

SECOND REGULAR SESSION

HOUSE BILL NO. 2997

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PROUDIE.

6545H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 589, RSMo, by adding thereto three new sections relating to the establishment of a registry of persistent domestic violence offenders, with penalty provisions.

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

Section A. Chapter 589, RSMo, is amended by adding thereto three new sections, to
2 be known as sections 589.770, 589.772, and 589.774, to read as follows:

589.770. 1. The provisions of this section shall be known and referred to as
2 **"BreAnna's Law".**

3 **2. For purposes of this section, the following terms mean:**

4 **(1) "Convicted" or "conviction", a finding by a court that an individual is guilty**
5 **of a criminal offense through adjudication, or entry of a plea of guilty or no contest to**
6 **the charge by the offender;**

7 **(2) "Department", the Missouri department of public safety;**

8 **(3) "Domestic abuse victim", a victim of a felony or class A misdemeanor offense**
9 **under chapter 565 involving physical injury, threat of physical injury, or sexual assault**
10 **committed by a family or household member, as defined in section 455.010;**

11 **(4) "Persistent domestic violence offender", a person who:**

12 **(a) Has been convicted in this state of an offense committed against a domestic**
13 **abuse victim; and**

14 **(b) Has at least one prior conviction for an offense committed against a domestic**
15 **abuse victim.**

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.

16 **3. There is hereby created within the department of public safety a registry of**
17 **persistent domestic violence offenders. The Missouri state highway patrol shall**
18 **maintain the registry based on information supplied to the department as provided**
19 **under subsections 4 and 5 of this section and information available to the department**
20 **from the department of corrections and local law enforcement agencies. The**
21 **department shall make the registry available for public inquiry on the internet.**

22 **4. The registry shall consist of each persistent domestic violence offender's name,**
23 **date of birth, domestic violence offense, conviction date, county or counties of such**
24 **convictions, and a current photograph of the persistent domestic violence offender. If**
25 **available after reasonable inquiry, the court clerk shall provide the department with a**
26 **copy of each persistent domestic violence offender's driver's license, or other state or**
27 **federal identification, and such other identifying data as the department determines is**
28 **necessary to properly identify the persistent domestic violence offender and exclude**
29 **innocent persons. However, the registry available for public inquiry shall not include**
30 **any persistent domestic violence offender's address, Social Security number, driver's**
31 **license number, or any other state or federal identification number.**

32 **5. (1) If a person is convicted of an offense committed against a domestic abuse**
33 **victim and the person convicted has at least one prior conviction for an offense**
34 **committed against a domestic abuse victim, the court shall, upon proof of any prior**
35 **convictions committed against a domestic abuse victim, order the defendant to register**
36 **as a persistent domestic violence offender under this subsection.**

37 **(2) If a court orders a defendant to register under this section, the court clerk**
38 **shall forward to the department a certified copy of the qualifying conviction and the**
39 **date of birth of the defendant. The court clerk shall forward the information to the**
40 **department within seven days of the date of the conviction.**

41 **6. In addition to any other punishment that may be imposed for a conviction of**
42 **the offense, a defendant required to register under this section shall be assessed a**
43 **registration fee in the amount of one hundred fifty dollars, which shall be paid to the**
44 **clerk of the court imposing the sentence, who shall:**

45 **(1) Retain fifty dollars of the fee for the administration of this section, which**
46 **shall be reserved for the purposes authorized under this section at the end of each fiscal**
47 **year; and**

48 **(2) Remit one hundred dollars of the fee to the domestic violence prevention**
49 **fund established under section 589.774.**

50 **7. The department shall remove from the registry the name and other**
51 **identifying information of a persistent domestic violence offender required to register**
52 **under this section:**

53 (1) Five years after the date of the most recent conviction for an offense
54 committed against a domestic abuse victim if the defendant has one prior conviction for
55 an offense committed against a domestic abuse victim;

56 (2) Seven years after the date of the most recent conviction for an offense
57 committed against a domestic abuse victim if the defendant has two prior convictions
58 for an offense committed against a domestic abuse victim;

59 (3) Ten years after the date of the most recent conviction for an offense
60 committed against a domestic abuse victim if the defendant has three prior convictions
61 for an offense committed against a domestic abuse victim; and

62 (4) Twenty years after the date of the most recent conviction for an offense
63 committed against a domestic abuse victim if the defendant has four or more prior
64 convictions for an offense committed against a domestic abuse victim.

