

SECOND REGULAR SESSION

HOUSE BILL NO. 2526

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LAUBINGER.

6038H.01I

JOSEPH ENGLER, Chief Clerk

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.

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566.200, 571.014, 571.101, 571.205, 589.407, 590.040, 590.650, 590.653, 595.201, 620.586, and 660.026, RSMo, are repealed and forty-three new sections enacted in lieu thereof, to be known as sections 1.020, 9.372, 37.020, 37.735, 43.539, 43.540, 67.1660, 135.714, 160.410, 160.975,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
2 or unless plainly repugnant to the intent of the legislature or to the context thereof:
3 (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 [+] (15) "Justice of the county court" means commissioner of the county
43 commission;

44 [+] (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 [+] (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 [+] (21) "Personal property" includes money, goods, chattels, things in action and
55 evidences of debt;

56 [+] (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 [+] (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 [+] (24) "Property" includes real and personal property;

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

65 [+] (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;

(7) The Missouri state highway patrol shall provide, directly to the qualified entity, the applicant's state criminal history records that are not exempt from disclosure under 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;

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;

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 co

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 67.1660. 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.

3 135.714. 1. Each educational assistance organization shall:

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

5 (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;

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

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

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

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

10 (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;

11 (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;

12 (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;

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

14 (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;

15 (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

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;

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;

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

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

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

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

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

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

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

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

34 (2) The coordinating board for higher education shall assemble all available data and
35 report on higher education degrees awarded by academic discipline; type of degree; type of
36 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.

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

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

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

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

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

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

6 (2) The department of revenue or a third-party vendor shall utilize technology to
7 compare vehicle registration information with the financial responsibility information
8 accessible through the system. The department of revenue shall utilize this information to
9 identify motorists who are in violation of the motor vehicle financial responsibility law. The
10 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

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

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

137 14. The department of revenue may promulgate rules as necessary for the
138 implementation of this section. Any rule or portion of a rule, as that term is defined in section
139 536.010, that is created under the authority delegated in this section shall become effective
140 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
141 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
142 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
143 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
144 of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be
145 invalid and void.

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

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

5 (2) Identifying characteristics of the drivers stopped, including race, ethnicity, age
6 and [gender] sex;

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

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

9 (5) Whether the vehicle, personal effects, driver or passengers were searched, and the
10 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
2 Family Therapists" which shall consist of four family and marital therapists and two voting
3 public members. The committee shall be appointed by the governor with the advice and
4 consent of the senate. Committee members shall serve for a term of five years, except for the
5 members first appointed, one public member and one other member shall be appointed for
6 five years, two members shall be appointed for four years, the other public member and one
7 other member appointed for three years. No person shall be eligible for appointment to the
8 committee who has served as a member of the committee for a total of ten years. Members
9 shall be appointed to represent a diversity in [gender] sex, race and ethnicity. No more than
10 three members shall be from the same political party.

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

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

33 4. No member of the committee shall receive any compensation for the performance
34 of the member's official duties but shall be entitled to reimbursement for necessary and actual
35 expenses incurred in the performance of the member's duties. The committee shall share
36 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;

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;

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

151 a. He is also an insurance salesperson; and

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

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

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

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

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

167

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

171 (13) Any violation of section 375.445.

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

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

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

9 (3) "Cybersecurity event", an event resulting in unauthorized access to, malicious
10 disruption of, or misuse of an information system or nonpublic information in the possession,
11 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, number, 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.

138 (2) In the event the report from the National Instant Criminal Background Check
139 System and the response from the Federal Bureau of Investigation national criminal history
140 record check prescribed by subdivision (1) of this subsection are not completed within forty-
141 five calendar days and no disqualifying information concerning the applicant has otherwise
142 come to the sheriff's attention, the sheriff shall issue a provisional permit, clearly designated
143 on the certificate as such, which the applicant shall sign in the presence of the sheriff or the
144 sheriff's designee. This permit, when carried with a valid Missouri driver's or nondriver's
145 license or a valid military identification, shall permit the applicant to exercise the same rights
146 in accordance with the same conditions as pertain to a concealed carry permit issued under
147 this section, provided that it shall not serve as an alternative to an national instant criminal
148 background check required by 18 U.S.C. Section 922(t). The provisional permit shall remain
149 valid until such time as the sheriff either issues or denies the certificate of qualification under
150 subsection 6 or 7 of this section. The sheriff shall revoke a provisional permit issued under
151 this subsection within twenty-four hours of receipt of any report that identifies a disqualifying
152 record, and shall notify the concealed carry permit system established under subsection 5 of
153 section 650.350. The revocation of a provisional permit issued under this section shall be
154 proscribed in a manner consistent to the denial and review of an application under subsection
155 6 of this section.

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

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

173 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;

19 Such information may be reported using a format determined by the department of public
20 safety which uses existing citation and report forms.

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

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

5. The document shall include the following:

- (1) A description of the rights of the sexual assault survivor pursuant to this section;
- (2) Telephone and internet means for contacting the local rape crisis center, as defined
003

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:

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.

3. Appointments to the commission shall reflect the race, ethnicity, age, [gender] sex,
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(l)(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.

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