing commission and program created pursuant to the provisions of sections 67.1600 to 67.1663 is intended as, and none shall be used as, a means of discriminating against any individual on the basis of ethnic background, ~~[gender]~~ sex, race or religion.

135.714. 1. Each educational assistance organization shall:

(1) Notify the state treasurer of such organization's intent to provide scholarship accounts to qualified students;

(2) Demonstrate to the state treasurer that such organization is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended;

(3) Provide a state treasurer-approved receipt to taxpayers for contributions made to the organization;

(4) Ensure that grants are distributed to scholarship accounts of qualified students in the following order:

(a) Qualified students who received a scholarship grant in the previous school year;

(b) Qualified students who are siblings of qualified students who will receive a scholarship grant in the current school year;

(c) Qualified students that have an approved "individualized education plan" (IEP) developed under the federal Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Section 1400, et seq., as amended, or who have been diagnosed with dyslexia, as the term "dyslexia" is defined in section 633.420;

(d) Qualified students who are eligible for free lunch as approved by the department of elementary and secondary education in accordance with federal regulations and who reside in an unaccredited or provisionally accredited school district;

(e) Qualified students who are eligible for reduced price lunch as approved by the department of elementary and secondary education in accordance with federal regulations and who reside in an unaccredited or provisionally accredited school district;

(f) Qualified students who are eligible for free lunch as approved by the department of elementary and secondary education in accordance with federal regulations;

(g) Qualified students who are eligible for reduced price lunch as approved by the department of elementary and secondary education in accordance with federal regulations;

(h) Qualified students who are active duty military dependents who have relocated to Missouri and are enrolling in a school in the state for the first time; and

- 29 (i) All other qualified students;
- 30 (5) Ensure that:
- 31 (a) One hundred percent of such organization's revenues from interest or investments
- 32 is spent on scholarship accounts;
- 33 (b) At least ninety percent of such organization's revenues from qualifying
- 34 contributions is spent on scholarship accounts; and
- 35 (c) Marketing and administrative expenses do not exceed the following limits of such
- 36 organization's remaining revenue from contributions:
- 37 a. Ten percent for the first two hundred fifty thousand dollars;
- 38 b. Eight percent for the next five hundred thousand dollars; and
- 39 c. Three percent thereafter;
- 40 (6) (a) Distribute scholarship account payments either four times per year or in a
- 41 single lump sum at the beginning of the year as requested by the parent of a qualified student,
- 42 based on the state adequacy target as defined in section 163.011 and calculated by the
- 43 department of elementary and secondary education, subject to the following total grant
- 44 amount limits:
- 45 a. For a qualified student who meets the criteria to be included in a school district's
- 46 limited English proficiency pupil count as set forth in subdivision (8) of section 163.011, not
- 47 more than one hundred sixty percent of the state adequacy target;
- 48 b. For a qualified student who is eligible for free or reduced price lunch as approved
- 49 by the department of elementary and secondary education in accordance with federal
- 50 regulations, not more than one hundred twenty-five percent of the state adequacy target;
- 51 c. For a qualified student who has an approved individualized education plan
- 52 developed under the federal Individuals with Disabilities Education Act (IDEA), 20 U.S.C.
- 53 Section 1400, et seq., as amended, not more than one hundred seventy-five percent of the
- 54 state adequacy target; and
- 55 d. For all other qualified students, not more than the state adequacy target;
- 56 (b) Scholarship account payments distributed under this subdivision shall be in the
- 57 form of a deposit into the scholarship account of the qualified student;
- 58 (7) Provide the state treasurer, upon request, with criminal background checks on all
- 59 such organization's employees and board members and exclude from employment or
- 60 governance any individual who might reasonably pose a risk to the appropriate use of
- 61 contributed funds;
- 62 (8) Demonstrate such organization's financial accountability by:
- 63 (a) Submitting to the state treasurer annual audit financial statements by a certified
- 64 public accountant within six months of the end of the educational assistance organization's
- 65 fiscal year; and



66 (b) Having an auditor certify that the report is free of material misstatements; and

67 (9) Ensure that participating students take the state achievement tests or nationally  
68 norm-referenced tests that measure learning gains in math and English language arts, and  
69 provide for value-added assessment, in grades that require testing under the statewide  
70 assessment system set forth in section 160.518;

71 (10) Allow costs of the testing requirements to be covered by the scholarships  
72 distributed by the educational assistance organization;

73 (11) Provide the parents of each student who was tested with a copy of the results of  
74 the tests on an annual basis, beginning with the first year of testing;

75 (12) Provide the test results to the state treasurer, the department of elementary and  
76 secondary education, and the board established in section 135.715 on an annual basis,  
77 beginning with the first year of testing;

78 (13) Report student information that would allow the state treasurer, the department  
79 of elementary and secondary education, and the board established in section 135.715 to  
80 aggregate data by grade level, ~~[gender]~~ sex, family income level, and race;

81 (14) Provide rates of high school graduation, college attendance, and college  
82 graduation for participating students to the state treasurer, the department of elementary and  
83 secondary education, and the board established in section 135.715 in a manner consistent with  
84 nationally recognized standards;

85 (15) Provide to the state treasurer, the department of elementary and secondary  
86 education, and the board established in section 135.715 the results from an annual parental  
87 satisfaction survey, including information about the number of years that the parent's child  
88 has participated in the scholarship program. The annual satisfaction survey shall ask parents  
89 of scholarship students to express:

90 (a) Their level of satisfaction with the child's academic achievement, including  
91 academic achievement at the schools the child attends through the scholarship program versus  
92 academic achievement at the school previously attended;

93 (b) Their level of satisfaction with school safety at the schools the child attends  
94 through the scholarship program versus safety at the schools previously attended;

95 (16) Demonstrate such organization's financial viability, if such organization is to  
96 receive donations of fifty thousand dollars or more during the school year, by filing with the  
97 state treasurer before the start of the school year a surety bond payable to the state in an  
98 amount equal to the aggregate amount of contributions expected to be received during the  
99 school year or other financial information that demonstrates the financial viability of the  
100 educational assistance organization.

101 2. The annual audit required under this section shall include:

102 (1) The name and address of the educational assistance organization;

103           (2) The name and address of each qualified student for whom a parent opened a  
104 scholarship account with the organization;

105           (3) The total number and total dollar amount of contributions received during the  
106 previous calendar year; and

107           (4) The total number and total dollar amount of scholarship accounts opened during  
108 the previous calendar year.

109           3. The state treasurer shall:

110           (1) Ensure compliance with all student privacy laws for data in the state treasurer's  
111 possession;

112           (2) Collect all test results;

113           (3) Provide the test results and associated learning gains to the public via a state  
114 website after the third year of test and test-related data collection. The findings shall be  
115 aggregated by the students' grade level, ~~[gender]~~ sex, family income level, number of years of  
116 participation in the scholarship program, and race; and

117           (4) Provide graduation rates to the public via a state website after the third year of test  
118 and test-related data collection.

119           4. The state treasurer shall cause the following information to be posted on the state  
120 treasurer's website annually, provided that no personally identifiable information of any  
121 student is released:

122           (1) The number of students who have been awarded a scholarship to date and the  
123 number of students who have been awarded a scholarship in the current school year;

124           (2) The number of scholarship recipients enrolled in each qualified school, along with  
125 the number of recipients who qualify for free and reduced price lunch and the number of  
126 recipients who receive special education services and the type of special education services  
127 received. Such information shall be broken down by school year and the total to date;

128           (3) The total number of scholarship recipients who are eligible for free and reduced  
129 price lunch as approved by the department of elementary and secondary education in  
130 accordance with federal guidelines, broken down by school year and the total to date;

131           (4) The total number of scholarship recipients who have an individualized education  
132 plan (IEP) developed under the federal Individuals with Disabilities Education Act, 20 U.S.C.  
133 Section 1400, et seq., as amended, broken down by school year and the total to date;

134           (5) The number of scholarship recipients who have received a grant from each  
135 educational assistance organization, broken down by school year and the total to date;

136           (6) The student test scores required to be posted online pursuant to subdivision (3) of  
137 subsection 3 of this section;

138           (7) The results of the parent satisfaction survey required annually pursuant to  
139 subdivision (15) of subsection 1 of this section;

140 (8) The average dollar amount of a scholarship grant for all students who participate  
141 in the program;

142 (9) The average dollar amount of a scholarship grant for all students who participate  
143 in the program and who have an IEP;

144 (10) The average duration of a student's participation in the program;

145 (11) The number of students who are in their first year of participation in the  
146 program;

147 (12) A list of the educational assistance organizations that make contributions to the  
148 empowerment scholarship accounts of students enrolled in each qualified school; and

149 (13) The total amount of money that has been remitted from qualified students'  
150 empowerment scholarship accounts to each qualified school, broken down by school year and  
151 the total aggregate amount.

152 5. An educational assistance organization may contract with private financial  
153 management firms to manage scholarship accounts with the supervision of the state treasurer,  
154 provided that all laws and regulations that apply to employees of such educational assistance  
155 organization shall also apply to the actions of any employees of the management firm while  
156 they are conducting work relating to the direct decision-making of the operation of such  
157 educational assistance organization.

160.410. 1. A charter school shall enroll:

2 (1) All pupils resident in the district in which it operates;

3 (2) Nonresident pupils eligible to attend a district's school under an urban voluntary  
4 transfer program;

5 (3) Nonresident pupils who transfer from an unaccredited district under section  
6 167.895, provided that the charter school is an approved charter school, as defined in section  
7 167.895, and subject to all other provisions of section 167.895;

8 (4) In the case of a charter school whose mission includes student drop-out prevention  
9 or recovery, any nonresident pupil from the same or an adjacent county who resides in a  
10 residential care facility, a transitional living group home, or an independent living program  
11 whose last school of enrollment is in the school district where the charter school is  
12 established, who submits a timely application; and

13 (5) In the case of a workplace charter school, any student eligible to attend under  
14 subdivision (1) or (2) of this subsection whose parent is employed in the business district,  
15 who submits a timely application, unless the number of applications exceeds the capacity of a  
16 program, class, grade level or building. The configuration of a business district shall be set  
17 forth in the charter and shall not be construed to create an undue advantage for a single  
18 employer or small number of employers.

19           2. If capacity is insufficient to enroll all pupils who submit a timely application, the  
20 charter school shall have an admissions process that assures all applicants of an equal chance  
21 of gaining admission and does not discriminate based on parents' ability to pay fees or tuition  
22 except that:

23           (1) A charter school may establish a geographical area around the school whose  
24 residents will receive a preference for enrolling in the school, provided that such preferences  
25 do not result in the establishment of racially or socioeconomically isolated schools and  
26 provided such preferences conform to policies and guidelines established by the state board of  
27 education;

28           (2) A charter school may also give a preference for admission of children whose  
29 siblings attend the school or whose parents are employed at the school or in the case of a  
30 workplace charter school, a child whose parent is employed in the business district or at the  
31 business site of such school;

32           (3) Charter schools may also give a preference for admission to high-risk students, as  
33 defined in subdivision (5) of subsection 2 of section 160.405, when the school targets these  
34 students through its proposed mission, curriculum, teaching methods, and services;

35           (4) A charter school may also give a preference for admission to students who will be  
36 eligible for the free and reduced price lunch program in the upcoming school year.

37           3. A charter school shall not limit admission based on race, ethnicity, national origin,  
38 disability, income level, except as allowed under subdivision (4) of subsection 2 of this  
39 section, proficiency in the English language or athletic ability, but may limit admission to  
40 pupils within a given age group or grade level. Charter schools may limit admission based on  
41 ~~[gender]~~ sex only when the school is a ~~[single-gender]~~ **single-sex** school. Students of a  
42 charter school who have been enrolled for a full academic year shall be counted in the  
43 performance of the charter school on the statewide assessments in that calendar year, unless  
44 otherwise exempted as English language learners. For purposes of this subsection, "full  
45 academic year" means the last Wednesday in September through the administration of the  
46 Missouri assessment program test without transferring out of the school and re-enrolling.

47           4. A charter school shall make available for public inspection, and provide upon  
48 request, to the parent, guardian, or other custodian of any school-age pupil resident in the  
49 district in which the school is located the following information:

50           (1) The school's charter;

51           (2) The school's most recent annual report card published according to section  
52 160.522;

53           (3) The results of background checks on the charter school's board members; and

54           (4) If a charter school is operated by a management company, a copy of the written  
55 contract between the governing board of the charter school and the educational management

56 organization or the charter management organization for services. The charter school may  
57 charge reasonable fees, not to exceed the rate specified in section 610.026 for furnishing  
58 copies of documents under this subsection.

59         5. When a student attending a charter school who is a resident of the school district in  
60 which the charter school is located moves out of the boundaries of such school district, the  
61 student may complete the current semester and shall be considered a resident student. The  
62 student's parent or legal guardian shall be responsible for the student's transportation to and  
63 from the charter school.

64         6. If a change in school district boundary lines occurs under section 162.223,  
65 162.431, 162.441, or 162.451, or by action of the state board of education under section  
66 162.081, including attachment of a school district's territory to another district or dissolution,  
67 such that a student attending a charter school prior to such change no longer resides in a  
68 school district in which the charter school is located, then the student may complete the  
69 current academic year at the charter school. The student shall be considered a resident  
70 student. The student's parent or legal guardian shall be responsible for the student's  
71 transportation to and from the charter school.

72         7. The provisions of sections 167.018 and 167.019 concerning foster children's  
73 educational rights are applicable to charter schools.

160.975. 1. Each public school and charter school shall post in a clearly visible  
2 location in a public area of the school that is readily accessible to students a sign in English  
3 and in Spanish that contains the toll-free child abuse and neglect hotline number established  
4 by the children's division under section 210.145. Additionally, each school shall post signs  
5 containing the same information in all student restrooms in the school, to allow for private  
6 access to the information by students of either ~~[gender]~~ sex.

7         2. The information contained on the signs required under subsection 1 of this section  
8 shall be presented on a poster at least 11 inches by 17 inches in size, contain large print, and  
9 be placed at eye level to the student for easy viewing. The hotline number shall be displayed  
10 in bold print. The signs shall contain instructions to call 911 for emergencies and directions  
11 for accessing the children's division website for more information on reporting abuse, neglect,  
12 and exploitation.

13         3. The children's division shall create an acronym to help children to remember the  
14 toll-free child abuse and neglect hotline number.

15         4. The children's division may promulgate all necessary rules and regulations for the  
16 administration of this section. Any rule or portion of a rule, as that term is defined in section  
17 536.010, that is created under the authority delegated in this section shall become effective  
18 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
19 section 536.028. This section and chapter 536 are nonseverable and if any of the powers

20 vested with the general assembly pursuant to chapter 536 to review, to delay the effective  
21 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant  
22 of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be  
23 invalid and void.

161.223. 1. Subject to appropriation from general revenue, the department of  
2 elementary and secondary education shall provide grants to assist local public school districts,  
3 community-based organizations and nonprofit agencies, including resettlement programs, to  
4 provide instruction in the English language to individuals residing in the community or  
5 district who have language background other than English and who need assistance in  
6 learning English. Preference in grants shall be given to communities and districts  
7 demonstrating the most need.

8 2. Services provided through the grants authorized in this section shall be offered at  
9 times and locations designed to best assure access to the services and may include the  
10 provision of services at the individual's home, refugee resettlement center, community  
11 centers, adult basic education offices, schools, and other places where such individuals  
12 congregate.

13 3. An entity accepting a grant under this section shall not discriminate in the  
14 provision of English language services on the grounds of the individual's race, color, religion,  
15 ~~[gender]~~ sex, age or national origin. Such entity shall not discriminate against a child based  
16 upon the nature of the child's school. Any entity accepting a grant under this section may  
17 provide English language instruction to individuals of one specific language background.

18 4. As funds are appropriated by the Missouri general assembly, the department of  
19 elementary and secondary education shall implement classes and provide instructional  
20 material for all age groups to assist individuals who are not proficient in the English language.

170.015. 1. Any course materials and instruction relating to human sexuality and  
2 sexually transmitted diseases shall be medically and factually accurate and shall:

3 (1) Present abstinence from sexual activity as the preferred choice of behavior in  
4 relation to all sexual activity for unmarried pupils because it is the only method that is one  
5 hundred percent effective in preventing pregnancy, sexually transmitted diseases and the  
6 emotional trauma associated with adolescent sexual activity, and advise students that teenage  
7 sexual activity places them at a higher risk of dropping out of school because of the  
8 consequences of sexually transmitted diseases and unplanned pregnancy;

9 (2) Stress that sexually transmitted diseases are serious, possible, health hazards of  
10 sexual activity. Pupils shall be provided with the latest medical information regarding  
11 exposure to human immunodeficiency virus, acquired immune deficiency syndrome (AIDS),  
12 human papilloma virus, hepatitis and other sexually transmitted diseases;

13           (3) Present students with the latest medically factual information regarding both the  
14 possible side effects and health benefits of all forms of contraception, including the success  
15 and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall  
16 present students with information on contraceptives and pregnancy in a manner consistent  
17 with the provisions of the federal abstinence education law, 42 U.S.C. Section 710;

18           (4) Include a discussion of the possible emotional and psychological consequences of  
19 preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy,  
20 as well as the advantages of adoption, including the adoption of special needs children, and  
21 the processes involved in making an adoption plan;

22           (5) Teach skills of conflict management, personal responsibility and positive self-  
23 esteem through discussion and role-playing at appropriate grade levels to emphasize that the  
24 pupil has the power to control personal behavior. Pupils shall be encouraged to base their  
25 actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical  
26 considerations, such as respect for one's self and others. Pupils shall be taught not to  
27 make unwanted physical and verbal sexual advances or otherwise exploit another person.  
28 Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;

29           (6) Advise pupils of the laws pertaining to their financial responsibility to children  
30 born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to  
31 statutory rape;

32           (7) Teach pupils about the dangers of sexual predators, including online predators  
33 when using electronic communication methods such as the internet, cell phones, text  
34 messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to  
35 behave responsibly and remain safe on the internet and the importance of having open  
36 communication with responsible adults and reporting any inappropriate situation, activity, or  
37 abuse to a responsible adult, and depending on intent and content, to local law enforcement,  
38 the Federal Bureau of Investigation, or the National Center for Missing & Exploited  
39 Children's CyberTipline;

40           (8) Teach pupils about the consequences, both personal and legal, of inappropriate  
41 text messaging, even among friends; and

42           (9) Teach pupils about sexual harassment, sexual violence, and consent:

43           (a) For the purposes of this subdivision, the term "consent" shall mean a freely given  
44 agreement to the conduct at issue by a competent person. An expression of lack of consent  
45 through words or conduct means there is no consent. Lack of verbal or physical resistance or  
46 submission resulting from the use of force, threat of force, or placing another person in fear  
47 does not constitute consent. A current or previous dating or social or sexual relationship by  
48 itself or the manner of dress of the person involved with the accused in the conduct at issue  
49 shall not constitute consent;

50 (b) For the purposes of this subdivision, the term "sexual harassment" shall mean  
51 uninvited and unwelcome verbal or physical behavior of a sexual nature especially by a  
52 person in authority toward a subordinate;

53 (c) For the purposes of this subdivision, the term "sexual violence" shall mean  
54 causing or attempting to cause another to engage involuntarily in any sexual act by force,  
55 threat of force, duress, or without that person's consent.

