

SECOND REGULAR SESSION
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 3068 & 3049
103RD GENERAL ASSEMBLY

6771H.03F

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 43.265, 43.500, 43.503, 43.506, 43.509, 43.527, 43.530, 43.533, 43.650, 43.651, 84.570, 190.142, 191.480, 287.243, 302.304, 302.440, 302.525, 302.574, 304.822, 527.270, 565.056, 566.150, 569.086, 570.010, 573.010, 573.550, 577.010, 578.009, 578.024, 579.022, 579.065, 579.068, 589.400, 589.401, 589.402, 589.403, 589.404, 589.405, 589.407, 589.410, 589.414, 589.415, 589.417, 590.100, 632.489, 632.492, 632.495, 632.504, 632.520, and 650.240, RSMo, section 190.142 as enacted by house bill nos. 2273, 1946, 1814 & 2551, one hundred third general assembly, second regular session, section 589.400 as enacted by house bill nos. 2273, 1946, 1814 & 2551, one hundred third general assembly, second regular session, and section 589.414 as enacted by house bill nos. 2273, 1946, 1814 & 2551, one hundred third general assembly, second regular session, and to enact in lieu thereof sixty-six new sections relating to public safety, with penalty provisions.

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

Section A. Sections 43.265, 43.500, 43.503, 43.506, 43.509, 43.527, 43.530, 43.533,
2 43.650, 43.651, 84.570, 190.142, 191.480, 287.243, 302.304, 302.440, 302.525, 302.574,
3 304.822, 527.270, 565.056, 566.150, 569.086, 570.010, 573.010, 573.550, 577.010, 578.009,
4 578.024, 579.022, 579.065, 579.068, 589.400, 589.401, 589.402, 589.403, 589.404, 589.405,
5 589.407, 589.410, 589.414, 589.415, 589.417, 590.100, 632.489, 632.492, 632.495, 632.504,
6 632.520, and 650.240, RSMo, section 190.142 as enacted by house bill nos. 2273, 1946, 1814
7 & 2551, one hundred third general assembly, second regular session, section 589.400 as
8 enacted by house bill nos. 2273, 1946, 1814 & 2551, one hundred third general assembly,
9 second regular session, and section 589.414 as enacted by house bill nos. 2273, 1946, 1814 &

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.

10 2551, one hundred third general assembly, second regular session, are repealed and sixty-six
11 new sections enacted in lieu thereof, to be known as sections 43.265, 43.500, 43.503, 43.506,
12 43.509, 43.527, 43.530, 84.570, 170.027, 190.142, 191.479, 191.480, 192.2515, 287.243,
13 301.287, 302.304, 302.440, 302.525, 302.574, 304.822, 320.405, 407.3007, 527.270,
14 537.039, 537.043, 565.056, 566.150, 569.086, 569.117, 569.119, 570.010, 570.137,
15 573.010, 573.550, 573.570, 575.356, 577.010, 578.009, 578.024, 579.022, 579.065,
16 579.068, 589.400, 589.401, 589.403, 589.404, 589.405, 589.407, 589.410, 589.411,
17 589.412, 589.413, 589.414, 589.415, 589.417, 589.770, 589.772, 589.774, 590.100,
18 630.1170, 632.489, 632.492, 632.495, 632.504, 632.520, and 650.240, to read as follows:

43.265. There is hereby created in the state treasury the "Highway Patrol's Motor
2 Vehicle, Aircraft, and Watercraft Revolving Fund", which shall be administered by the
3 superintendent of the highway patrol. All funds received by the highway patrol from:

4 (1) Any source for purchase and maintenance of highway patrol motor vehicles,
5 watercraft, watercraft motors, and trailers;

6 (2) Any source for reimbursement of costs associated with the official use of highway
7 patrol vehicles;

8 (3) Any source for restitution for damage to or loss of a highway patrol vehicle or
9 aircraft;

10 (4) Any other source for the purchase and maintenance of highway patrol aircraft or
11 aircraft parts; and

12 (5) Government agencies for the reimbursement of costs associated with aircraft
13 flights flown on their behalf by the highway patrol;

14

15 shall be credited to the fund. The state treasurer is the custodian of the fund and shall approve
16 disbursements from the fund subject to appropriation and as provided by law and the
17 constitution of this state at the request of the superintendent of the highway patrol. The
18 balances from this fund shall be used for the purchase and maintenance of highway patrol
19 motor vehicles, highway patrol watercraft, watercraft motors, and trailers, highway patrol
20 aircraft or aircraft parts and operational costs. Prior to obligating any funds for the purchase
21 of an individual unit that costs in excess of ~~one~~ **five** hundred thousand dollars, the highway
22 patrol shall receive a specific appropriation from the general assembly for the particular
23 purchase. Any unexpended balance in the fund at the end of the fiscal year shall be exempt
24 from the provisions of section 33.080 relating to the transfer of unexpended balances to the
25 general revenue fund.

43.500. As used in sections 43.500 to ~~[43.651]~~ **43.600**, the following terms mean:

2 (1) "Administration of criminal justice", performance of any of the following
3 activities: detection, apprehension, detention, pretrial release, post-trial release, prosecution,

4 adjudication, correctional supervision, or rehabilitation of accused persons or criminal
5 offenders. The administration of criminal justice shall include the screening of employees or
6 applicants seeking employment with criminal justice agencies, criminal identification
7 activities, and the collection, storage, and dissemination of criminal history information,
8 including fingerprint searches, photographs, and other unique biometric identification;

9 (2) "Central repository", the division within the Missouri state highway patrol
10 responsible for compiling and disseminating complete and accurate criminal history records
11 and statistics;

12 (3) "Committee", criminal records and justice information advisory committee;

13 (4) "Comparable ordinance violation", a violation of an ordinance having all the
14 essential elements of a statutory felony or a class A misdemeanor;

15 (5) "Criminal history record information", information collected by criminal justice
16 agencies on individuals consisting of identifiable descriptions and notations of arrests,
17 detentions, indictments, informations, or other formal criminal charges, and any disposition
18 arising therefrom, sentencing, correctional supervision, and release;

19 (6) "Final disposition", the formal conclusion of a criminal proceeding at whatever
20 stage it occurs in the criminal justice system;

21 (7) "Missouri charge code", a unique number assigned by the office of state courts
22 administrator to an offense for tracking and grouping offenses. Beginning January 1, 2005,
23 the complete charge code shall consist of digits assigned by the office of state courts
24 administrator, the two-digit national crime information center modifiers and a single digit
25 designating attempt, accessory, or conspiracy. The only exception to the January 1, 2005,
26 date shall be the courts that are not using the statewide court automation case management
27 pursuant to section 476.055; the effective date will be as soon thereafter as economically
28 feasible for all other courts;

29 (8) "State offense cycle number", a unique number, supplied by or approved by the
30 Missouri state highway patrol, on the state criminal fingerprint card. The offense cycle
31 number, OCN, is used to link the identity of a person, through unique biometric identification,
32 to one or many offenses for which the person is arrested or charged. The OCN will be used to
33 track an offense incident from the date of arrest to the final disposition when the offender
34 exits from the criminal justice system;

35 (9) "Unique biometric identification", automated methods of recognizing and
36 identifying an individual based on a physiological characteristic. Biometric identification
37 methods may include but are not limited to facial recognition, fingerprints, palm prints, hand
38 geometry, iris recognition, and retinal scan.

43.503. 1. For the purpose of maintaining complete and accurate criminal history
2 record information, all police officers of this state, the clerk of each court, the department of

3 corrections, the sheriff of each county, the chief law enforcement official of a city not within a
4 county and the prosecuting attorney of each county or the circuit attorney of a city not within
5 a county shall submit certain criminal arrest, charge, and disposition information to the
6 central repository for filing without undue delay in the form and manner required by sections
7 43.500 to ~~[43.654]~~ **43.600**.

8 2. All law enforcement agencies making misdemeanor and felony arrests as
9 determined by section 43.506 shall furnish without undue delay, to the central repository,
10 fingerprints, photograph, and if available, any other unique biometric identification collected,
11 charges, appropriate charge codes, and descriptions of all persons who are arrested for such
12 offenses on standard fingerprint forms supplied or approved by the highway patrol or
13 electronically in a format and manner approved by the highway patrol and in compliance with
14 the standards set by the Federal Bureau of Investigation in its Automated Fingerprint
15 Identification System or its successor program. All such agencies shall also notify the central
16 repository of all decisions not to refer such arrests for prosecution. An agency making such
17 arrests may enter into arrangements with other law enforcement agencies for the purpose of
18 furnishing without undue delay such fingerprints, photograph, and if available, any other
19 unique biometric identification collected, charges, appropriate charge codes, and descriptions
20 to the central repository upon its behalf.

21 3. In order for the Missouri office of prosecution services to maintain complete and
22 accurate statewide reports as required by section 56.750, on or before January 1, 2028, and
23 thereafter, all police officers of this state, the sheriff and each deputy sheriff of each county,
24 and the chief law enforcement official of a city not within a county and his or her officers
25 shall submit referrals for any traffic violation, ordinance violation, or misdemeanor or felony
26 offense referred to a prosecuting or circuit attorney in the form and manner approved by the
27 Missouri office of prosecution services as required by subdivision (7) of subsection 1 of
28 section 56.750. At a minimum, any referral to a prosecuting attorney or circuit attorney for a
29 felony offense shall include a probable cause statement and an investigative report. Any law
30 enforcement agency that violates this subsection shall be ineligible to receive state or federal
31 funds that would otherwise be paid to such agency for law enforcement, safety, or criminal
32 justice purposes.

33 4. In instances where an individual less than seventeen years of age and not currently
34 certified as an adult is taken into custody for an offense which would be a felony if committed
35 by an adult, the arresting officer shall take fingerprints for the central repository. These
36 fingerprints shall be taken on fingerprint cards supplied by or approved by the highway patrol
37 or transmitted electronically in a format and manner approved by the highway patrol and in
38 compliance with the standards set by the Federal Bureau of Investigation in its Automated
39 Fingerprint Identification System or its successor program. The fingerprint cards shall be so

40 constructed that the name of the juvenile should not be made available to the central
41 repository. The individual's name and the unique number associated with the fingerprints and
42 other pertinent information shall be provided to the court of jurisdiction by the agency taking
43 the juvenile into custody. The juvenile's fingerprints and other information shall be
44 forwarded to the central repository and the courts without undue delay. The fingerprint
45 information from the card shall be captured and stored in the automated fingerprint
46 identification system operated by the central repository. In the event the fingerprints are
47 found to match other tenprints or unsolved latent prints, the central repository shall notify the
48 submitting agency who shall notify the court of jurisdiction as per local agreement. Under
49 section 211.031, in instances where a juvenile over fifteen and one-half years of age is alleged
50 to have violated a state or municipal traffic ordinance or regulation, which does not constitute
51 a felony, and the juvenile court does not have jurisdiction, the juvenile shall not be
52 fingerprinted unless certified as an adult.

53 5. Upon certification of the individual as an adult, the certifying court shall order a
54 law enforcement agency to immediately fingerprint and photograph the individual and
55 certification papers will be forwarded to the appropriate law enforcement agency with the
56 order for fingerprinting. The law enforcement agency shall submit such fingerprints,
57 photograph, and certification papers to the central repository within fifteen days and shall
58 furnish the offense cycle number associated with the fingerprints to the prosecuting attorney
59 or the circuit attorney of a city not within a county and to the clerk of the court ordering the
60 subject fingerprinted. If the juvenile is acquitted of the crime and is no longer certified as an
61 adult, the prosecuting attorney shall notify within fifteen days the central repository of the
62 change of status of the juvenile. Records of a child who has been fingerprinted and
63 photographed after being taken into custody shall be closed records as provided under section
64 610.100 if a petition has not been filed within thirty days of the date that the child was taken
65 into custody; and if a petition for the child has not been filed within one year of the date the
66 child was taken into custody, any records relating to the child concerning the alleged offense
67 may be expunged under the procedures in sections 610.122 to 610.126.

68 6. The prosecuting attorney of each county or the circuit attorney of a city not within
69 a county or the municipal prosecuting attorney shall notify the central repository on standard
70 forms supplied by the highway patrol or in a manner approved by the highway patrol of his or
71 her decision to not file a criminal charge on any charge referred to such prosecuting attorney
72 or circuit attorney for criminal charges. All records forwarded to the central repository and
73 the courts by prosecutors or circuit attorneys as required by sections 43.500 to 43.530 shall
74 include the state offense cycle number of the offense, the charge code for the offense, and the
75 originating agency identifier number of the reporting prosecutor, using such numbers as
76 assigned by the highway patrol.

77 7. The clerk of the courts of each county or city not within a county or municipal
78 court clerk shall furnish the central repository, on standard forms supplied by the highway
79 patrol or in a manner approved by the highway patrol, with a record of all charges filed,
80 including all those added subsequent to the filing of a criminal court case, amended charges,
81 and all final dispositions of cases for which the central repository has a record of an arrest or a
82 record of fingerprints reported pursuant to sections 43.500 to 43.506. Such information shall
83 include, for each charge:

84 (1) All judgments of not guilty, acquittals on the ground of mental disease or defect
85 excluding responsibility, judgments or pleas of guilty including the sentence, if any, or
86 probation, if any, pronounced by the court, nolle pros, discharges, releases and dismissals in
87 the trial court;

88 (2) Court orders filed with the clerk of the courts which reverse a reported conviction
89 or vacate or modify a sentence;

90 (3) Judgments terminating or revoking a sentence to probation, supervision or
91 conditional release and any resentencing after such revocation; and

92 (4) The offense cycle number of the offense, and the originating agency identifier
93 number of the sentencing court, using such numbers as assigned by the highway patrol.

94 8. The clerk of the courts of each county or city not within a county shall furnish, to
95 the department of corrections or department of mental health, court judgment and sentence
96 documents and the state offense cycle number and the charge code of the offense which
97 resulted in the commitment or assignment of an offender to the jurisdiction of the department
98 of corrections or the department of mental health if the person is committed pursuant to
99 chapter 552. This information shall be reported to the department of corrections or the
100 department of mental health at the time of commitment or assignment. If the offender was
101 already in the custody of the department of corrections or the department of mental health at
102 the time of such subsequent conviction, the clerk shall furnish notice of such subsequent
103 conviction to the appropriate department by certified mail, return receipt requested, or in a
104 manner and format mutually agreed to, within fifteen days of such disposition.

105 9. Information and fingerprints, photograph and if available, any other unique
106 biometric identification collected, forwarded to the central repository, normally obtained from
107 a person at the time of the arrest, may be obtained at any time the subject is in the criminal
108 justice system or committed to the department of mental health. A law enforcement agency
109 or the department of corrections may fingerprint, photograph, and capture any other unique
110 biometric identification of the person unless collecting other unique biometric identification
111 of the person is not financially feasible for the law enforcement agency, and obtain the
112 necessary information at any time the subject is in custody. If at the time of any court
113 appearance, the defendant has not been fingerprinted and photographed for an offense in

114 which a fingerprint and photograph is required by statute to be collected, maintained, or
115 disseminated by the central repository, the court shall order a law enforcement agency or
116 court marshal to fingerprint and photograph immediately the defendant. The order for
117 fingerprints shall contain the offense, charge code, date of offense, and any other information
118 necessary to complete the fingerprint card. The law enforcement agency or court marshal
119 shall submit such fingerprints, photograph, and if available, any other unique biometric
120 identification collected, to the central repository without undue delay and within thirty days
121 and shall furnish the offense cycle number associated with the fingerprints to the prosecuting
122 attorney or the circuit attorney of a city not within a county and to the court clerk of the court
123 ordering the subject fingerprinted.

124 10. The department of corrections and the department of mental health shall furnish
125 the central repository with all information concerning the receipt, escape, execution, death,
126 release, pardon, parole, commutation of sentence, granting of executive clemency, legal name
127 change, or discharge of an individual who has been sentenced to that department's custody for
128 any offenses which are mandated by law to be collected, maintained or disseminated by the
129 central repository. All records forwarded to the central repository by the department as
130 required by sections 43.500 to ~~[43.651]~~ **43.600** shall include the offense cycle number of the
131 offense, and the originating agency identifier number of the department using such numbers
132 as assigned by the highway patrol.

43.506. 1. Those offenses considered reportable for the purposes of sections 43.500
2 to ~~[43.651]~~ **43.600** include all felonies; class A misdemeanors; all violations for driving under
3 the influence of drugs or alcohol; any offense that can be enhanced to a class A misdemeanor
4 or higher for subsequent violations; and comparable ordinance violations consistent with the
5 reporting standards established by the National Crime Information Center, Federal Bureau of
6 Investigation, for the Federal Interstate Identification Index System; and all cases arising
7 under chapter 566. The following types of offenses shall not be considered reportable for the
8 purposes of sections 57.403, 43.500 to ~~[43.651]~~ **43.600**, and 595.200 to 595.218: nonspecific
9 charges of suspicion or investigation, general traffic violations and all misdemeanor
10 violations of the state wildlife code. All offenses considered reportable shall be reviewed
11 annually and noted in the Missouri charge code manual established in section 43.512. All
12 information collected pursuant to sections 43.500 to ~~[43.651]~~ **43.600** shall be available only
13 as set forth in section 610.120.

14 2. Law enforcement agencies, court clerks, prosecutors and custody agencies may
15 report required information by electronic medium either directly to the central repository or
16 indirectly to the central repository via other criminal justice agency computer systems in the
17 state with the approval of the highway patrol, based upon standards established by the
18 advisory committee.

19 3. In addition to the repository of fingerprint records for individual offenders and
20 applicants, the central repository of criminal history and identification records for the state
21 shall maintain a repository of latent prints, palm prints and other unique biometric
22 identification submitted to the repository.

 43.509. The director of the department of public safety shall, in accordance with the
2 provisions of chapter 536, establish such rules and regulations as are necessary to implement
3 the provisions of sections 43.500 to ~~[43.651]~~ **43.600**. All collection and dissemination of
4 criminal history information shall be in compliance with chapter 610 and applicable federal
5 laws or regulations. Such rules shall relate to the collection of criminal history information
6 from or dissemination of such information to criminal justice, noncriminal justice, and private
7 agencies or citizens both in this and other states. No rule or portion of a rule promulgated
8 under the authority of sections 43.500 to ~~[43.651]~~ **43.600** shall become effective unless it has
9 been promulgated pursuant to the provisions of section 536.024.

 43.527. For purposes of sections 43.500 to ~~[43.651]~~ **43.600**, all federal and nonstate
2 of Missouri agencies and persons shall pay for criminal records checks, fingerprint searches,
3 and any of the information as defined in subdivision (5) of section 43.500, when such
4 information is not related to the administration of criminal justice. There shall be no charge
5 for information supplied to criminal justice agencies for the administration of criminal justice.
6 For purposes of sections 43.500 to ~~[43.651]~~ **43.600**, the administration of criminal justice is
7 defined in subdivision (1) of section 43.500 and shall be available only as set forth in section
8 610.120.

 43.530. 1. For each request requiring the payment of a fee received by the central
2 repository, the requesting entity shall pay a fee of not more than nine dollars per request for
3 criminal history record information not based on a fingerprint search. In each year beginning
4 on or after January 1, 2010, the superintendent may increase the fee paid by requesting
5 entities by an amount not to exceed one dollar per year, however, under no circumstance shall
6 the fee paid by requesting entities exceed fifteen dollars per request.

 2. For each request requiring the payment of a fee received by the central repository,
8 the requesting entity shall pay a fee of not more than twenty dollars per request for criminal
9 history record information based on a fingerprint search, unless the request is required under
10 the provisions of subdivision (6) of section 210.481, section 210.487, or section 571.101, in
11 which case the fee shall be fourteen dollars.

 3. A request made under subsections 1 and 2 of this section shall be limited to check
13 and search on one individual. Each request shall be accompanied by a check, warrant,
14 voucher, money order, or electronic payment payable to the state of Missouri-criminal record
15 system or payment shall be made in a manner approved by the highway patrol. The highway
16 patrol may establish procedures for receiving requests for criminal history record information

17 for classification and search for fingerprints, from courts and other entities, and for the
18 payment of such requests. There is hereby established by the treasurer of the state of
19 Missouri a fund to be entitled as the "Criminal Record System Fund". Notwithstanding the
20 provisions of section 33.080 to the contrary, if the moneys collected and deposited into this
21 fund are not totally expended annually for the purposes set forth in sections 43.500 to
22 ~~43.651~~ **43.600**, the unexpended moneys in such fund shall remain in the fund and the
23 balance shall be kept in the fund to accumulate from year to year.

84.570. 1. No person shall be appointed policeman or officer of police who shall
2 have been convicted of any offense, the punishment of which may be confinement in the state
3 penitentiary; nor shall any person be appointed who is not proven to be of good character, or
4 who is not proven to be a bona fide citizen of the United States, or who cannot read and write
5 the English language and who does not possess ordinary physical strength and courage, nor
6 shall any person be originally appointed to said police force who is less than twenty-one years
7 of age. Notwithstanding any other provision of law, the board shall have the sole authority to
8 determine conditions of employment for police officers pursuant to section 84.460.

9 2. In the interest of efficiency and public safety, law enforcement officers, as such
10 term is defined in 29 U.S.C. Section 630 or any successor statute, shall be separated from
11 service on the last day of the month in which the employee becomes sixty-five years of age or
12 reaches thirty-five years of creditable service, as such term is defined in subdivision (8) of
13 section 86.900, whichever occurs ~~later~~ **first**.

14 3. The board shall from time to time require open competitive examinations or tests
15 for determining the qualifications and fitness of all applicants for appointment to positions on
16 the police force. Such examinations and tests shall be practical and shall relate to matters
17 which fairly measure the relative fitness of the candidates to discharge the duties of the
18 positions to which they seek to be appointed. Notice of such examinations and tests shall be
19 given not less than ten days in advance thereof by public advertisement in at least one
20 newspaper of general circulation in such city, and by posting notice in the police headquarters
21 building. A list of those qualifying in such examinations shall be established, listing those
22 qualified in order of rank. When an appointment is to be made, the appointment shall be
23 made from such eligible list.

24 4. The board shall also establish rules for:

25 (1) Temporary employment for not exceeding sixty days in the absence of any
26 eligible list;

27 (2) Hours of work of police employees and officers subject to the provisions of
28 section 84.510; and

29 (3) Attendance regulations and leaves of absence.

170.027. 1. This section shall be known and may be cited as the "Missouri
2 Integrated Safe Driving Program".

3 2. As used in this section, "driver education instruction" means instruction
4 provided under the Missouri integrated safe driving program that offers instruction in
5 the use and operation of motor vehicles including, but not limited to, instruction in the
6 safe operation of motor vehicles and rules of the road and the laws of this state relating
7 to motor vehicles.

