

SECOND REGULAR SESSION

# HOUSE BILL NO. 2997

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PROUDIE.

6545H.01I

JOSEPH ENGLER, Chief Clerk

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### 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.

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*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:

2       **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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