56 2. Policies concerning referrals and parental notification regarding contraception shall  
57 be determined by local school boards or charter schools, consistent with the provisions of  
58 section 167.611.

59 3. A school district or charter school which provides human sexuality instruction may  
60 separate students according to ~~[gender]~~ sex for instructional purposes.

61 4. The board of a school district or charter school shall determine the specific content  
62 of the district's or school's instruction in human sexuality, in accordance with subsections 1 to  
63 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the  
64 age of the students receiving such instruction.

65 5. A school district or charter school shall notify the parent or legal guardian of each  
66 student enrolled in the district or school of:

67 (1) The basic content of the district's or school's human sexuality instruction to be  
68 provided to the student; and

69 (2) The parent's right to remove the student from any part of the district's or school's  
70 human sexuality instruction.

71 6. A school district or charter school shall make all curriculum materials used in the  
72 district's or school's human sexuality instruction available for public inspection pursuant to  
73 chapter 610 prior to the use of such materials in actual instruction.

74 7. No school district or charter school, or its personnel or agents, shall provide  
75 abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any  
76 course materials or instruction relating to human sexuality or sexually transmitted diseases to  
77 its students if such person or entity is a provider of abortion services.

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

79 (1) "Abortion", the same meaning as such term is defined in section 188.015;

80 (2) "Abortion services":

81 (a) Performing, inducing, or assisting in the performance or inducing of an abortion  
82 which is not necessary to save the life of the mother;

83 (b) Encouraging a patient to have an abortion or referring a patient for an abortion,  
84 which is not necessary to save the life of the mother; or

85 (c) Developing or dispensing drugs, chemicals, or devices intended to be used to  
86 induce an abortion which is not necessary to save the life of the mother.



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

2 (1) "Academic skill intake assessment", a criterion-referenced assessment of  
3 numeracy and literacy skills with high reliability and validity as determined by third-party  
4 research;

5 (2) "Accredited", holding an active accreditation from one of the seven United States  
6 regional accreditors including, but not limited to, the Middle States Commission on Higher  
7 Education, the New England Association of Schools and Colleges, the Higher Learning  
8 Commission, the Northwest Commission on Colleges and Universities, the Southern  
9 Association of Colleges and Schools, the Western Association of Schools and Colleges, and  
10 the Accrediting Commission for Community and Junior Colleges, as well as any successor  
11 entities or consolidations of the above including, but not limited to, AdvancEd or Cognia;

12 (3) "Adult dropout recovery services" includes, but is not limited to, sourcing,  
13 recruitment, and engagement of eligible students, learning plan development, active teaching,  
14 and proactive coaching and mentoring, resulting in an accredited high school diploma and  
15 pathway to post secondary education opportunities;

16 (4) "Approved program provider", a public, not-for-profit, or other entity that meets  
17 the requirements of subdivision (2) of subsection 3 of this section or any consortium of such  
18 entities;

19 (5) "Average cost per graduate", the amount of the total program funding reimbursed  
20 to an approved program provider for each cohort during the period of time from the beginning  
21 of the same cohort through the subsequent twelve months after the close of the same cohort,  
22 divided by the total number of students who graduated from the same cohort within twelve  
23 months after the close of the same cohort or enrollment in postsecondary education;

24 (6) "Career pathways coursework", one or more courses that align with the skill needs  
25 of industries in the economy of the state or region that help an individual enter or advance  
26 within a specific occupation or occupational cluster;

27 (7) "Career placement services", services designed to assist students in obtaining  
28 employment, such as career interest self-assessments and job search skills such as resume  
29 development and mock interviews;

30 (8) "Coaching", proactive communication between the approved program provider  
31 and the student related to the student's pace and progress through the student's learning plan;

32 (9) "Cohort", students who enter the program between July first and June thirtieth of  
33 each program year;

34 (10) "Department", the department of elementary and secondary education;

35 (11) "Employability skills certification", a certificate earned by demonstrating  
36 professional nontechnical skills through assessment, portfolio, or observation;

- 37 (12) "Graduate", a student who has successfully completed all of the state and  
38 approved program provider requirements in order to obtain a high school diploma;
- 39 (13) "Graduation rate", the total number of graduates from a cohort who graduated  
40 within twelve months after the close of the cohort divided by the total number of students  
41 included in the same cohort;
- 42 (14) "Graduation requirements", course and credit requirements for the approved  
43 program provider's accredited high school diploma;
- 44 (15) "High school diploma", a diploma issued by an accredited institution;
- 45 (16) "Industry-recognized credential", an education-related credential or work-related  
46 credential that verifies an individual's qualification or competence issued by a third party with  
47 the relevant authority to issue such credential;
- 48 (17) "Learning plan", a documented plan for courses or credits needed for each  
49 individual in order to complete program and approved program provider graduation  
50 requirements;
- 51 (18) "Mentoring", a direct relationship between a coach and a student to facilitate the  
52 completion of the student's learning plan designed to prepare the student to succeed in the  
53 program and the student's future endeavors;
- 54 (19) "Milestones", objective measures of progress for which payment is made to an  
55 approved program provider under this section such as earned units of high school credit,  
56 attainment of an employability skills certificate, attainment of an industry-recognized  
57 credential, attainment of a technical skills assessment, and attainment of an accredited high  
58 school diploma;
- 59 (20) "Program", the workforce diploma program established in this section;
- 60 (21) "Request for qualifications", a request for interested potential program providers  
61 to submit evidence that they meet the qualifications established in subsection 3 of this section;
- 62 (22) "Stackable credential", a third-party credential that is part of a sequence of  
63 credentials that can be accumulated over time to build up an individual's qualifications to  
64 advance along a career pathway;
- 65 (23) "Student", a participant in the program established in this section who is twenty-  
66 one years of age or older, who is a resident of Missouri, and who has not yet earned a high  
67 school diploma;
- 68 (24) "Technical skills assessment", a criterion-referenced assessment of an  
69 individual's skills required for an entry-level career, or additional training in a technical  
70 field, or other postsecondary opportunities;
- 71 (25) "Transcript evaluation", a documented summary of credits earned in previous  
72 public or private accredited high schools compared with the program and approved program  
73 provider graduation requirements;

74 (26) "Unit of high school credit", credit awarded based on a student's demonstration  
75 that the student has successfully met the content expectations for the credit area as defined by  
76 subject area standards, expectations, or guidelines.

77 2. There is hereby established the "Workforce Diploma Program" within the  
78 department of elementary and secondary education to assist students with obtaining a high  
79 school diploma and developing employability and career technical skills. The program may  
80 be delivered in campus-based, blended, or online modalities.

81 3. (1) Before September 1, 2022, and annually thereafter, the department shall issue a  
82 request for qualifications for interested program providers to become approved program  
83 providers and participate in the program.

84 (2) Each approved program provider shall meet all of the following qualifications:

85 (a) Be an accredited high school diploma-granting entity;

86 (b) Have a minimum of two years of experience providing adult dropout recovery  
87 services;

88 (c) Provide academic skill intake assessments and transcript evaluations to each  
89 student. Such academic skill intake assessments may be administered in person or online;

90 (d) Develop a learning plan for each student that integrates graduation requirements  
91 and career goals;

92 (e) Provide a course catalog that includes all courses necessary to meet graduation  
93 requirements;

94 (f) Offer remediation opportunities in literacy and numeracy, as applicable;

95 (g) Offer employability skills certification, as applicable;

96 (h) Offer career pathways coursework, as applicable;

97 (i) Ability to provide preparation for industry-recognized credentials or stackable  
98 credentials, a technical skills assessment, or a combination thereof; and

99 (j) Offer career placement services, as applicable.

100 (3) Upon confirmation by the department that an interested program provider meets  
101 all of the qualifications listed in subdivision (2) of this subsection, an interested program  
102 provider shall become an approved program provider.

103 4. (1) The department shall announce the approved program providers before  
104 October sixteenth annually, with authorization for the approved program providers to begin  
105 enrolling students before November fifteenth annually.

106 (2) Approved program providers shall maintain approval without reapplying annually  
107 if the approved program provider has not been removed from the approved program provider  
108 list under this section.

109 5. All approved program providers shall comply with requirements as provided by the  
110 department to ensure:

111 (1) An accurate accounting of a student's accumulated credits toward a high school  
112 diploma;

113 (2) An accurate accounting of credits necessary to complete a high school diploma;  
114 and

115 (3) The provision of coursework aligned to the academic performance standards of  
116 the state.

117 6. (1) Except as provided in subdivision (2) of this subsection, the department shall  
118 pay an amount as set by the department to approved program providers for the following  
119 milestones provided by the approved program provider:

120 (a) Completion of each half unit of high school credit;

121 (b) Attainment of an employability skills certification;

122 (c) Attainment of an industry-recognized credential, technical skills assessment, or  
123 stackable credential requiring no more than fifty hours of training;

124 (d) Attainment of an industry-recognized credential or stackable credential requiring  
125 at least fifty-one but no more than one hundred hours of training;

126 (e) Attainment of an industry-recognized credential or stackable credential requiring  
127 more than one hundred hours of training; and

128 (f) Attainment of an accredited high school diploma.

129 (2) No approved program provider shall receive funding for a student under this  
130 section if the approved program provider receives federal or state funding or private tuition  
131 for that student. No approved program provider shall charge student fees of any kind  
132 including, but not limited to, textbook fees, tuition fees, lab fees, or participation fees unless  
133 the student chooses to obtain additional education offered by the approved program provider  
134 that is not included in the state-funded program.

135 (3) Payments made under this subsection shall be subject to an appropriation made to  
136 the department for such purposes.

137 7. (1) Approved program providers shall submit monthly invoices to the department  
138 before the eleventh calendar day of each month for milestones met in the previous calendar  
139 month.

140 (2) The department shall pay approved program providers in the order in which  
141 invoices are submitted until all available funds are exhausted.

142 (3) The department shall provide a written update to approved program providers by  
143 the last calendar day of each month. The update shall include the aggregate total dollars that  
144 have been paid to approved program providers to date and the estimated number of  
145 enrollments still available for the program year.

146 8. Before July sixteenth of each year, each provider shall report the following metrics  
147 to the department for each individual cohort, on a cohort-by-cohort basis:

- 148 (1) The total number of students who have been funded through the program;  
149 (2) The total number of credits earned;  
150 (3) The total number of employability skills certifications issued;  
151 (4) The total number of industry-recognized credentials, stackable credentials, and  
152 technical skills assessments earned for each tier of funding;  
153 (5) The total number of graduates;  
154 (6) The average cost per graduate once the stipulated time to make such a calculation  
155 has passed; and  
156 (7) The graduation rate once the stipulated time to make such a calculation has  
157 passed.
- 158 9. (1) Before September sixteenth of each year, each approved program provider  
159 shall conduct and submit to the department the aggregate results of a survey of each  
160 individual cohort, on a cohort-by-cohort basis, who graduated from the program of the  
161 approved program provider under this section. The survey shall be conducted in the year  
162 after the year in which the individuals graduate and the next four consecutive years.
- 163 (2) The survey shall include at least the following data collection elements for each  
164 year the survey is conducted:
- 165 (a) The individual's employment status, including whether the individual is employed  
166 full time or part time;  
167 (b) The individual's hourly wages;  
168 (c) The individual's access to employer-sponsored health care; and  
169 (d) The individual's postsecondary enrollment status, including whether the  
170 individual has completed a postsecondary certificate or degree program.
- 171 10. (1) Beginning at the end of the second fiscal year of the program, the department  
172 shall review data from each approved program provider to ensure that each is achieving  
173 minimum program performance standards including, but not limited to:
- 174 (a) A minimum fifty percent average graduation rate per cohort; and  
175 (b) An average cost per graduate per cohort of seven thousand dollars or less.
- 176 (2) Any approved program provider that fails to meet the minimum program  
177 performance standards described in subdivision (1) of this subsection shall be placed on  
178 probationary status for the remainder of the fiscal year by the department.
- 179 (3) Any approved program provider that fails to meet the minimum program  
180 performance standards described in subdivision (1) of this subsection for two consecutive  
181 years shall be removed from the approved program provider list by the department.
- 182 11. (1) No approved program provider shall discriminate against a student on the  
183 basis of race, color, religion, national origin, ancestry, sex, ~~[sexuality, gender,]~~ or age.

184 (2) If an approved program provider determines that a student would be better served  
185 by participating in a different program, the approved program provider may refer the student  
186 to the state's adult basic education services.

187 12. (1) There is hereby created in the state treasury the "Workforce Diploma Program  
188 Fund", which shall consist of any grants, gifts, donations, bequests, or moneys appropriated  
189 under this section. The state treasurer shall be custodian of the fund. In accordance with  
190 sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be  
191 a dedicated fund and, upon appropriation, moneys in the fund shall be used solely as provided  
192 in this section.

193 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys  
194 remaining in the fund at the end of the biennium shall not revert to the credit of the general  
195 revenue fund.

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

199 13. The director of the department may promulgate all necessary rules and regulations  
200 for the administration of this section. Any rule or portion of a rule, as that term is defined in  
201 section 536.010, that is created under the authority delegated in this section shall become  
202 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if  
203 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the  
204 powers vested with the general assembly pursuant to chapter 536 to review, to delay the  
205 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then  
206 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022,  
207 shall be invalid and void.

208 14. Under section 23.253 of the Missouri sunset act:

209 (1) The provisions of the new program authorized under this section shall  
210 automatically sunset six years after August 28, 2022, unless reauthorized by an act of the  
211 general assembly; and

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

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

217 15. If any provision of this section or its application to any person or circumstance is  
218 held invalid, such determination shall not affect the provisions or applications of the  
219 remainder of this act which may be given effect without the invalid provision or application,  
220 and to that end the provisions of this section are severable.

186.019. 1. Prior to April first of each year, starting in 1992, the information described in subdivisions (1), (2), (3) and (4) of this subsection shall be delivered in report form to the Missouri women's council, the governor's office, the secretary of the senate, and the chief clerk of the house of representatives. The information shall apply only to activities which occurred during the previous calendar year. Reports shall be required from the following:

(1) The department of labor and industrial relations, and the division of workforce development of the department of economic development, who shall assemble all available data and report on all business start-ups and business failures which are fifty-one percent or more owned by women. The reports shall distinguish, as best as possible, those businesses which are sole proprietorships, partnerships, or corporations;

(2) The department of economic development, who shall assemble all available data and report on financial assistance or other incentives given to all businesses which are fifty-one percent or more owned by women. The report shall contain information relating to assistance or incentives awarded for the retention of existing businesses, the expansion of existing businesses, or the start-up of new businesses;

(3) The department of revenue, who shall assemble all available data and report on the number, gross receipts and net income of all businesses which are fifty-one percent or more owned by women. The reports shall distinguish those businesses which are sole proprietorships, partnerships or corporations;

(4) The division of purchasing of the office of administration, who shall assemble all available data and report on businesses which are fifty-one percent or more owned by women which are recipients of contracts awarded by the state of Missouri.

2. Prior to December first of each year, starting in 1990, the information described in subdivisions (1) and (2) of this subsection shall be delivered in report form to the Missouri women's council, the governor's office, the secretary of the senate, and the chief clerk of the house of representatives. The information shall apply only to activities which occurred during the previous school year. Reports shall be required from the following:

(1) The department of elementary and secondary education shall assemble all available data from the Vocational and Education Data System (VEDS) on class enrollments by Instruction Program Codes (CIP); by secondary and postsecondary schools; and, secondary, postsecondary, and adult level classes; and by ~~gender~~ sex. This data shall also be reported by classes of traditional and nontraditional occupational areas;

(2) The coordinating board for higher education shall assemble all available data and report on higher education degrees awarded by academic discipline; type of degree; type of school; and ~~gender~~ sex. All available data shall also be reported on salaries received upon

37 completion of degree program and subsequent hire, as well as any data available on follow-up  
38 salaries.

191.1855. 1. Before January 1, 2025, and before January first every year thereafter,  
2 the medical university shall provide a report to the general assembly that includes:

3 (1) A program summary update for that year on the incidence and prevalence of  
4 Parkinson's disease in the state by county;

5 (2) The number of records that have been included and reported to the registry; and

6 (3) Demographic information, such as a breakdown of patients by age, ~~[gender]~~ sex,  
7 and race.