8 3. (1) The state department of elementary and secondary education shall receive
9 and vet sample lessons from recognized statewide professional organizations and
10 districts that meet the requirements of the Missouri integrated safe driving program.

11 (2) Sample lessons shall be made available to each public school district and
12 charter school offering courses to pupils in grades nine through twelve.

13 (3) For the 2027-28 school year and all subsequent school years, each public
14 school district and charter school offering courses to pupils in grades nine through
15 twelve may adopt a plan implementing the Missouri integrated safe driving program,
16 which may use the sample lessons.

17 4. The Missouri integrated safe driving program shall:

18 (1) Inform pupils about the requirements for obtaining and driving with an
19 instruction permit, an intermediate license, and a full driver license under Missouri's
20 graduated driver license law as established in chapter 302;

21 (2) Emphasize the development of knowledge, attitudes, habits, and skills
22 necessary for the safe operation of motor vehicles;

23 (3) Provide instruction on distracted driving as a major traffic safety issue;

24 (4) Provide instruction concerning law enforcement procedures for traffic stops,
25 including a demonstration of the proper actions to be taken during a traffic stop and
26 appropriate interactions with law enforcement;

27 (5) Provide pupils with current data on driver safety related to risky behaviors;
28 and

29 (6) Provide instruction on safety concerns relating to pedestrians, commercial
30 motor vehicles, motorcycles and other potentially hazardous encounters on the road.

31 5. Districts may require pupils to participate in lessons devoted to addressing the
32 requirements of the Missouri integrated safe driving program in courses as determined
33 by the district. These lessons shall meet standards within the content of the course but
34 use safe driving as the context and application of the course standards.

35 6. (1) The driver education instruction under this section shall not require any
36 pupil to physically operate a motor vehicle as part of such instruction.

37 **(2) This section shall not be construed to prohibit any public school district or**
38 **charter school from offering an elective driver education course that is different from**
39 **the driver education instruction required under this section.**

40 **7. The state board of education may promulgate all necessary rules and**
41 **regulations for the administration of this section. Any rule or portion of a rule, as that**
42 **term is defined in section 536.010, that is created under the authority delegated in this**
43 **section shall become effective only if it complies with and is subject to all of the**
44 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
45 **536 are nonseverable and if any of the powers vested with the general assembly**
46 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
47 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
48 **and any rule proposed or adopted after the effective date of this section shall be invalid**
49 **and void.**

190.142. 1. (1) For applications submitted before the recognition of EMS personnel
2 licensure interstate compact under sections 190.900 to 190.939 takes effect, the department
3 shall, within a reasonable time after receipt of an application, cause such investigation as it
4 deems necessary to be made of the applicant for an emergency medical technician's license.

5 (2) For applications submitted after the recognition of EMS personnel licensure
6 interstate compact under sections 190.900 to 190.939 takes effect, an applicant for initial
7 licensure as an emergency medical technician in this state shall submit to a background check
8 by the Missouri state highway patrol and the Federal Bureau of Investigation through a
9 process approved by the department of health and senior services. Such processes may
10 include the use of vendors or systems administered by the Missouri state highway patrol. The
11 department may share the results of such a criminal background check with any emergency
12 services licensing agency in any member state, as that term is defined under section 190.900,
13 in recognition of the EMS personnel licensure interstate compact. The department shall not
14 issue a license until the department receives the results of an applicant's criminal background
15 check from the Missouri state highway patrol and the Federal Bureau of Investigation, but,
16 notwithstanding this subsection, the department may issue a temporary license as provided
17 under section 190.143. Any fees due for a criminal background check shall be paid by the
18 applicant.

19 (3) The director may authorize investigations into criminal records in other states for
20 any applicant.

21 2. The department shall issue a license to all levels of emergency medical technicians,
22 for a period of five years, if the applicant meets the requirements established pursuant to
23 sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections

24 190.001 to 190.245. The department may promulgate rules relating to the requirements for an
25 emergency medical technician including but not limited to:

26 (1) Age requirements;

27 (2) Emergency medical technician and paramedic education and training
28 requirements based on respective National Emergency Medical Services Education
29 Standards and any modification to such curricula specified by the department through rules
30 adopted pursuant to sections 190.001 to 190.245;

31 (3) Paramedic accreditation requirements. Paramedic training programs shall be
32 accredited as required by the National Registry of Emergency Medical Technicians;

33 (4) Initial licensure testing requirements. Initial paramedic licensure testing shall be
34 through the national registry of EMTs;

35 (5) (a) Continuing education and relicensure requirements.

36 (b) a. **The department shall require each emergency medical technician and**
37 **each advanced emergency medical technician, including each paramedic, to receive the**
38 **following training as part of the continuing education requirements for relicensure:**

39 (i) **Any licensee who submits an application for relicensure before January 1,**
40 **2028, shall have completed one hour of sex and human trafficking training, consistent**
41 **with the guidelines established in section 27.170, before such submission;**

42 (ii) **Any licensee who submits an application for relicensure after December 31,**
43 **2027, and before January 1, 2029, shall have completed two hours of sex and human**
44 **trafficking training, consistent with the guidelines established in section 27.170, before**
45 **such submission;**

46 (iii) **Any licensee who submits an application for relicensure after December 31,**
47 **2028, and before January 1, 2030, shall have completed three hours of sex and human**
48 **trafficking training, consistent with the guidelines established in section 27.170, before**
49 **such submission; and**

50 (iv) **Any licensee who submits an application for relicensure after December 31,**
51 **2029, and before January 1, 2031, shall have completed four hours of sex and human**
52 **trafficking training, consistent with the guidelines established in section 27.170, before**
53 **such submission.**

54

55 **The training may be conducted online, shall be consistent with the guidelines established**
56 **in section 210.1505, and shall be available at no cost to the personnel identified in this**
57 **section and all ambulance services and fire departments. The training may be counted**
58 **toward elective topics as determined by the department, provided that the content is**
59 **approved by the department as established by regulation.**

60 **b. The provisions of this paragraph shall become effective on January 1, 2027,**
61 **and shall expire on December 31, 2031;** and

62 (6) Ability to speak, read and write the English language.

63 3. Application for all levels of emergency medical technician license shall be made
64 upon such forms as prescribed by the department in rules adopted pursuant to sections
65 190.001 to 190.245. The application form shall contain such information as the department
66 deems necessary to make a determination as to whether the emergency medical technician
67 meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to
68 sections 190.001 to 190.245.

69 4. All levels of emergency medical technicians may perform only that patient care
70 which is:

71 (1) Consistent with the training, education and experience of the particular emergency
72 medical technician; and

73 (2) Ordered by a physician or set forth in protocols approved by the medical director.

74 5. No person shall hold themselves out as an emergency medical technician or
75 provide the services of an emergency medical technician unless such person is licensed by the
76 department.

77 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is
78 created under the authority delegated in this section shall become effective only if it complies
79 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
80 This section and chapter 536 are nonseverable and if any of the powers vested with the
81 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
82 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
83 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid
84 and void.

2 ~~[190.142. 1. (1) For applications submitted before the recognition of~~
3 ~~EMS personnel licensure interstate compact under sections 190.900 to 190.939~~
4 ~~takes effect, the department shall, within a reasonable time after receipt of an~~
5 ~~application, cause such investigation as it deems necessary to be made of the~~
6 ~~applicant for an emergency medical technician's license.~~

7 ~~(2) For applications submitted after the recognition of EMS personnel~~
8 ~~licensure interstate compact under sections 190.900 to 190.939 takes effect, an~~
9 ~~applicant for initial licensure as an emergency medical technician in this state~~
10 ~~shall submit to a background check by the Missouri state highway patrol and~~
11 ~~the Federal Bureau of Investigation through a process approved by the~~
12 ~~department of health and senior services. Such processes may include the use~~
13 ~~of vendors or systems administered by the Missouri state highway patrol. The~~
14 ~~department may share the results of such a criminal background check with~~
15 ~~any emergency services licensing agency in any member state, as that term is~~
~~defined under section 190.900, in recognition of the EMS personnel licensure~~

16 interstate compact. The department shall not issue a license until the
17 department receives the results of an applicant's criminal background check
18 from the Missouri state highway patrol and the Federal Bureau of
19 Investigation, but, notwithstanding this subsection, the department may issue
20 a temporary license as provided under section 190.143. Any fees due for a
21 criminal background check shall be paid by the applicant.

22 (3) The director may authorize investigations into criminal records in
23 other states for any applicant.

24 2. The department shall issue a license to all levels of emergency
25 medical technicians, for a period of five years, if the applicant meets the
26 requirements established pursuant to sections 190.001 to 190.245 and the rules
27 adopted by the department pursuant to sections 190.001 to 190.245. The
28 department may promulgate rules relating to the requirements for an
29 emergency medical technician including but not limited to:

30 (1) Age requirements;

31 (2) Emergency medical technician and paramedic education and
32 training requirements based on respective National Emergency Medical
33 Services Education Standards and any modification to such curricula specified
34 by the department through rules adopted pursuant to sections 190.001 to
35 190.245;

36 (3) Paramedic accreditation requirements. Paramedic training
37 programs shall be accredited as required by the National Registry of
38 Emergency Medical Technicians;

39 (4) Initial licensure testing requirements. Initial paramedic licensure
40 testing shall be through the national registry of EMTs;

41 (5) [Continuing education and relicensure requirements]

42 (a) **The department shall require each emergency medical**
43 **technician, as defined in section 190.100, advanced emergency medical**
44 **technician, as defined in section 190.100, and paramedic, as defined in**
45 **section 190.100, to complete a one-time four-hour course of training on**
46 **sex and human trafficking as a condition of relicensure;**

47 (b) **The training may be conducted online, shall be consistent with**
48 **the guidelines established in section 210.1505, and shall be available at no**
49 **cost to the personnel identified in this section and all ambulance services**
50 **and fire departments. The training may be counted toward elective topics**
51 **as determined by the department, provided that the content is approved**
52 **by the department as established by regulation;**

53 (c) **This requirement shall apply to any relicensure with an**
54 **effective date after March 31, 2027. The department shall promulgate**
55 **any rules necessary to implement and document compliance with this**
56 **requirement;**

57 (d) **This provision shall expire December 31, 2032;** and

58 (6) Ability to speak, read and write the English language.

59 3. Application for all levels of emergency medical technician license
60 shall be made upon such forms as prescribed by the department in rules
61 adopted pursuant to sections 190.001 to 190.245. The application form shall
62 contain such information as the department deems necessary to make a
63 determination as to whether the emergency medical technician meets all the

64 requirements of sections 190.001 to 190.245 and rules promulgated pursuant
 65 to sections 190.001 to 190.245.

66 4. All levels of emergency medical technicians may perform only that
 67 patient care which is:

68 (1) Consistent with the training, education and experience of the
 69 particular emergency medical technician; and

70 (2) Ordered by a physician or set forth in protocols approved by the
 71 medical director.

72 5. No person shall hold themselves out as an emergency medical
 73 technician or provide the services of an emergency medical technician unless
 74 such person is licensed by the department.

75 6. Any rule or portion of a rule, as that term is defined in section
 76 536.010, that is created under the authority delegated in this section shall
 77 become effective only if it complies with and is subject to all of the provisions
 78 of chapter 536 and, if applicable, section 536.028. This section and chapter
 79 536 are nonseverable and if any of the powers vested with the general
 80 assembly pursuant to chapter 536 to review, to delay the effective date, or to
 81 disapprove and annul a rule are subsequently held unconstitutional, then the
 82 grant of rulemaking authority and any rule proposed or adopted after August
 83 28, 2002, shall be invalid and void.]

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

2 (1) "Bona fide physician-patient relationship", a relationship between a
 3 physician and a patient in which the physician:

4 (a) Has completed an assessment of the patient's medical history and current
 5 medical condition, including an in-person examination of the patient;

6 (b) Has consulted with the patient with respect to the patient's medical
 7 condition; and

8 (c) Is available to provide follow-up care and treatment to the patient;

9 (2) "Facilitator", an individual who is present with a person who uses psilocybin
 10 in order to facilitate the therapeutic use of the psilocybin for the person;

11 (3) "First responder", any police officer; firefighter; dispatcher for police, fire,
 12 or emergency medical services purposes; emergency medical technician or responder;
 13 ambulance or air ambulance operator; or emergency room physician or nurse;

14 (4) "Veteran", any person defined as a veteran by the United States Department
 15 of Veterans Affairs or its successor agency.

16 2. Notwithstanding the provisions of chapter 195 or 579 or any other provision of
 17 law to the contrary, any person who acquires, uses, produces, possesses, transfers, or
 18 administers psilocybin for the person's own therapeutic use shall not be in violation of
 19 state or local law and shall not be subject to a civil fine, penalty, or sanction so long as
 20 the following conditions are met:

- 21 **(1) The person is a veteran or first responder and is twenty-one years of age or**
22 **older;**
- 23 **(2) The person suffers from posttraumatic stress disorder, major depressive**
24 **disorder, or a substance use disorder or requires end-of-life care;**
- 25 **(3) The person has enrolled in a study on the use of psilocybin to treat**
26 **posttraumatic stress disorder, major depressive disorder, or substance use disorders or**
27 **for end-of-life care;**
- 28 **(4) The person informs the department of mental health that the person plans to**
29 **acquire, use, produce, possess, transfer, or administer psilocybin in accordance with this**
30 **section;**
- 31 **(5) The person provides the department of mental health with:**
- 32 **(a) Documentation from a physician with whom the patient has a bona fide**
33 **physician-patient relationship that the person suffers from posttraumatic stress**
34 **disorder, major depressive disorder, or a substance use disorder or requires end-of-**
35 **life care;**
- 36 **(b) The name of the individual who will serve as the person's facilitator;**
- 37 **(c) The address of the location where the use of psilocybin will take place; and**
- 38 **(d) The time period, not to exceed twelve months, during which the person will**
39 **use psilocybin;**
- 40 **(6) The person's use of psilocybin occurs only in the presence of a facilitator who**
41 **meets the following requirements:**
- 42 **(a) Is:**
- 43 **a. A licensed physician;**
- 44 **b. A licensed mental health professional who earned a doctor of psychology**
45 **degree or a doctor of philosophy degree in psychology;**
- 46 **c. A mental health therapist who has a master's degree in a relevant field and**
47 **who has full clinical licensure including, but not limited to, a licensed clinical social**
48 **worker, a licensed marital and family therapist, a licensed professional counselor, or an**
49 **art therapist;**
- 50 **d. A licensed nurse who holds a doctorate in nursing practice;**
- 51 **e. A licensed physician assistant;**
- 52 **f. A psychiatric mental health nurse practitioner; or**
- 53 **g. A licensed advanced practice registered nurse;**
- 54 **(b) Has completed a training program that is specific to psilocybin and that:**
- 55 **a. Is consistent with the current professional practice guidelines for psychedelic-**
56 **assisted therapy published by the American Psychological Association or the American**
57 **Psychedelic Practitioners Association and complies with each such guideline;**

58 **b. Covers all content areas set forth in the professional practice guidelines of the**
59 **American Psychological Association or the American Psychedelic Practitioners**
60 **Association; and**

61 **c. Consists of at least thirty hours of synchronous learning;**

62 **(c) Except for psychiatrists, psychiatric mental health nurse practitioners, and**
63 **holders of a doctorate degree in psychology, completes ninety minutes of continuing**
64 **education on the Diagnostic and Statistical Manual of Mental Disorders before serving**
65 **as a facilitator for any person and during each relevant licensure renewal period; and**

66 **(d) Has received training in end-of-life care or in one or more of the following**
67 **diagnostic categories:**

68 **a. Posttraumatic stress disorder;**

69 **b. Complex posttraumatic stress disorder;**

70 **c. Major depressive disorder; or**

71 **d. Substance use disorder;**

72 **(7) The person ensures that a laboratory licensed by the state to test controlled**
73 **substances tests the psilocybin the person intends to ingest; and**

74 **(8) The person limits the use of psilocybin to no more than one hundred fifty**
75 **milligrams of psilocybin analyte (4-phosphoryloxy-N, N-dimethyltryptamine) during**
76 **any twelve-month period.**

77 **3. Notwithstanding the provisions of chapter 195 or 579 or any other provision of**
78 **law to the contrary:**

79 **(1) Any person twenty-one years of age or older who assists another person in**
80 **any of the acts allowed under subsection 2 of this section shall not be in violation of state**
81 **or local law and shall not be subject to a civil fine, penalty, or sanction; and**

82 **(2) Any laboratory licensed by the state to test controlled substances or cannabis**
83 **that tests psilocybin for a person engaged in acts allowed under subsection 2 of this**
84 **section shall not be in violation of state or local law and shall not be subject to a civil**
85 **fine, penalty, or sanction.**

86 **4. Subject to appropriation, the department of mental health shall provide**
87 **grants totaling two million dollars for research on the use and efficacy of psilocybin for**
88 **persons described in subsection 2 of this section.**

89 **5. The department of mental health shall prepare and submit to the governor,**
90 **lieutenant governor, and the general assembly annual reports on any information**
91 **collected by the department on the implementation and outcomes of the use of**
92 **psilocybin as described in subsection 2 of this section.**

93 **6. The department of mental health shall maintain the confidentiality of any**
94 **personally identifiable protected information collected from any persons who provide**
95 **information to the department under subsection 2 of this section.**

96 **7. Notwithstanding any other provision of law to the contrary, the department of**
97 **mental health, any health care providers, and any other person involved in the acts**
98 **described in subsection 2 of this section shall not be subject to criminal or civil liability**
99 **or sanction under the laws of this state for providing care to a person engaged in acts**
100 **allowed under subsection 2 of this section, except in cases of gross negligence or willful**
101 **misconduct. No health care provider shall be subject to discipline against his or her**
102 **professional license for providing care to a person engaged in acts allowed under**
103 **subsection 2 of this section.**

104 **8. Notwithstanding any other provision of law to the contrary, a physician shall**
105 **not be subject to criminal or civil liability or sanction under the laws of this state for**
106 **providing documentation that a person suffers from posttraumatic stress disorder,**
107 **major depressive disorder, or a substance use disorder or requires end-of-life care, and**
108 **no state agency or regulatory board shall revoke, fail to renew, or take any other action**
109 **against a physician's license issued under chapter 334 based solely on the physician's**
110 **provision of documentation that a person suffers from posttraumatic stress disorder,**
111 **major depressive disorder, or a substance use disorder or requires end-of-life care.**

112 **9. Notwithstanding any other provision of law to the contrary, no state agency or**
113 **employee of a state agency shall disclose to the federal government, any federal**
114 **government employee, or any unauthorized third party the statewide list or any**
115 **individual information of persons who meet the requirements of this section.**

191.480. 1. For purposes of this section, the following terms shall mean:

2 (1) "Eligible patient", a person who meets all of the following:

3 (a) Has a terminal **condition or illness, a life-threatening condition or illness, or a**
4 **severely debilitating condition or illness;**

5 (b) Has considered all other treatment options currently approved by the United
6 States Food and Drug Administration and all relevant clinical trials conducted in this state;

7 (c) Has received a prescription or recommendation from the person's physician for an
8 investigational drug, biological product, or device;

9 (d) Has given written informed consent which shall be at least as comprehensive as
10 the consent used in clinical trials for the use of the investigational drug, biological product, or
11 device or, if the patient is a minor or lacks the mental capacity to provide informed consent, a
12 parent or legal guardian has given written informed consent on the patient's behalf; and

13 (e) Has documentation from the person's physician that the person has met the
14 requirements of this subdivision;

15 (2) "Investigational drug, biological product, or device", a drug, biological product, or
16 device, any of which are used to treat the patient's terminal **condition or illness, life-**
17 **threatening condition or illness, or severely debilitating condition or illness**, that has
18 successfully completed phase one of a clinical trial but has not been approved for general use
19 by the United States Food and Drug Administration and remains under investigation in a
20 clinical trial~~[-The term shall not include Schedule I controlled substances];~~

21 (3) **"Life-threatening condition or illness", a disease or condition:**

22 (a) **In which the likelihood of death is high unless the course of the disease is**
23 **interrupted; and**

24 (b) **With potentially fatal outcomes, where the end point of clinical trial analysis**
25 **is survival;**

26 (4) **"Severely debilitating condition or illness", a disease or condition that causes**
27 **major irreversible morbidity;**

28 (5) "Terminal **condition or illness**", a disease **or condition** that without life-
29 sustaining procedures will result in death in the near future or a state of permanent
30 unconsciousness from which recovery is unlikely.

31 2. A manufacturer of an investigational drug, biological product, or device may make
32 available the manufacturer's investigational drug, biological product, or device to eligible
33 patients under this section. This section does not require that a manufacturer make available
34 an investigational drug, biological product, or device to an eligible patient. A manufacturer
35 may:

36 (1) Provide an investigational drug, biological product, or device to an eligible patient
37 without receiving compensation; or

38 (2) Require an eligible patient to pay the costs of or associated with the manufacture
39 of the investigational drug, biological product, or device.

40 3. This section does not require a health care insurer to provide coverage for the cost
41 of any investigational drug, biological product, or device. A health care insurer may provide
42 coverage for an investigational drug, biological product, or device.

43 4. This section does not require the department of corrections to provide coverage for
44 the cost of any investigational drug, biological product, or device.

45 5. Notwithstanding any other provision of law to the contrary, no state agency or
46 regulatory board shall revoke, fail to renew, or take any other action against a physician's
47 license issued under chapter 334 based solely on the physician's recommendation to an
48 eligible patient regarding prescription for or treatment with an investigational drug, biological
49 product, or device. Action against a health care provider's Medicare certification based solely
50 on the health care provider's recommendation that a patient have access to an investigational
51 drug, biological product, or device is prohibited.

52 6. If a provision of this section or its application to any person or circumstance is held
53 invalid, the invalidity does not affect other provisions or applications of this section that can
54 be given effect without the invalid provision or application, and to this end the provisions of
55 this section are severable.

56 7. If the clinical trial is closed due to lack of efficacy or toxicity, the drug shall not be
57 offered. If notice is given on a drug, product, or device taken by a patient outside of a clinical
58 trial, the pharmaceutical company or patient's physician shall notify the patient of the
59 information from the safety committee of the clinical trial.

60 8. Except in the case of gross negligence or willful misconduct, any person who
61 manufactures, imports, distributes, prescribes, dispenses, or administers an investigational
62 drug or device to an eligible patient with a terminal **condition or illness, a life-threatening**
63 **condition or illness, or a severely debilitating condition** in accordance with this section
64 shall not be liable in any action under state law for any loss, damage, or injury arising out of,
65 relating to, or resulting from:

66 (1) The design, development, clinical testing and investigation, manufacturing,
67 labeling, distribution, sale, purchase, donation, dispensing, prescription, administration, or
68 use of the drug or device; or

69 (2) The safety or effectiveness of the drug or device.