65 8. The provisions of this section shall apply only to persons convicted of an
66 offense committed against a domestic abuse victim that occurred on or after January 1,
67 2027; however, a prior conviction is not required to occur on or after such date.

68 9. A persistent domestic violence offender who knowingly and willfully fails to
69 register as required under this section shall be subject to:

70 (1) For a first violation of the requirement to register, a civil fine not exceeding
71 five hundred dollars, with written notification and fifteen days to correct such violation
72 before any penalty is imposed; and

73 (2) For a second or subsequent willful violation of the requirement to register, a
74 class A misdemeanor punishable by imprisonment not to exceed one year and a fine not
75 to exceed one thousand dollars.

76 10. Under section 23.253 of the Missouri sunset act:

77 (1) The provisions of the new program authorized under this section shall sunset
78 six years after the effective date of this section unless reauthorized by an act of the
79 general assembly; and

80 (2) This section shall terminate on September first of the calendar year
81 immediately following the calendar year in which the program authorized under this
82 section is sunset.

83 11. The department of public safety may promulgate all necessary rules and
84 regulations for the administration of this section. Any rule or portion of a rule, as that
85 term is defined in section 536.010, that is created under the authority delegated in this
86 section shall become effective only if it complies with and is subject to all of the
87 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter
88 536 are nonseverable and if any of the powers vested with the general assembly
89 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul

90 a rule are subsequently held unconstitutional, then the grant of rulemaking authority
91 and any rule proposed or adopted after August 28, 2026, shall be invalid and void.

589.772. 1. There is hereby established within the department of public safety a
2 domestic violence prevention program to provide grants to eligible entities to fund
3 domestic violence prevention and intervention services. The department shall award
4 grants on the basis of available funds. The department shall establish eligibility criteria
5 for any grants administered under this section.

6 2. Under section 23.253 of the Missouri sunset act:

7 (1) The provisions of the new program authorized under this section shall sunset
8 six years after the effective date of this section unless reauthorized by an act of the
9 general assembly; and

10 (2) This section shall terminate on September first of the calendar year
11 immediately following the calendar year in which the program authorized under this
12 section is sunset.

13 3. The director of the department of public safety shall promulgate all necessary
14 rules and regulations for the administration of this section. Any rule or portion of a
15 rule, as that term is defined in section 536.010, that is created under the authority
16 delegated in this section shall become effective only if it complies with and is subject to
17 all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
18 chapter 536 are nonseverable and if any of the powers vested with the general assembly
19 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul
20 a rule are subsequently held unconstitutional, then the grant of rulemaking authority
21 and any rule proposed or adopted after August 28, 2026, shall be invalid and void.

589.774. 1. There is hereby created in the state treasury the "Domestic Violence
2 Prevention Fund", which shall consist of moneys collected under subdivision (2) of
3 subsection 6 of section 589.700, and any gifts, contributions, grants, bequests, or other
4 aid received from federal, private, or other sources. The state treasurer shall be
5 custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer
6 may approve disbursements. The fund shall be a dedicated fund and, upon
7 appropriation, moneys in this fund shall be used solely for funding and
8 administration of grants under the domestic violence prevention program established
9 under section 589.772.

10 2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
11 remaining in the fund at the end of the biennium shall not revert to the credit of the
12 general revenue fund.

13 **3. The state treasurer shall invest moneys in the fund in the same manner as**
14 **other funds are invested. Any interest and moneys earned on such investments shall be**
15 **credited to the fund.**

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