8 2. The medical university shall also publish the annual report required under this  
9 section in a downloadable format on its website or on the registry's webpage.

211.425. 1. Any person who has been adjudicated a delinquent by a juvenile court for  
2 committing or attempting to commit a sex-related offense which if committed by an adult  
3 would be considered a felony offense pursuant to chapter 566 including, but not limited to,  
4 rape, forcible sodomy, child molestation and sexual abuse, shall be considered a juvenile sex  
5 offender and shall be required to register as a juvenile sex offender by complying with the  
6 registration requirements provided for in this section, unless such juvenile adjudicated as a  
7 delinquent is fourteen years of age or older at the time of the offense and the offense  
8 adjudicated would be considered a felony under chapter 566 if committed by an adult, which  
9 is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241,  
10 including any attempt or conspiracy to commit such offense, in which case, the juvenile shall  
11 be required to register as an adult sexual offender under sections 589.400 to 589.425. This  
12 requirement shall also apply to any person who is or has been adjudicated a juvenile  
13 delinquent in any other state or federal jurisdiction for committing, attempting to commit, or  
14 conspiring to commit offenses which would be proscribed herein.

15 2. Any state agency having supervision over a juvenile required to register as a  
16 juvenile sex offender or any court having jurisdiction over a juvenile required to register as a  
17 juvenile sex offender, or any person required to register as a juvenile sex offender, shall,  
18 within ten days of the juvenile offender moving into any county of this state, register with the  
19 juvenile office of the county. If such juvenile offender changes residence or address, the state  
20 agency, court or person shall inform the juvenile office within ten days of the new residence  
21 or address and shall also be required to register with the juvenile office of any new county of  
22 residence. Registration shall be accomplished by completing a registration form similar to the  
23 form provided for in section 589.407. Such form shall include, but is not limited to, the  
24 following:

25 (1) A statement in writing signed by the juvenile, giving the juvenile's name, address,  
26 Social Security number, phone number, school in which enrolled, place of employment,



27 offense which requires registration, including the date, place, and a brief description of such  
28 offense, date and place of adjudication regarding such offense, and age and [gender] sex of  
29 the victim at the time of the offense; and

30 (2) The fingerprints and a photograph of the juvenile.

31 3. Juvenile offices shall maintain the registration forms of those juvenile offenders in  
32 their jurisdictions who register as required by this section. Information contained on the  
33 registration forms shall be kept confidential and may be released by juvenile offices to only  
34 those persons and agencies who are authorized to receive information from juvenile court  
35 records as provided by law, including, but not limited to, those specified in section 211.321.  
36 State agencies having custody of juveniles who fall within the registration requirements of  
37 this section shall notify the appropriate juvenile offices when such juvenile offenders are  
38 being transferred to a location falling within the jurisdiction of such juvenile offices.

39 4. Any juvenile who is required to register pursuant to this section but fails to do so or  
40 who provides false information on the registration form is subject to disposition pursuant to  
41 this chapter. Any person eighteen years of age or over who commits such violation is guilty  
42 of a class A misdemeanor as provided for in section 211.431.

43 5. Any juvenile to whom the registration requirement of this section applies shall be  
44 informed by the official in charge of the juvenile's custody, upon the juvenile's discharge or  
45 release from such custody, of the requirement to register pursuant to this section. Such  
46 official shall obtain the address where such juvenile expects to register upon being discharged  
47 or released and shall report the juvenile's name and address to the juvenile office where the  
48 juvenile shall be required to register. This requirement to register upon discharge or release  
49 from custody does not apply in situations where the juvenile is temporarily released under  
50 guard or direct supervision from a detention facility or similar custodial facility.

51 6. The requirement to register as a juvenile sex offender shall terminate upon the  
52 juvenile offender reaching age twenty-one, unless such juvenile offender is required to  
53 register as an adult offender pursuant to section 589.400.

217.361. 1. The department shall adopt streamlined, validated risk and need  
2 assessment tools for men and women, and review the tools and scoring cutoffs every five  
3 years for predictive validity across [gender] sex and racial groups.

4 2. This subsection applies to all programs operated with department funding. The  
5 department shall develop procedures to promote the use of:

6 (1) Risk and need assessment and appropriate risk and need levels to prioritize access  
7 to programs;

8 (2) Consistent criteria for admission into programs; and

9 (3) Recidivism measurement by risk and need level as part of assessing the  
10 effectiveness of programs.

- 11           3. For offenders under supervision, the department shall:
- 12           (1) Implement evidence-based cognitive-behavioral programs;
- 13           (2) Adopt behavior response policy guiding sanction and incentive responses; and
- 14           (3) Adopt policy for readministration of risk and need assessment tools to guide case
- 15 management practices and supervision level.
- 16           4. For department staff in institutional and community settings, the department shall:
- 17           (1) Require periodic training on how to complete risk and need assessment tools and
- 18 apply the results in making decisions affecting client interactions and program placements;
- 19           (2) Provide training on how to maximize client interactions and use of case plans; and
- 20           (3) Measure staff performance against best practices.
- 21           5. For community-based mental health treatment programs, the department shall
- 22 adopt a protocol to collect data on quality assurance.
- 23           6. The department shall adopt performance metrics to report on supervision
- 24 outcomes.
- 221.097. 1. Persons confined in private jails shall be separated and confined
- 2 according to ~~[gender]~~ sex. Persons confined under civil process or for civil causes, except
- 3 those persons confined awaiting a determination on whether probation or parole will be
- 4 revoked or continued, shall be kept separate from persons confined awaiting trial for criminal
- 5 charges, awaiting sentencing for criminal charges, awaiting determination on whether
- 6 probation or parole will be revoked or continued, or serving a sentence on a criminal
- 7 investigation.
- 8           2. The administrator shall arrange for necessary health care services for persons
- 9 confined in the private jail.
- 10           3. The administrator shall ensure that persons confined in the private jail have
- 11 adequate clothing, food, and bedding. Deprivation of adequate clothing, food, or bedding
- 12 shall not be used as a disciplinary action against any confined person.
- 13           4. No person confined in a private jail shall be used in any manner for the profit,
- 14 betterment, or personal gain of any employee of the county or of any employee of the private
- 15 jail.
- 16           5. Nothing in section 221.095 and this section shall create any new civil cause of
- 17 action under Missouri law nor shall it be interpreted so as to conflict with the civil rights and
- 18 constitutional rights of due process accorded to any person in any investigation of a crime or
- 19 potential crime.
- 20           6. Any investigation of a report made under subsection 2 or 3 of section 221.095 shall
- 21 be concluded in a timely manner by law enforcement and a written report of the conclusions
- 22 shall be provided to the private jail.

23           7. The state or its political subdivisions shall not contract with any private jail to  
24 provide services, unless such private jail provides written documentation of its ability to  
25 indemnify the state or political subdivision for any liability which attaches to the state or  
26 political subdivision as a result of the contract or services provided under the contract. Such  
27 documentation shall demonstrate an ability to indemnify the state or political subdivision in  
28 an amount acceptable to the state or political subdivision.

302.171. 1. The director shall verify that an applicant for a driver's license is a  
2 Missouri resident or national of the United States or a noncitizen with a lawful immigration  
3 status, and a Missouri resident before accepting the application. The director shall not issue a  
4 driver's license for a period that exceeds the duration of an applicant's lawful immigration  
5 status in the United States. The director may establish procedures to verify the Missouri  
6 residency or United States naturalization or lawful immigration status and Missouri residency  
7 of the applicant and establish the duration of any driver's license issued under this section. An  
8 application for a license shall be made upon an approved form furnished by the director.  
9 Every application shall state the full name, Social Security number, age, height, weight, color  
10 of eyes, sex, residence, mailing address of the applicant, and the classification for which the  
11 applicant has been licensed, and, if so, when and by what state, and whether or not such  
12 license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or  
13 disqualified, the date and reason for such suspension, revocation or disqualification and  
14 whether the applicant is making a one or more dollar donation to promote an organ donation  
15 program as prescribed in subsection 2 of this section, to promote a blindness education,  
16 screening and treatment program as prescribed in subsection 3 of this section, or the Missouri  
17 medal of honor recipients fund prescribed in subsection 4 of this section. A driver's license,  
18 nondriver's license, or instruction permit issued under this chapter shall contain the applicant's  
19 legal name as it appears on a birth certificate or as legally changed through marriage or court  
20 order. No name change by common usage based on common law shall be permitted. The  
21 application shall also contain such information as the director may require to enable the  
22 director to determine the applicant's qualification for driving a motor vehicle; and shall state  
23 whether or not the applicant has been convicted in this or any other state for violating the laws  
24 of this or any other state or any ordinance of any municipality, relating to driving without a  
25 license, careless driving, or driving while intoxicated, or failing to stop after an accident and  
26 disclosing the applicant's identity, or driving a motor vehicle without the owner's consent.  
27 The application shall contain a certification by the applicant as to the truth of the facts stated  
28 therein. Every person who applies for a license to operate a motor vehicle who is less than  
29 twenty-one years of age shall be provided with educational materials relating to the hazards of  
30 driving while intoxicated, including information on penalties imposed by law for violation of  
31 the intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is

32 less than eighteen years of age, the applicant must comply with all requirements for the  
33 issuance of an intermediate driver's license pursuant to section 302.178. For persons  
34 mobilized and deployed with the United States Armed Forces, an application under this  
35 subsection shall be considered satisfactory by the department of revenue if it is signed by a  
36 person who holds general power of attorney executed by the person deployed, provided the  
37 applicant meets all other requirements set by the director.

38         2. An applicant for a license may make a donation of an amount not less than one  
39 dollar to promote an organ donor program. The director of revenue shall collect the donations  
40 and deposit all such donations in the state treasury to the credit of the organ donor program  
41 fund established in sections 194.297 to 194.304. Moneys in the organ donor program fund  
42 shall be used solely for the purposes established in sections 194.297 to 194.304 except that  
43 the department of revenue shall retain no more than one percent for its administrative costs.  
44 The donation prescribed in this subsection is voluntary and may be refused by the applicant  
45 for the license at the time of issuance or renewal of the license. The director shall make  
46 available an informational booklet or other informational sources on the importance of organ  
47 and tissue donations to applicants for licensure as designed by the organ donation advisory  
48 committee established in sections 194.297 to 194.304. The director shall inquire of each  
49 applicant at the time the licensee presents the completed application to the director whether  
50 the applicant is interested in making the one or more dollar donation prescribed in this  
51 subsection and whether the applicant is interested in inclusion in the organ donor registry and  
52 shall also specifically inform the licensee of the ability to consent to organ donation by  
53 placing a donor symbol sticker authorized and issued by the department of health and senior  
54 services on the back of his or her driver's license or identification card as prescribed by  
55 subdivision (1) of subsection 1 of section 194.225. A symbol may be placed on the front of  
56 the license or identification card indicating the applicant's desire to be listed in the registry at  
57 the applicant's request at the time of his or her application for a driver's license or  
58 identification card, or the applicant may instead request an organ donor sticker from the  
59 department of health and senior services by application on the department of health and senior  
60 services' website. Upon receipt of an organ donor sticker sent by the department of health and  
61 senior services, the applicant shall place the sticker on the back of his or her driver's license or  
62 identification card to indicate that he or she has made an anatomical gift. The director shall  
63 notify the department of health and senior services of information obtained from applicants  
64 who indicate to the director that they are interested in registry participation, and the  
65 department of health and senior services shall enter the complete name, address, date of birth,  
66 race, ~~[gender]~~ sex and a unique personal identifier in the registry established in subsection 1  
67 of section 194.304.

68           3. An applicant for a license may make a donation of one dollar to promote a  
69 blindness education, screening and treatment program. The director of revenue shall collect  
70 the donations and deposit all such donations in the state treasury to the credit of the blindness  
71 education, screening and treatment program fund established in section 209.015. Moneys in  
72 the blindness education, screening and treatment program fund shall be used solely for the  
73 purposes established in section 209.015; except that the department of revenue shall retain no  
74 more than one percent for its administrative costs. The donation prescribed in this subsection  
75 is voluntary and may be refused by the applicant for the license at the time of issuance or  
76 renewal of the license. The director shall inquire of each applicant at the time the licensee  
77 presents the completed application to the director whether the applicant is interested in  
78 making the one dollar donation prescribed in this subsection.

79           4. An applicant for registration may make a donation of one dollar to the Missouri  
80 medal of honor recipients fund. The director of revenue shall collect the donations and  
81 deposit all such donations in the state treasury to the credit of the Missouri medal of honor  
82 recipients fund as established in section 226.925. Moneys in the medal of honor recipients  
83 fund shall be used solely for the purposes established in section 226.925, except that the  
84 department of revenue shall retain no more than one percent for its administrative costs. The  
85 donation prescribed in this subsection is voluntary and may be refused by the applicant for  
86 registration at the time of issuance or renewal. The director shall inquire of each applicant at  
87 the time the applicant presents the completed application to the director whether the applicant  
88 is interested in making the one dollar donation prescribed in this subsection.

89           5. Beginning July 1, 2005, the director shall deny the driving privilege of any person  
90 who commits fraud or deception during the examination process or who makes application  
91 for an instruction permit, driver's license, or nondriver's license which contains or is  
92 substantiated with false or fraudulent information or documentation, or who knowingly  
93 conceals a material fact or otherwise commits a fraud in any such application. The period of  
94 denial shall be one year from the effective date of the denial notice sent by the director. The  
95 denial shall become effective ten days after the date the denial notice is mailed to the person.  
96 The notice shall be mailed to the person at the last known address shown on the person's  
97 driving record. The notice shall be deemed received three days after mailing unless returned  
98 by the postal authorities. No such individual shall reapply for a driver's examination,  
99 instruction permit, driver's license, or nondriver's license until the period of denial is  
100 completed. No individual who is denied the driving privilege under this section shall be  
101 eligible for a limited driving privilege issued under section 302.309.

102           6. All appeals of denials under this section shall be made as required by section  
103 302.311.

7. The period of limitation for criminal prosecution under this section shall be extended under subdivision (1) of subsection 3 of section 556.036.

8. The director may promulgate rules and regulations necessary to administer and enforce this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

9. Notwithstanding any provision of this chapter that requires an applicant to provide proof of Missouri residency for renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, an applicant who is sixty-five years and older and who was previously issued a Missouri noncommercial driver's license, noncommercial instruction permit, or Missouri nondriver's license is exempt from showing proof of Missouri residency.

10. Notwithstanding any provision of this chapter, for the renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a photocopy of an applicant's United States birth certificate along with another form of identification approved by the department of revenue, including, but not limited to, United States military identification or United States military discharge papers, shall constitute sufficient proof of Missouri citizenship.

11. Notwithstanding any other provision of this chapter, if an applicant does not meet the requirements of subsection 9 of this section and does not have the required documents to prove Missouri residency, United States naturalization, or lawful immigration status, the department may issue a one-year driver's license renewal. This one-time renewal shall only be issued to an applicant who previously has held a Missouri noncommercial driver's license, noncommercial instruction permit, or nondriver's license for a period of fifteen years or more and who does not have the required documents to prove Missouri residency, United States naturalization, or lawful immigration status. After the expiration of the one-year period, no further renewal shall be provided without the applicant producing proof of Missouri residency, United States naturalization, or lawful immigration status.

303.425. 1. (1) There is hereby created within the department of revenue the motor vehicle financial responsibility enforcement and compliance incentive program. The department of revenue may enter into contractual agreements with third-party vendors to facilitate the necessary technology and equipment, maintenance thereof, and associated program management services.

(2) The department of revenue or a third-party vendor shall utilize technology to compare vehicle registration information with the financial responsibility information accessible through the system. The department of revenue shall utilize this information to identify motorists who are in violation of the motor vehicle financial responsibility law. The department of revenue may offer offenders under this program the option of pretrial diversion

11 as an alternative to statutory fines or reinstatement fees prescribed under the motor vehicle  
12 financial responsibility law as a method of encouraging compliance and discouraging  
13 recidivism.

14 (3) The department of revenue or third-party vendors shall not use any data collected  
15 from or technology associated with any automated motor vehicle financial responsibility  
16 enforcement system. For purposes of this subdivision, "motor vehicle financial responsibility  
17 enforcement system" means a device consisting of a camera or cameras and vehicle sensor or  
18 sensors installed to record motor vehicle financial responsibility violations.

19 (4) All fees paid to or collected by third-party vendors under sections 303.420 to  
20 303.440 may come from violator diversion fees generated by the pretrial diversion option  
21 established under this section.

22 2. The department of revenue may authorize law enforcement agencies or third-party  
23 vendors to use technology to collect data for the investigation, detection, analysis, and  
24 enforcement of the motor vehicle financial responsibility law.

25 3. The department of revenue may authorize traffic enforcement officers or third-  
26 party vendors to administer the processing and issuance of notices of violation, the collection  
27 of fees for a violation of the motor vehicle financial responsibility law, or the referral of cases  
28 for prosecution, under the program.

29 4. Access to the system shall be restricted to qualified agencies and the third-party  
30 vendors with which the department of revenue contracts for purposes of the program,  
31 provided that any third-party vendor with which a contract is executed to provide necessary  
32 technology, equipment, or maintenance for the program shall be authorized as necessary to  
33 collaborate for required updates and maintenance of system software.

34 5. For purposes of the program, any data collected and matched to a corresponding  
35 vehicle insurance record as verified through the system, and any Missouri vehicle registration  
36 database, may be used to identify violations of the motor vehicle financial responsibility law.  
37 Such corresponding data shall constitute evidence of the violations.

38 6. Except as otherwise provided in this section, the department of revenue shall  
39 suspend, in accordance with section 303.041, the registration of any motor vehicle that is  
40 determined under the program to be in violation of the motor vehicle financial responsibility  
41 law.