**192.2515. 1. There is hereby established in the department of health and senior
2 services a special office, to be known as the "Office of Special Investigations", to assist in
3 the investigation of reports of abuse, neglect, and exploitation of "eligible adults",
4 defined in this section as having the same meaning given to the term in section 192.2400.
5 The office of special investigations shall:**

6 **(1) Upon the request of a local, county, state, or federal law enforcement agency;
7 a county, state, or federal prosecutor; or division of senior and disability services staff,
8 investigate or assist in the investigation of abuse, neglect, or exploitation of an eligible
9 adult. Before initiating an investigation or execution of any search warrant, the office of
10 special investigations shall notify the chief law enforcement officer of the appropriate
11 jurisdiction; and**

12 **(2) Upon request of law enforcement, coordinate with and provide assistance,
13 expertise, or training to law enforcement agencies and multidisciplinary teams for the
14 investigation and prosecution of eligible adult abuse, neglect, and exploitation.**

15 **2. Investigators for the office of special investigations who are licensed as peace
16 officers by the director of the department of public safety under chapter 590 shall be
17 deemed peace officers within the state of Missouri while acting in an investigation or on
18 behalf of an eligible adult. The power of arrest of an investigator for the office of special
19 investigations acting as a peace officer shall be limited to offenses involving eligible adult**

20 **abuse, neglect, or exploitation and to situations of imminent danger to the investigator**
21 **or another person.**

22 **3. The director of the department of health and senior services or his or her**
23 **designee shall have the power to subpoena the production of books, papers, or records**
24 **when necessary to investigate the potential abuse, neglect, or exploitation of an eligible**
25 **adult.**

26 **4. All reports and records made and maintained by the office of special**
27 **investigations or local law enforcement relating to criminal investigations conducted**
28 **under this section, including arrests, shall be available in the same manner as law**
29 **enforcement records as set forth in sections 610.100 to 610.210. All other records shall**
30 **be available in the same manner as provided for in sections 192.2435, 192.2500, and**
31 **192.2505.**

287.243. 1. This section shall be known and may be cited as the "Line of Duty
2 Compensation Act".

3 2. As used in this section, unless otherwise provided, the following words shall mean:

4 (1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance
5 with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances
6 adopted by the department of health and senior services;

7 (2) "Air ambulance registered professional nurse", a person licensed as a registered
8 professional nurse in accordance with sections 335.011 to 335.096 and corresponding
9 regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides
10 registered professional nursing services as a flight nurse in conjunction with an air ambulance
11 program that is certified in accordance with sections 190.001 to 190.245 and the
12 corresponding regulations applicable to such programs;

13 (3) "Air ambulance registered respiratory therapist", a person licensed as a registered
14 respiratory therapist in accordance with sections 334.800 to 334.930 and corresponding
15 regulations adopted by the state board for respiratory care, who provides respiratory therapy
16 services in conjunction with an air ambulance program that is certified in accordance with
17 sections 190.001 to 190.245 and corresponding regulations applicable to such programs;

18 (4) "Child", any natural, illegitimate, adopted, or posthumous child or stepchild of a
19 deceased public safety officer who, at the time of the public safety officer's fatality is:

20 (a) Eighteen years of age or under;

21 (b) Over eighteen years of age and a student, as defined in 5 U.S.C. Section 8101; or

22 (c) Over eighteen years of age and incapable of self-support because of physical or
23 mental disability;

24 (5) "Emergency medical technician", a person licensed in emergency medical care in
25 accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by
26 the department of health and senior services under sections 190.001 to 190.245;

27 (6) "Firefighter", any person, including a volunteer firefighter, employed by the state
28 or a local governmental entity as an employer defined under subsection 1 of section 287.030,
29 or otherwise serving as a member or officer of a fire department either for the purpose of the
30 prevention or control of fire or the underwater recovery of drowning victims;

31 (7) "Flight crew member", an individual engaged in flight responsibilities with an air
32 ambulance licensed in accordance with sections 190.001 to 190.245 and corresponding
33 regulations applicable to such programs;

34 (8) "Killed in the line of duty", when any person defined in this section loses his or
35 her life when:

36 (a) Death is caused by an accident, illness, or the willful act of violence of another;

37 (b) The public safety officer is in the active performance of his or her duties in his or
38 her respective profession and there is a relationship between the accident, illness, or
39 commission of the act of violence and the performance of the duty, even if the individual is
40 off duty; the public safety officer is traveling to or from employment; or the public safety
41 officer is taking any meal break or other break which takes place while that individual is on
42 duty;

43 (c) Death is the natural and probable consequence of the injury or illness; and

44 (d) Death occurs within three hundred weeks from the date the injury was received or
45 illness was contracted.

46

47 The term excludes death resulting from the willful misconduct or intoxication of the public
48 safety officer. The division of workers' compensation shall have the burden of proving such
49 willful misconduct or intoxication;

50 (9) "Law enforcement officer", any person employed by the state or a local
51 governmental entity as a police officer, peace officer certified under chapter 590, or serving as
52 an auxiliary police officer or in some like position involving the enforcement of the law and
53 protection of the public interest at the risk of that person's life;

54 (10) "Local governmental entity", includes counties, municipalities, townships, board
55 or other political subdivision, cities under special charter, or under the commission form of
56 government, fire protection districts, ambulance districts, and municipal corporations;

57 (11) "Public safety officer", any law enforcement officer, firefighter, uniformed
58 employee of the office of the state fire marshal, emergency medical technician, police officer,
59 capitol police officer, parole officer, probation officer, state correctional employee, water
60 safety officer, park ranger, conservation officer, or highway patrolman employed by the state

61 of Missouri or a political subdivision thereof who is killed in the line of duty or any
62 emergency medical technician, air ambulance pilot, air ambulance registered professional
63 nurse, air ambulance registered respiratory therapist, or flight crew member who is killed in
64 the line of duty;

65 (12) "State", the state of Missouri and its departments, divisions, boards, bureaus,
66 commissions, authorities, and colleges and universities;

67 (13) "Volunteer firefighter", a person having principal employment other than as a
68 firefighter, but who is carried on the rolls of a regularly constituted fire department either for
69 the purpose of the prevention or control of fire or the underwater recovery of drowning
70 victims, the members of which are under the jurisdiction of the corporate authorities of a city,
71 village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an
72 individual who volunteers assistance without being regularly enrolled as a firefighter.

73 3. (1) A claim for compensation under this section shall be filed by survivors of the
74 deceased with the division of workers' compensation not later than two years from the date of
75 death of a public safety officer. If a claim is made within two years of the date of death of a
76 public safety officer killed in the line of duty, compensation shall be paid, if the division finds
77 that the claimant is entitled to compensation under this section.

78 (2) The amount of compensation paid to the claimant shall be one hundred thousand
79 dollars, subject to appropriation, for death occurring on or after June 19, 2009.

80 4. Any compensation awarded under the provisions of this section shall be distributed
81 as follows:

82 (1) To the surviving spouse of the public safety officer if there is no child who
83 survived the public safety officer;

84 (2) Fifty percent to the surviving child, or children, in equal shares, and fifty percent
85 to the surviving spouse if there is at least one child who survived the public safety officer, and
86 a surviving spouse of the public safety officer;

87 (3) To the surviving child, or children, in equal shares, if there is no surviving spouse
88 of the public safety officer;

89 (4) If there is no surviving spouse of the public safety officer and no surviving child:

90 (a) To the surviving individual, or individuals, in shares per the designation or,
91 otherwise, in equal shares, designated by the public safety officer to receive benefits under
92 this subsection in the most recently executed designation of beneficiary of the public safety
93 officer on file at the time of death with the public safety agency, organization, or unit; or

94 (b) To the surviving individual, or individuals, in equal shares, designated by the
95 public safety officer to receive benefits under the most recently executed life insurance policy
96 of the public safety officer on file at the time of death with the public safety agency,

97 organization, or unit if there is no individual qualifying under paragraph (a) of this
98 subdivision;

99 (5) To the surviving parent, or parents, in equal shares, of the public safety officer if
100 there is no individual qualifying under subdivision (1), (2), (3), or (4) of this subsection; or

101 (6) To the surviving individual, or individuals, in equal shares, who would qualify
102 under the definition of the term "child" but for age if there is no individual qualifying under
103 subdivision (1), (2), (3), (4), or (5) of this subsection.

104 5. Notwithstanding subsection 3 of this section, no compensation is payable under
105 this section unless a claim is filed within the time specified under this section setting forth:

106 (1) The name, address, and title or designation of the position in which the public
107 safety officer was serving at the time of his or her death;

108 (2) The name and address of the claimant;

109 (3) A full, factual account of the circumstances resulting in or the course of events
110 causing the death at issue; and

111 (4) Such other information that is reasonably required by the division.

112

113 When a claim is filed, the division of workers' compensation shall make an investigation for
114 substantiation of matters set forth in the application.

115 6. The compensation provided for under this section is in addition to, and not
116 exclusive of, any pension rights, death benefits, or other compensation the claimant may
117 otherwise be entitled to by law.

118 7. Neither employers nor workers' compensation insurers shall have subrogation
119 rights against any compensation awarded for claims under this section. Such compensation
120 shall not be assignable, shall be exempt from attachment, garnishment, and execution, and
121 shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that
122 the division or commission may allow as lien on the compensation, reasonable attorney's fees
123 for services in connection with the proceedings for compensation if the services are found to
124 be necessary. Such fees are subject to regulation as set forth in section 287.260.

125 8. Any person seeking compensation under this section who is aggrieved by the
126 decision of the division of workers' compensation regarding his or her compensation claim,
127 may make application for a hearing as provided in section 287.450. The procedures
128 applicable to the processing of such hearings and determinations shall be those established by
129 this chapter. Decisions of the administrative law judge under this section shall be binding,
130 subject to review by either party under the provisions of section 287.480.

131 9. ~~Pursuant to section 23.253 of the Missouri sunset act:~~

132 ~~(1) The provisions of the new program authorized under this section shall~~
133 ~~automatically sunset on December 31, 2031, unless reauthorized by an act of the general~~
134 ~~assembly; and~~

135 ~~(2) If such program is reauthorized, the program authorized under this section shall~~
136 ~~automatically sunset twelve years after the effective date of the reauthorization of this section;~~
137 ~~and~~

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

140 **This section shall not be subject to the provisions of the Missouri sunset act under**
141 **sections 23.250 to 23.298.**

142 10. The provisions of this section, unless specified, shall not be subject to other
143 provisions of this chapter.

144 11. There is hereby created in the state treasury the "Line of Duty Compensation
145 Fund", which shall consist of moneys appropriated to the fund and any voluntary
146 contributions, gifts, or bequests to the fund. The state treasurer shall be custodian of the
147 fund and shall approve disbursements from the fund in accordance with sections 30.170 and
148 30.180. Upon appropriation, money in the fund shall be used solely for paying claims under
149 this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
150 remaining in the fund at the end of the biennium shall not revert to the credit of the general
151 revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other
152 funds are invested. Any interest and moneys earned on such investments shall be credited to
153 the fund.

154 12. The division shall promulgate rules to administer this section, including but not
155 limited to the appointment of claims to multiple claimants, record retention, and procedures
156 for information requests. Any rule or portion of a rule, as that term is defined in section
157 536.010, that is created under the authority delegated in this section shall become effective
158 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
159 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
160 vested with the general assembly under chapter 536 to review, to delay the effective date, or
161 to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
162 rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be invalid
163 and void.

301.287. 1. This section shall be known and referred to as "Mason's Law".

2 **2. Beginning January 1, 2027, a resident of this state with a health condition or**
3 **disability that limits or impairs the ability to effectively communicate with law**
4 **enforcement may, at any time, apply to the department of revenue for a designation that**
5 **shall be associated with the person's driver's license issued under chapter 302 and motor**

6 vehicle license plate or plates issued under this chapter and available to law enforcement
7 under the Missouri uniform law enforcement system (MULES) established under
8 chapter 43.

9 3. The initial application, which shall be on a form prescribed by the department
10 and made available on the department's website, shall be signed by a physician licensed
11 under chapter 334, or a psychologist licensed under chapter 337, certifying that:

12 (1) The applicant or the applicant's child, parent, or spouse has a physical or
13 mental health condition that is likely to impair the ability to effectively communicate
14 with law enforcement; and

15 (2) The physician or psychologist has determined that the applicant or the
16 applicant's child, parent, or spouse will have the communication impairment for at least
17 five years.

18 4. Upon submission of an application and approval by the department, the
19 department shall prepare an entry in the department's records that is accessible to law
20 enforcement via MULES and that indicates that the applicant or the applicant's child,
21 parent, or spouse has a physical or mental health condition that may impair the ability
22 to effectively communicate with law enforcement. Such entry as related to the
23 applicant's driver's license shall remain active until the expiration of their driver's
24 license. Such entry as related to the applicant's motor vehicle license plate or plates
25 shall remain active for a period of five years, unless the applicant requests that such
26 designation be removed from the records. Upon expiration of the five-year period, the
27 designation in the department's records may be reactivated upon the filing of a renewal
28 form with the department signed by a physician licensed under chapter 334, or a
29 psychologist licensed under chapter 337, certifying that:

30 (1) The applicant or the applicant's child, parent, or spouse has a physical or
31 mental health condition that is likely to impair the ability to effectively communicate
32 with law enforcement; and

33 (2) The physician or psychologist has determined that the applicant or the
34 applicant's child, parent, or spouse will have the communication impairment for at least
35 five years.

36 5. The department of public safety shall issue guidance and education materials
37 to all law enforcement agencies in this state to promote awareness of the designation
38 established under this section.

39 6. The department of revenue may promulgate all necessary rules and
40 regulations for the administration of this section. Any rule or portion of a rule, as that
41 term is defined in section 536.010, that is created under the authority delegated in this
42 section shall become effective only if it complies with and is subject to all of the

43 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
44 **536 are nonseverable and if any of the powers vested with the general assembly**
45 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
46 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
47 **and any rule proposed or adopted after August 28, 2026, shall be invalid and void.**

302.304. 1. The director shall notify by ordinary mail any operator of the point value
2 charged against the operator's record when the record shows four or more points have been
3 accumulated in a twelve-month period.

4 2. In an action to suspend or revoke a license or driving privilege under this section
5 points shall be accumulated on the date of conviction. No case file of any conviction for a
6 driving violation for which points may be assessed pursuant to section 302.302 may be closed
7 until such time as a copy of the record of such conviction is forwarded to the department of
8 revenue.

9 3. The director shall suspend the license and driving privileges of any person whose
10 driving record shows the driver has accumulated eight points in eighteen months.

11 4. The license and driving privilege of any person whose license and driving privilege
12 have been suspended under the provisions of sections 302.010 to 302.540 except those
13 persons whose license and driving privilege have been suspended under the provisions of
14 subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points
15 together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who
16 has filed proof of financial responsibility with the department of revenue, in accordance with
17 chapter 303, and is otherwise eligible, shall be reinstated as follows:

18 (1) In the case of an initial suspension, thirty days after the effective date of the
19 suspension;

20 (2) In the case of a second suspension, sixty days after the effective date of the
21 suspension;

22 (3) In the case of the third and subsequent suspensions, ninety days after the effective
23 date of the suspension.

24

25 Unless proof of financial responsibility is filed with the department of revenue, a suspension
26 shall continue in effect for two years from its effective date.

27 5. The period of suspension of the driver's license and driving privilege of any person
28 under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has
29 accumulated sufficient points together with a conviction under subdivision (10) of subsection
30 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving
31 privilege as defined in section 302.010. Upon completion of such period of restricted driving
32 privilege, upon compliance with other requirements of law and upon filing of proof of

33 financial responsibility with the department of revenue, in accordance with chapter 303, the
34 license and driving privilege shall be reinstated. If a person, otherwise subject to the
35 provisions of this subsection, files proof of installation with the department of revenue that
36 any vehicle operated by such person is equipped with a functioning, certified ignition
37 interlock device, there shall be no period of suspension. However, in lieu of a suspension the
38 person shall instead complete a ninety-day period of restricted driving privilege. If the person
39 fails to maintain such proof of the device with the director of revenue as required, the
40 restricted driving privilege shall be terminated. Upon completion of such ninety-day period
41 of restricted driving privilege, upon compliance with other requirements of law, and upon
42 filing of proof of financial responsibility with the department of revenue, in accordance with
43 chapter 303, the license and driving privilege shall be reinstated. However, if the monthly
44 monitoring reports during such ninety-day period indicate that the ignition interlock device
45 has registered a confirmed blood alcohol concentration level above the alcohol setpoint
46 established by the department of transportation or such reports indicate that the ignition
47 interlock device has been tampered with or circumvented, then the license and driving
48 privilege of such person shall not be reinstated until the person completes an additional thirty-
49 day period of restricted driving privilege.

50 6. If the person fails to maintain proof of financial responsibility in accordance with
51 chapter 303, or, if applicable, if the person fails to maintain proof that any vehicle operated is
52 equipped with a functioning, certified ignition interlock device installed pursuant to
53 subsection 5 of this section, the person's driving privilege and license shall be resuspended.

54 7. The director shall revoke the license and driving privilege of any person when the
55 person's driving record shows such person has accumulated twelve points in twelve months or
56 eighteen points in twenty-four months or twenty-four points in thirty-six months. The
57 revocation period of any person whose license and driving privilege have been revoked under
58 the provisions of sections 302.010 to 302.540 and who has filed proof of financial
59 responsibility with the department of revenue in accordance with chapter 303 and is otherwise
60 eligible, shall be terminated by a notice from the director of revenue after one year from the
61 effective date of the revocation. Unless proof of financial responsibility is filed with the
62 department of revenue, except as provided in subsection 2 of section 302.541, the revocation
63 shall remain in effect for a period of two years from its effective date. If the person fails to
64 maintain proof of financial responsibility in accordance with chapter 303, the person's license
65 and driving privilege shall be rerevoked. Any person whose license and driving privilege
66 have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of
67 the notice of termination of the revocation from the director, pass the complete driver
68 examination and apply for a new license before again operating a motor vehicle upon the
69 highways of this state.

70 8. If, prior to conviction for an offense that would require suspension or revocation of
71 a person's license under the provisions of this section, the person's total points accumulated
72 are reduced, pursuant to the provisions of section 302.306, below the number of points
73 required for suspension or revocation pursuant to the provisions of this section, then the
74 person's license shall not be suspended or revoked until the necessary points are again
75 obtained and accumulated.

76 9. If any person shall neglect or refuse to surrender the person's license, as provided
77 herein, the director shall direct the state highway patrol or any peace or police officer to
78 secure possession thereof and return it to the director.

79 10. Upon the issuance of a reinstatement or termination notice after a suspension or
80 revocation of any person's license and driving privilege under the provisions of sections
81 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that
82 the points of any person serving as a member of the Armed Forces of the United States
83 outside the limits of the United States during a period of suspension or revocation shall be
84 reduced to zero upon the date of the reinstatement or termination of notice. It shall be the
85 responsibility of such member of the Armed Forces to submit copies of official orders to the
86 director of revenue to substantiate such overseas service. Any other provision of sections
87 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points
88 remaining on the record upon reinstatement or termination shall be the date of the
89 reinstatement or termination notice.

90 11. No credit toward reduction of points shall be given during periods of suspension
91 or revocation or any period of driving under a limited driving privilege granted by a court or
92 the director of revenue.

93 12. Any person or nonresident whose license or privilege to operate a motor vehicle
94 in this state has been suspended or revoked under this or any other law shall, before having
95 the license or privilege to operate a motor vehicle reinstated, pay to the director a
96 reinstatement fee of twenty dollars which shall be in addition to all other fees provided by
97 law.

98 13. Notwithstanding any other provision of law to the contrary, if after two years from
99 the effective date of any suspension or revocation issued under this chapter, except any
100 suspension or revocation issued under section 302.410, 302.462, or 302.574, the person or
101 nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate
102 such license or privilege to operate a motor vehicle in this state. Any person who has had his
103 or her license suspended or revoked under section 302.410, 302.462, or 302.574, shall be
104 required to pay the reinstatement fee.

105 14. No person who has had a license to operate a motor vehicle suspended or revoked
106 as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of

107 subsection 1 of section 302.302 shall have that license reinstated until such person has
108 participated in and successfully completed a substance abuse traffic offender program defined
109 in section 302.010, or a program determined to be comparable by the department of mental
110 health. Assignment recommendations, based upon the needs assessment as described in
111 subdivision (24) of section 302.010, shall be delivered in writing to the person with written
112 notice that the person is entitled to have such assignment recommendations reviewed by the
113 court if the person objects to the recommendations. The person may file a motion in the
114 associate division of the circuit court of the county in which such assignment was given, on a
115 printed form provided by the state courts administrator, to have the court hear and determine
116 such motion pursuant to the provisions of chapter 517. The motion shall name the person or
117 entity making the needs assessment as the respondent and a copy of the motion shall be
118 served upon the respondent in any manner allowed by law. Upon hearing the motion, the
119 court may modify or waive any assignment recommendation that the court determines to be
120 unwarranted based upon a review of the needs assessment, the person's driving record, the
121 circumstances surrounding the offense, and the likelihood of the person committing a like
122 offense in the future, except that the court may modify but may not waive the assignment to
123 an education or rehabilitation program of a person determined to be a prior or persistent
124 offender as defined in section 577.001 or of a person determined to have operated a motor
125 vehicle with fifteen-hundredths of one percent or more by weight in such person's blood.
126 Compliance with the court determination of the motion shall satisfy the provisions of this
127 section for the purpose of reinstating such person's license to operate a motor vehicle. The
128 respondent's personal appearance at any hearing conducted pursuant to this subsection shall
129 not be necessary unless directed by the court.

130 15. The fees for the program authorized in subsection 14 of this section, or a portion
131 thereof to be determined by the department of mental health, shall be paid by the person
132 enrolled in the program. Any person who is enrolled in the program shall pay, in addition to
133 any fee charged for the program, a supplemental fee in an amount to be determined by the
134 department of mental health for the purposes of funding the substance abuse traffic offender
135 program defined in section 302.010 or a program determined to be comparable by the
136 department of mental health. The administrator of the program shall remit to the division of
137 alcohol and drug abuse of the department of mental health on or before the fifteenth day of
138 each month the supplemental fee for all persons enrolled in the program, less two percent for
139 administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees
140 due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate
141 not to exceed the annual rate established pursuant to the provisions of section 32.065, plus
142 three percentage points. The supplemental fees and any interest received by the department

143 of mental health pursuant to this section shall be deposited in the mental health earnings fund
144 which is created in section 630.053.

145 16. Any administrator who fails to remit to the division of alcohol and drug abuse of
146 the department of mental health the supplemental fees and interest for all persons enrolled in
147 the program pursuant to this section shall be subject to a penalty equal to the amount of
148 interest accrued on the supplemental fees due the division pursuant to this section. If the
149 supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug
150 abuse of the department of mental health within six months of the due date, the attorney
151 general of the state of Missouri shall initiate appropriate action of the collection of said fees
152 and interest accrued. The court shall assess attorney fees and court costs against any
153 delinquent program.

154 17. Any person who has had a license to operate a motor vehicle suspended or
155 revoked as a result of:

156 **(1) An assessment of points for a conviction for an intoxication-related traffic**
157 **offense, as defined under section 577.001, in which the person's blood alcohol content was**
158 **found to be at least eight-hundredths of one percent but less than fifteen-hundredths of**
159 **one percent by weight of alcohol in such person's blood** and who has a prior alcohol-
160 related enforcement contact as defined under section 302.525[5]; or

161 **(2) An assessment of points for a conviction for an intoxication-related traffic**
162 **offense, as defined under section 577.001, in which the person's blood alcohol content**
163 **was found to be fifteen-hundredths of one percent or more by weight of alcohol in such**
164 **person's blood**

165

166 shall be required to file proof with the director of revenue that any motor vehicle operated by
167 the person is equipped with a functioning, certified ignition interlock device as a required
168 condition of reinstatement of the license. The ignition interlock device shall further be
169 required to be maintained on all motor vehicles operated by the person for a period of not less
170 than six months immediately following the date of reinstatement. If the monthly monitoring
171 reports show that the ignition interlock device has registered any confirmed blood alcohol
172 concentration readings above the alcohol setpoint established by the department of
173 transportation or that the person has tampered with or circumvented the ignition interlock
174 device within the last three months of the six-month period of required installation of the
175 ignition interlock device, then the period for which the person must maintain the ignition
176 interlock device following the date of reinstatement shall be extended until the person has
177 completed three consecutive months with no violations as described in this section. If the
178 person fails to maintain such proof with the director, the license shall be resuspended or
179 revoked and the person shall be guilty of a class A misdemeanor.

302.440. In addition to any other provisions of law, a court may require that any
2 person who is found guilty of a first intoxication-related traffic offense, as defined in section
3 577.001, and a court shall require that any person who is found guilty of a second or
4 subsequent intoxication-related traffic offense, as defined in section 577.001, **or any person**
5 **who is found guilty of an intoxication-related traffic offense, as defined under section**
6 **577.001, in which the person's blood alcohol content was found to be fifteen-hundredths**
7 **of one percent or more by weight of alcohol in such person's blood** shall not operate any
8 motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock
9 device **that the person must use** for a period of not less than six months from the date of
10 reinstatement of the person's driver's license. In addition, any court authorized to grant a
11 limited driving privilege under section 302.309 to any person who is found guilty of a second
12 or subsequent intoxication-related traffic offense **or to any person who is found guilty of an**
13 **intoxication-related traffic offense, as defined under section 577.001, in which the**
14 **person's blood alcohol content was found to be fifteen-hundredths of one percent or**
15 **more by weight of alcohol in such person's blood** shall require the use of an ignition
16 interlock device on all vehicles operated by the person as a required condition of the limited
17 driving privilege, except as provided in section 302.441. These requirements shall be in
18 addition to any other provisions of this chapter or chapter 577 requiring installation and
19 maintenance of an ignition interlock device. Any person required to use an ignition interlock
20 device shall comply with such requirement subject to the penalties provided by section
21 577.599.

302.525. 1. The license suspension or revocation shall become effective fifteen days
2 after the subject person has received the notice of suspension or revocation as provided in
3 section 302.520, or is deemed to have received the notice of suspension or revocation by mail
4 as provided in section 302.515. If a request for a hearing is received by or postmarked to the
5 department within that fifteen-day period, the effective date of the suspension or revocation
6 shall be stayed until a final order is issued following the hearing; provided, that any delay in
7 the hearing which is caused or requested by the subject person or counsel representing that
8 person without good cause shown shall not result in a stay of the suspension or revocation
9 during the period of delay.

10 2. The period of license suspension or revocation under this section shall be as
11 follows:

12 (1) If the person's driving record shows no prior alcohol-related enforcement contacts
13 during the immediately preceding five years, the period of suspension shall be thirty days
14 after the effective date of suspension, followed by a sixty-day period of restricted driving
15 privilege as defined in section 302.010 and issued by the director of revenue. The restricted
16 driving privilege shall not be issued until he or she has filed proof of financial responsibility

17 with the department of revenue, in accordance with chapter 303, and is otherwise eligible.
18 The restricted driving privilege shall indicate ~~[whether]~~ **that** a functioning, certified ignition
19 interlock device is required as a condition of operating a motor vehicle. A copy of the
20 restricted driving privilege shall be given to the person and such person shall carry a copy of
21 the restricted driving privilege while operating a motor vehicle. In no case shall restricted
22 driving privileges be issued pursuant to this section or section 302.535 until the person has
23 completed the first thirty days of a suspension under this section. If a person otherwise
24 subject to the provisions of this subdivision files proof of installation with the department of
25 revenue that any vehicle that he or she operates is equipped with a functioning, certified
26 ignition interlock device, there shall be no period of suspension. However, in lieu of a
27 suspension the person shall instead complete a ninety-day period of restricted driving
28 privilege. Upon completion of such ninety-day period of restricted driving privilege,
29 compliance with other requirements of law, and filing of proof of financial responsibility with
30 the department of revenue, in accordance with chapter 303, the license and driving privilege
31 shall be reinstated. However, if the monthly monitoring reports during such ninety-day
32 period indicate that the ignition interlock device has registered a confirmed blood alcohol
33 concentration level above the alcohol setpoint established by the department of transportation
34 or such reports indicate that the ignition interlock device has been tampered with or
35 circumvented, then the license and driving privilege of such person shall not be reinstated
36 until the person completes an additional thirty-day period of restricted driving privilege. If
37 the person fails to maintain such proof of the device with the director of revenue as required,
38 the restricted driving privilege shall be terminated;

39 (2) The period of revocation shall be one year if the person's driving record shows
40 one or more prior alcohol-related enforcement contacts during the immediately preceding five
41 years;

42 (3) In no case shall restricted driving privileges be issued under this section to any
43 person whose driving record shows one or more prior alcohol-related enforcement contacts **or**
44 **to any person whose driving record shows a conviction of an intoxication-related traffic**
45 **offense, as defined under section 577.001, in which the person's blood alcohol content**
46 **was found to be fifteen-hundredths of one percent or more by weight of alcohol in such**
47 **person's blood** until the person has filed proof with the department of revenue that any motor
48 vehicle operated by the person is equipped with a functioning, certified ignition interlock
49 device as a required condition of the restricted driving privilege. If the person fails to
50 maintain such proof the restricted driving privilege shall be terminated.

51 3. For purposes of this section, "alcohol-related enforcement contacts" shall include
52 any suspension or revocation under sections 302.500 to 302.540, any suspension or
53 revocation entered in this or any other state for a refusal to submit to chemical testing under

54 an implied consent law, and any conviction in this or any other state for a violation which
55 involves driving while intoxicated, driving while under the influence of drugs or alcohol, or
56 driving a vehicle while having an unlawful alcohol concentration.

57 4. Where a license is suspended or revoked under this section and the person is also
58 convicted on charges arising out of the same occurrence for a violation of section 577.010 or
59 577.012 or for a violation of any county or municipal ordinance prohibiting driving while
60 intoxicated or alcohol-related traffic offense, both the suspension or revocation under this
61 section and any other suspension or revocation arising from such convictions shall be
62 imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall
63 be credited against any other suspension or revocation arising from such convictions, and the
64 total period of suspension or revocation shall not exceed the longer of the two suspension or
65 revocation periods.

66 5. Any person who has had a license to operate a motor vehicle revoked under this
67 section or suspended under this section with one or more prior alcohol-related enforcement
68 contacts **or a conviction for an intoxication-related traffic offense, as defined under**
69 **section 577.001, in which the person's blood alcohol content was found to be fifteen-**
70 **hundredths of one percent or more by weight of alcohol in such person's blood** showing
71 on their driver record shall be required to file proof with the director of revenue that any
72 motor vehicle operated by that person is equipped with a functioning, certified ignition
73 interlock device as a required condition of reinstatement. The ignition interlock device shall
74 further be required to be maintained on all motor vehicles operated by the person for a period
75 of not less than six months immediately following the date of reinstatement. If the monthly
76 monitoring reports show that the ignition interlock device has registered any confirmed blood
77 alcohol concentration readings above the alcohol setpoint established by the department of
78 transportation or that the person has tampered with or circumvented the ignition interlock
79 device within the last three months of the six-month period of required installation of the
80 ignition interlock device, then the period for which the person must maintain the ignition
81 interlock device following the date of reinstatement shall be extended until the person has
82 completed three consecutive months with no violations as described in this section. If the
83 person fails to maintain such proof with the director, the license shall be suspended or
84 revoked, until proof as required by this section is filed with the director, and the person shall
85 be guilty of a class A misdemeanor.

302.574. 1. If a person who was operating a vehicle refuses upon the request of the
2 officer to submit to any chemical test under section 577.041, the officer shall, on behalf of the
3 director of revenue, serve the notice of license revocation personally upon the person and
4 shall take possession of any license to operate a vehicle issued by this state which is held by
5 that person. The officer shall issue a temporary permit, on behalf of the director of revenue,

6 which is valid for fifteen days and shall also give the person notice of his or her right to file a
7 petition for review to contest the license revocation.

8 2. Such officer shall make a certified report under penalties of perjury for making a
9 false statement to a public official. The report shall be forwarded to the director of revenue
10 and shall include the following:

11 (1) That the officer has:

12 (a) Reasonable grounds to believe that the arrested person was driving a motor
13 vehicle while in an intoxicated condition; or

14 (b) Reasonable grounds to believe that the person stopped, being under the age of
15 twenty-one years, was driving a motor vehicle with a blood alcohol content of two-
16 hundredths of one percent or more by weight; or

17 (c) Reasonable grounds to believe that the person stopped, being under the age of
18 twenty-one years, was committing a violation of the traffic laws of the state, or political
19 subdivision of the state, and such officer has reasonable grounds to believe, after making such
20 stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;

21 (2) That the person refused to submit to a chemical test;

22 (3) Whether the officer secured the license to operate a motor vehicle of the person;

23 (4) Whether the officer issued a fifteen-day temporary permit;

24 (5) Copies of the notice of revocation, the fifteen-day temporary permit, and the
25 notice of the right to file a petition for review. The notices and permit may be combined in
26 one document; and

27 (6) Any license, which the officer has taken into possession, to operate a motor
28 vehicle.

29 3. Upon receipt of the officer's report, the director shall revoke the license of the
30 person refusing to take the test for a period of one year; or if the person is a nonresident, such
31 person's operating permit or privilege shall be revoked for one year; or if the person is a
32 resident without a license or permit to operate a motor vehicle in this state, an order shall be
33 issued denying the person the issuance of a license or permit for a period of one year.

34 4. If a person's license has been revoked because of the person's refusal to submit to a
35 chemical test, such person may petition for a hearing before a circuit division or associate
36 division of the court in the county in which the arrest or stop occurred. Pursuant to local court
37 rule promulgated pursuant to Section 15 of Article V of the Missouri Constitution, the case
38 may also be assigned to a traffic judge pursuant to section 479.500. The person may request
39 such court to issue an order staying the revocation until such time as the petition for review
40 can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a
41 form prescribed by the director of revenue and shall send a copy of such order to the director.
42 Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the

43 director shall maintain possession of the person's license to operate a motor vehicle until
44 termination of any revocation under this section. Upon the person's request, the clerk of the
45 court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the
46 hearing on behalf of the director of revenue. At the hearing, the court shall determine only:

47 (1) Whether the person was arrested or stopped;

48 (2) Whether the officer had:

49 (a) Reasonable grounds to believe that the person was driving a motor vehicle while
50 in an intoxicated or drugged condition; or

51 (b) Reasonable grounds to believe that the person stopped, being under the age of
52 twenty-one years, was driving a motor vehicle with a blood alcohol content of two-
53 hundredths of one percent or more by weight; or

54 (c) Reasonable grounds to believe that the person stopped, being under the age of
55 twenty-one years, was committing a violation of the traffic laws of the state, or political
56 subdivision of the state, and such officer had reasonable grounds to believe, after making such
57 stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;
58 and

59 (3) Whether the person refused to submit to the test.

60 5. If the court determines any issue not to be in the affirmative, the court shall order
61 the director to reinstate the license or permit to drive.

62 6. Requests for review as provided in this section shall go to the head of the docket of
63 the court wherein filed.

64 7. No person who has had a license to operate a motor vehicle suspended or revoked
65 under the provisions of this section shall have that license reinstated until such person has
66 participated in and successfully completed a substance abuse traffic offender program defined
67 in section 302.010, or a program determined to be comparable by the department of mental
68 health. Assignment recommendations, based upon the needs assessment as described in
69 subdivision (24) of section 302.010, shall be delivered in writing to the person with written
70 notice that the person is entitled to have such assignment recommendations reviewed by the
71 court if the person objects to the recommendations. The person may file a motion in the
72 associate division of the circuit court of the county in which such assignment was given, on a
73 printed form provided by the state courts administrator, to have the court hear and determine
74 such motion under the provisions of chapter 517. The motion shall name the person or entity
75 making the needs assessment as the respondent and a copy of the motion shall be served upon
76 the respondent in any manner allowed by law. Upon hearing the motion, the court may
77 modify or waive any assignment recommendation that the court determines to be unwarranted
78 based upon a review of the needs assessment, the person's driving record, the circumstances
79 surrounding the offense, and the likelihood of the person committing a similar offense in the

80 future, except that the court may modify but shall not waive the assignment to an education or
81 rehabilitation program of a person determined to be a prior or persistent offender as defined in
82 section 577.001, or of a person determined to have operated a motor vehicle with a blood
83 alcohol content of fifteen-hundredths of one percent or more by weight. Compliance with the
84 court determination of the motion shall satisfy the provisions of this section for the purpose of
85 reinstating such person's license to operate a motor vehicle. The respondent's personal
86 appearance at any hearing conducted under this subsection shall not be necessary unless
87 directed by the court.

88 8. The fees for the substance abuse traffic offender program, or a portion thereof, to
89 be determined by the division of behavioral health of the department of mental health, shall
90 be paid by the person enrolled in the program. Any person who is enrolled in the program
91 shall pay, in addition to any fee charged for the program, a supplemental fee to be determined
92 by the department of mental health for the purposes of funding the substance abuse traffic
93 offender program defined in section 302.010. The administrator of the program shall remit to
94 the division of behavioral health of the department of mental health on or before the fifteenth
95 day of each month the supplemental fee for all persons enrolled in the program, less two
96 percent for administrative costs. Interest shall be charged on any unpaid balance of the
97 supplemental fees due to the division of behavioral health under this section, and shall accrue
98 at a rate not to exceed the annual rates established under the provisions of section 32.065, plus
99 three percentage points. The supplemental fees and any interest received by the department
100 of mental health under this section shall be deposited in the mental health earnings fund,
101 which is created in section 630.053.

102 9. Any administrator who fails to remit to the division of behavioral health of the
103 department of mental health the supplemental fees and interest for all persons enrolled in the
104 program under this section shall be subject to a penalty equal to the amount of interest
105 accrued on the supplemental fees due to the division under this section. If the supplemental
106 fees, interest, and penalties are not remitted to the division of behavioral health of the
107 department of mental health within six months of the due date, the attorney general of the
108 state of Missouri shall initiate appropriate action for the collection of said fees and accrued
109 interest. The court shall assess attorneys' fees and court costs against any delinquent program.

110 10. Any person who has had a license to operate a motor vehicle revoked under this
111 section and who has a prior alcohol-related enforcement contact, as defined in section
112 **302.525, or who has been convicted of an intoxication-related traffic offense, as defined**
113 **under section 577.001, in which the person's blood alcohol content was found to be**
114 **fifteen-hundredths of one percent or more by weight of alcohol in such person's blood**
115 shall be required to file proof with the director of revenue that any motor vehicle operated by
116 the person is equipped with a functioning, certified ignition interlock device as a required

117 condition of license reinstatement. Such ignition interlock device shall further be required to
118 be maintained on all motor vehicles operated by the person for a period of not less than six
119 months immediately following the date of reinstatement. If the monthly monitoring reports
120 show that the ignition interlock device has registered any confirmed blood alcohol
121 concentration readings above the alcohol setpoint established by the department of
122 transportation or that the person has tampered with or circumvented the ignition interlock
123 device within the last three months of the six-month period of required installation of the
124 ignition interlock device, then the period for which the person shall maintain the ignition
125 interlock device following the date of reinstatement shall be extended until the person has
126 completed three consecutive months with no violations as described in this section. If the
127 person fails to maintain such proof with the director as required by this section, the license
128 shall be rerevoked until proof as required by this section is filed with the director, and the
129 person shall be guilty of a class A misdemeanor.

130 11. The revocation period of any person whose license and driving privilege has been
131 revoked under this section and who has filed proof of financial responsibility with the
132 department of revenue in accordance with chapter 303 and is otherwise eligible shall be
133 terminated by a notice from the director of revenue after one year from the effective date of
134 the revocation. Unless proof of financial responsibility is filed with the department of
135 revenue, the revocation shall remain in effect for a period of two years from its effective date.
136 If the person fails to maintain proof of financial responsibility in accordance with chapter 303,
137 the person's license and driving privilege shall be rerevoked.

138 12. A person commits the offense of failure to maintain proof with the Missouri
139 department of revenue if, when required to do so, he or she fails to file proof with the director
140 of revenue that any vehicle operated by the person is equipped with a functioning, certified
141 ignition interlock device or fails to file proof of financial responsibility with the department of
142 revenue in accordance with chapter 303. The offense of failure to maintain proof with the
143 Missouri department of revenue is a class A misdemeanor.

304.822. 1. This section shall be known as the "Siddens Bening Hands Free Law".

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

3 (1) "Commercial motor vehicle", the same meaning as is ascribed to such term in
4 section 302.700;

5 (2) "Electronic communication device", a portable device that is used to initiate,
6 receive, store, or view communication, information, images, or data electronically.

7 (a) Such term shall include but not be limited to: cellular telephones; portable
8 telephones; text-messaging devices; personal digital assistants; pagers; broadband personal
9 communication devices; electronic devices with mobile data access; computers, including but
10 not limited to tablets, laptops, notebook computers, and electronic or video game systems;

11 devices capable of transmitting, retrieving, or displaying a video, movie, broadcast television
12 image, or visual image; and any substantially similar device that is used to initiate or receive
13 communication or store and review information, videos, images, or data.

14 (b) Such term shall not include: radios; citizens band radios; commercial two-way
15 radio communication devices or their functional equivalent; subscription-based emergency
16 communication devices; prescribed medical devices; amateur or ham radio devices; or global
17 positioning system receivers, security, navigation, communication, or remote diagnostics
18 systems permanently affixed to the vehicle;

19 (3) "Highway", the same meaning as is ascribed to such term in section 302.010;

20 (4) "Noncommercial motor vehicle", the same meaning as is ascribed to such term in
21 section 302.700;

22 (5) "Operating", the actual physical control of a vehicle;

23 (6) "Operator", a person who is in actual physical control;

24 (7) "School bus", the same meaning as is ascribed to such term in section 302.700;

25 (8) "Voice-operated or hands-free feature or function", a feature or function, whether
26 internally installed or externally attached or connected to an electronic communication
27 device, that allows a person to use an electronic communication device without the use of
28 either hand, except to activate, deactivate, or initiate the feature or function with a single
29 touch or single swipe.

30 3. Except as otherwise provided in this section, while operating a noncommercial
31 motor vehicle or commercial motor vehicle on any highway or property open to the public for
32 vehicular traffic in this state, no operator shall:

33 (1) Physically hold or support, with any part of his or her body, an electronic
34 communication device;

35 (2) Write, send, or read any text-based communication, including but not limited to a
36 text message, instant message, email, or social media interaction on an electronic
37 communication device. This subdivision shall not apply to operators of a noncommercial
38 motor vehicle using a voice-operated or hands-free feature or function that converts the
39 message to be sent as a message in a written form, provided that the operator does not divert
40 his or her attention from lawful operation of the vehicle;

41 (3) Make any communication on an electronic communication device, including a
42 phone call, voice message, or one-way voice communication; provided however, that this
43 prohibition shall not apply to use of a voice-operated or hands-free feature or function;

44 (4) Engage in any form of electronic data retrieval or electronic data communication
45 on an electronic communication device;

46 (5) Manually enter letters, numbers, or symbols into any website, search engine, or
47 application on an electronic communication device;

48 (6) Watch a video or movie on an electronic communication device, other than
49 watching data related to the navigation of the vehicle; or

50 (7) Record, post, send, or broadcast video, including a video conference, on an
51 electronic communication device, provided that this prohibition shall not apply to electronic
52 devices used for the sole purpose of continually monitoring operator behavior by recording or
53 broadcasting video within or outside the vehicle.

54 4. The operator of a school bus shall not use or operate an electronic communication
55 device while the school bus is in motion unless the device is being used in a similar manner as
56 a two-way radio to allow live communication between the operator and school officials or
57 public safety officials. The operator of a school bus shall not use or operate an electronic
58 communication device or a two-way radio while loading or unloading passengers.

59 5. This section shall not apply to:

60 (1) Law enforcement officers or operators of emergency vehicles, as such term is
61 defined in section 304.022, who are both using the electronic communication device and
62 operating the emergency vehicle in the performance of their official duties;

63 (2) Operators using an electronic communication device for the sole purpose of
64 reporting an emergency situation and continuing communication with emergency personnel
65 during the emergency situation;

66 (3) Operators of noncommercial motor vehicles using an electronic communication
67 device solely through a voice-operated or hands-free feature or function;

68 (4) Operators of commercial motor vehicles using a voice-operated or hands-free
69 feature or function, as long as the operator remains seated and is restrained by a seat belt as
70 required by law;

71 (5) Operators of commercial motor vehicles reading a message displayed on a
72 permanently installed communication device designed for a commercial motor vehicle with a
73 screen that does not exceed ten inches tall by ten inches wide in size;

74 (6) Operators using electronic communication devices while the vehicle is lawfully
75 stopped or parked;

76 (7) Commercial motor vehicles that are responding to a request for roadside
77 assistance, when such response is conducted by a motor club as defined in section 385.450 or
78 a towing company as defined in section 304.001;

79 (8) The use of an electronic communication device to relay information between a
80 transit or for-hire vehicle operator and that operator's dispatcher, provided the device is
81 mounted or affixed to the vehicle;

82 (9) The use of an electronic communication device to access or view a map for
83 navigational purposes;

84 (10) The use of an electronic communication device to access or listen to an audio
85 broadcast or digital audio recording; or

86 (11) The use of an electronic communication device to relay information through a
87 transportation network company's digital network to a transportation network company
88 driver, provided the device is mounted or affixed to the vehicle.