42 7. The department of revenue shall send to an owner whose vehicle is identified under  
43 the program as being in violation of the motor vehicle financial responsibility law a notice  
44 that the vehicle's registration may be suspended unless the owner, within thirty days, provides  
45 proof of financial responsibility for the vehicle or proof, in a form specified by the department  
46 of revenue, that the owner has a pending criminal charge for a violation of the motor vehicle  
47 financial responsibility law. The notice shall include information on steps an individual may

48 take to obtain proof of financial responsibility and a web address to a page on the department  
49 of revenue's website where information on obtaining proof of financial responsibility shall be  
50 provided. If proof of financial responsibility or a pending criminal charge is not provided  
51 within the time allotted, the department of revenue shall provide a notice of suspension and  
52 suspend the vehicle's registration in accordance with section 303.041, or shall send a notice of  
53 vehicle registration suspension, clearly specifying the reason and statutory grounds for the  
54 suspension and the effective date of the suspension, the right of the vehicle owner to request a  
55 hearing, the procedure for requesting a hearing, and the date by which that request for a  
56 hearing must be made, as well as informing the owner that the matter will be referred for  
57 prosecution if a satisfactory response is not received in the time allotted, informing the owner  
58 that the minimum penalty for the violation is three hundred dollars, and offering the owner  
59 participation in a pretrial diversion option to preclude referral for prosecution and registration  
60 suspension under sections 303.420 to 303.440. The notice of vehicle registration suspension  
61 shall give a period of thirty-three days from mailing for the vehicle owner to respond, and  
62 shall be deemed received three days after mailing. If no request for a hearing or agreement to  
63 participate in the diversion option is received by the department of revenue prior to the date  
64 provided on the notice of vehicle registration suspension, the director shall suspend the  
65 vehicle's registration, effective immediately, and refer the case to the appropriate prosecuting  
66 attorney. If an agreement by the vehicle owner to participate in the diversion option is  
67 received by the department of revenue prior to the effective date provided on the notice of  
68 vehicle registration suspension, then upon payment of a diversion participation fee not to  
69 exceed two hundred dollars, agreement to secure proof of financial responsibility within the  
70 time provided on the notice of suspension, and agreement that such financial responsibility  
71 shall be maintained for a minimum of two years, no points shall be assessed to the vehicle  
72 owner's driver's license under section 302.302 and the department of revenue shall not take  
73 further action against the vehicle owner under sections 303.420 to 303.440, subject to  
74 compliance with the terms of the pretrial diversion option. The department of revenue shall  
75 suspend the vehicle registration of, and shall refer the case to the appropriate prosecuting  
76 attorney for prosecution of, participating vehicle owners who violate the terms of the pretrial  
77 diversion option. If a request for hearing is received by the department of revenue prior to the  
78 effective date provided on the notice of vehicle registration suspension, then for all purposes  
79 other than eligibility for participation in the diversion option, the effective date of the  
80 suspension shall be stayed until a final order is issued following the hearing. The department  
81 of revenue shall suspend the registration of vehicles determined under the final order to have  
82 violated the motor vehicle financial responsibility law, and shall refer the case to the  
83 appropriate prosecuting attorney for prosecution. Notices under this subsection shall be  
84 mailed to the vehicle owner at the last known address shown on the department of revenue's



85 records. The department of revenue or its third-party vendor shall issue receipts for the  
86 collection of diversion participation fees. Except as otherwise provided in subsection 1 of  
87 this section, all such fees shall be deposited into the motor vehicle financial responsibility  
88 verification and enforcement fund established in section 303.422. A vehicle owner whose  
89 registration has been suspended under sections 303.420 to 303.440 may obtain reinstatement  
90 of the registration upon providing proof of financial responsibility and payment to the  
91 department of revenue of a nonrefundable reinstatement fee equal to the fee that would be  
92 applicable under subsection 2 of section 303.042 if the registration had been suspended under  
93 section 303.041.

94         8. Data collected or retained under the program shall not be used by any entity for  
95 purposes other than enforcement of the motor vehicle financial responsibility law. Data  
96 collected and stored by law enforcement under the program shall be considered evidence if  
97 noncompliance with the motor vehicle financial responsibility law is confirmed. The  
98 evidence, and an affidavit stating that the evidence and system have identified a particular  
99 vehicle as being in violation of the motor vehicle financial responsibility law, shall constitute  
100 probable cause for prosecution and shall be forwarded in accordance with subsection 7 of this  
101 section to the appropriate prosecuting attorney.

102         9. Owners of vehicles identified under the program as being in violation of the motor  
103 vehicle financial responsibility law shall be provided with options for disputing such claims  
104 which do not require appearance at any state or local court of law, or administrative facility.  
105 Any person who presents timely proof that he or she was in compliance with the motor  
106 vehicle financial responsibility law at the time of the alleged violation shall be entitled to  
107 dismissal of the charge with no assessment of fees or fines. Proof provided by a vehicle  
108 owner to the department of revenue that the vehicle was in compliance at the time of the  
109 suspected violation of the motor vehicle financial responsibility law shall be recorded in the  
110 system established by the department of revenue under section 303.430.

111         10. The collection of data pursuant to this section shall be done in a manner that  
112 prohibits any bias towards a specific community, race, ~~[gender]~~ sex, or socioeconomic status  
113 of vehicle owner.

114         11. Law enforcement agencies, third-party vendors, or other entities authorized to  
115 operate under the program shall not sell data collected or retained under the program for any  
116 purpose or share it for any purpose not expressly authorized in this section. All data shall be  
117 secured and any third-party vendor or other entity authorized to operate under the program  
118 may be liable for any data security breach.

119         12. The department of revenue shall not take action under sections 303.420 to  
120 303.440 against vehicles registered as fleet vehicles under section 301.032, or against

vehicles known to the department of revenue to be insured under a policy of commercial auto coverage, as such term is defined in subdivision (10) of subsection 2 of section 303.430.

13. Following one year after the implementation of the program, and every year thereafter for a period of five years, the department of revenue shall provide a report to the president pro tempore of the senate, the speaker of the house of representatives, the chairs of the house and senate committees with jurisdictions over insurance or transportation matters, and the chairs of the house budget and senate appropriations committees. The report shall include an evaluation of program operations, information as to the costs of the program incurred by the department of revenue, insurers, and the public, information as to the effectiveness of the program in reducing the number of uninsured motor vehicles, and anonymized demographic information including the race and zip code of vehicle owners identified under the program as being in violation of the motor vehicle financial responsibility law, and may include any additional information and recommendations for improvement of the program deemed appropriate by the department of revenue. The department of revenue may, by rule, require the state, counties, and municipalities to provide information in order to complete the report.

14. The department of revenue may promulgate rules as necessary for the implementation 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, 2023, shall be invalid and void.

304.670. 1. The highway patrol and any local law enforcement agency may collect, correlate and maintain the following information regarding traffic law enforcement:

(1) The number of drivers stopped for routine traffic enforcement and whether or not a citation or warning was issued;

(2) Identifying characteristics of the drivers stopped, including race, ethnicity, age and ~~gender~~ sex;

(3) The alleged violation that led to the stop;

(4) Whether a search was instituted as a result of the stop;

(5) Whether the vehicle, personal effects, driver or passengers were searched, and the race, ethnicity, age and ~~gender~~ sex of any person searched;

11 (6) Whether the search was conducted pursuant to consent, probable cause or  
12 reasonable suspicion to suspect a crime, including the basis for the request for consent, or the  
13 circumstances establishing probable cause or reasonable suspicion;

14 (7) Whether any contraband was found and the type and amount of any contraband;

15 (8) Whether an arrest was made;

16 (9) Whether any property was seized and a description of such property;

17 (10) Whether the officers making the stop encountered any physical resistance from  
18 the driver or passengers;

19 (11) Whether the officers making the stop engaged in the use of force against the  
20 driver or any passengers;

21 (12) Whether the circumstances surrounding the stop were the subject of any  
22 investigation, and the results of such investigation.

23 2. The information to be collected pursuant to subsection 1 of this section need not be  
24 collected in connection with roadblocks, vehicle checks or checkpoints, except when such  
25 stops result in a warning, search, seizure or arrest.

26 3. The highway patrol shall conduct analyses of the information collected pursuant to  
27 this section to determine whether law enforcement officers are using profiles in law  
28 enforcement activities.

324.203. 1. There is hereby created within the division of professional registration, a  
2 committee to be known as the "State Committee of Dietitians". The committee shall assist  
3 the division in administering and enforcing the provisions of sections 324.200 to 324.225,  
4 adopt, publish, and enforce such rules and regulations within the scope and purview of the  
5 provisions of sections 324.200 to 324.225 as may be considered to be necessary or proper for  
6 the effective administration and interpretation of the provisions of sections 324.200 to  
7 324.225, and for the conduct of its business and management of its internal affairs.

8 2. The committee shall approve the examination required by section 324.210.

9 3. The committee shall consist of six members including one public member,  
10 appointed by the governor with the advice and consent of the senate. Each member of the  
11 committee shall be a citizen of the United States and a resident of this state, and, except as  
12 provided in this section and except for the first members appointed, shall be licensed as a  
13 dietitian by this state. Beginning with the first appointments made after August 28, 1998, two  
14 members shall be appointed for four years, two members shall be appointed for three years  
15 and two members shall be appointed for two years. Thereafter, all members shall be  
16 appointed to serve four-year terms. No person shall be eligible for reappointment who has  
17 served as a member of the committee for a total of eight years. The membership of the  
18 committee shall reflect the differences in levels of education and work experience with  
19 consideration being given to race, ~~[gender]~~ sex, and ethnic origins. No more than three

20 members shall be from the same political party. The membership shall be representative of  
21 the various geographic regions of the state.

22 4. A vacancy in the office of a member shall be filled by appointment by the governor  
23 for the remainder of the unexpired term.

24 5. Each member of the committee shall receive as compensation an amount set by the  
25 division not to exceed fifty dollars, and shall be reimbursed for necessary and actual expenses  
26 incurred in the performance of the member's official duties. The director of the division of  
27 professional registration shall establish by rule guidelines for payment. All staff for the  
28 committee shall be provided by the division.

29 6. The committee shall hold an annual meeting at which it shall elect from its  
30 membership a chairperson and secretary. The committee may hold such additional meetings  
31 as may be required in the performance of its duties, provided that notice of every meeting  
32 shall be given to each member at least three days prior to the date of the meeting. A quorum  
33 of the committee shall consist of a majority of its members.

34 7. The governor may remove a committee member for misconduct, incompetency,  
35 neglect of the member's official duties, or for cause.

36 8. The public member shall be at the time of the person's appointment a citizen of the  
37 United States; a resident of this state for a period of one year and a registered voter; a person  
38 who is not and never was a member of any profession licensed or regulated by sections  
39 324.200 to 324.225, or the spouse of such a person; and a person who does not have and never  
40 has had a material financial interest in either the providing of the professional services  
41 regulated by sections 324.200 to 324.225, or an activity or organization directly related to any  
42 profession licensed or regulated by sections 324.200 to 324.225. The duties of the public  
43 member shall not include the determination of the technical requirements to be met for  
44 licensure or whether any person meets such technical requirements or of the technical  
45 competence or technical judgment of a licensee or a candidate for licensure.

324.243. 1. There is hereby established in the division of professional registration the  
2 "Board of Therapeutic Massage" which shall guide, advise and make recommendations to the  
3 division and fulfill other responsibilities designated by sections 324.240 to 324.275. The  
4 board shall approve the examination required by section 324.265 and shall assist the division  
5 in carrying out the provisions of sections 324.240 to 324.275.

6 2. The board shall consist of seven voting members, including one public member,  
7 and one nonvoting member, appointed by the governor with the advice and consent of the  
8 senate. Each member of the board shall be a citizen of the United States and a resident of this  
9 state and, except for the members first appointed, shall be licensed as a massage therapist by  
10 this state. The nonvoting member shall be a member of the massage education community in  
11 the state and shall serve a four-year term. Beginning with the appointments made after

12 August 28, 1998, three voting members shall be appointed for four years, two voting  
13 members shall be appointed for three years and two voting members shall be appointed for  
14 two years. Thereafter, all voting members shall be appointed to serve four-year terms. No  
15 person shall be eligible for reappointment who has served as a member of the board for a total  
16 of eight years. The membership of the board shall reflect the differences in work experience  
17 and the professional affiliations of therapists with consideration being given to race, ~~[gender]~~  
18 sex, and ethnic origins.

19 3. A vacancy in the office of a member shall be filled by appointment by the governor  
20 for the remainder of the unexpired term.

21 4. The board shall hold an annual meeting at which it shall elect from its membership  
22 a chairperson, vice chairperson and secretary. The board may hold such additional meetings  
23 as may be required in the performance of its duties, provided that notice of every meeting  
24 shall be given to each member at least three days prior to the date of the meeting. A quorum  
25 of the board shall consist of a majority of its voting members.

26 5. The governor may remove a board member for misconduct, incompetence or  
27 neglect of official duties after giving the board member written notice of the charges and  
28 allowing the board member an opportunity to be heard.

29 6. The public member shall be, at the time of appointment, a citizen of the United  
30 States; a resident of this state for a period of one year and a registered voter; but may not have  
31 been a member of any profession licensed or regulated pursuant to sections 324.240 to  
32 324.275 or an immediate family member of such a person; and may not have had a material,  
33 financial interest in either the providing of massage therapy as defined in sections 324.240 to  
34 324.275 or in an activity or organization directly related to any profession licensed or  
35 regulated pursuant to sections 324.240 to 324.275. The duties of the public member shall not  
36 include any determination of the technical requirements to be met for licensure, whether a  
37 candidate for licensure meets such technical requirements, or of the technical competence or  
38 technical judgment of a licensee or a candidate for licensure.

39 7. The professional members shall not be officers in a professional massage  
40 organization, nor may they be the owners or managers of any massage educational entity.

41 8. Notwithstanding any other provision of law to the contrary, any appointed member  
42 of the board shall receive as compensation an amount established by the director of the  
43 division of professional registration not to exceed seventy dollars per day for commission  
44 business plus actual and necessary expenses. The director of the division of professional  
45 registration shall establish by rule guidelines for payment. All staff for the board shall be  
46 provided by the division.

333.151. 1. The state board of embalmers and funeral directors shall consist of six  
2 members, including one voting public member appointed by the governor with the advice and

3 consent of the senate. Each member, other than the public member, appointed shall possess  
4 either a license to practice embalming or a license to practice funeral directing in this state or  
5 both said licenses and shall have been actively engaged in the practice of embalming or  
6 funeral directing for a period of five years next before his or her appointment. Each member  
7 shall be a United States citizen, a resident of this state for a period of at least one year, a  
8 qualified voter of this state and shall be of good moral character. Not more than three  
9 members of the board shall be of the same political party. The nonpublic members shall be  
10 appointed by the governor, with the advice and consent of the senate. A majority of the  
11 members shall constitute a quorum. Members shall be appointed to represent diversity in  
12 ~~[gender]~~ sex, race, ethnicity, and the various geographic regions of the state.

13         2. Each member of the board shall serve for a term of five years. Any vacancy on the  
14 board shall be filled by the governor and the person appointed to fill the vacancy shall possess  
15 the qualifications required by this chapter and shall serve until the end of the unexpired term  
16 of his or her predecessor, if any.

17         3. The public member shall be at the time of his or her appointment a person who is  
18 not and never was a member of any profession licensed or regulated pursuant to this chapter  
19 or the spouse of such person; and a person who does not have and never has had a material,  
20 financial interest in either the providing of the professional services regulated by this chapter,  
21 or an activity or organization directly related to any profession licensed or regulated pursuant  
22 to this chapter. All members, including public members, shall be chosen from lists submitted  
23 by the director of the division of professional registration. The duties of the public member  
24 shall not include the determination of the technical requirements to be met for licensure or  
25 whether any person meets such technical requirements or of the technical competence or  
26 technical judgment of a licensee or a candidate for licensure.

337.535. 1. There is hereby established the "Committee for Professional Counselors"  
2 which shall guide, advise, and make recommendations to the division and fulfill other  
3 responsibilities designated by this chapter. The committee shall approve the examination  
4 required by section 337.510 and shall assist the division in carrying out the provisions of  
5 sections 337.500 to 337.540.

6         2. The committee shall consist of six members, including one public member,  
7 appointed by the governor with the advice and consent of the senate. Each member of the  
8 committee shall be a citizen of the United States and a resident of this state and, except as  
9 provided hereinafter, shall be licensed as a professional counselor by this state. Beginning  
10 with the appointments made after August 28, 1992, two members shall be appointed for four  
11 years, two members shall be appointed for three years and two members shall be appointed  
12 for two years. Thereafter, all members shall be appointed to serve four-year terms. No  
13 person shall be eligible for reappointment who has served as a member of the committee for a

14 total of eight years. The membership of the committee shall reflect the differences in levels  
15 of education and work experience with consideration being given to race, ~~[gender]~~ sex, and  
16 ethnic origins. Not more than two counselor educators shall be members of the committee at  
17 the same time. The president of the American Counseling Association of Missouri in office  
18 at the time shall, at least ninety days prior to the expiration of the term of the committee  
19 member, other than the public member, or as soon as feasible after the vacancy on the  
20 committee otherwise occurs, submit to the director of the division of professional registration  
21 a list of five professional counselors qualified and willing to fill the vacancy in question, with  
22 the request and recommendation that the governor appoint one of the five persons so listed,  
23 and with the list so submitted, the president of the American Counseling Association of  
24 Missouri shall include in his or her letter of transmittal a description of the method by which  
25 the names were chosen by that association.

26         3. A vacancy in the office of a member shall be filled by appointment by the governor  
27 for the remainder of the unexpired term.