89 6. (1) Except as otherwise provided in this subsection, violation of this section shall
90 be an infraction. Penalties for violations of this section shall be as provided in this
91 subsection. Prior convictions shall be pleaded and proven in the same manner as required
92 under section 558.021.

93 (2) For a conviction under this section where there is no prior conviction under this
94 section within the preceding twenty-four months, the court shall impose a fine of up to one
95 hundred fifty dollars.

96 (3) For a conviction under this section where there is one prior conviction under this
97 section within the preceding twenty-four months, the court shall impose a fine of up to two
98 hundred fifty dollars.

99 (4) For a conviction under this section where there are two or more prior convictions
100 under this section in the preceding twenty-four months, the court shall impose a fine of up to
101 five hundred dollars.

102 (5) For a conviction under this section where the violation occurred in a work zone
103 when workers are present, as such terms are defined in section 304.580, or for a conviction
104 under this section where the violation occurred in an area designated as a school zone and
105 marked in any way that would alert a reasonably prudent operator to the presence of the
106 school zone, the court shall impose a fine of up to five hundred dollars.

107 (6) A violation of this section that is the proximate cause of damage to property in
108 excess of five thousand dollars shall be a class D misdemeanor.

109 (7) A violation of this section that is the proximate cause of serious physical injury to
110 another person shall be a class B misdemeanor.

111 (8) A violation of this section that is the proximate cause of the death of another
112 person shall be a class D felony.

113 (9) A violation of this section while operating a commercial motor vehicle shall be
114 deemed a serious traffic violation, as such term is defined in section 302.700, for purposes of
115 commercial driver's license disqualification under section 302.755.

116 7. A law enforcement officer who stops a noncommercial motor vehicle for a
117 violation of this section shall inform the operator of the operator's right to decline a search of
118 their electronic communication device. No warrant shall be issued to confiscate or access an
119 electronic communication device based on a violation of this section unless the violation
120 results in serious bodily injury or death.

121 8. A violation of this section shall not be used to establish probable cause for any
122 other violation.

123 9. The provisions of this section shall be subject to the reporting requirements set
124 forth in section 590.650.

125 10. ~~[The state preempts the field of regulating the use of electronic communication~~
126 ~~devices by the operators of commercial and noncommercial motor vehicles. The provisions~~
127 ~~of this section shall supercede any local laws, ordinances, orders, rules, or regulations enacted~~
128 ~~by a county, municipality, or other political subdivision to regulate the use of electronic~~
129 ~~communication devices by the operator of a commercial or noncommercial motor vehicle]~~
130 **The provisions of this section preempt any local law, ordinance, or regulation that**
131 **conflicts with this section. Notwithstanding any other provision of law, political**
132 **subdivisions of this state shall not enact or enforce any ordinance or other local law or**
133 **regulation that conflicts with or is preempted by this section.**

134 11. Prior to January 1, 2025, a law enforcement officer who stops a noncommercial
135 motor vehicle for a violation of this section shall not issue a citation for a violation of this
136 section and shall only issue a warning.

137 12. No person shall be stopped, inspected, or detained solely for a violation of this
138 section.

320.405. 1. For purposes of this section, the following terms mean:

2 (1) "Division", the Missouri division of fire safety within the department of
3 public safety;

4 (2) "Missouri fire and life safety standards", minimum fire-protection and
5 life-safety requirements adopted by the division under this section, informed by
6 nationally recognized fire and building safety principles including, but not limited to,
7 best practices reflected in the International Fire Code (IFC), the International Building
8 Code (IBC), and applicable National Fire Protection Association (NFPA) standards,
9 without adopting any model code in whole;

10 (3) "State-inspected facility", any building or occupancy required under
11 Missouri law or regulation to undergo fire-safety inspections conducted by, or under the
12 authority of, the division.

13 2. (1) No later than July 1, 2027, the division shall, by rule, adopt Missouri fire
14 and life safety standards establishing minimum requirements for fire protection, means
15 of egress, fire resistance, detection and alarm systems, suppression systems, emergency
16 operations, and related safety measures for state-inspected facilities.

17 (2) The division may incorporate by reference specific technical provisions,
18 methods, formulas, or performance criteria derived from nationally recognized fire and
19 building safety standards, provided that no model code shall be adopted in whole.

20 **(3) The division may adopt amendments, exceptions, or Missouri-specific**
21 **modifications as necessary to account for regional conditions, facility types, or statutory**
22 **requirements.**

23 **(4) The division shall review the Missouri fire and life safety standards at least**
24 **every five years and may update such standards by rule under chapter 536.**

25 **3. Beginning January 1, 2028, the Missouri fire and life safety standards shall**
26 **apply to a state-inspected facility under any of the following conditions:**

27 **(1) Initial construction of a state-inspected facility;**

28 **(2) Major renovation affecting means of egress, detection, alarm, or suppression**
29 **systems;**

30 **(3) Transfer of ownership, including sale, conveyance, merger, or change in**
31 **controlling interest; and**

32 **(4) Any addition, alteration, or series of related improvements to a**
33 **state-inspected facility that, in aggregate, are reasonably determined by the division**
34 **to constitute a substantial improvement, meaning construction, reconstruction,**
35 **rehabilitation, or installation work where the total cost or scope of work equals or**
36 **exceeds fifty percent of the facility's pre-improvement market value. For purposes of**
37 **this subdivision, a formal appraisal shall not be required, and the division may rely on**
38 **reasonable cost estimates, permit valuations, construction contracts, or the nature of the**
39 **work performed including, but not limited to, the installation of new fire protection,**
40 **detection, alarm, or suppression systems.**

41 **4. Except as provided in subsection 3 of this section, state-inspected facilities**
42 **existing prior to August 28, 2026, shall be considered lawfully nonconforming and shall**
43 **not be required to comply with the Missouri fire and life safety standards.**

44 **5. (1) Nothing in this section shall prohibit any city, county, or fire protection**
45 **district from adopting requirements more stringent than the Missouri fire and life safety**
46 **standards.**

47 **(2) No political subdivision shall apply standards less stringent than the Missouri**
48 **fire and life safety standards to any facility regulated under this section.**

49 **(3) Nothing in this section shall be construed as creating a statewide building or**
50 **fire code applicable to any occupancy not already subject to inspection by the division.**

51 **6. (1) Compliance with the Missouri fire and life safety standards shall be**
52 **verified through inspections conducted by the division or an authorized local**
53 **jurisdiction.**

54 **(2) A state-inspected facility shall not be licensed, certified, or approved for**
55 **operation unless the division determines that the facility meets the applicable**
56 **requirements of this section.**

57 **(3) The division may issue correction orders, reinspections, or occupancy**
58 **limitations as authorized by law.**

59 **7. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
60 **created under the authority delegated in this section shall become effective only if it**
61 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
62 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
63 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
64 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
65 **then the grant of rulemaking authority and any rule proposed or adopted after August**
66 **28, 2026, shall be invalid and void.**

407.3007. 1. As used in this section, the following terms mean:

2 **(1) "Artificial intelligence" or "AI":**

3 **(a) Any artificial system that performs tasks under varying and unpredictable**
4 **circumstances without significant human oversight or that can learn from experience**
5 **and improve performance when exposed to data sets;**

6 **(b) An artificial system developed in computer software, physical hardware, or**
7 **other computer systems that solves tasks requiring human-like perception, cognition,**
8 **planning, learning, communication, or physical action;**

9 **(c) An artificial system designed to think or act like a human, including cognitive**
10 **architectures and neural networks;**

11 **(d) A set of techniques, including machine learning, that is designed to**
12 **approximate a cognitive task; or**

13 **(e) An artificial system designed to act rationally, including an intelligent**
14 **software agent or embodied robot that achieves goals using perception, planning,**
15 **reasoning, learning, communicating, decision-making, and acting;**

16 **(2) "Mental health professional", the same as defined in section 632.005. The**
17 **term "mental health professional" shall also include any person licensed in a profession**
18 **regulated under chapter 337.**

19 **2. Any person or entity that develops or deploys artificial intelligence in the state**
20 **shall not advertise or represent to the public that the AI is or is able to act as a mental**
21 **health professional or is capable of providing therapy services, psychotherapy services,**
22 **or a mental health diagnosis.**

23 **3. Any violation of this section shall be considered an unlawful practice under**
24 **the Missouri merchandising practices act under this chapter.**

25 **4. The attorney general shall enforce the provisions of this section. Any**
26 **individual may report violations of this section to the attorney general. If the attorney**
27 **general finds that a violation occurred, the attorney general shall commence a civil**

28 **action in a court of competent jurisdiction. If the court finds that a violation occurred,**
29 **the court may grant damages, civil penalties, injunctive relief, attorney's fees, and any**
30 **such other relief the court finds appropriate. Notwithstanding section 407.100 to the**
31 **contrary, civil penalties shall be as follows:**

32 **(1) Ten thousand dollars for the first violation; or**

33 **(2) Twenty thousand dollars for any subsequent violation.**

527.270. 1. Hereafter every person desiring to change his or her name may present a
2 petition to that effect, verified by affidavit, to the circuit court in the county of the petitioner's
3 residence, which petition shall set forth the petitioner's full name, the new name desired, and a
4 concise statement of the reason for such desired change; and it shall be the duty of the judge
5 of such court to order such change to be made, and spread upon the records of the court, in
6 proper form, if such judge is satisfied that the desired change would be proper and not
7 detrimental to the interests of any other person.

8 **2. Notwithstanding subsection 1 of this section, no person required to register**
9 **under sections 589.400 to 589.425 shall change his or her name for the period of time he**
10 **or she is required to register on the registry.**

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

2 **(1) "Artificial intelligence", an engineered or machine-based system that varies**
3 **in its level of autonomy and that can, for explicit or implicit objectives, infer from the**
4 **input it receives how to generate outputs that can influence physical or virtual**
5 **environments;**

6 **(2) "Explicit sexual material", any pictorial or three-dimensional material**
7 **depicting human masturbation, deviant sexual intercourse, sexual intercourse, direct**
8 **physical stimulation or unclothed genitals, sadomasochistic abuse, or emphasizing the**
9 **depiction of postpubertal human genitals. The term "explicit sexual material" shall not**
10 **include works of art or of anthropological significance.**

11 **2. No person or entity shall:**

12 **(1) Replicate or alter through the use of artificial intelligence an image or voice**
13 **of an individual to generate explicit sexual material; or**

14 **(2) Use the likeness of an individual through the use of artificial intelligence for**
15 **explicit sexual material**

16

17 **unless the person or entity has the individual's express written consent.**

18 **3. Any individual injured by a person or entity for a violation of subsection 2 of**
19 **this section may bring a cause of action against the person or entity to recover actual**
20 **damages as a result of the violation. Such individual shall also be entitled to recover**
21 **attorney's fees and costs.**

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

- 2 **(1) "Consent", consent or lack of consent may be expressed or implied. Assent**
3 **does not constitute consent if:**
- 4 **(a) It is given by a person who lacks the mental capacity to authorize the conduct**
5 **charged to constitute the offense and such mental incapacity is manifest or known to the**
6 **creator;**
- 7 **(b) It is given by a person who by reason of youth, mental disease or defect,**
8 **intoxication, a drug-induced state, or any other reason is manifestly unable or known by**
9 **the creator to be unable to make a reasonable judgment as to the nature or harmfulness**
10 **of the conduct charged to constitute the offense; or**
- 11 **(c) It is induced by force, duress, or deception;**
- 12 **(2) "Creator", any person who utilizes or deploys artificial intelligence or other**
13 **digital technology to generate synthetic media. "Creator" shall not include the provider**
14 **or developer of any technology used in the creation of synthetic media;**
- 15 **(3) "Depicted individual", an individual who, as a result of digitization or by**
16 **means of digital manipulation, appears in whole or in part in an intimate digital**
17 **depiction and who is identifiable by virtue of the individual's face, likeness, or other**
18 **distinguishing characteristic, such as a unique birthmark or other recognizable feature,**
19 **or from information displayed in connection with the digital depiction;**
- 20 **(4) "Digital depiction", a realistic visual depiction of an individual that has been**
21 **created or altered using digital manipulation;**
- 22 **(5) "Intimate digital depiction", a digital depiction of an individual that has been**
23 **created or altered using digital manipulation and that depicts:**
- 24 **(a) The uncovered genitals, pubic area, anus, or postpubescent female nipple of**
25 **an identifiable individual;**
- 26 **(b) The display or transfer of bodily sexual fluids:**
27 **a. Onto any part of the body of an identifiable individual; or**
28 **b. From the body of an identifiable individual; or**
- 29 **(c) An identifiable individual engaging in sexually explicit conduct;**
- 30 **(6) "Sexually explicit conduct", actual or simulated:**
- 31 **(a) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or**
32 **oral-anal, whether between persons of the same or opposite sex;**
- 33 **(b) Bestiality;**
- 34 **(c) Masturbation;**
- 35 **(d) Sadistic or masochistic abuse; or**
- 36 **(e) Lascivious exhibition of the genitals or pubic area of any person.**

37 **2. Except as provided in subsection 8 of this section, an individual who is the**
38 **subject of an intimate digital depiction that is disclosed without the consent of the**
39 **individual where such disclosure was made by a creator who knows that or recklessly**
40 **disregards whether the individual has not consented to such disclosure may bring a civil**
41 **action against that other person in an appropriate circuit court for relief as set forth in**
42 **subsections 5 and 6 of this section.**

43 **3. In the case of an individual who is under eighteen years of age or is**
44 **incompetent, incapacitated, or deceased, the legal guardian of the individual or**
45 **representative of the individual's estate, another family member, or any person**
46 **appointed as suitable by the court may assume the individual's rights under this section,**
47 **but in no event shall the defendant be named as such representative or guardian.**

48 **4. For the purposes of an action under subsection 2 or 3 of this section:**

49 **(1) An individual's consent to the creation of the intimate digital depiction shall**
50 **not establish that the individual consented to its disclosure;**

51 **(2) Consent shall be deemed validly given only if:**

52 **(a) It is set forth in an agreement written in plain language signed knowingly and**
53 **voluntarily by the depicted individual; and**

54 **(b) The written agreement includes a general description of the intimate digital**
55 **depiction and, if applicable, the audiovisual work into which the depiction will be**
56 **incorporated.**

57 **5. In a civil action filed under this section, an individual may recover any of the**
58 **following:**

59 **(1) An amount equal to the monetary gain made by the defendant from the**
60 **creation, development, or disclosure of the intimate digital depiction;**

61 **(2) Either of the following:**

62 **(a) The actual damages sustained by the individual as a result of the intimate**
63 **digital depiction, including damages for emotional distress; or**

64 **(b) Liquidated damages in the amount of one hundred fifty thousand dollars;**

65 **(3) Punitive damages; and**

66 **(4) The cost of the action, including reasonable attorney's fees and other**
67 **litigation costs reasonably incurred.**

68 **6. In a civil action filed under this section, a court may, in addition to any other**
69 **relief available at law, order equitable relief including a temporary restraining order, a**
70 **preliminary injunction, or a permanent injunction ordering the defendant to cease**
71 **display or disclosure of the intimate digital depiction.**

72 **7. In ordering relief under this section, the court may grant injunctive relief**
73 **maintaining the confidentiality of a plaintiff by using a pseudonym.**

74 **8. An identifiable individual shall not bring an action for relief under this section**
75 **relating to:**

76 **(1) A disclosure made in good faith:**

77 **(a) To or by a law enforcement officer or agency in the course of reporting or**
78 **investigating unlawful activity or unsolicited or unwelcome conduct; or**

79 **(b) As part of a legal proceeding;**

80 **(2) A matter of legitimate public concern or public interest, except that it shall**
81 **not be considered a matter of legitimate public interest or public concern solely because**
82 **the depicted individual is a public figure; or**

83 **(3) A disclosure reasonably intended to assist the identifiable individual.**

84 **9. A court may authorize an in camera proceeding under this section.**

85 **10. It shall not be a defense to an action under this section that there is a**
86 **disclaimer stating that the intimate digital depiction of the depicted individual was**
87 **unauthorized or that the depicted individual did not participate in the creation or**
88 **development of the material.**

89 **11. For the purposes of this section, a provider of an interactive computer service**
90 **shall not be held liable due to:**

91 **(1) Any action voluntarily taken in good faith to restrict access to or availability**
92 **of intimate digital depictions;**

93 **(2) Content provided by another person; or**

94 **(3) Any action taken to enable or make available to information content**
95 **providers or other persons the technical means to restrict access to intimate digital**
96 **depictions.**

565.056. 1. A person commits the offense of assault in the fourth degree if:

2 **(1) The person attempts to cause or recklessly causes physical injury, physical pain,**
3 **or illness to another person;**

4 **(2) With criminal negligence the person causes physical injury to another person by**
5 **means of a firearm;**

6 **(3) The person purposely places another person in apprehension of immediate**
7 **physical injury;**

8 **(4) The person recklessly engages in conduct which creates a substantial risk of death**
9 **or serious physical injury to another person;**

10 **(5) The person knowingly causes or attempts to cause physical contact with a person**
11 **with a disability, which a reasonable person, who does not have a disability, would consider**
12 **offensive or provocative; ~~or~~**

13 **(6) The person knowingly causes physical contact with another person knowing the**
14 **other person will regard the contact as offensive or provocative; or**

15 **(7) The person knowingly causes physical pain to a special victim as that term is**
16 **defined in section 565.002.**

17 2. Except as provided in subsection 3 of this section, assault in the fourth degree is a
18 class A misdemeanor.

19 3. Violation of the provisions of subdivision (3) or (6) of subsection 1 of this section
20 is a class C misdemeanor unless the victim is a special victim, as the term "special victim" is
21 defined under section 565.002, in which case a violation of such provisions is a class A
22 misdemeanor. **Violation of the provisions of subdivision (7) of subsection 1 of this section**
23 **is a class A misdemeanor unless the person has previously been found guilty or pled**
24 **guilty to an assault offense as defined under section 565.079 or an assault in violation of**
25 **a county or municipal ordinance, in which case the offense is a class E felony. A person**
26 **who has previously been found guilty or pled guilty to an assault offense on two or more**
27 **occasions and who violates the provisions of subdivision (7) of subsection 1 of this**
28 **section shall be guilty of a class D felony.**

29 4. **A person found guilty of a violation of subdivision (7) of subsection 1 of this**
30 **section shall not be sentenced to a fine and shall not be eligible for probation or parole**
31 **until the person has served a minimum of six months of incarceration for a first offense**
32 **or one year of incarceration for a second or subsequent offense.**

566.150. 1. Any person who has been found guilty of:

2 (1) Violating any of the provisions of this chapter or the provisions of section
3 568.020, incest; section 568.045, endangering the welfare of a child in the first degree;
4 section 573.200, use of a child in a sexual performance; section 573.205, promoting a sexual
5 performance by a child; section 573.023, sexual exploitation of a minor; section 573.025,
6 promoting child pornography; section 573.037, possession of child pornography; or section
7 573.040, furnishing pornographic material to minors; or

8 (2) Any offense in any other jurisdiction which, if committed in this state, would be a
9 violation listed in this section;

10

11 shall not knowingly be present in or loiter within five hundred feet of any real property
12 comprising any public park with playground equipment, a public swimming pool, athletic
13 complex or athletic fields if such facilities exist for the primary use of recreation for children,
14 any museum if such museum holds itself out to the public as and exists with the primary
15 purpose of entertaining or educating children under eighteen years of age, [ø] Missouri
16 department of conservation nature or education center properties, **or the Missouri State fair,**
17 **a local fair, or fairgrounds. For purposes of this section, the term "local fair" means a**
18 **community event held at a set location on a regular basis, often annually, that displays**

19 **agriculture and talent through exhibits and competitions and provides entertainment**
20 **through music, games, or rides.**

21 2. The first violation of the provisions of this section is a class E felony.

22 3. A second or subsequent violation of this section is a class D felony.

23 4. Any person who has been found guilty of an offense under subdivision (1) or (2) of
24 subsection 1 of this section who is the parent, legal guardian, or custodian of a child under the
25 age of eighteen attending a program on the property of a nature or education center of the
26 Missouri department of conservation may receive permission from the nature or education
27 center manager to be present on the property with the child during the program.

569.086. 1. As used in this section, "critical infrastructure facility" means any of the
2 following facilities that are under construction or operational: a petroleum or alumina
3 refinery; critical electric infrastructure, as defined in 18 CFR [~~Section 118.113(e)(3)~~] **Section**
4 **388.113(c)(3)** including, but not limited to, an electrical power generating facility, substation,
5 switching station, electrical control center, or electric power lines and associated equipment
6 infrastructure; a chemical, polymer, or rubber manufacturing facility; a water intake structure,
7 water storage facility, water treatment facility, wastewater treatment plant, wastewater
8 pumping facility, or pump station; a natural gas compressor station; a liquid natural gas
9 terminal or storage facility; a telecommunications central switching office; **wireline or**
10 wireless telecommunications **networks, infrastructure, or facilities**, including cell towers,
11 telephone poles and lines, including fiber optic lines; a port, railroad switching yard, railroad
12 tracks, trucking terminal, or other freight transportation facility; a gas processing plant,
13 including a plant used in the processing, treatment, or fractionation of natural gas or natural
14 gas liquids; a transmission facility used by a federally licensed radio or television station; a
15 steelmaking facility that uses an electric arc furnace to make steel; a facility identified and
16 regulated by the United States Department of Homeland Security Chemical Facility Anti-
17 Terrorism Standards (CFATS) program; a dam that is regulated by the state or federal
18 government; a natural gas distribution utility facility including, but not limited to, natural gas
19 distribution and transmission mains and services, pipeline interconnections, a city gate or
20 town border station, metering station, aboveground piping, a regulator station, and a natural
21 gas storage facility; a crude oil or refined products storage and distribution facility including,
22 but not limited to, valve sites, pipeline interconnection, pump station, metering station, below
23 or aboveground pipeline or piping and truck loading or offloading facility, a grain mill or
24 processing facility; **[a] networks and facilities used in the** generation, transmission, or
25 distribution **[system]** of broadband internet access; or any aboveground portion of an oil, gas,
26 hazardous liquid or chemical pipeline, tank, railroad facility, or other storage facility that is
27 enclosed by a fence, other physical barrier, or is clearly marked with signs prohibiting
28 trespassing, that are obviously designed to exclude intruders.

29 2. A person commits the offense of trespass on a critical infrastructure facility if he or
30 she purposely trespasses or enters property containing a critical infrastructure facility without
31 the permission of the owner of the property or lawful occupant thereof. The offense of
32 trespass on a critical infrastructure facility is a class B misdemeanor. ~~[If it is determined that~~
33 ~~the intent of the trespasser is to damage, destroy, or tamper with equipment, or impede or~~
34 ~~inhibit operations of the facility, the person shall be guilty of a class A misdemeanor.~~

35 ~~3. A person commits the offense of damage of a critical infrastructure if he or she~~
36 ~~purposely damages, destroys, or tampers with equipment in a critical infrastructure facility.~~
37 ~~The offense of damage of a critical infrastructure facility is a class D felony.~~

38 ~~4.] 3. This section shall not apply to conduct protected under the Constitution of the~~
39 ~~United States, the Constitution of [the state of] Missouri, or a state or federal law or rule.~~

**569.117. 1. A person commits the offense of damage of a critical infrastructure
2 facility, as defined in section 569.086, if he or she:**

3 **(1) Purposely damages, destroys, or tampers with equipment in a critical**
4 **infrastructure facility; or**

5 **(2) Recklessly damages, destroys or tampers with a critical infrastructure**
6 **facility, or removes any component of the critical infrastructure facility, excluding**
7 **equipment.**

8 **2. Except as provided under subsection 3 of this section, the offense of damage of**
9 **a critical infrastructure facility under:**

10 **(1) Subdivision (1) of subsection 1 of this section is a class D felony; or**

11 **(2) Subdivision (2) of subsection 1 of this section is a:**

12 **(a) Class A misdemeanor if the damage is under seven hundred fifty dollars;**

13 **(b) Class E felony if the damage is seven hundred fifty dollars or more but less**
14 **than twenty-five thousand dollars; or**

15 **(c) Class D felony if the damage is twenty-five thousand dollars or more.**

16 **3. If the damage to a critical infrastructure facility causes interruption,**
17 **impairment, or degradation of service, the offense of damage of a critical infrastructure**
18 **facility shall be a class C felony regardless of value.**

19 **4. The value of damages under this section shall be determined under the**
20 **provisions of section 570.020.**

21 **5. (1) Any person who commits a violation under this section shall be required**
22 **to make restitution and perform community service as provided in this subsection.**

23 **(2) Restitution shall be made under the provisions of section 559.105.**

24 **(3) Community service shall be imposed as follows:**

25 **(a) One hundred hours for the first offense;**

26 **(b) Two hundred hours for the second offense; or**

27 (c) Up to three hundred hours for the third or any subsequent offense.

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

2 (1) "Copper, brass, aluminum, fiber, or telecommunications material", any
3 insulated or noninsulated copper, brass, aluminum, fiber-optic, or telecommunications
4 wire, cable, pipe, tubing, power inverter, bus bar, broadband cable, fiber-optic line, or
5 any material containing copper, brass, aluminum, fiber, glass, or metal components that
6 is commonly used in construction, electrical systems, telecommunications networks,
7 broadband infrastructure, utilities, or related commercial or industrial applications;

8 (2) "Critical infrastructure facility", the same meaning as defined under section
9 569.086.

10 2. A person commits the offense of unauthorized possession of certain copper,
11 brass, aluminum, fiber, or telecommunications material if the person:

12 (1) Knowingly possesses copper, brass, aluminum, fiber, or telecommunications
13 material; and

14 (2) Is not a person authorized to possess such material as provided under
15 subsection 3 of this section.

16 3. Subject to subsection 4 of this section, the following persons are authorized to
17 possess copper, brass, aluminum, fiber, or telecommunications material:

18 (1) The owner of the material;

19 (2) A public utility, rural electric cooperative, municipal utility, or common
20 carrier;

21 (3) A telecommunications provider, internet service provider, cable service
22 provider, or video service provider;

23 (4) A manufacturing, industrial, commercial, retail, or similar business that sells
24 or uses such material in the ordinary course of business;

25 (5) A carrier-for-hire acting in the course and scope of the carrier's business and
26 possessing appropriate documentation, including a bill of lading or contract verifying
27 transport information;

28 (6) A scrap metal or metal recycling dealer under chapter 407 and acting within
29 the ordinary course of business;

30 (7) A person acting in the ordinary course of lawful construction, remodeling,
31 demolition, or salvage work who lawfully acquires the material through such activities;
32 or

33 (8) Any agent, employee, subcontractor, or representative of a person described
34 in subdivisions (1) to (7) of this subsection who is acting within the course and scope of
35 such authority.

36 **4. The authorization provided under subsection 3 of this section does not apply**
37 **to a person who knows that the copper, brass, aluminum, fiber, or telecommunications**
38 **material was unlawfully obtained.**

39 **5. (1) Except as provided in subdivision (2) of this subsection, the offense of**
40 **unauthorized possession of certain copper, brass, aluminum, fiber, or**
41 **telecommunications material is a class E felony.**

42 **(2) The offense of unauthorized possession of certain copper, brass, aluminum,**
43 **fiber, or telecommunications material is a class D felony if it is shown at trial that:**

44 **(a) The material was unlawfully obtained from a critical infrastructure facility;**

45 **(b) The person has a prior conviction for any offense involving theft, property**
46 **damage, tampering, receiving stolen property, or unauthorized possession of copper,**
47 **brass, aluminum, fiber, or telecommunications material; or**

48 **(c) The person conspired with or acted in concert with another to commit theft,**
49 **property damage, tampering, or receiving stolen property involving such material.**

50 **6. If conduct constituting an offense under this section also constitutes an offense**
51 **under any other provision of law, the person may be prosecuted under either or both**
52 **provisions subject to the provisions of section 556.041.**

570.010. As used in this chapter, the following terms mean:

2 (1) "Adulterated", varying from the standard of composition or quality prescribed by
3 statute or lawfully promulgated administrative regulations of this state lawfully filed, or if
4 none, as set by commercial usage;

5 (2) "Appropriate", to take, obtain, use, transfer, conceal, retain or dispose;

6 (3) "Check", a check or other similar sight order or any other form of presentment
7 involving the transmission of account information for the payment of money;

8 (4) "**Closed-loop gift card**", a card, code, or device that is:

9 **(a) Issued to a consumer on a prepaid basis primarily for personal, family, or**
10 **household purposes in a specified monetary amount, regardless of whether that amount**
11 **may be increased or reloaded in exchange for payment; and**

12 **(b) Redeemable upon presentation by a consumer at a single merchant or group**
13 **of affiliated merchants;**

14 (5) "Coercion", a threat, however communicated:

15 (a) To commit any offense; or

16 (b) To inflict physical injury in the future on the person threatened or another; or

17 (c) To accuse any person of any offense; or

18 (d) To expose any person to hatred, contempt or ridicule; or

19 (e) To harm the credit or business reputation of any person; or

20 (f) To take or withhold action as a public servant, or to cause a public servant to take
21 or withhold action; or

22 (g) To inflict any other harm which would not benefit the actor. A threat of
23 accusation, lawsuit or other invocation of official action is justified and not coercion if the
24 property sought to be obtained by virtue of such threat was honestly claimed as restitution or
25 indemnification for harm done in the circumstances to which the accusation, exposure,
26 lawsuit or other official action relates, or as compensation for property or lawful service. The
27 defendant shall have the burden of injecting the issue of justification as to any threat;

28 ~~[(5)]~~ (6) "Credit device", a writing, card, code, number or other device purporting to
29 evidence an undertaking to pay for property or services delivered or rendered to or upon the
30 order of a designated person or bearer;

31 ~~[(6)]~~ (7) "Dealer", a person in the business of buying and selling goods;

32 ~~[(7)]~~ (8) "Debit device", a writing, card, code, number or other device, other than a
33 check, draft or similar paper instrument, by the use of which a person may initiate an
34 electronic fund transfer, including but not limited to devices that enable electronic transfers of
35 benefits to public assistance recipients;

36 ~~[(8)]~~ (9) "Deceit or deceive", making a representation which is false and which the
37 actor does not believe to be true and upon which the victim relies, as to a matter of fact, law,
38 value, intention or other state of mind, or concealing a material fact as to the terms of a
39 contract or agreement. The term "deceit" does not, however, include falsity as to matters
40 having no pecuniary significance, or puffing by statements unlikely to deceive ordinary
41 persons in the group addressed. Deception as to the actor's intention to perform a promise
42 shall not be inferred from the fact alone that he did not subsequently perform the promise;

43 ~~[(9)]~~ (10) "Deprive":

44 (a) To withhold property from the owner permanently; or

45 (b) To restore property only upon payment of reward or other compensation; or

46 (c) To use or dispose of property in a manner that makes recovery of the property by
47 the owner unlikely;

48 ~~[(10)]~~ (11) "Electronic benefits card" or "EBT card", a debit card used to access food
49 stamps or cash benefits issued by the department of social services;

50 ~~[(11)]~~ (12) "Financial institution", a bank, trust company, savings and loan
51 association, or credit union;

52 ~~[(12)]~~ (13) "Food stamps", the nutrition assistance program in Missouri that provides
53 food and aid to low-income individuals who are in need of benefits to purchase food operated
54 by the United States Department of Agriculture (USDA) in conjunction with the department
55 of social services;

56 ~~[(13)]~~ **(14)** "Forcibly steals", a person, in the course of stealing, uses or threatens the
57 immediate use of physical force upon another person for the purpose of:

58 (a) Preventing or overcoming resistance to the taking of the property or to the
59 retention thereof immediately after the taking; or

60 (b) Compelling the owner of such property or another person to deliver up the
61 property or to engage in other conduct which aids in the commission of the theft;

62 **(15) "Gift card", a physical or digital closed-loop gift card or open-loop gift card**
63 **that is either activated or inactivated;**

64 **(16) "Gift card holder", any person or party to whom a physical or virtual gift**
65 **card is issued through a purchase, or any person or party who receives a gift card from**
66 **a willing party;**

67 **(17) "Gift card issuer", any person who issues a gift card or the agent of that**
68 **person with respect to a gift card;**

69 **(18) "Gift card redemption information", information unique to each gift card**
70 **that allows the gift card holder to access, transfer, or spend the funds on that gift card;**

71 **(19) "Gift card seller", a merchant that is engaged in the business of selling**
72 **open-loop or closed-loop gift cards to consumers with the approval or authorization of**
73 **the gift card issuer;**

74 ~~[(14)]~~ **(20)** "Internet service", an interactive computer service or system or an
75 information service, system, or access software provider that provides or enables computer
76 access by multiple users to a computer server, and includes, but is not limited to, an
77 information service, system, or access software provider that provides access to a network
78 system commonly known as the internet, or any comparable system or service and also
79 includes, but is not limited to, a world wide web page, newsgroup, message board, mailing
80 list, or chat area on any interactive computer service or system or other online service;

81 ~~[(15)]~~ **(21)** "Means of identification", anything used by a person as a means to
82 uniquely distinguish himself or herself;

83 ~~[(16)]~~ **(22)** "Merchant", a person who deals in goods of the kind or otherwise by his or
84 her occupation holds oneself out as having knowledge or skill peculiar to the practices or
85 goods involved in the transaction or to whom such knowledge or skill may be attributed by
86 his or her employment of an agent or broker or other intermediary who by his or her
87 occupation holds oneself out as having such knowledge or skill;

88 ~~[(17)]~~ **(23)** "Misabeled", varying from the standard of truth or disclosure in labeling
89 prescribed by statute or lawfully promulgated administrative regulations of this state lawfully
90 filed, or if none, as set by commercial usage; or represented as being another person's product,
91 though otherwise accurately labeled as to quality and quantity;

92 **(24) "Open-loop gift card", a card, code, or device that is:**

93 **(a) Issued to a consumer on a prepaid basis primarily for personal, family, or**
94 **household purposes in a specified monetary amount, regardless of whether that amount**
95 **may be increased or reloaded in exchange for payment;**

96 **(b) Branded with a major payment network; and**

97 **(c) Redeemable upon presentation at multiple unaffiliated merchants for goods**
98 **or services;**

99 ~~[(18)]~~ **(25)** "Pharmacy", any building, warehouse, physician's office, hospital,
100 pharmaceutical house or other structure used in whole or in part for the sale, storage, or
101 dispensing of any controlled substance as defined in chapter 195;

102 ~~[(19)]~~ **(26)** "Property", anything of value, whether real or personal, tangible or
103 intangible, in possession or in action, and shall include but not be limited to the evidence of a
104 debt actually executed but not delivered or issued as a valid instrument;

105 ~~[(20)]~~ **(27)** "Public assistance benefits", anything of value, including money, food,
106 EBT cards, food stamps, commodities, clothing, utilities, utilities payments, shelter, drugs and
107 medicine, materials, goods, and any service including institutional care, medical care, dental
108 care, child care, psychiatric and psychological service, rehabilitation instruction, training,
109 transitional assistance, or counseling, received by or paid on behalf of any person under
110 chapters 198, 205, 207, 208, 209, and 660, or benefits, programs, and services provided or
111 administered by the Missouri department of social services or any of its divisions;

112 ~~[(21)]~~ **(28)** "Services" includes transportation, telephone, electricity, gas, water, or
113 other public service, cable television service, video service, voice over internet protocol
114 service, or internet service, accommodation in hotels, restaurants or elsewhere, admission to
115 exhibitions and use of vehicles;

116 ~~[(22)]~~ **(29)** "Stealing-related offense", federal and state violations of criminal statutes
117 against stealing, robbery, or buying or receiving stolen property and shall also include
118 municipal ordinances against the same if the offender was either represented by counsel or
119 knowingly waived counsel in writing and the judge accepting the plea or making the findings
120 was a licensed attorney at the time of the court proceedings;

121 ~~[(23)]~~ **(30)** "Teller machine", an automated teller machine (ATM) or interactive teller
122 machine (ITM) is a remote computer terminal owned or controlled by a financial institution
123 or a private business that allows individuals to obtain financial services including obtaining
124 cash, transferring or transmitting money or digital currencies, payment of bills, or loading
125 money or digital currency to a payment card or other device without physical in-person
126 assistance from another person. "Teller machine" does not include personally owned
127 electronic devices used to access financial services;

128 ~~[(24)]~~ **(31)** "Video service", the provision of video programming provided through
129 wireline facilities located at least in part in the public right-of-way without regard to delivery

130 technology, including internet protocol technology whether provided as part of a tier, on
131 demand, or a per-channel basis. This definition includes cable service as defined by 47
132 U.S.C. Section 522(6), but does not include any video programming provided by a
133 commercial mobile service provider as "commercial mobile service" is defined in 47 U.S.C.
134 Section 332(d), or any video programming provided solely as part of and via a service that
135 enables users to access content, information, [~~electronic mail~~] **email**, or other services offered
136 over the public internet, and includes microwave television transmission, from a multipoint
137 distribution service not capable of reception by conventional television receivers without the
138 use of special equipment;

139 [~~(25)~~] **(32)** "Voice over internet protocol service", a service that:

140 (a) Enables real-time, two-way voice communication;

141 (b) Requires a broadband connection from the user's location;

142 (c) Requires internet protocol-compatible customer premises equipment; and

143 (d) Permits users generally to receive calls that originate on the public switched
144 telephone network and to terminate calls to the public switched telephone network;

145 [~~(26)~~] **(33)** "Writing" includes printing, any other method of recording information,
146 money, coins, negotiable instruments, tokens, stamps, seals, credit cards, badges, trademarks
147 and any other symbols of value, right, privilege or identification.

**570.137. 1. A person commits the offense of gift card fraud if he or she
2 knowingly:**

3 **(1) Alters or tampers with a gift card or its packaging;**

4 **(2) Devises a scheme to obtain a gift card or gift card redemption information
5 from a gift card holder, gift card issuer, or gift card seller by means of deceit; or**

6 **(3) Uses, for the purpose of obtaining money, goods, services, or anything else of
7 value, a gift card or gift card redemption information that has been obtained in
8 violation of this subsection.**

9 **2. The offense of gift card fraud is a class C felony if the value of the gift card;
10 gift card redemption information; or money, goods, services, or other thing of value
11 obtained as a result of violating subsection 1 of this section is twenty-five thousand
12 dollars or more.**

13 **3. The offense of gift card fraud is a class D felony if the value of the gift card;
14 gift card redemption information; or money, goods, services, or other thing of value
15 obtained as a result of violating subsection 1 of this section is seven hundred fifty dollars
16 or more but less than twenty-five thousand dollars.**

17 **4. The offense of gift card fraud is a class A misdemeanor if the value of the gift
18 card; gift card redemption information; or money, goods, services, or other thing of
19 value obtained as a result of violating subsection 1 of this section is less than seven**

20 **hundred fifty dollars. For the purpose of determining the value of a gift card under this**
21 **section, "value" shall mean the greatest amount of economic loss the owner of the**
22 **property might reasonably suffer, including, in the case of a gift card, the full monetary**
23 **face value or potential value for variable load gift cards.**

573.010. As used in this chapter the following terms shall mean:

2 (1) "Adult cabaret", a nightclub, bar, juice bar, restaurant, bottle club, or other
3 commercial establishment, regardless of whether alcoholic beverages are served, which
4 regularly features persons who appear semi-nude;

5 (2) "**Artificially generated visual depiction**", **includes depictions that are obscene**
6 **and indistinguishable from a real minor, morphed from a real minor's image, or**
7 **generated without any actual minor involvement;**

8 (3) "Characterized by", describing the essential character or dominant theme of an
9 item;

10 [~~3~~] (4) "Child", any person under the age of fourteen;

11 [~~4~~] (5) "Child pornography":

12 (a) Any obscene material or performance depicting sexual conduct, sexual contact as
13 defined in section 566.010, or a sexual performance and which has as one of its participants or
14 portrays as an observer of such conduct, contact, or performance a minor; or

15 (b) Any visual depiction **or artificially generated visual depiction**, including any
16 photograph, film, video, picture, or computer or computer-generated image or picture,
17 whether made or produced by electronic, mechanical, or other means, of sexually explicit
18 conduct where:

19 a. The production of such visual depiction **or artificially generated visual depiction**
20 involves the use of a minor engaging in sexually explicit conduct;

21 b. Such visual depiction **or artificially generated visual depiction** is a digital image,
22 computer image, or computer-generated image that is, or is indistinguishable from, that of a
23 minor engaging in sexually explicit conduct, in that the depiction is such that an ordinary
24 person viewing the depiction would conclude that the depiction is of an actual minor engaged
25 in sexually explicit conduct; or

26 c. Such visual depiction **or artificially generated visual depiction** has been created,
27 adapted, or modified to show that an identifiable minor is engaging in sexually explicit
28 conduct. "Identifiable minor" means a person who was a minor at the time the visual
29 depiction **or artificially generated visual depiction** was created, adapted, or modified; or
30 whose image as a minor was used in creating, adapting, or modifying the visual depiction **or**
31 **artificially generated visual depiction**; and who is recognizable as an actual person by the
32 person's face, likeness, or other distinguishing characteristic, such as a unique birthmark or

33 other recognizable feature. The term identifiable minor shall not be construed to require
34 proof of the actual identity of the identifiable minor;

35 ~~[(5)]~~ (6) "Employ", "employee", or "employment", any person who performs any
36 service on the premises of a sexually oriented business, on a full-time, part-time, or contract
37 basis, whether or not the person is denominated an employee, independent contractor, agent,
38 or otherwise. Employee does not include a person exclusively on the premises for repair or
39 maintenance of the premises or for the delivery of goods to the premises;

40 ~~[(6)]~~ (7) "Explicit sexual material", any pictorial or three-dimensional material
41 depicting human masturbation, deviate sexual intercourse, sexual intercourse, direct physical
42 stimulation or unclothed genitals, sadomasochistic abuse, or emphasizing the depiction of
43 postpubertal human genitals; provided, however, that works of art or of anthropological
44 significance shall not be deemed to be within the foregoing definition;

45 ~~[(7)]~~ (8) "Furnish", to issue, sell, give, provide, lend, mail, deliver, transfer, circulate,
46 disseminate, present, exhibit or otherwise provide;

47 ~~[(8)]~~ (9) "Material", anything printed or written, or any picture, drawing, photograph,
48 motion picture film, videotape or videotape production, or pictorial representation, **or any**
49 **artificially generated visual depiction**, or any recording or transcription, or any mechanical,
50 chemical, or electrical reproduction, or stored computer data, or anything which is or may be
51 used as a means of communication. Material includes undeveloped photographs, molds,
52 printing plates, stored computer data and other latent representational objects;

53 ~~[(9)]~~ (10) "Minor", any person less than eighteen years of age;

54 ~~[(10)]~~ (11) "Nudity" or "state of nudity", the showing of the human genitals, pubic
55 area, vulva, anus, anal cleft, or the female breast with less than a fully opaque covering of any
56 part of the nipple or areola;

57 ~~[(11)]~~ (12) "Obscene", any material or performance if, taken as a whole:

58 (a) Applying contemporary community standards, its predominant appeal is to
59 prurient interest in sex; and

60 (b) The average person, applying contemporary community standards, would find the
61 material depicts or describes sexual conduct in a patently offensive way; and

62 (c) A reasonable person would find the material lacks serious literary, artistic,
63 political or scientific value;

64 ~~[(12)]~~ (13) "Operator", any person on the premises of a sexually oriented business
65 who causes the business to function, puts or keeps the business in operation, or is authorized
66 to manage the business or exercise overall operational control of the business premises. A
67 person may be found to be operating or causing to be operated a sexually oriented business
68 whether or not such person is an owner, part owner, or licensee of the business;

69 ~~[(13)]~~ **(14)** "Performance", any play, motion picture film, videotape, dance or
70 exhibition performed before an audience of one or more;

71 ~~[(14)]~~ **(15)** "Pornographic for minors", any material or performance if the following
72 apply:

73 (a) The average person, applying contemporary community standards, would find
74 that the material or performance, taken as a whole, has a tendency to cater or appeal to a
75 prurient interest of minors; and

76 (b) The material or performance depicts or describes nudity, sexual conduct, the
77 condition of human genitals when in a state of sexual stimulation or arousal, or
78 sadomasochistic abuse in a way which is patently offensive to the average person applying
79 contemporary adult community standards with respect to what is suitable for minors; and