28         4. Each member of the committee shall receive as compensation, an amount set by the  
29 committee not to exceed fifty dollars for each day devoted to the affairs of the committee, and  
30 shall be reimbursed for necessary and actual expenses incurred in the performance of his or  
31 her official duties. All staff for the committee shall be provided by the division.

32         5. The committee shall hold an annual meeting at which it shall elect from its  
33 membership a chairperson and secretary. The committee may hold such additional meetings  
34 as may be required in the performance of its duties, provided that notice of every meeting  
35 must be given to each member at least three days prior to the date of the meeting. A quorum  
36 of the committee shall consist of a majority of its members.

37         6. The governor may remove a committee member for misconduct, incompetency or  
38 neglect of his or her official duties after giving the committee member written notice of the  
39 charges against the committee member and an opportunity to be heard thereon.

40         7. The public member shall be at the time of his or her appointment a citizen of the  
41 United States; a resident of this state for a period of one year and a registered voter; a person  
42 who is not and never was a member of any profession licensed or regulated pursuant to  
43 sections 337.500 to 337.540 or the spouse of such person; and a person who does not have  
44 and never has had a material, financial interest in either the providing of the professional  
45 services regulated by sections 337.500 to 337.540, or an activity or organization directly  
46 related to any profession licensed or regulated pursuant to sections 337.500 to 337.540. The  
47 duties of the public member shall not include the determination of the technical requirements  
48 to be met for licensure or whether any person meets such technical requirements or of the  
49 technical competence or technical judgment of a licensee or a candidate for licensure.

337.739. 1. There is created and established the "State Committee of Marital and Family Therapists" which shall consist of four family and marital therapists and two voting public members. The committee shall be appointed by the governor with the advice and consent of the senate. Committee members shall serve for a term of five years, except for the members first appointed, one public member and one other member shall be appointed for five years, two members shall be appointed for four years, the other public member and one other member appointed for three years. No person shall be eligible for appointment to the committee who has served as a member of the committee for a total of ten years. Members shall be appointed to represent a diversity in ~~[gender]~~ sex, race and ethnicity. No more than three members shall be from the same political party.

2. Each nonpublic committee member shall be a resident of the state of Missouri for one year, shall be a United States citizen, and shall meet all the requirements for licensing enumerated in sections 337.700 to 337.739, shall be licensed as a licensed marital and family therapist under sections 337.700 to 337.739, except the members of the first committee, who shall be licensed within six months of their appointment, and are actively engaged in the practice of marital and family therapy. If a member of the committee shall, during the member's term as a committee member, remove the member's domicile from the state of Missouri, then the committee shall immediately notify the governor, and the seat of that committee member shall be declared vacant. All such vacancies shall be filled by appointment as in the same manner as the first appointment, and the member so appointed shall serve for the unexpired term of the member whose seat has been declared vacant. The public members shall be at the time of each member's appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; a person who does not have and never has had a material, financial interest in either the provision of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter.

3. The committee shall hold a regular annual meeting at which it shall select from among its members a chairman and a secretary. A quorum of the committee shall consist of a majority of its members. In the absence of the chairman, the secretary shall conduct the office of the chairman.

4. No member of the committee shall receive any compensation for the performance of the member's official duties but shall be entitled to reimbursement for necessary and actual expenses incurred in the performance of the member's duties. The committee shall share resources and facilities with the office for the committee for professional counselors provided



37 for in sections 337.500 to 337.540. All staff for the committee shall be provided by the  
38 director of the division of professional registration.

39 5. The governor may remove any member of the committee for misconduct,  
40 inefficiency, incompetency or neglect of office.

375.024. 1. The provisions of this section shall only apply to life insurance producer  
2 examinations.

3 2. The director or, at the director's discretion, a vendor under contract with the  
4 department, shall review license producer examinations subject to the provisions of this  
5 section if, during any twelve-month period beginning on September first of a year, the  
6 examinations exhibit an overall pass rate of less than seventy percent for first-time examinees.

7 3. In conformance with appropriate law relating to privacy, the department shall  
8 collect demographic information, including, race, ~~[gender]~~ sex, and national origin, from an  
9 individual taking a license examination subject to the provisions of this section.

10 4. The department shall compile an annual report based on the review required under  
11 subsection 2 of this section. The report shall indicate whether there was any disparity in the  
12 examination pass rate based on demographic information.

13 5. The director by rule may establish procedures as necessary to:

14 (1) Collect demographic information necessary to implement the provisions of this  
15 section; and

16 (2) Ensure that a review required under subsection 2 of this section is conducted and  
17 the resulting report is prepared.

18

19 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under  
20 the authority delegated in this section shall become effective only if it complies with and is  
21 subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This  
22 section and chapter 536 are nonseverable and if any of the powers vested with the general  
23 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
24 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority  
25 and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

26 6. The director shall deliver the report prepared under this section to the governor, the  
27 lieutenant governor, the president pro tem of the senate, and the speaker of the house of  
28 representatives not later than December first of each year.

29 7. The first twelve-month period for which a license examination review may be  
30 required under this section shall begin September 1, 2010.

31 8. The director shall deliver the initial report required under this section, not later than  
32 December 1, 2011.

375.936. Any of the following practices, if committed in violation of section 375.934,  
2 are hereby defined as unfair trade practices in the business of insurance:

3 (1) "Boycott, coercion, intimidation", entering into any agreement to commit, or by  
4 any concerted action committing any act of boycott, coercion or intimidation resulting in or  
5 tending to result in an unreasonable restraint of, or monopoly in, the business of insurance;

6 (2) "Defamation", making, publishing, disseminating, or circulating, directly or  
7 indirectly, or aiding, abetting or encouraging the making, publishing, disseminating or  
8 circulating of any oral or written statement or any pamphlet, circular, article or literature  
9 which is false, or maliciously critical of or derogatory to the financial condition of any  
10 insurer, and which is calculated to injure such insurer;

11 (3) "Failure to maintain complaint handling procedures", failure of any person to  
12 maintain a complete record of all the complaints which it has received for a period of not less  
13 than three years. This record shall indicate the total number of complaints, their classification  
14 by line of insurance, the nature of each complaint, the disposition of these complaints, and the  
15 time it took to process each complaint. For purposes of this subdivision, "complaint" shall  
16 mean any written communication primarily expressing a grievance;

17 (4) "False information and advertising generally", making, publishing, disseminating,  
18 circulating or placing before the public, or causing, directly or indirectly, to be made,  
19 published, disseminated, circulated, or placed before the public, in a newspaper, magazine or  
20 other publication, or in the form of a notice, circular, pamphlet, letter or poster or over any  
21 radio or television station, or in any other way, an advertisement, announcement or statement  
22 containing any assertion, representation or statement with respect to the business of insurance  
23 or with respect to any insurer in the conduct of his insurance business, which is untrue,  
24 deceptive or misleading;

25 (5) "False statements and entries:"

26 (a) Knowingly filing with any supervisory or other public official, or knowingly  
27 making, publishing, disseminating, circulating or delivering to any person, or placing before  
28 the public, or knowingly causing, directly or indirectly, to be made, published, disseminated,  
29 circulated, delivered to any person, or placed before the public, any false material statement  
30 of fact as to the financial condition or dealings of an insurer;

31 (b) Knowingly making any false entry of a material fact in any book, report or  
32 statement of any insurer or knowingly omitting to make a true entry of any material fact  
33 pertaining to the business of such insurer in any book, report or statement of such insurer;

34 (6) "Misrepresentations and false advertising of insurance policies", making, issuing,  
35 circulating, or causing to be made, issued or circulated, any estimate, illustrations, circular or  
36 statement, sales presentation, omission, or comparison which:

37 (a) Misrepresents the benefits, advantages, conditions, or terms of any policy;

- 38 (b) Misrepresents the dividends or share of the surplus to be received on any policy;
- 39 (c) Makes any false or misleading statements as to the dividends or share of surplus
- 40 previously paid on any policy;
- 41 (d) Is misleading or is a misrepresentation as to the financial condition of any insurer,
- 42 or as to the legal reserve system upon which any life insurer operates;
- 43 (e) Uses any name or title of any policy or class of policies misrepresenting the true
- 44 nature thereof;
- 45 (f) Is a misrepresentation for the purpose of inducing or tending to induce the
- 46 purchase, lapse, forfeiture, exchange, conversion, or surrender of any policy, including any
- 47 intentional misquote of a premium rate;
- 48 (g) Is a misrepresentation for the purpose of effecting a pledge or assignment of or
- 49 effecting a loan against any policy; or
- 50 (h) Misrepresents any policy as being shares of stock;
- 51 (7) "Misrepresentation in insurance applications", making false or fraudulent
- 52 statements or representations on or relative to an application for a policy, for the purpose of
- 53 obtaining a fee, commission, money, or other benefit from any insurer, agent, agency, broker
- 54 or other person;
- 55 (8) "Prohibited group enrollments", no insurer shall offer more than one group
- 56 contract of insurance through any person unless such person is licensed pursuant to law;
- 57 however, this prohibition shall not apply to employer-employee relationships, nor to any such
- 58 enrollments;
- 59 (9) "Rebates":
- 60 (a) Except as otherwise expressly provided by law, knowingly permitting or offering
- 61 to make or making any contract of life insurance, life annuity, accident and health insurance
- 62 or other insurance, or agreement as to such contract other than as plainly expressed in the
- 63 insurance contract issued thereon, or paying or allowing, or giving or offering to pay, allow,
- 64 or give, directly or indirectly, as inducement to such insurance or annuity, any rebate of
- 65 premiums payable on the contract, or any special favor or advantage in the dividends or other
- 66 benefits thereon, or any valuable consideration or inducement whatever not specified in the
- 67 contract; or giving, or selling, or purchasing or offering or to give, sell, or purchase as
- 68 inducement to such insurance contract or annuity or in connection therewith, any stocks,
- 69 bonds or other securities of any insurance company or other corporation, association, or
- 70 partnership, or any dividends or profits accrued thereon, or anything of value whatsoever not
- 71 specified in the contract;
- 72 (b) Nothing in subdivision (11) or paragraph (a) of this subdivision shall be construed
- 73 as including within the definition of discrimination or rebates any of the following practices:

74           a. In the case of any contract of life insurance or life annuity, paying bonuses to  
75 nonparticipating policyholders or otherwise abating their premiums in whole or in part out of  
76 surplus accumulated from nonparticipating insurance; provided that any such bonuses or  
77 abatement of premiums shall be fair and equitable to policyholders and for the best interest of  
78 the company and its policyholders;

79           b. In the case of life insurance policies issued on the industrial debit plan, making  
80 allowance to policyholders who have continuously for a specified period made premium  
81 payments directly to an office of the insurer in an amount which fairly represents the saving in  
82 collection expenses;

83           c. Readjustment of the rate of premium for a group insurance policy based on the loss  
84 or expense experience thereunder, at the end of the first or any subsequent policy year of  
85 insurance thereunder, which may be made retroactive only for such policy year;

86           (10) "Stock operations and advisory board contracts", issuing or delivering or  
87 permitting agents, officers or employees to issue or deliver, agency company stock or other  
88 capital stock, or benefit certificates or shares in any common law corporation, or securities or  
89 any special or advisory board contracts or other contracts of any kind promising returns and  
90 profits as an inducement to insurance;

91           (11) "Unfair discrimination":

92           (a) Making or permitting any unfair discrimination between individuals of the same  
93 class and equal expectation of life in the rates charged for any contract of life insurance or of  
94 life annuity or in the dividends or other benefits payable thereon, or in any other of the terms  
95 and conditions of such contract;

96           (b) Making or permitting any unfair discrimination between individuals of the same  
97 class and of essentially the same hazard in the amount of premium, policy fees, or rates  
98 charged for any policy or contract of accident or health insurance or in the benefits payable  
99 thereunder, or in any of the terms or conditions of such contract, or in any other manner  
100 whatever, including any unfair discrimination by not permitting the insured full freedom of  
101 choice in the selection of any duly licensed physician, surgeon, optometrist, chiropractor,  
102 dentist, psychologist, pharmacist, pharmacy, or podiatrist; except that the terms of this  
103 paragraph shall not apply to health maintenance organizations licensed pursuant to chapter  
104 354;

105           (c) Making or permitting any unfair discrimination between individuals or risks of the  
106 same class and of essentially the same hazards by refusing to issue, refusing to renew,  
107 cancelling or limiting the amount of insurance coverage on a property or casualty risk because  
108 of the geographic location of the risk;

109           (d) Making or permitting any unfair discrimination between individuals or risks of the  
110 same class and of essentially the same hazards by refusing to issue, refusing to renew,

111 cancelling or limiting the amount of insurance coverage on a residential property risk, or the  
112 personal property contained therein, because of the age of the residential property;

113 (e) Refusing to insure, refusing to continue to insure, or limiting the amount of  
114 coverage available to an individual because of the ~~[gender]~~ sex or marital status of the  
115 individual; however, nothing in this paragraph shall prohibit an insurer from taking marital  
116 status into account for the purpose of defining persons eligible for dependent benefits;

117 (f) Refusing to insure solely because another insurer has refused to issue a policy, or  
118 has cancelled or has refused to renew an existing policy for which that person was the named  
119 insured, nor shall any insurance company or its agent or representative require any applicant  
120 or policyholder to divulge in a written application or otherwise whether any insurer has  
121 cancelled or refused to renew or issue to the applicant or policyholder a policy of insurance,  
122 provided that an insurer may require the name of the prior carrier in order to verify the  
123 applicant's previous claims or medical history;

124 (g) Cancelling or refusing to insure or refusing to continue to insure a policy solely  
125 because of race, ~~[gender]~~ sex, color, creed, national origin, or ancestry of anyone who is or  
126 seeks to become insured;

127 (h) Terminating, or modifying coverage or refusing to issue or refusing to renew any  
128 property or casualty policy or contract of insurance solely because the applicant or insured or  
129 any employee of either is mentally or physically impaired; except that this paragraph shall not  
130 apply to accident and health insurance sold by a casualty insurer and, in addition, this  
131 paragraph shall not be interpreted to modify any other provision of law relating to the  
132 termination, modification, issuance or renewal of any insurance policy or contract;

133 (i) The provisions of paragraphs (c), (d), (e), (f), (g), and (h) of this subdivision shall  
134 not apply if:

135 a. The refusal, cancellation, limitation, termination or modification is for a business  
136 purpose which is not a mere pretext for unfair discrimination, or

137 b. The refusal, cancellation, limitation, termination or modification is required by law  
138 or regulatory mandate;

139 (12) "Unfair financial planning practices", an insurance producer, agent, broker or  
140 consultant:

141 (a) Holding himself out, directly or indirectly, to the public as a financial planner,  
142 investment adviser, financial consultant, financial counselor, or any other specialist engaged  
143 in the business of giving financial planning or advice relating to investments, insurance, real  
144 estate, tax matters, or trust and estate matters when such person is in fact engaged only in the  
145 sale of policies; provided, however, an insurance producer, agent, broker or consultant who  
146 has passed a professional course of study may use the symbol of the professional designation  
147 on his or her business card or stationery;

(b) Engaging in the business of financial planning without disclosing to the client prior to the execution of the agreement provided for in paragraph (c) of this subdivision or solicitation of the sale of a product or service that:

a. He is also an insurance salesperson; and

b. That a commission for the sale of an insurance product will be received in addition to a fee for financial planning, if such is the case. The disclosure requirement under this paragraph may be met by including it in any disclosure required by federal or state securities law;

(c) Charging fees, other than commissions, for financial planning by insurance agents, brokers or consultants, unless such fees are based upon a written agreement, which is signed by the party to be charged in advance of the performance of the services under the agreement. A copy of the agreement shall be provided to the party to be charged at the time the agreement is signed by the party and:

a. The services for which the fee is to be charged must be specifically stated in the agreement;

b. The amount of the fee to be charged or how it will be determined or calculated must be specifically stated in the agreement;

c. The agreement must state that the client is under no obligation to purchase any insurance product through the insurance agent, broker or consultant.

The insurance agent, broker or consultant shall retain a copy of the agreement for not less than three years after completion of services, and a copy shall be available to the director upon request;

(13) Any violation of section 375.445.