80 (c) The material or performance, taken as a whole, lacks serious literary, artistic,
81 political, or scientific value for minors;

82 ~~[(15)]~~ **(16)** "Premises", the real property upon which a sexually oriented business is
83 located, and all appurtenances thereto and buildings thereon, including but not limited to the
84 sexually oriented business, the grounds, private walkways, and parking lots or parking
85 garages or both;

86 ~~[(16)]~~ **(17)** "Promote", to manufacture, issue, sell, provide, mail, deliver, transfer,
87 transmute, publish, distribute, circulate, disseminate, present, exhibit, or advertise, or to offer
88 or agree to do the same, by any means including a computer;

89 ~~[(17)]~~ **(18)** "Regularly", the consistent and repeated doing of the act so described;

90 ~~[(18)]~~ **(19)** "Sadomasochistic abuse", flagellation or torture by or upon a person as an
91 act of sexual stimulation or gratification;

92 ~~[(19)]~~ **(20)** "Semi-nude" or "state of semi-nudity", the showing of the female breast
93 below a horizontal line across the top of the areola and extending across the width of the
94 breast at such point, or the showing of the male or female buttocks. Such definition includes
95 the lower portion of the human female breast, but shall not include any portion of the
96 cleavage of the female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar
97 wearing apparel provided the areola is not exposed in whole or in part;

98 ~~[(20)]~~ **(21)** "Sexual conduct", actual or simulated, normal or perverted acts of human
99 masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a
100 person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act
101 of apparent sexual stimulation or gratification or any sadomasochistic abuse or acts including
102 animals or any latent objects in an act of apparent sexual stimulation or gratification;

103 ~~[(21)]~~ **(22)** "Sexually explicit conduct", actual or simulated:

104 (a) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-
105 anal, whether between persons of the same or opposite sex;

- 106 (b) Bestiality;
- 107 (c) Masturbation;
- 108 (d) Sadistic or masochistic abuse; or
- 109 (e) Lascivious exhibition of the genitals or pubic area of any person;
- 110 [~~22~~] **(23)** "Sexually oriented business" includes:
- 111 (a) An adult bookstore or adult video store. "Adult bookstore" or "adult video store"
- 112 means a commercial establishment which, as one of its principal business activities, offers for
- 113 sale or rental for any form of consideration any one or more of the following: books,
- 114 magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video
- 115 cassettes, compact discs, digital video discs, slides, or other visual representations which are
- 116 characterized by their emphasis upon the display of specified sexual activities or specified
- 117 anatomical areas. A principal business activity exists where the commercial establishment:
- 118 a. Has a substantial portion of its displayed merchandise which consists of such
- 119 items; or
- 120 b. Has a substantial portion of the wholesale value of its displayed merchandise
- 121 which consists of such items; or
- 122 c. Has a substantial portion of the retail value of its displayed merchandise which
- 123 consists of such items; or
- 124 d. Derives a substantial portion of its revenues from the sale or rental, for any form of
- 125 consideration, of such items; or
- 126 e. Maintains a substantial section of its interior business space for the sale or rental of
- 127 such items; or
- 128 f. Maintains an adult arcade. "Adult arcade" means any place to which the public is
- 129 permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or
- 130 mechanically controlled still or motion picture machines, projectors, or other image-
- 131 producing devices are regularly maintained to show images to five or fewer persons per
- 132 machine at any one time, and where the images so displayed are characterized by their
- 133 emphasis upon matter exhibiting specified sexual activities or specified anatomical areas;
- 134 (b) An adult cabaret;
- 135 (c) An adult motion picture theater. "Adult motion picture theater" means a
- 136 commercial establishment where films, motion pictures, video cassettes, slides, or similar
- 137 photographic reproductions, which are characterized by their emphasis upon the display of
- 138 specified sexual activities or specified anatomical areas are regularly shown to more than five
- 139 persons for any form of consideration;
- 140 (d) A semi-nude model studio. "Semi-nude model studio" means a place where
- 141 persons regularly appear in a state of semi-nudity for money or any form of consideration in
- 142 order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly

143 depicted by other persons. Such definition shall not apply to any place where persons
144 appearing in a state of semi-nudity do so in a modeling class operated:

145 a. By a college, junior college, or university supported entirely or partly by taxation;

146 b. By a private college or university which maintains and operates educational
147 programs in which credits are transferable to a college, junior college, or university supported
148 entirely or partly by taxation; or

149 c. In a structure:

150 (i) Which has no sign visible from the exterior of the structure and no other
151 advertising that indicates a semi-nude person is available for viewing; and

152 (ii) Where, in order to participate in a class, a student must enroll at least three days in
153 advance of the class;

154 (e) A sexual encounter center. "Sexual encounter center" means a business or
155 commercial enterprise that, as one of its principal purposes, purports to offer for any form of
156 consideration physical contact in the form of wrestling or tumbling between two or more
157 persons when one or more of the persons is semi-nude;

158 ~~[(23)]~~ (24) "Sexual performance", any performance, or part thereof, which includes
159 sexual conduct by a child who is less than eighteen years of age;

160 ~~[(24)]~~ (25) "Specified anatomical areas" include:

161 (a) Less than completely and opaquely covered: human genitals, pubic region,
162 buttock, and female breast below a point immediately above the top of the areola; and

163 (b) Human male genitals in a discernibly turgid state, even if completely and
164 opaquely covered;

165 ~~[(25)]~~ (26) "Specified sexual activity", includes any of the following:

166 (a) Intercourse, oral copulation, masturbation, or sodomy; or

167 (b) Excretory functions as a part of or in connection with any of the activities
168 described in paragraph (a) of this subdivision;

169 ~~[(26)]~~ (27) "Substantial", at least thirty percent of the item or items so modified;

170 ~~[(27)]~~ (28) "Visual depiction", includes undeveloped film and videotape, and data
171 stored on computer disk or by electronic means which is capable of conversion into a visual
172 image.

573.550. 1. A person commits the offense of providing explicit sexual material to a
2 student if such person is affiliated with a public or private elementary or secondary school in
3 an official capacity and, knowing of its content and character, such person provides, assigns,
4 supplies, distributes, loans, or coerces acceptance of or the approval of the providing of
5 explicit sexual material to a student or possesses with the purpose of providing, assigning,
6 supplying, distributing, loaning, or coercing acceptance of or the approval of the providing of
7 explicit sexual material to a student.

8 2. The offense of providing explicit sexual material to a student is a class A
9 misdemeanor.

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

11 (1) "Explicit sexual material", any pictorial, three-dimensional, or visual depiction **or**
12 **artificially generated visual depiction**, including any photography, film, video, picture, or
13 computer-generated image, showing human masturbation, deviate sexual intercourse as
14 defined in section 566.010, sexual intercourse, direct physical stimulation of genitals,
15 sadomasochistic abuse, or emphasizing the depiction of postpubertal human genitals;
16 provided, however, that works of art, when taken as a whole, that have serious artistic
17 significance, or works of anthropological significance, or materials used in science courses,
18 including but not limited to materials used in biology, anatomy, physiology, and sexual
19 education classes shall not be deemed to be within the foregoing definition;

20 (2) "Person affiliated with a public or private elementary or secondary school in an
21 official capacity", an administrator, teacher, librarian, media center personnel, substitute
22 teacher, teacher's assistant, student teacher, law enforcement officer, school board member,
23 school bus driver, guidance counselor, coach, guest lecturer, guest speaker, or other nonschool
24 employee who is invited to present information to students by a teacher, administrator, or
25 other school employee. Such term shall not include a student enrolled in the elementary or
26 secondary school.

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

2 (1) "**Depicted individual**", an individual who, as a result of digitization or by
3 means of digital manipulation, appears in whole or in part in an intimate digital
4 depiction and who is identifiable by virtue of the individual's face, likeness, or other
5 distinguishing characteristic, such as a unique birthmark or other recognizable feature,
6 or from information displayed in connection with the digital depiction;

7 (2) "**Digital depiction**", a realistic visual depiction of an individual that has been
8 created or altered using digital manipulation;

9 (3) "**Intimate digital depiction**", a digital depiction of an individual that has been
10 created or altered using digital manipulation and that depicts:

11 (a) **The uncovered genitals, pubic area, anus, or postpubescent female nipple of**
12 **an identifiable individual;**

13 (b) **The display or transfer of bodily sexual fluids:**

14 a. **Onto any part of the body of an identifiable individual; or**

15 b. **From the body of an identifiable individual; or**

16 (c) **An identifiable individual engaging in sexually explicit conduct;**

17 (4) "**Sexually explicit conduct**", actual or simulated:

- 18 **(a) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or**
19 **oral-anal, whether between persons of the same or opposite sex;**
- 20 **(b) Bestiality;**
- 21 **(c) Masturbation;**
- 22 **(d) Sadistic or masochistic abuse; or**
- 23 **(e) Lascivious exhibition of the genitals or pubic area of any person.**
- 24 **2. A person commits the offense of disclosure of an intimate digital depiction if**
25 **the person discloses or threatens to disclose an intimate digital depiction:**
- 26 **(1) With the intent to harass, annoy, threaten, alarm, or cause substantial harm**
27 **to the finances or reputation of the depicted individual; or**
- 28 **(2) With the actual knowledge that, or reckless disregard for whether, such**
29 **disclosure or threatened disclosure will cause physical, emotional, reputational, or**
30 **economic harm to the depicted individual.**
- 31 **3. (1) A violation of subsection 2 of this section shall be a class E felony.**
- 32 **(2) A violation of subsection 2 of this section shall be a class C felony if:**
- 33 **(a) The violation is a second or other subsequent violation of subsection 2 of this**
34 **section; or**
- 35 **(b) The violation is such that the digital depiction could be reasonably expected**
36 **to:**
- 37 **a. Affect the conduct of any administrative, legislative, or judicial proceeding of**
38 **a federal, state, local, or tribal government agency, including the administration of an**
39 **election or the conduct of foreign relations; or**
- 40 **b. Facilitate violence.**
- 41 **4. It shall not be a defense to an action under this section that there is a**
42 **disclaimer stating that the intimate digital depiction of the depicted individual was**
43 **unauthorized or that the depicted individual did not participate in the creation or**
44 **development of the material.**
- 45 **5. Nothing in this section shall be construed to impose liability upon the**
46 **following entities:**
- 47 **(1) An interactive computer service, as defined in 47 U.S.C. Section 230(f)(2);**
48 **(2) A provider of public mobile services or private mobile radio services, as those**
49 **terms are defined under section 573.110; and**
- 50 **(3) A telecommunications network or broadband provider.**
- 2 **575.356. 1. A person commits the offense of impeding, threatening, or harassing**
3 **a first responder if such person after receiving an oral warning not to approach from an**
4 **individual that the person knows or reasonably should know is a first responder and the**
4 **individual is engaged in the lawful performance of his or her duties as a first responder**

5 **knowingly and willfully violates such warning and approaches or remains within**
 6 **twenty-five feet of the first responder with the intent to:**

- 7 (1) **Impede or interfere with the first responder's ability to perform such duties;**
- 8 (2) **Threaten the first responder with physical harm; or**
- 9 (3) **Harass the first responder.**

10 **2. The offense of impeding, threatening, or harassing a first responder is a class**
 11 **D misdemeanor.**

12 **3. As used in this section, the following terms mean:**

13 (1) **"Emergency medical care provider", an ambulance driver, emergency**
 14 **medical technician, paramedic, registered nurse, physician, or medical director. The**
 15 **term "emergency medical care provider" also includes a physician, employee, agent, or**
 16 **volunteer of a hospital as defined in section 190.100 who is employed, under contract, or**
 17 **otherwise authorized by a hospital to perform duties directly associated with the care**
 18 **and treatment rendered by the hospital's emergency department or the security thereof;**

19 (2) **"First responder", a law enforcement officer as defined in section 556.061, a**
 20 **parole or probation officer, a firefighter as defined in section 87.120, or an emergency**
 21 **medical care provider;**

22 (3) **"Harass", to willfully engage in a course of conduct directed at a first**
 23 **responder that intentionally causes substantial emotional distress in that first responder**
 24 **and serves no legitimate purpose.**

577.010. 1. A person commits the offense of driving while intoxicated if he or she
 2 operates a vehicle while in an intoxicated condition.

3 2. The offense of driving while intoxicated is:

4 (1) A class B misdemeanor;

5 (2) A class A misdemeanor if:

6 (a) The defendant is a prior offender; or

7 (b) A person less than seventeen years of age is present in the vehicle;

8 (3) A class E felony if[:

9 ~~(a)] the defendant is a persistent offender; [or~~

10 ~~(b) While driving while intoxicated, the defendant acts with criminal negligence to~~
 11 ~~cause physical injury to another person;]~~

12 (4) A class D felony if:

13 (a) The defendant is an aggravated offender; or

14 (b) While driving while intoxicated, the defendant acts with criminal negligence to
 15 cause physical injury to ~~[a law enforcement officer or emergency personnel]~~ **another person;**

16 ~~[or~~

17 ~~(e) While driving while intoxicated, the defendant acts with criminal negligence to~~
18 ~~cause serious physical injury to another person;]~~

19 (5) A class C felony if:

20 (a) The defendant is a chronic offender; **or**

21 (b) While driving while intoxicated, the defendant acts with criminal negligence to
22 cause serious physical injury to ~~[a law enforcement officer or emergency personnel]~~ **another**
23 **person; [or**

24 ~~(e) While driving while intoxicated, the defendant acts with criminal negligence to~~
25 ~~cause the death of another person;]~~

26 (6) A class B felony if:

27 (a) The defendant is a habitual offender; **or**

28 (b) While driving while intoxicated, the defendant acts with criminal negligence to
29 cause the death of ~~[a law enforcement officer or emergency personnel]~~ **another person;**

30 ~~[(e) While driving while intoxicated, the defendant acts with criminal negligence to~~
31 ~~cause the death of any person not a passenger in the vehicle operated by the defendant,~~
32 ~~including the death of an individual that results from the defendant's vehicle leaving a~~
33 ~~highway, as defined in section 301.010, or the highway's right-of-way;~~

34 ~~(d) While driving while intoxicated, the defendant acts with criminal negligence to~~
35 ~~cause the death of two or more persons; or~~

36 ~~(e) While driving while intoxicated, the defendant acts with criminal negligence to~~
37 ~~cause the death of any person while he or she has a blood alcohol content of at least eighteen~~
38 ~~hundredths of one percent by weight of alcohol in such person's blood;]~~

39 (7) A class A felony if:

40 (a) **While driving while intoxicated, the defendant acts with criminal negligence**
41 **to cause the death of two or more persons;**

42 (b) **While driving while intoxicated, the defendant acts with criminal negligence**
43 **to cause the death of any person while the defendant has a blood alcohol content of at**
44 **least fifteen-hundredths of one percent by weight of alcohol; or**

45 (c) The defendant has previously been found guilty of an offense under ~~[paragraphs]~~
46 **paragraph (a) [to (e)] or (b)** of subdivision (6) of this subsection and is found guilty of a
47 subsequent violation of ~~[such paragraphs]~~ **this section.**

48 3. Notwithstanding the provisions of subsection 2 of this section, a person found
49 guilty of the offense of driving while intoxicated as a first offense shall not be granted a
50 suspended imposition of sentence:

51 (1) Unless such person shall be placed on probation for a minimum of two years; or

52 (2) In a circuit where a DWI court or docket created under section 478.007 or other
53 court-ordered treatment program is available, and where the offense was committed with

54 fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless
55 the individual participates and successfully completes a program under such DWI court or
56 docket or other court-ordered treatment program.

57 4. If a person is found guilty of a second or subsequent offense of driving while
58 intoxicated, the court may order the person to submit to a period of continuous alcohol
59 monitoring or verifiable breath alcohol testing performed a minimum of four times per day as
60 a condition of probation.

61 5. If a person is not granted a suspended imposition of sentence for the reasons
62 described in subsection 3 of this section:

63 (1) If the individual operated the vehicle with fifteen-hundredths to twenty-
64 hundredths of one percent by weight of alcohol in such person's blood, the required term of
65 imprisonment shall be not less than forty-eight hours;

66 (2) If the individual operated the vehicle with greater than twenty-hundredths of one
67 percent by weight of alcohol in such person's blood, the required term of imprisonment shall
68 be not less than five days.

69 6. A person found guilty of the offense of driving while intoxicated:

70 (1) As a prior offender, persistent offender, aggravated offender, chronic offender, or
71 habitual offender shall not be granted a suspended imposition of sentence or be sentenced to
72 pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

73 (2) As a prior offender shall not be granted parole or probation until he or she has
74 served a minimum of ten days imprisonment:

75 (a) Unless as a condition of such parole or probation such person performs at least
76 thirty days of community service under the supervision of the court in those jurisdictions
77 which have a recognized program for community service; or

78 (b) The offender participates in and successfully completes a program established
79 under section 478.007 or other court-ordered treatment program, if available, and as part of
80 either program, the offender performs at least thirty days of community service under the
81 supervision of the court;

82 (3) As a persistent offender shall not be eligible for parole or probation until he or she
83 has served a minimum of thirty days imprisonment:

84 (a) Unless as a condition of such parole or probation such person performs at least
85 sixty days of community service under the supervision of the court in those jurisdictions
86 which have a recognized program for community service; or

87 (b) The offender participates in and successfully completes a program established
88 under section 478.007 or other court-ordered treatment program, if available, and as part of
89 either program, the offender performs at least sixty days of community service under the
90 supervision of the court;

91 (4) As an aggravated offender shall not be eligible for parole or probation until he or
92 she has served a minimum of sixty days imprisonment; **and**

93 (5) As a chronic or habitual offender shall not be eligible for parole or probation until
94 he or she has served a minimum of two years imprisonment~~[-and]~~.

95 ~~[(6)]~~ 7. Any probation or parole granted under ~~[this]~~ subsection **6 of this section** may
96 include a period of continuous alcohol monitoring or verifiable breath alcohol testing
97 performed a minimum of four times per day.

98 **8. Notwithstanding any other provision of law, an offender found guilty under**
99 **paragraph (b) of subdivision (6) of subsection 2 of this section shall not be eligible for**
100 **parole or probation until he or she has served a minimum of five years' imprisonment.**

101 **9. Notwithstanding any other provision of law, an offender found guilty under**
102 **subdivision (7) of subsection 2 of this section shall not be eligible for parole or probation**
103 **until he or she has served a minimum of ten years' imprisonment.**

578.009. 1. A person commits the offense of animal neglect if he or she:

2 (1) Has custody or ownership of an animal and fails to provide adequate care; ~~[or]~~

3 (2) **Has custody or ownership of an animal, excluding livestock as defined in**
4 **section 265.300, and fails to provide adequate control; or**

5 (3) Knowingly abandons an animal in any place without making provisions for its
6 adequate care **or adequate control.**

7 2. The offense of animal neglect is a class C misdemeanor unless the person:

8 (1) Has previously been found guilty of an offense under this section, or an offense in
9 another jurisdiction which would constitute an offense under this section, in which case it is a
10 class B misdemeanor;

11 (2) **Fails to provide adequate care or adequate control that results in property**
12 **damage of another, in which case it is a class B misdemeanor; however, if such damage**
13 **exceeds seven hundred fifty dollars, it is a class E felony;**

14 (3) **Fails to provide adequate care or adequate control that results in physical**
15 **injury, as defined in 556.061, to a person, in which case it is a class A misdemeanor;**

16 (4) **Fails to provide adequate care or adequate control that results in serious**
17 **physical injury, as defined in section 556.061, to a person, in which case it is a class E**
18 **felony; or**

19 (5) **Fails to provide adequate care or adequate control that results in death to a**
20 **person, in which case it is a class D felony.**

21 3. ~~[All fines and penalties for a first finding of guilt under this section may be waived~~
22 ~~by the court if the person found guilty of animal neglect shows that adequate, permanent~~
23 ~~remedies for the neglect have been made. Reasonable costs incurred for the care and~~

24 ~~maintenance of neglected animals may not be waived. This section shall not apply to the~~
25 ~~provisions of section 578.007 or chapter 272.~~

26 4.] In addition to any other penalty imposed by this section, the court may order a
27 person found guilty of animal neglect to pay all reasonable costs and expenses necessary for:

28 (1) The care and maintenance of neglected animals within the person's custody or
29 ownership;

30 (2) The disposal of any dead or diseased animals within the person's custody or
31 ownership;

32 (3) The reduction of resulting organic debris affecting the immediate area of the
33 neglect; and

34 (4) The avoidance or minimization of any public health risks created by the neglect of
35 the animals.

36 **4. Nothing in this section shall be construed to apply to the acts or facilities**
37 **exempted under section 578.007.**

578.024. 1. A person commits the offense of keeping a dangerous dog if he or she
2 owns or possesses a dog that has previously bitten a person or a domestic animal without
3 provocation and that dog bites any person on a subsequent occasion.

4 2. The offense of keeping a dangerous dog is a class B misdemeanor, unless such
5 attack:

6 (1) Results in serious **physical injury, as defined in section 556.061**, to any person,
7 in which case, it is a class A misdemeanor; or

8 (2) Results in serious **physical injury, as defined in section 556.061**, to any person
9 and ~~[any previous attack also resulted]~~ **the dog has previously attacked a person resulting**
10 in serious **physical injury [to any person]**, in which case~~;~~ it is a class E felony; or

11 (3) Results in the death of any person, in which case~~;~~ it is a class D felony.

12 3. In addition to the penalty included in subsection 2 of this section, if any dog that
13 has previously bitten a person or a domestic animal without provocation bites any person on a
14 subsequent occasion or if a dog that has not previously bitten a person attacks and causes
15 serious **physical injury** to or the death of any human, the dog shall be seized immediately by
16 an animal control authority or by the county sheriff. The dog shall be impounded and held for
17 ten business days after the owner or possessor is given written notification and thereafter
18 destroyed.

19 4. The owner or possessor of the dog that has been impounded may file a written
20 appeal to the circuit court to contest the impoundment and destruction of such dog. The
21 owner or possessor shall provide notice of the filing of the appeal to the animal control
22 authority or county sheriff who seized the dog. If the owner or possessor files such an appeal
23 and provides proper notice, the dog shall remain impounded and shall not be destroyed while

24 such appeal is pending and until the court issues an order for the destruction of the dog. The
25 court shall hold a disposition hearing within thirty days of the filing of the appeal to
26 determine whether such dog shall be humanely destroyed. The court may order the owner or
27 possessor of the dog to pay the costs associated with the animal's keeping and care during the
28 pending appeal.