375.1402. As used in sections 375.1400 to 375.1427, the following terms mean:

(1) "Authorized person", an individual known to and authorized by the licensee and determined to be necessary and appropriate to have access to the nonpublic information held by the licensee and its information systems;

(2) "Consumer", an individual, including, but not limited to, applicants, policyholders, insureds, beneficiaries, claimants, and certificate holders, who is a resident of this state and whose nonpublic information is in a licensee's possession, custody, or control;

(3) "Cybersecurity event", an event resulting in unauthorized access to, malicious disruption of, or misuse of an information system or nonpublic information in the possession, custody, or control of a licensee or an authorized person; however:

12 (a) The term "cybersecurity event" does not include the unauthorized acquisition of  
13 encrypted, nonpublic information if the encryption, process, or key is not also acquired,  
14 released, or used without authorization; and

15 (b) The term "cybersecurity event" does not include an event with regard to which the  
16 licensee has determined that the nonpublic information accessed by an unauthorized person  
17 has not been used or released and has been returned or destroyed;

18 (4) "Department", the department of commerce and insurance;

19 (5) "Director", the director of the department of commerce and insurance;

20 (6) "Encrypted", the transformation of data into a form that results in a low  
21 probability of assigning meaning without the use of a protective process or key;

22 (7) "HIPAA", the federal Health Insurance Portability and Accountability Act (42  
23 U.S.C. Section 1320d et seq.);

24 (8) "Information security program", the administrative, technical, and physical  
25 safeguards that a licensee uses to access, collect, distribute, process, protect, store, use,  
26 transmit, dispose of, or otherwise handle nonpublic information;

27 (9) "Information system", a discrete set of electronic information resources organized  
28 for the collection, processing, maintenance, use, sharing, dissemination, or disposition of  
29 electronic nonpublic information, as well as any specialized system such as industrial and  
30 process controls systems, telephone switching and private branch exchange systems, and  
31 environmental control systems;

32 (10) "Licensee", any person licensed, authorized to operate, or registered, or required  
33 to be licensed, authorized, or registered under the insurance laws of this state, but shall not  
34 include a purchasing group or a risk retention group chartered and licensed in a state other  
35 than this state or a licensee that is acting as an assuming insurer that is domiciled in another  
36 state or jurisdiction;

37 (11) "Multifactor authentication", authentication through verification of at least two  
38 of the following types of authentication factors:

39 (a) Knowledge factors, such as a password;

40 (b) Possession factors, such as a token or text message on a mobile phone; or

41 (c) Inherence factors, such as a biometric characteristic;

42 (12) "Nonpublic information", information that is not publicly available information  
43 and is:

44 (a) Business-related information of a licensee, the tampering with which, or  
45 unauthorized disclosure, access, or use of which, would cause a material adverse impact to  
46 the business, operations, or security of the licensee;

47 (b) Any information concerning a consumer that, because of name, personal  
48 mark, or other identifier, can be used to identify such consumer, in combination with any one  
49 or more of the following data elements:

- 50 a. Social Security number;
- 51 b. Driver's license number or nondriver identification card number;
- 52 c. Financial account number or credit or debit card number;
- 53 d. Any security code, access code, or password that would permit access to a  
54 consumer's financial account;
- 55 e. Biometric records; or
- 56 f. Military identification number;

57 (c) Any information or data, except age or ~~[gender]~~ sex, in any form or medium  
58 created by or derived from a health care provider or a consumer and that relates to:

- 59 a. The past, present, or future physical, mental, or behavioral health or condition of  
60 any consumer or a member of the consumer's family;
- 61 b. The provision of health care to any consumer; or
- 62 c. Payment for the provision of health care to any consumer;

63 (13) "Person", any individual or any nongovernmental entity including, but not  
64 limited to, any nongovernmental partnership, corporation, branch, agency, or association;

65 (14) "Publicly available information", any information that a licensee has a  
66 reasonable basis to believe is lawfully made available to the general public from federal, state,  
67 or local government records; widely distributed media; or disclosures to the general public  
68 that are required to be made by federal, state, or local law. For the purposes of this definition,  
69 a licensee has a reasonable basis to believe that information is lawfully made available to the  
70 general public if the licensee has taken steps to determine:

71 (a) That the information is of the type that is available to the general public; and

72 (b) Whether a consumer can direct that the information not be made available to the  
73 general public and, if so, that such consumer has not done so;

74 (15) "Risk assessment", the risk assessment that each licensee is required to conduct  
75 under subsection 3 of section 375.1405;

76 (16) "State", the state of Missouri;

77 (17) "Third-party service provider", a person, not otherwise defined as a licensee, that  
78 contracts with a licensee to maintain, process, store, or otherwise is permitted access to  
79 nonpublic information through its provision of services to the licensee.

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 each type of material subject



4 to the provisions of this section is obtained for value. There shall be a separate record for  
5 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 photo identification issued by the state or by the  
15 United States government or agency thereof of the person from whom the material is  
16 obtained;

17 (2) The current address, ~~[gender]~~ sex, birth date, and a color photograph of the person  
18 from whom the material is obtained if not included or are different from the identification  
19 required 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.

24 3. The records required under this section shall be maintained for a minimum of  
25 thirty-six months from when such material is obtained and shall be available for inspection by  
26 any law enforcement officer.

27 4. No transaction that includes a detached catalytic converter shall occur at any  
28 location other than the fixed place of business of the purchaser or collector of, or dealer in,  
29 junk, scrap metal, or any secondhand property. No detached catalytic converter shall be  
30 altered, modified, disassembled, or destroyed until it has been in the purchaser's, collector's,  
31 or dealer's possession for five business days.

32 5. Anyone licensed under section 301.218 who knowingly purchases a stolen  
33 detached catalytic converter shall be subject to the following penalties:

34 (1) For a first violation, a fine in the amount of five thousand dollars;

35 (2) For a second violation, a fine in the amount of ten thousand dollars; and

36 (3) For a third violation, revocation of the license for a business described under  
37 section 301.218.

38 6. This section shall not apply to either of the following transactions:

39 (1) Any transaction for which the seller has an existing business relationship with the  
40 scrap metal dealer and is known to the scrap metal dealer making the purchase to be an

41 established business or political subdivision that operates a business with a fixed location that  
42 can be reasonably expected to generate regulated scrap metal and can be reasonably identified  
43 as such a business, and for which the seller is paid by check or by electronic funds transfer, or  
44 the seller produces an acceptable identification, which shall be a copy of the driver's license  
45 or photo identification issued by the state or by the United States government or agency  
46 thereof, and a copy is retained by the purchaser; or

47 (2) Any transaction for which the type of metal subject to subsection 1 of this section  
48 is a minor part of a larger item, except for heating and cooling equipment or equipment used  
49 in the generation and transmission of electrical power or telecommunications.

443.863. It is unlawful discrimination to refuse loans or to vary the terms of loans or  
2 the application procedures for loans because of:

3 (1) The borrower's race, color, religion, national origin, age, ~~[gender]~~ sex, or marital  
4 status; or

5 (2) The location of the proposed security.

455.543. 1. In any incident investigated by a law enforcement agency involving a  
2 homicide or suicide, the law enforcement agency shall make a determination as to whether  
3 the homicide or suicide is related to domestic violence.

4 2. In making such determination, the local law enforcement agency may consider a  
5 number of factors including, but not limited to, the following:

6 (1) If the relationship between the perpetrator and the victim is or was that of a family  
7 or household member;

8 (2) Whether the victim or perpetrator had previously filed for an order of protection;

9 (3) Whether any of the subjects involved in the incident had previously been  
10 investigated for incidents of domestic violence; and

11 (4) Any other evidence regarding the homicide or suicide that assists the agency in  
12 making its determination.

13 3. After making a determination as to whether the homicide or suicide is related to  
14 domestic violence, the law enforcement agency shall forward the information required to the  
15 Missouri state highway patrol on a form or format approved by the patrol. The required  
16 information shall include the ~~[gender]~~ sex and age of the victim, the type of incident  
17 investigated, the disposition of the incident and the relationship of the victim to the  
18 perpetrator. The state highway patrol shall develop a form for this purpose which shall be  
19 distributed by the department of public safety to all law enforcement agencies by October 1,  
20 2000.

566.200. As used in sections 566.200 to 566.218 and section 578.475, the following  
2 terms shall mean:

3 (1) "Basic rights information", information applicable to a noncitizen, including but  
4 not limited to information about human rights, immigration, emergency assistance and  
5 resources, and the legal rights and resources for victims of domestic violence;

6 (2) "Blackmail", any threat to reveal damaging or embarrassing information about a  
7 person to that person's spouse, family, associates, or the public at large, including a threat to  
8 expose any secret tending to subject any person to hatred, contempt, or ridicule;

9 (3) "Client", a person who is a resident of the United States and the state of Missouri  
10 and who contracts with an international marriage broker to meet recruits;

11 (4) "Coercion":

12 (a) Threats of serious harm to or physical restraint against any person;

13 (b) Any scheme, plan, or pattern intended to cause a person to believe that failure to  
14 perform an act would result in serious harm to or physical restraint against any person; or

15 (c) The abuse or threatened abuse of the legal process;

16 (5) "Commercial sex act", any sex act on account of which anything of value is given  
17 to, promised, or received by any person;

18 (6) "Criminal history record information", criminal history record information,  
19 including information provided in a criminal background check, obtained from the Missouri  
20 state highway patrol and the Federal Bureau of Investigation;

21 (7) "Financial harm", detriment, injury, or loss of a financial nature, including credit  
22 extortion, criminal violation of the usury laws under chapter 408, or employment contracts  
23 that violate the statute of frauds provisions under chapter 432;

24 (8) "International marriage broker":

25 (a) A corporation, partnership, business, individual, or other legal entity, whether or  
26 not organized under any law of the United States or any other state, that charges fees to  
27 residents of Missouri for providing dating, matrimonial, or social referrals or matching  
28 services between United States citizens or residents and nonresident aliens by providing  
29 information or a forum that would permit individuals to contact each other. Such contact  
30 shall include, but is not limited to:

31 a. Providing the name, telephone number, postal address, electronic mail address, or  
32 voice message mailbox of an individual, or otherwise facilitating communication between  
33 individuals; or

34 b. Providing an opportunity for an in-person meeting;

35 (b) Such term shall not include:

36 a. A traditional matchmaking organization of a religious nature that operates on a  
37 nonprofit basis and otherwise operates in compliance with the laws of the countries in which  
38 it operates, including the laws of the United States;

- 39           b. An entity that provides dating services between United States citizens or residents  
40 and other individuals who may be aliens, but does not do so as its principal business, and  
41 charges comparable rates to all individuals it serves regardless of the ~~[gender]~~ sex or country  
42 of citizenship or residence of the individual; or
- 43           c. An organization that does not charge a fee to any party for the services provided;  
44           (9) "Involuntary servitude or forced labor", a condition of servitude induced by means  
45 of:
- 46           (a) Any scheme, plan, or pattern of behavior intended to cause a person to believe  
47 that, if the person does not enter into or continue the servitude, such person or another person  
48 will suffer serious physical injury or physical restraint; or
- 49           (b) The abuse or threatened abuse of the legal process;
- 50           (10) "Marital history information", a declaration of the person's current marital status,  
51 the number of times the person has previously been married, and whether any previous  
52 marriages occurred as a result of service from an international marriage broker;
- 53           (11) "Nudity", the showing of the human male or female genitals, pubic area, vulva,  
54 anus, or any part of the nipple or areola of the female breast;
- 55           (12) "Peonage", illegal and involuntary servitude in satisfaction of debt;
- 56           (13) "Recruit", a noncitizen, nonresident recruited by an international marriage broker  
57 for the purpose of providing dating, matrimonial, or social referral services;
- 58           (14) "Sexual conduct", sexual intercourse as defined in section 566.010; deviate  
59 sexual intercourse as defined in section 566.010; actual or simulated acts of human  
60 masturbation; physical contact with a person's clothed or unclothed genitals, pubic area,  
61 buttocks, or the breast of a female in an act of apparent sexual stimulation or gratification; or  
62 any sadomasochistic abuse or acts including animals or any latent objects in an act of  
63 apparent sexual stimulation or gratification;
- 64           (15) "Sexual performance", any play, motion picture, still picture, film, videotape,  
65 video recording, dance, or exhibition which includes sexual conduct or nudity, performed  
66 before an audience of one or more, whether in person or online or through other forms of  
67 telecommunication;
- 68           (16) "Victim of trafficking", a person who is a victim of offenses under section  
69 566.203, 566.206, 566.209, 566.210, or 566.211.

571.014. 1. A person commits the crime of unlawful refusal to transfer by denying  
2 sale of a firearm to a nonlicensee, who is otherwise not prohibited from possessing a firearm  
3 under state or federal law, solely on the basis that the nonlicensee purchased a firearm that  
4 was later the subject of a trace request by law enforcement.

5           2. Violation of subsection 1 of this section shall be a class A misdemeanor.

6           3. Notwithstanding any other provision of law to the contrary, no federal firearms  
7 dealer licensed under 18 U.S.C. Section 923 who engages in the sale of firearms within this  
8 state shall fail or refuse to complete the sale of a firearm to a customer in every case in which  
9 the sale is authorized by federal law.

10           4. The provisions of this section shall not apply to any individual federal firearms  
11 license holder, his agents, or employees to the extent they chose in their individual judgment  
12 to not complete the sale or transfer of a firearm for articulable reasons specific to that  
13 transaction, so long as those reasons are not based on the race, ~~[gender]~~ sex, religion, or creed  
14 of the buyer.

571.101. 1. All applicants for concealed carry permits issued pursuant to subsection  
2 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said  
3 applicant can show qualification as provided by sections 571.101 to 571.121, the county or  
4 city sheriff shall issue a concealed carry permit authorizing the carrying of a concealed  
5 firearm on or about the applicant's person or within a vehicle. A concealed carry permit shall  
6 be valid from the date of issuance or renewal until five years from the last day of the month in  
7 which the permit was issued or renewed. The concealed carry permit is valid throughout this  
8 state. Although the permit is considered valid in the state, a person who fails to renew his or  
9 her permit within five years from the date of issuance or renewal shall not be eligible for an  
10 exception to a National Instant Criminal Background Check under federal regulations  
11 currently codified under 27 CFR 478.102(d), relating to the transfer, sale, or delivery of  
12 firearms from licensed dealers. A concealed carry endorsement issued prior to August 28,  
13 2013, shall continue from the date of issuance or renewal until three years from the last day of  
14 the month in which the endorsement was issued or renewed to authorize the carrying of a  
15 concealed firearm on or about the applicant's person or within a vehicle in the same manner as  
16 a concealed carry permit issued under subsection 7 of this section on or after August 28, 2013.

17           2. A concealed carry permit issued pursuant to subsection 7 of this section shall be  
18 issued by the sheriff or his or her designee of the county or city in which the applicant resides,  
19 if the applicant:

20           (1) Is at least nineteen years of age, is a citizen or permanent resident of the United  
21 States and either:

22           (a) Has assumed residency in this state; or

23           (b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such  
24 member of the military;

25           (2) Is at least nineteen years of age, or is at least eighteen years of age and a member  
26 of the United States Armed Forces or honorably discharged from the United States Armed  
27 Forces, and is a citizen of the United States and either:

28           (a) Has assumed residency in this state;

- 29 (b) Is a member of the Armed Forces stationed in Missouri; or  
30 (c) The spouse of such member of the military stationed in Missouri and nineteen  
31 years of age;
- 32 (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a  
33 crime punishable by imprisonment for a term exceeding one year under the laws of any state  
34 or of the United States other than a crime classified as a misdemeanor under the laws of any  
35 state and punishable by a term of imprisonment of two years or less that does not involve an  
36 explosive weapon, firearm, firearm silencer or gas gun;
- 37 (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to  
38 one or more misdemeanor offenses involving crimes of violence within a five-year period  
39 immediately preceding application for a concealed carry permit or if the applicant has not  
40 been convicted of two or more misdemeanor offenses involving driving while under the  
41 influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance  
42 within a five-year period immediately preceding application for a concealed carry permit;
- 43 (5) Is not a fugitive from justice or currently charged in an information or indictment  
44 with the commission of a crime punishable by imprisonment for a term exceeding one year  
45 under the laws of any state of the United States other than a crime classified as a  
46 misdemeanor under the laws of any state and punishable by a term of imprisonment of two  
47 years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
- 48 (6) Has not been discharged under dishonorable conditions from the United States  
49 Armed Forces;
- 50 (7) Has not engaged in a pattern of behavior, documented in public or closed records,  
51 that causes the sheriff to have a reasonable belief that the applicant presents a danger to  
52 himself or others;
- 53 (8) Is not adjudged mentally incompetent at the time of application or for five years  
54 prior to application, or has not been committed to a mental health facility, as defined in  
55 section 632.005, or a similar institution located in another state following a hearing at which  
56 the defendant was represented by counsel or a representative;
- 57 (9) Submits a completed application for a permit as described in subsection 3 of this  
58 section;
- 59 (10) Submits an affidavit attesting that the applicant complies with the concealed  
60 carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;
- 61 (11) Is not the respondent of a valid full order of protection which is still in effect;
- 62 (12) Is not otherwise prohibited from possessing a firearm under section 571.070 or  
63 18 U.S.C. Section 922(g).
- 64 3. The application for a concealed carry permit issued by the sheriff of the county of  
65 the applicant's residence shall contain only the following information:

66 (1) The applicant's name, address, telephone number, ~~[gender]~~ sex, date and place of  
67 birth, and, if the applicant is not a United States citizen, the applicant's country of citizenship  
68 and any alien or admission number issued by the Federal Bureau of Customs and Immigration  
69 Enforcement or any successor agency;

70 (2) An affirmation that the applicant has assumed residency in Missouri or is a  
71 member of the Armed Forces stationed in Missouri or the spouse of such a member of the  
72 Armed Forces and is a citizen or permanent resident of the United States;

73 (3) An affirmation that the applicant is at least nineteen years of age or is eighteen  
74 years of age or older and a member of the United States Armed Forces or honorably  
75 discharged from the United States Armed Forces;

76 (4) An affirmation that the applicant has not pled guilty to or been convicted of a  
77 crime punishable by imprisonment for a term exceeding one year under the laws of any state  
78 or of the United States other than a crime classified as a misdemeanor under the laws of any  
79 state and punishable by a term of imprisonment of two years or less that does not involve an  
80 explosive weapon, firearm, firearm silencer, or gas gun;

81 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or  
82 entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of  
83 violence within a five-year period immediately preceding application for a permit or if the  
84 applicant has not been convicted of two or more misdemeanor offenses involving driving  
85 while under the influence of intoxicating liquor or drugs or the possession or abuse of a  
86 controlled substance within a five-year period immediately preceding application for a  
87 permit;

88 (6) An affirmation that the applicant is not a fugitive from justice or currently charged  
89 in an information or indictment with the commission of a crime punishable by imprisonment  
90 for a term exceeding one year under the laws of any state or of the United States other than a  
91 crime classified as a misdemeanor under the laws of any state and punishable by a term of  
92 imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm  
93 silencer or gas gun;

94 (7) An affirmation that the applicant has not been discharged under dishonorable  
95 conditions from the United States Armed Forces;

96 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time  
97 of application or for five years prior to application, or has not been committed to a mental  
98 health facility, as defined in section 632.005, or a similar institution located in another state,  
99 except that a person whose release or discharge from a facility in this state pursuant to chapter  
100 632, or a similar discharge from a facility in another state, occurred more than five years ago  
101 without subsequent recommitment may apply;

102 (9) An affirmation that the applicant has received firearms safety training that meets  
103 the standards of applicant firearms safety training defined in subsection 1 or 2 of section  
104 571.111;

105 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is  
106 not the respondent of a valid full order of protection which is still in effect;

107 (11) A conspicuous warning that false statements made by the applicant will result in  
108 prosecution for perjury pursuant to the laws of the state of Missouri; and

109 (12) A government-issued photo identification. This photograph shall not be  
110 included on the permit and shall only be used to verify the person's identity for permit  
111 renewal, or for the issuance of a new permit due to change of address, or for a lost or  
112 destroyed permit.

113 4. An application for a concealed carry permit shall be made to the sheriff of the  
114 county or any city not within a county in which the applicant resides. An application shall be  
115 filed in writing, signed under oath and under the penalties of perjury, and shall state whether  
116 the applicant complies with each of the requirements specified in subsection 2 of this section.  
117 In addition to the completed application, the applicant for a concealed carry permit must also  
118 submit the following:

119 (1) A photocopy of a firearms safety training certificate of completion or other  
120 evidence of completion of a firearms safety training course that meets the standards  
121 established in subsection 1 or 2 of section 571.111; and

122 (2) A nonrefundable permit fee as provided by subsection 11 or 12 of this section.

123 5. (1) Before an application for a concealed carry permit is approved, the sheriff shall  
124 make only such inquiries as he or she deems necessary into the accuracy of the statements  
125 made in the application. The sheriff may require that the applicant display a Missouri driver's  
126 license or nondriver's license or military identification and orders showing the person being  
127 stationed in Missouri. In order to determine the applicant's suitability for a concealed carry  
128 permit, the applicant shall be fingerprinted. No other biometric data shall be collected from  
129 the applicant. The sheriff shall conduct an inquiry of the National Instant Criminal  
130 Background Check System within three working days after submission of the properly  
131 completed application for a concealed carry permit. If no disqualifying record is identified by  
132 these checks at the state level, the fingerprints shall be forwarded to the Federal Bureau of  
133 Investigation for a national criminal history record check. Upon receipt of the completed  
134 report from the National Instant Criminal Background Check System and the response from  
135 the Federal Bureau of Investigation national criminal history record check, the sheriff shall  
136 examine the results and, if no disqualifying information is identified, shall issue a concealed  
137 carry permit within three working days.



(2) In the event the report from the National Instant Criminal Background Check System and the response from the Federal Bureau of Investigation national criminal history record check prescribed by subdivision (1) of this subsection are not completed within forty-five calendar days and no disqualifying information concerning the applicant has otherwise come to the sheriff's attention, the sheriff shall issue a provisional permit, clearly designated on the certificate as such, which the applicant shall sign in the presence of the sheriff or the sheriff's designee. This permit, when carried with a valid Missouri driver's or nondriver's license or a valid military identification, shall permit the applicant to exercise the same rights in accordance with the same conditions as pertain to a concealed carry permit issued under this section, provided that it shall not serve as an alternative to an national instant criminal background check required by 18 U.S.C. Section 922(t). The provisional permit shall remain valid until such time as the sheriff either issues or denies the certificate of qualification under subsection 6 or 7 of this section. The sheriff shall revoke a provisional permit issued under this subsection within twenty-four hours of receipt of any report that identifies a disqualifying record, and shall notify the concealed carry permit system established under subsection 5 of section 650.350. The revocation of a provisional permit issued under this section shall be proscribed in a manner consistent to the denial and review of an application under subsection 6 of this section.

6. The sheriff may refuse to approve an application for a concealed carry permit if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a concealed carry permit to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the concealed carry permit in the presence of the sheriff or his or her designee.

8. The concealed carry permit shall specify only the following information:

- 174 (1) Name, address, date of birth, ~~[gender]~~ sex, height, weight, color of hair, color of  
175 eyes, and signature of the permit holder;  
176 (2) The signature of the sheriff issuing the permit;  
177 (3) The date of issuance; and  
178 (4) The expiration date.

179

180 The permit shall be no larger than two and one-eighth inches wide by three and three-eighths  
181 inches long and shall be of a uniform style prescribed by the department of public safety. The  
182 permit shall also be assigned a concealed carry permit system county code and shall be stored  
183 in sequential number.

184 9. (1) The sheriff shall keep a record of all applications for a concealed carry permit  
185 or a provisional permit and his or her action thereon. Any record of an application that is  
186 incomplete or denied for any reason shall be kept for a period not to exceed one year. Any  
187 record of an application that was approved shall be kept for a period of one year after the  
188 expiration and nonrenewal of the permit.

189 (2) The sheriff shall report the issuance of a concealed carry permit or provisional  
190 permit to the concealed carry permit system. All information on any such permit that is  
191 protected information on any driver's or nondriver's license shall have the same personal  
192 protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a  
193 concealed carry permit, provisional permit, or a concealed carry endorsement issued prior to  
194 August 28, 2013, shall not be public information and shall be considered personal protected  
195 information. Information retained in the concealed carry permit system under this subsection  
196 shall not be distributed to any federal, state, or private entities and shall only be made  
197 available for a single entry query of an individual in the event the individual is a subject of  
198 interest in an active criminal investigation or is arrested for a crime. A sheriff may access the  
199 concealed carry permit system for administrative purposes to issue a permit, verify the  
200 accuracy of permit holder information, change the name or address of a permit holder,  
201 suspend or revoke a permit, cancel an expired permit, or cancel a permit upon receipt of a  
202 certified death certificate for the permit holder. Any person who violates the provisions of  
203 this subdivision by disclosing protected information shall be guilty of a class A misdemeanor.

204 10. Information regarding any holder of a concealed carry permit, or a concealed  
205 carry endorsement issued prior to August 28, 2013, is a closed record. No bulk download or  
206 batch data shall be distributed to any federal, state, or private entity, except to MoSMART or a  
207 designee thereof. Any state agency that has retained any documents or records, including  
208 fingerprint records provided by an applicant for a concealed carry endorsement prior to  
209 August 28, 2013, shall destroy such documents or records, upon successful issuance of a  
210 permit.

211 11. For processing an application for a concealed carry permit pursuant to sections  
212 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed  
213 one hundred dollars which shall be paid to the treasury of the county to the credit of the  
214 sheriff's revolving fund. This fee shall include the cost to reimburse the Missouri state  
215 highway patrol for the costs of fingerprinting and criminal background checks. An additional  
216 fee shall be added to each credit card, debit card, or other electronic transaction equal to the  
217 charge paid by the state or the applicant for the use of the credit card, debit card, or other  
218 electronic payment method by the applicant.

219 12. For processing a renewal for a concealed carry permit pursuant to sections  
220 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed  
221 fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's  
222 revolving fund.

223 13. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include  
224 the sheriff of any county or city not within a county or his or her designee and in counties of  
225 the first classification the sheriff may designate the chief of police of any city, town, or  
226 municipality within such county.

227 14. For the purposes of this chapter, "concealed carry permit" shall include any  
228 concealed carry endorsement issued by the department of revenue before January 1, 2014,  
229 and any concealed carry document issued by any sheriff or under the authority of any sheriff  
230 after December 31, 2013.

571.205. 1. Upon request and payment of the required fee, the sheriff shall issue a  
2 concealed carry permit that is valid through the state of Missouri for the lifetime of the permit  
3 holder to a Missouri resident who meets the requirements of sections 571.205 to 571.230,  
4 known as a Missouri lifetime concealed carry permit. A person may also request, and the  
5 sheriff shall issue upon payment of the required fee, a concealed carry permit that is valid  
6 through the state of Missouri for a period of either ten years or twenty-five years from the  
7 date of issuance or renewal to a Missouri resident who meets the requirements of sections  
8 571.205 to 571.230. Such permit shall be known as a Missouri extended concealed carry  
9 permit. A person issued a Missouri lifetime or extended concealed carry permit shall be  
10 required to comply with the provisions of sections 571.205 to 571.230. If the applicant can  
11 show qualification as provided by sections 571.205 to 571.230, the sheriff shall issue a  
12 Missouri lifetime or extended concealed carry permit authorizing the carrying of a concealed  
13 firearm on or about the applicant's person or within a vehicle.

14 2. A Missouri lifetime or extended concealed carry permit shall be suspended if the  
15 permit holder becomes a resident of another state. The permit may be reactivated upon  
16 reestablishment of Missouri residency if the applicant meets the requirements of sections

17 571.205 to 571.230, and upon successful completion of a name-based inquiry of the National  
18 Instant Background Check System.

19 3. A Missouri lifetime or extended concealed carry permit shall be issued by the  
20 sheriff or his or her designee of the county or city in which the applicant resides, if the  
21 applicant:

22 (1) Is at least nineteen years of age, is a citizen or permanent resident of the United  
23 States and has assumed residency in this state, or is at least eighteen years of age and a  
24 member of the United States Armed Forces or honorably discharged from the United States  
25 Armed Forces, and is a citizen of the United States and has assumed residency in this state;

26 (2) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a  
27 crime punishable by imprisonment for a term exceeding one year under the laws of any state  
28 or of the United States, other than a crime classified as a misdemeanor under the laws of any  
29 state and punishable by a term of imprisonment of two years or less that does not involve an  
30 explosive weapon, firearm, firearm silencer, or gas gun;

31 (3) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to  
32 one or more misdemeanor offenses involving crimes of violence within a five-year period  
33 immediately preceding application for a Missouri lifetime or extended concealed carry permit  
34 or if the applicant has not been convicted of two or more misdemeanor offenses involving  
35 driving while under the influence of intoxicating liquor or drugs or the possession or abuse of  
36 a controlled substance within a five-year period immediately preceding application for a  
37 Missouri lifetime or extended concealed carry permit;

38 (4) Is not a fugitive from justice or currently charged in an information or indictment  
39 with the commission of a crime punishable by imprisonment for a term exceeding one year  
40 under the laws of any state of the United States, other than a crime classified as a  
41 misdemeanor under the laws of any state and punishable by a term of imprisonment of two  
42 years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

43 (5) Has not been discharged under dishonorable conditions from the United States  
44 Armed Forces;

45 (6) Has not engaged in a pattern of behavior, documented in public or closed records,  
46 that causes the sheriff to have a reasonable belief that the applicant presents a danger to  
47 himself or herself or others;

48 (7) Is not adjudged mentally incompetent at the time of application or for five years  
49 prior to application, or has not been committed to a mental health facility, as defined in  
50 section 632.005, or a similar institution located in another state following a hearing at which  
51 the defendant was represented by counsel or a representative;

52 (8) Submits a completed application for a permit as described in subsection 4 of this  
53 section;

54 (9) Submits an affidavit attesting that the applicant complies with the concealed carry  
55 safety training requirement under subsections 1 and 2 of section 571.111;

56 (10) Is not the respondent of a valid full order of protection which is still in effect;

57 (11) Is not otherwise prohibited from possessing a firearm under section 571.070 or  
58 18 U.S.C. Section 922(g).

59 4. The application for a Missouri lifetime or extended concealed carry permit issued  
60 by the sheriff of the county of the applicant's residence shall contain only the following  
61 information:

62 (1) The applicant's name, address, telephone number, ~~[gender]~~ sex, date and place of  
63 birth, and, if the applicant is not a United States citizen, the applicant's country of citizenship  
64 and any alien or admission number issued by the United States Immigration and Customs  
65 Enforcement or any successor agency;

66 (2) An affirmation that the applicant has assumed residency in Missouri and is a  
67 citizen or permanent resident of the United States;

68 (3) An affirmation that the applicant is at least nineteen years of age or is eighteen  
69 years of age or older and a member of the United States Armed Forces or honorably  
70 discharged from the United States Armed Forces;

71 (4) An affirmation that the applicant has not pled guilty to or been convicted of a  
72 crime punishable by imprisonment for a term exceeding one year under the laws of any state  
73 or of the United States other than a crime classified as a misdemeanor under the laws of any  
74 state and punishable by a term of imprisonment of two years or less that does not involve an  
75 explosive weapon, firearm, firearm silencer, or gas gun;

76 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or  
77 entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of  
78 violence within a five-year period immediately preceding application for a permit or that the  
79 applicant has not been convicted of two or more misdemeanor offenses involving driving  
80 while under the influence of intoxicating liquor or drugs or the possession or abuse of a  
81 controlled substance within a five-year period immediately preceding application for a  
82 permit;

83 (6) An affirmation that the applicant is not a fugitive from justice or currently charged  
84 in an information or indictment with the commission of a crime punishable by imprisonment  
85 for a term exceeding one year under the laws of any state or of the United States other than a  
86 crime classified as a misdemeanor under the laws of any state and punishable by a term of  
87 imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm  
88 silencer, or gas gun;

89 (7) An affirmation that the applicant has not been discharged under dishonorable  
90 conditions from the United States Armed Forces;

91 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time  
92 of application or for five years prior to application, or has not been committed to a mental  
93 health facility, as defined in section 632.005, or a similar institution located in another state,  
94 except that a person whose release or discharge from a facility in this state under chapter 632,  
95 or a similar discharge from a facility in another state, occurred more than five years ago  
96 without subsequent recommitment may apply;

97 (9) An affirmation that the applicant has received firearms safety training that meets  
98 the standards of applicant firearms safety training defined in subsection 1 or 2 of section  
99 571.111;

100 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is  
101 not the respondent of a valid full order of protection which is still in effect;

102 (11) A conspicuous warning that false statements made by the applicant will result in  
103 prosecution for perjury under the laws of the state of Missouri; and

104 (12) A government-issued photo identification. This photograph shall not be  
105 included on the permit and shall only be used to verify the person's identity for the issuance of  
106 a new permit, issuance of a new permit due to change of name or address, renewal of an  
107 extended permit, or for a lost or destroyed permit, or reactivation under subsection 2 of this  
108 section.

109 5. An application for a Missouri lifetime or extended concealed carry permit shall be  
110 made to the sheriff of the county in which the applicant resides. An application shall be filed  
111 in writing, signed under oath and under the penalties of perjury, and shall state whether the  
112 applicant complies with each of the requirements specified in subsection 3 of this section. In  
113 addition to the completed application, the applicant for a Missouri lifetime or extended  
114 concealed carry permit shall also submit the following:

115 (1) A photocopy of a firearms safety training certificate of completion or other  
116 evidence of completion of a firearms safety training course that meets the standards  
117 established in subsection 1 or 2 of section 571.111; and

118 (2) A nonrefundable permit fee as provided by subsection 12 of this section.

119 6. (1) Before an application for a Missouri lifetime or extended concealed carry  
120 permit is approved, the sheriff shall make only such inquiries as he or she deems necessary  
121 into the accuracy of the statements made in the application. The sheriff may require that the  
122 applicant display a Missouri driver's license or nondriver's license or military identification.  
123 No biometric data shall be collected from the applicant. The sheriff shall conduct an inquiry  
124 of the National Instant Criminal Background Check System within three working days after  
125 submission of the properly completed application for a Missouri lifetime or extended  
126 concealed carry permit. Upon receipt of the completed report from the National Instant  
127 Criminal Background Check System, the sheriff shall examine the results and, if no

128 disqualifying information is identified, shall issue a Missouri lifetime or extended concealed  
129 carry permit within three working days.

130 (2) In the event the report from the National Instant Criminal Background Check  
131 System and the response from the Federal Bureau of Investigation national criminal history  
132 record check prescribed by subdivision (1) of this subsection are not completed within forty-  
133 five calendar days and no disqualifying information concerning the applicant has otherwise  
134 come to the sheriff's attention, the sheriff shall issue a provisional permit, clearly designated  
135 on the certificate as such, which the applicant shall sign in the presence of the sheriff or the  
136 sheriff's designee. This permit, when carried with a valid Missouri driver's or nondriver's  
137 license, shall permit the applicant to exercise the same rights in accordance with the same  
138 conditions as pertain to a Missouri lifetime or extended concealed carry permit issued under  
139 this section, provided that it shall not serve as an alternative to a national instant criminal  
140 background check required by 18 U.S.C. Section 922(t). The provisional permit shall remain  
141 valid until such time as the sheriff either issues or denies the permit under subsection 7 or 8 of  
142 this section. The sheriff shall revoke a provisional permit issued under this subsection within  
143 twenty-four hours of receipt of any report that identifies a disqualifying record, and shall  
144 notify the concealed carry permit system established under subsection 5 of section 650.350.  
145 The revocation of a provisional permit issued under this section shall be prescribed in a  
146 manner consistent to the denial and review of an application under subsection 7 of this  
147 section.

148 7. The sheriff may refuse to approve an application for a Missouri lifetime or  
149 extended concealed carry permit if he or she determines that any of the requirements specified  
150 in subsection 3 of this section have not been met, or if he or she has a substantial and  
151 demonstrable reason to believe that the applicant has rendered a false statement regarding any  
152 of the provisions of sections 571.205 to 571.230. If the applicant is found to be ineligible, the  
153 sheriff is required to deny the application, and notify the applicant in writing, stating the  
154 grounds for denial and informing the applicant of the right to submit, within thirty days, any  
155 additional documentation relating to the grounds of the denial. Upon receiving any additional  
156 documentation, the sheriff shall reconsider his or her decision and inform the applicant within  
157 thirty days of the result of the reconsideration. The applicant shall further be informed in  
158 writing of the right to appeal the denial under section 571.220. After two additional reviews  
159 and denials by the sheriff, the person submitting the application shall appeal the denial under  
160 section 571.220.

161 8. If the application is approved, the sheriff shall issue a Missouri lifetime or extended  
162 concealed carry permit to the applicant within a period not to exceed three working days after  
163 his or her approval of the application. The applicant shall sign the Missouri lifetime or  
164 extended concealed carry permit in the presence of the sheriff or his or her designee.

165           9. The Missouri lifetime or extended concealed carry permit shall specify only the  
166 following information:

167           (1) Name, address, date of birth, [~~gender~~] sex, height, weight, color of hair, color of  
168 eyes, and signature of the permit holder;

169           (2) The signature of the sheriff issuing the permit;

170           (3) The date of issuance;

171           (4) A clear statement indicating that the permit is only valid within the state of  
172 Missouri; and

173           (5) If the permit is a Missouri extended concealed carry permit, the expiration date.  
174

175 The permit shall be no larger than two and one-eighth inches wide by three and three-eighths  
176 inches long and shall be of a uniform style prescribed by the department of public safety. The  
177 permit shall also be assigned a concealed carry permit system county code and shall be stored  
178 in sequential number.

179           10. (1) The sheriff shall keep a record of all applications for a Missouri lifetime or  
180 extended concealed carry permit or a provisional permit and his or her action thereon. Any  
181 record of an application that is incomplete or denied for any reason shall be kept for a period  
182 not to exceed one year.

183           (2) The sheriff shall report the issuance of a Missouri lifetime or extended concealed  
184 carry permit or provisional permit to the concealed carry permit system. All information on  
185 any such permit that is protected information on any driver's or nondriver's license shall have  
186 the same personal protection for purposes of sections 571.205 to 571.230. An applicant's  
187 status as a holder of a Missouri lifetime or extended concealed carry permit or provisional  
188 permit shall not be public information and shall be considered personal protected information.  
189 Information retained in the concealed carry permit system under this subsection shall not be  
190 distributed to any federal, state, or private entities and shall only be made available for a  
191 single entry query of an individual in the event the individual is a subject of interest in an  
192 active criminal investigation or is arrested for a crime. A sheriff may access the concealed  
193 carry permit system for administrative purposes to issue a permit, verify the accuracy of  
194 permit holder information, change the name or address of a permit holder, suspend or revoke  
195 a permit, cancel an expired permit, or cancel a permit upon receipt of a certified death  
196 certificate for the permit holder. Any person who violates the provisions of this subdivision  
197 by disclosing protected information shall be guilty of a class A misdemeanor.

198           11. Information regarding any holder of a Missouri lifetime or extended concealed  
199 carry permit is a closed record. No bulk download or batch data shall be distributed to any  
200 federal, state, or private entity, except to MoSMART or a designee thereof.



201           12. For processing an application, the sheriff in each county shall charge a  
202 nonrefundable fee not to exceed:

203           (1) Two hundred dollars for a new Missouri extended concealed carry permit that is  
204 valid for ten years from the date of issuance or renewal;

205           (2) Two hundred fifty dollars for a new Missouri extended concealed carry permit  
206 that is valid for twenty-five years from the date of issuance or renewal;

207           (3) Fifty dollars for a renewal of a Missouri extended concealed carry permit;

208           (4) Five hundred dollars for a Missouri lifetime concealed carry permit,

209

210 which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

          589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of  
2 completion of an offender registration form developed by the Missouri state highway patrol  
3 or other format approved by the Missouri state highway patrol. Such form shall consist of a  
4 statement, including the signature of the offender, and shall include, but is not limited to, the  
5 following:

6           (1) A statement in writing signed by the person, giving the name, address, date of  
7 birth, Social Security number, and phone number of the person, the license plate number and  
8 vehicle description, including the year, make, model, and color of each vehicle owned or  
9 operated by the offender, any online identifiers, as defined in section 43.651, used by the  
10 person, the place of employment of such person, enrollment within any institutions of higher  
11 education, the crime which requires registration, whether the person was sentenced as a  
12 persistent or predatory offender pursuant to section 566.125, the date, place, and a brief  
13 description of such crime, the date and place of the conviction or plea regarding such crime,  
14 the age and ~~[gender]~~ sex of the victim at the time of the offense and whether the person  
15 successfully completed the Missouri sexual offender program pursuant to section 589.040, if  
16 applicable;

17           (2) The fingerprints and palm prints of the person;

18           (3) Unless the offender's appearance has not changed significantly, a photograph of  
19 such offender as follows:

20           (a) Quarterly if a tier III sex offender under section 589.414. Such photograph shall  
21 be taken every ninety days beginning in the month of the person's birth;

22           (b) Semiannually if a tier II sex offender. Such photograph shall be taken in the  
23 month of the person's birth and six months thereafter; and

24           (c) Yearly if a tier I sex offender. Such photograph shall be taken in the month of the  
25 person's birth; and

26           (4) A DNA sample from the individual, if a sample has not already been obtained.

27           2. The offender shall provide positive identification and documentation to  
28 substantiate the accuracy of the information completed on the offender registration form,  
29 including but not limited to the following:

- 30           (1) A photocopy of a valid driver's license or nondriver's identification card;  
31           (2) A document verifying proof of the offender's residency; and  
32           (3) A photocopy of the vehicle registration for each of the offender's vehicles.

33           3. The Missouri state highway patrol shall maintain all required registration  
34 information in digitized form.

35           4. Upon receipt of any changes to an offender's registration information contained in  
36 this section, the Missouri state highway patrol shall immediately notify all other jurisdictions  
37 in which the offender is either registered or required to register.

38           5. The offender shall be responsible for reviewing his or her existing registration  
39 information for accuracy at every regular in-person appearance and, if any inaccuracies are  
40 found, provide proof of the information in question.

41           6. The signed offender registration form shall serve as proof that the individual  
42 understands his or her duty to register as a sexual offender under sections 589.400 to 589.425  
43 and a statement to this effect shall be included on the form that the individual is required to  
44 sign at each registration.

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]~~ sex 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 first licensed on or after August 28, 2027,  
46 shall include at least six hours of training concerning the prohibition against racial profiling  
47 and such training shall promote understanding and respect for racial and cultural differences  
48 and the use of effective, noncombative methods for carrying out law enforcement duties in a  
49 racially and culturally diverse environment. Such training shall include two hours of racial  
50 profiling training, two hours of implicit bias training, and two hours of de-escalation training.

590.650. 1. As used in this section "minority group" means individuals of African,  
2 Hispanic, Native American or Asian descent.

3 2. Each time a peace officer stops a driver of a motor vehicle, that officer shall report  
4 the following information to the law enforcement agency that employs the officer:

5 (1) The age, ~~[gender]~~ sex, and race or minority group of the individual stopped;

6 (2) The reasons for the stop;

- 7 (3) Whether a search was conducted as a result of the stop;
- 8 (4) If a search was conducted, whether the individual consented to the search, the
- 9 probable cause for the search, whether the person was searched, whether the person's property
- 10 was searched, and the duration of the search;
- 11 (5) Whether any contraband was discovered in the course of the search and the type
- 12 of any contraband discovered;
- 13 (6) Whether any warning or citation was issued as a result of the stop;
- 14 (7) If a warning or citation was issued, the violation charged or warning provided;
- 15 (8) Whether an arrest was made as a result of either the stop or the search;
- 16 (9) If an arrest was made, the crime charged; and
- 17 (10) The location of the stop.
- 18

19 Such information may be reported using a format determined by the department of public

20 safety which uses existing citation and report forms.

21 3. (1) Each law enforcement agency shall compile the data described in subsection 2

22 of this section for the calendar year into a report to the attorney general.

23 (2) Each law enforcement agency shall submit the report to the attorney general no

24 later than March first of the following calendar year.

25 (3) The attorney general shall determine the format that all law enforcement agencies

26 shall use to submit the report.

27 4. (1) The attorney general shall analyze the annual reports of law enforcement

28 agencies required by this section and submit a report of the findings to the governor, the

29 general assembly and each law enforcement agency no later than June first of each year.

30 (2) The report of the attorney general shall include at least the following information

31 for each agency:

32 (a) The total number of vehicles stopped by peace officers during the previous

33 calendar year;

34 (b) The number and percentage of stopped motor vehicles that were driven by

35 members of each particular minority group;

36 (c) A comparison of the percentage of stopped motor vehicles driven by each

37 minority group and the percentage of the state's population that each minority group

38 comprises; and

39 (d) A compilation of the information reported by law enforcement agencies pursuant

40 to subsection 2 of this section.

41 5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:

42 (1) Prohibits the practice of routinely stopping members of minority groups for

43 violations of vehicle laws as a pretext for investigating other violations of criminal law;

44 (2) Provides for periodic reviews by the law enforcement agency of the annual report  
45 of the attorney general required by subsection 4 of this section that:

46 (a) Determine whether any peace officers of the law enforcement agency have a  
47 pattern of stopping members of minority groups for violations of vehicle laws in a number  
48 disproportionate to the population of minority groups residing or traveling within the  
49 jurisdiction of the law enforcement agency; and

50 (b) If the review reveals a pattern, require an investigation to determine whether any  
51 peace officers of the law enforcement agency routinely stop members of minority groups for  
52 violations of vehicle laws as a pretext for investigating other violations of criminal law; and

53 (3) Provides for appropriate counseling and training of any peace officer found to  
54 have engaged in race-based traffic stops within ninety days of the review.

55

56 The course or courses of instruction and the guidelines shall stress understanding and respect  
57 for racial and cultural differences, and development of effective, noncombative methods of  
58 carrying out law enforcement duties in a racially and culturally diverse environment.

59 6. If a law enforcement agency fails to comply with the provisions of this section, the  
60 governor may withhold any state funds appropriated to the noncompliant law enforcement  
61 agency.

62 7. Each law enforcement agency in this state may utilize federal funds from  
63 community-oriented policing services grants or any other federal sources to equip each  
64 vehicle used for traffic stops with a video camera and voice-activated microphone.

65 8. A peace officer who stops a driver of a motor vehicle pursuant to a lawfully  
66 conducted sobriety check point or road block shall be exempt from the reporting requirements  
67 of subsection 2 of this section.

590.653. 1. Each city, county and city not within a county may establish a civilian  
2 review board, division of civilian oversight, or any other entity which provides civilian  
3 review or oversight of police agencies, or may use an existing civilian review board or  
4 division of civilian oversight or other named entity which has been appointed by the local  
5 governing body, with the authority to investigate allegations of misconduct by local law  
6 enforcement officers towards members of the public. The members shall not receive  
7 compensation but shall receive reimbursement from the local governing body for all  
8 reasonable and necessary expenses.

9 2. The board, division, or any other such entity, shall have the power solely limited to  
10 receiving, investigating, making findings and recommending disciplinary action upon  
11 complaints by members of the public against members of the police department that allege  
12 misconduct involving excessive use of force, abuse of authority, discourtesy, or use of  
13 offensive language, including, but not limited to, slurs relating to race, ethnicity, religion,

14 ~~[gender, sexual orientation]~~ sex, and disability. The findings and recommendations of the  
15 board, division, or other entity and the basis therefor, shall be submitted to the chief law  
16 enforcement official. No finding or recommendation shall be based solely upon an unsworn  
17 complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints  
18 be the basis for any such findings or recommendations. Only the powers specifically granted  
19 herein are authorized and any and all authority granted to future or existing boards, divisions,  
20 or entities outside the scope of the powers listed herein are expressly preempted and void as a  
21 matter of law.

595.201. 1. This section shall be known and may be cited as the "Sexual Assault  
2 Survivors' Bill of Rights". These rights shall be in addition to other rights as designated by  
3 law and no person shall discourage a person from exercising these rights. For the purposes of  
4 this section, "sexual assault survivor" means any person who is fourteen years of age or older  
5 and who may be a victim of a sexual offense who presents themselves to an appropriate  
6 medical provider, law enforcement officer, prosecuting attorney, or court.

7 2. A sexual assault survivor retains all the rights of this section regardless of whether  
8 a criminal investigation or prosecution results or if the survivor has previously waived any of  
9 these rights. A sexual assault survivor has the right to:

10 (1) Consult with an employee or volunteer of a rape crisis center as defined in section  
11 455.003;

12 (2) A sexual assault forensic examination as provided in section 595.220, or when a  
13 telehealth network is established, a forensic examination as provided in section 192.2520 and  
14 section 197.135;

15 (3) A shower and a change of clothing, as reasonably available, at no cost to the  
16 sexual assault survivor;

17 (4) Request to be examined by an appropriate medical provider or interviewed by a  
18 law enforcement officer of the ~~[gender]~~ sex of the sexual assault survivor's choosing, when  
19 there is an available appropriate medical provider or law enforcement official of the ~~[gender]~~  
20 sex of the sexual assault survivor's choosing;

21 (5) An interpreter who can communicate in the language of the sexual assault  
22 survivor's choice, as is reasonably available, in a timely manner;

23 (6) Notification and basic overview of the options of choosing a reported evidentiary  
24 collection kit, unreported evidentiary collection kit, or anonymous evidentiary collection kit  
25 as defined in section 595.220;

26 (7) Notification about the evidence tracking system as defined in subsection 9 of  
27 section 595.220;

28 (8) Notification about the right to information pursuant to subsection 4 of section  
29 610.100;

30 (9) Be free from intimidation, harassment, and abuse in any related criminal or civil  
31 proceeding and the right to reasonable protection from the offender or any person acting on  
32 behalf of the offender from harm and threats of harm arising out of the survivor's disclosure  
33 of the sexual assault.

34 3. An appropriate medical provider, law enforcement officer, and prosecuting  
35 attorney shall provide the sexual assault survivor with notification of the rights of survivors  
36 pursuant to subsection 2 of this section in a timely manner. Each appropriate medical  
37 provider, law enforcement officer, and prosecuting attorney shall ensure that the sexual  
38 assault survivor has been notified of these rights.

39 4. The department of public safety shall develop a document in collaboration with  
40 Missouri-based stakeholders. Missouri-based stakeholders shall include, but not be limited  
41 to, the following:

- 42 (1) Prosecuting attorneys;
- 43 (2) Chief law enforcement officers or their designees;
- 44 (3) Appropriate medical providers, as defined in section 595.220;
- 45 (4) Representatives of the statewide coalition against domestic and sexual violence;
- 46 (5) Representatives of rape crisis centers;
- 47 (6) Representatives of the Missouri Hospital Association;
- 48 (7) The director of the Missouri state highway patrol crime lab or their designee; and
- 49 (8) The director of the department of health and senior services or their designee.

50 5. The document shall include the following:

- 51 (1) A description of the rights of the sexual assault survivor pursuant to this section;
- 52 and
- 53 (2) Telephone and internet means for contacting the local rape crisis center, as defined
- 54 in 455.003.

55

56 The department of public safety shall provide this document in clear language that is  
57 comprehensible to a person proficient in English and shall provide this document in any other  
58 foreign language spoken by at least five percent of the population in any county or city not  
59 within a county in Missouri.

620.586. 1. The commission shall include at least fifteen, but no more than nineteen,  
2 voting members appointed by the governor with the advice and consent of the senate. The  
3 commission shall include the following voting members:

- 4 (1) A representative of local government;
- 5 (2) The commissioner of the department of elementary and secondary education or
- 6 the designee of such person;

7 (3) An individual with experience in promoting the involvement of older adults in  
8 service and volunteerism;

9 (4) A representative of a national service program;

10 (5) An individual with expertise in the educational, training, and development needs  
11 of youth, particularly disadvantaged youth;

12 (6) An individual between the ages of sixteen and twenty-five years who is a  
13 participant in or supervisor of a service program for school-age youth, or a campus-based or  
14 national service program;

15 (7) A representative of community-based agencies or organizations in the state;

16 (8) A representative of labor organizations;

17 (9) A member representing the business community;

18 (10) The lieutenant governor or his or her designee;

19 (11) A representative of the volunteer sector; and

20 (12) Between four and eight other members, appointed by the governor, provided that  
21 no more than twenty percent of the voting members are officers or employees of the state, and  
22 provided further that not more than fifty percent plus one of the voting members of the  
23 commission are members of the same political party.

24 2. The commission shall include at least one nonvoting, ex officio member who shall  
25 be a representative from the corporation for national and community service. The governor  
26 may appoint any number of other nonvoting, ex officio members who shall serve at the  
27 pleasure of the governor.

28 3. Appointments to the commission shall reflect the race, ethnicity, age, [gender] sex,  
29 and disability characteristics of the population of the state as a whole.

30 4. Voting members shall serve renewable terms of three years, except that of the first  
31 members appointed, one-third shall serve for a term of one year, one-third shall serve for a  
32 term of two years, and one-third shall serve for a term of three years. If a commission  
33 vacancy occurs, the governor shall appoint a new member to serve for the remainder of the  
34 unexpired term. Vacancies shall not affect the power of the remaining members to execute  
35 the commission's duties.

36 5. The members of the commission shall receive no compensation for their services  
37 on the commission, but shall be reimbursed for ordinary and necessary expenses incurred in  
38 the performance of their duties.

39 6. The voting members of the commission shall elect one of their members to serve as  
40 chairperson of the commission. The voting members may elect such other officers as deemed  
41 necessary.

42 7. The commission shall meet at least quarterly.



660.026. Subject to appropriation, the director of the department of social services, or  
2 the director's designee, may contract with and provide funding support to federally qualified  
3 health centers, as defined in 42 U.S.C. Section 1396d(1)(2)(B), in this state. Funds  
4 appropriated pursuant to this section shall be used to assist such centers in ensuring that health  
5 care, including dental care, and mental health services is available to needy persons in this  
6 state. Such funds may also be used by centers for capital expansion, infrastructure redesign or  
7 other similar uses if federal funding is not available for such purposes. No later than forty-  
8 five days following the end of each federal fiscal year, the centers shall report to the director  
9 of the department of social services the number of patients served by age, race, ~~[gender]~~ sex,  
10 method of payment and insurance status.

✓