29 5. Notwithstanding any provision of sections 273.033 and 273.036, section 578.022
30 and this section to the contrary, if a dog attacks or bites a person who is engaged in or
31 attempting to engage in a criminal activity at the time of the attack, the owner or possessor is
32 not guilty of any crime specified under this section or section 273.036, and is not civilly liable
33 under this section or section 273.036, nor shall such dog be destroyed as provided in
34 subsection 3 of this section, nor shall such person engaged in or attempting to engage in a
35 criminal activity at the time of the attack be entitled to the defenses set forth in section
36 273.033. For purposes of this section "criminal activity" shall not include the act of trespass
37 upon private property under section 569.150 as long as the trespasser does not otherwise
38 engage in, attempt to engage in, or have intent to engage in other criminal activity nor shall it
39 include any trespass upon private property by a person under the age of twelve under section
40 569.140.

579.022. 1. A person commits the offense of delivery of a controlled substance
2 causing death if a person delivers or distributes a controlled substance under section 579.020
3 [~~knowing such substance is mixed with another controlled substance~~] and a death results from
4 the use of such controlled substance.

5 2. It shall not be a defense that the user contributed to the user's own death by using
6 the controlled substance or consenting to the administration of the controlled substance by
7 another.

8 3. The offense of delivery of a controlled substance causing death is a class A felony.

9 4. For purposes of this section, "controlled substance" means a Schedule I or
10 Schedule II controlled substance, as defined in section 195.017.

579.065. 1. A person commits the offense of trafficking drugs in the first degree if,
2 except as authorized by this chapter or chapter 195, such person knowingly distributes,
3 delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce:

4 (1) More than thirty grams of a mixture or substance containing a detectable amount
5 of heroin;

6 (2) More than one hundred fifty grams of a mixture or substance containing a
7 detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which
8 cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts
9 and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their

10 salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains
11 any quantity of any of the foregoing substances;

12 (3) More than five hundred milligrams of a mixture or substance containing a
13 detectable amount of lysergic acid diethylamide (LSD);

14 (4) More than thirty grams of a mixture or substance containing a detectable amount
15 of phencyclidine (PCP);

16 (5) More than four grams of phencyclidine;

17 (6) More than thirty kilograms of a mixture or substance containing marijuana;

18 (7) More than thirty grams of any material, compound, mixture, or preparation
19 containing any quantity of the following substances having a stimulant effect on the central
20 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
21 methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine
22 and its salts; or methylphenidate;

23 (8) More than thirty grams of any material, compound, mixture, or preparation which
24 contains any quantity of 3,4-methylenedioxymethamphetamine;

25 (9) One gram or more of flunitrazepam for the first offense;

26 (10) Any amount of gamma-hydroxybutyric acid for the first offense; ~~[or]~~

27 (11) More than ~~ten~~ **three** milligrams of fentanyl ~~[or carfentanil]~~, or any derivative
28 thereof, ~~[or any combination thereof,]~~ or any compound, mixture, or substance containing a
29 detectable amount of fentanyl ~~[or carfentanil]~~, or ~~their~~ **its** optical isomers or analogues; **or**

30 **(12) Any amount of carfentanil.**

31 2. The offense of trafficking drugs in the first degree is a class B felony.

32 3. The offense of trafficking drugs in the first degree is a class A felony if the quantity
33 involved is:

34 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
35 heroin; or

36 (2) Four hundred fifty grams or more of a mixture or substance containing a
37 detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which
38 cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts
39 and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their
40 salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains
41 any quantity of any of the foregoing substances; or

42 (3) One gram or more of a mixture or substance containing a detectable amount of
43 lysergic acid diethylamide (LSD); or

44 (4) Ninety grams or more of a mixture or substance containing a detectable amount of
45 phencyclidine (PCP); or

46 (5) Twelve grams or more of phencyclidine; or

47 (6) One hundred kilograms or more of a mixture or substance containing marijuana;
48 or

49 (7) Ninety grams or more of any material, compound, mixture, or preparation
50 containing any quantity of the following substances having a stimulant effect on the central
51 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
52 methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine
53 and its salts; or methylphenidate; or

54 (8) More than thirty grams of any material, compound, mixture, or preparation
55 containing any quantity of the following substances having a stimulant effect on the central
56 nervous system: amphetamine, its salts, optical isomers, and salts of its optical isomers;
57 methamphetamine, its salts, optical isomers, and salts of its optical isomers; phenmetrazine
58 and its salts; or methylphenidate, and the location of the offense was within two thousand feet
59 of real property comprising a public or private elementary, vocational, or secondary school,
60 college, community college, university, or any school bus, in or on the real property
61 comprising public housing or any other governmental assisted housing, or within a motor
62 vehicle, or in any structure or building which contains rooms furnished for the
63 accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to
64 the public as a place where sleeping accommodations are sought for pay or compensation to
65 transient guests or permanent guests; or

66 (9) Ninety grams or more of any material, compound, mixture or preparation which
67 contains any quantity of 3,4-methylenedioxymethamphetamine; or

68 (10) More than thirty grams of any material, compound, mixture, or preparation
69 which contains any quantity of 3,4-methylenedioxymethamphetamine and the location of the
70 offense was within two thousand feet of real property comprising a public or private
71 elementary, vocational, or secondary school, college, community college, university, or any
72 school bus, in or on the real property comprising public housing or any other governmental
73 assisted housing, within a motor vehicle, or in any structure or building which contains rooms
74 furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised,
75 or held out to the public as a place where sleeping accommodations are sought for pay or
76 compensation to transient guests or permanent guests; or

77 (11) One gram or more of flunitrazepam for a second or subsequent offense; or

78 (12) Any amount of gamma-hydroxybutyric acid for a second or subsequent offense;
79 or

80 (13) ~~Twenty~~ **Fourteen** milligrams or more of fentanyl ~~[or carfentanyl]~~, or any
81 derivative thereof, ~~[or any combination thereof,]~~ or any compound, mixture, or substance
82 containing a detectable amount of fentanyl ~~[or carfentanyl]~~, or ~~their~~ **its** optical isomers or
83 analogues; **or**

84 **(14) More than five hundredths of a milligram of carfentanil.**

579.068. 1. A person commits the offense of trafficking drugs in the second degree
2 if, except as authorized by this chapter or chapter 195, such person knowingly possesses or
3 has under his or her control, purchases or attempts to purchase, or brings into this state:

4 (1) More than thirty grams of a mixture or substance containing a detectable amount
5 of heroin;

6 (2) More than one hundred fifty grams of a mixture or substance containing a
7 detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which
8 cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts
9 and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their
10 salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains
11 any quantity of any of the foregoing substances;

12 (3) More than five hundred milligrams of a mixture or substance containing a
13 detectable amount of lysergic acid diethylamide (LSD);

14 (4) More than thirty grams of a mixture or substance containing a detectable amount
15 of phencyclidine (PCP);

16 (5) More than four grams of phencyclidine;

17 (6) More than thirty kilograms of a mixture or substance containing marijuana;

18 (7) More than thirty grams of any material, compound, mixture, or preparation
19 containing any quantity of the following substances having a stimulant effect on the central
20 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
21 methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine
22 and its salts; or methylphenidate;

23 (8) More than thirty grams of any material, compound, mixture, or preparation which
24 contains any quantity of 3,4-methylenedioxymethamphetamine; ~~[or]~~

25 (9) More than ~~ten~~ **three** milligrams of fentanyl ~~[or carfentanil]~~, or any derivative
26 thereof, ~~[or any combination thereof,]~~ or any compound, mixture, or substance containing a
27 detectable amount of fentanyl ~~[or carfentanil]~~, or ~~their~~ **its** optical isomers or analogues; **or**

28 **(10) Any amount of carfentanil.**

29 2. The offense of trafficking drugs in the second degree is a class C felony.

30 3. The offense of trafficking drugs in the second degree is a class B felony if the
31 quantity involved is:

32 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
33 heroin; or

34 (2) Four hundred fifty grams or more of a mixture or substance containing a
35 detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which
36 cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts

37 and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their
38 salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains
39 any quantity of any of the foregoing substances; or

40 (3) One gram or more of a mixture or substance containing a detectable amount of
41 lysergic acid diethylamide (LSD); or

42 (4) Ninety grams or more of a mixture or substance containing a detectable amount of
43 phencyclidine (PCP); or

44 (5) Twelve grams or more of phencyclidine; or

45 (6) One hundred kilograms or more of a mixture or substance containing marijuana;

46 or

47 (7) More than five hundred marijuana plants; or

48 (8) Ninety grams or more but less than four hundred fifty grams of any material,
49 compound, mixture, or preparation containing any quantity of the following substances
50 having a stimulant effect on the central nervous system: amphetamine, its salts, optical
51 isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts
52 of its optical isomers; phenmetrazine and its salts; or methylphenidate; or

53 (9) Ninety grams or more but less than four hundred fifty grams of any material,
54 compound, mixture, or preparation which contains any quantity of 3,4-
55 methylenedioxymethamphetamine; or

56 (10) ~~Twenty~~ **Fourteen** milligrams or more of fentanyl ~~[or carfentanil]~~, or any
57 derivative thereof, ~~[or any combination thereof,]~~ or any compound, mixture, or substance
58 containing a detectable amount of fentanyl ~~[or carfentanil]~~, or ~~[their]~~ **its** optical isomers or
59 analogues; or

60 **(11) More than five hundredths of a milligram of carfentanil.**

61 4. The offense of trafficking drugs in the second degree is a class A felony if the
62 quantity involved is four hundred fifty grams or more of any material, compound, mixture or
63 preparation which contains:

64 (1) Any quantity of the following substances having a stimulant effect on the central
65 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
66 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or
67 methylphenidate; or

68 (2) Any quantity of 3,4-methylenedioxymethamphetamine.

69 5. The offense of drug trafficking in the second degree is a class C felony for the first
70 offense and a class B felony for any second or subsequent offense for the trafficking of less
71 than one gram of flunitrazepam.

589.400. 1. **Unless exempt from registering under section 589.401**, sections
2 589.400 to 589.425 shall apply to:

3 (1) Any person who, since July 1, 1979, has been or is hereafter adjudicated for an
4 offense [~~referenced in section 589.414, unless such person is exempt from registering under~~
5 ~~subsection 9 or 10 of this section or section 589.401~~] **that would classify the person as a tier**
6 **I offender, tier II offender, or tier III offender in this state;**

7 (2) [~~Any person who, since July 1, 1979, has been or is hereafter convicted of, been~~
8 ~~found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or~~
9 ~~conspiring to commit one or more of the following offenses: kidnapping or kidnapping in the~~
10 ~~first degree when the victim was a child and the defendant was not a parent or guardian of the~~
11 ~~child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious~~
12 ~~restraint or kidnapping in the second degree when the victim was a child and the defendant is~~
13 ~~not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a~~
14 ~~nursing home or sexual conduct with a nursing facility resident or vulnerable person in the~~
15 ~~first or second degree; endangering the welfare of a child under section 568.045 when the~~
16 ~~endangerment is sexual in nature; genital mutilation of a female child, under section 568.065;~~
17 ~~promoting prostitution in the first degree; promoting prostitution in the second degree;~~
18 ~~promoting prostitution in the third degree; sexual exploitation of a minor; promoting child~~
19 ~~pornography in the first degree; promoting child pornography in the second degree;~~
20 ~~possession of child pornography; furnishing pornographic material to minors; public display~~
21 ~~of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in~~
22 ~~the first degree; promoting pornography for minors or obscenity in the second degree; incest;~~
23 ~~use of a child in a sexual performance; or promoting sexual performance by a child;~~
24 ~~patronizing prostitution if the individual the person patronizes is less than eighteen years of~~
25 ~~age;~~

26 (3) Any person who, since July 1, 1979, has been committed to the department of
27 mental health as a criminal sexual psychopath;

28 [(4)] (3) Any person who, since July 1, 1979, has been found not guilty as a result of
29 mental disease or defect of any offense [~~referenced in section 589.414~~] **that would classify**
30 **the person as a tier I offender, tier II offender, or tier III offender;**

31 [(5)] (4) Any juvenile certified as an adult and transferred to a court of general
32 jurisdiction who has been adjudicated for an offense [~~listed under section 589.414~~] **that**
33 **would classify the juvenile as a tier I offender, tier II offender, or tier III offender;**

34 [(6)] (5) Any juvenile fourteen years of age or older at the time of the offense who has
35 been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse
36 under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such
37 offense. **Juveniles registering under this subdivision shall be assigned a tier under the**
38 **provisions of section 589.414 and eligible for removal when meeting all other**
39 **qualifications in sections 589.400 to 589.425. The tier assignment under section**

40 **589.414 shall be only for the purposes of registration visit frequency and removal**
41 **eligibility and shall not otherwise affect the analysis of whether registration is required**
42 **under this section;**

43 ~~[(7)]~~ (6) Any person who is a resident of this state who has, since July 1, 1979, been
44 or is hereafter adjudicated in any other state, territory, the District of Columbia, or foreign
45 country, or under federal, tribal, or military jurisdiction for an offense which, if committed in
46 this state, would constitute an offense ~~[listed under section 589.414]~~ **that would classify the**
47 **person as a tier I offender, tier II offender, or tier III offender**, or has been or is required
48 to register in another state, territory, the District of Columbia, or foreign country, or has been
49 or is required to register under tribal, federal, or military law. **Persons registering under**
50 **this subdivision shall be assigned a tier under the provisions of section 589.414 and**
51 **eligible for removal when meeting all other qualifications in sections 589.400 to 589.425.**
52 **The tier assignment under section 589.414 shall be only for the purposes of registration**
53 **visit frequency and removal eligibility and shall not otherwise affect the analysis of**
54 **whether registration is required under this section; or**

55 ~~[(8)]~~ (7) Any person who has been or is required to register in another state, territory,
56 the District of Columbia, or foreign country, or has been or is required to register under tribal,
57 federal, or military law and who works or attends an educational institution, whether public or
58 private in nature, including any secondary school, trade school, professional school, or
59 institution of higher education on a full-time or on a part-time basis or has a temporary
60 residence in Missouri. ~~["Part time" in this subdivision means for more than seven days in any~~
61 ~~twelve-month period.]~~ **Persons registering under this subdivision shall be assigned a tier**
62 **under the provisions of section 589.414 and eligible for removal when meeting all other**
63 **qualifications in sections 589.400 to 589.425. The tier assignment under section 589.414**
64 **shall be only for the purposes of registration visit frequency and removal eligibility and**
65 **shall not otherwise affect the analysis of whether registration is required under this**
66 **section.**

67 2. Any person **or juvenile** to whom sections 589.400 to 589.425 apply shall, within
68 three business days of adjudication, release from incarceration, ~~[or]~~ placement upon
69 probation, **release from commitment to the division of youth services, release from the**
70 **department of mental health, or release from other placement**, register with the ~~[chief law~~
71 ~~enforcement]~~ **registration** official of the county or city not within a county in which such
72 person **or juvenile** resides unless such person has already registered in that county for the
73 same offense. ~~[For any juvenile under subdivision (6) of subsection 1 of this section, within~~
74 ~~three business days of adjudication or release from commitment to the division of youth~~
75 ~~services, the department of mental health, or other placement, such juvenile shall register with~~
76 ~~the chief law enforcement official of the county or city not within a county in which he or she~~

77 ~~resides unless he or she has already registered in such county or city not within a county for~~
78 ~~the same offense.]~~ Any person **or juvenile** to whom sections 589.400 to 589.425 apply if not
79 currently registered in their county of residence shall register with the ~~[chief law~~
80 ~~enforcement]~~ **registration** official ~~[of such county or city not within a county]~~ within three
81 business days. The ~~[chief law enforcement]~~ **registration** official shall forward a copy of the
82 registration form required by section 589.407 to a city, town, village, or campus law
83 enforcement agency located within the county of the ~~[chief law enforcement]~~ **registration**
84 official.

85 3. ~~[The registration requirements of sections 589.400 through 589.425 shall be as~~
86 ~~provided under subsection 4 of this section unless:~~

87 ~~(1) All offenses requiring registration are reversed, vacated, or set aside;~~

88 ~~(2) The registrant is no longer required to register and his or her name shall be~~
89 ~~removed from the registry under the provisions of section 589.414; or~~

90 ~~(3) The court orders the removal or exemption of such person from the registry under~~
91 ~~section 589.401.~~

92 4.] The registration requirements shall be as follows:

93 (1) Fifteen years if the offender is a tier I ~~[sex]~~ offender ~~[as provided under section~~
94 ~~589.414];~~

95 (2) Twenty-five years if the offender is a tier II ~~[sex]~~ offender ~~[as provided under~~
96 ~~section 589.414]; or~~

97 (3) The life of the offender if the offender is a tier III ~~[sex]~~ offender.

98 ~~[5-]~~ 4. (1) The registration period shall be reduced as described in subdivision (3) of
99 this subsection for a sex offender who maintains a clean record for the periods described
100 under subdivision (2) of this subsection by:

101 (a) Not being adjudicated of any offense for which imprisonment for more than one
102 year may be imposed;

103 (b) Not being adjudicated of any sex offense;

104 (c) Successfully completing any periods of supervised release, probation, or parole;
105 and

106 (d) Successfully completing an appropriate sex offender treatment program certified
107 by a **jurisdiction or the attorney general, regardless of whether such program was court**
108 **ordered or voluntary. If records of program completion are unavailable and completion**
109 **of such program was required as a term of probation, an order discharging the offender**
110 **from probation or other record acknowledging satisfactory completion of probation**
111 **shall constitute prima facie evidence that the offender successfully completed the**
112 **necessary sex offender treatment program unless rebutted by evidence to the contrary.**

113 (2) In the case of a:

114 (a) Tier I ~~[sex]~~ offender, the period during which the clean record shall be maintained
115 is ten years;

116 (b) Tier III ~~[sex]~~ offender adjudicated delinquent for the offense which required
117 registration in a sex offender registry under sections 589.400 to 589.425, the period during
118 which the clean record shall be maintained is twenty-five years.

119 (3) In the case of a:

120 (a) Tier I ~~[sex]~~ offender, the reduction is five years;

121 (b) Tier III ~~[sex]~~ offender adjudicated delinquent, the reduction is from life to that
122 period for which the clean record under paragraph (b) of subdivision (2) of this subsection is
123 maintained.

124 ~~[6.]~~ 5. For processing an initial sex offender registration, the ~~[chief law enforcement~~
125 ~~officer of the county or city not within a county]~~ **registration official** may charge the offender
126 registering a fee of up to ten dollars.

127 ~~[7.]~~ 6. For processing any change in registration required pursuant to section 589.414,
128 the ~~[chief law enforcement]~~ **registration official** ~~[of the county or city not within a county]~~
129 may charge the person changing their registration a fee of five dollars for each change made
130 after the initial registration.

131 ~~[8.]~~ ~~Any person currently on the sexual offender registry or who otherwise would be~~
132 ~~required to register for being adjudicated for the offense of felonious restraint of a nonsexual~~
133 ~~nature when the victim was a child and he or she was the parent or guardian of the child,~~
134 ~~nonsexual child abuse that was committed under section 568.060, or kidnapping of a~~
135 ~~nonsexual nature when the victim was a child and he or she was the parent or guardian of the~~
136 ~~child shall be removed from the registry. However, such person shall remain on the sexual~~
137 ~~offender registry for any other offense for which he or she is required to register under~~
138 ~~sections 589.400 to 589.425.~~

139 9. ~~The following persons shall be exempt from registering as a sexual offender upon~~
140 ~~petition to the court of jurisdiction under section 589.401; except that, such person shall~~
141 ~~remain on the sexual offender registry for any other offense for which he or she is required to~~
142 ~~register under sections 589.400 to 589.425:~~

143 ~~(1) Any person currently on the sexual offender registry or who otherwise would be~~
144 ~~required to register for a sexual offense involving:~~

145 ~~(a) Sexual conduct where no force or threat of force was directed toward the victim or~~
146 ~~any other individual involved, if the victim was an adult, unless the adult was under the~~
147 ~~custodial authority of the offender at the time of the offense; or~~

148 ~~(b) Sexual conduct where no force or threat of force was directed toward the victim,~~
149 ~~the victim was at least fourteen years of age, and the offender was not more than four years~~
150 ~~older than the victim at the time of the offense; or~~

151 ~~(2) Any person currently required to register for the following sexual offenses:~~

152 ~~(a) Promoting obscenity in the first degree under section 573.020;~~

153 ~~(b) Promoting obscenity in the second degree under section 573.030;~~

154 ~~(c) Furnishing pornographic materials to minors under section 573.040;~~

155 ~~(d) Public display of explicit sexual material under section 573.060;~~

156 ~~(e) Coercing acceptance of obscene material under section 573.065;~~

157 ~~(f) Trafficking for the purpose of slavery, involuntary servitude, peonage, or forced~~
158 ~~labor under section 566.206;~~

159 ~~(g) Abusing an individual through forced labor under section 566.203;~~

160 ~~(h) Contributing to human trafficking through the misuse of documentation under~~
161 ~~section 566.215; or~~

162 ~~(i) Acting as an international marriage broker and failing to provide the information~~
163 ~~and notice as required under section 578.475.~~

164 ~~10. Any person currently on the sexual offender registry for having been adjudicated~~
165 ~~for a tier I or II offense or adjudicated delinquent for a tier III offense or other comparable~~
166 ~~offenses listed under section 589.414 may file a petition under section 589.401.]~~

167 **7. Any person with a primary residence outside this state who has a temporary**
168 **residence in this state in which he or she resides for more than a part-time period shall**
169 **register with the registration official in the jurisdiction of the temporary residence in**
170 **accordance with this section for the duration of such person's temporary residency.**

171 ~~[11.]~~ **8. Any [nonresident worker] person who is not a resident of this state and not**
172 **currently registered due to temporary residence under subsection 7 of this section and**
173 **who works, including work as a volunteer or intern, or is a nonresident student shall register**
174 **for the duration of such person's employment, including participation as a volunteer or intern,**
175 **or attendance at any school of higher education, whether public or private, including any**
176 **secondary school, trade school, professional school, or institution of higher education on a**
177 **full-time or part-time basis [in this state unless granted relief under section 589.401. Any**
178 **registered offender shall provide information regarding any place in which the offender is**
179 **staying when away from his or her residence for seven or more days, including the period of**
180 **time the offender is staying in such place. Any registered offender from another state who**
181 **has a temporary residence in this state and resides more than seven days in a twelve-month**
182 **period shall register for the duration of such person's temporary residency unless granted**
183 **relief under section 589.401], as long as the status requiring registration remains active.**
184 **Such registration shall occur in the county or city not within a county where the status**
185 **requiring registration occurs. If more than one county or city not within a county meets**
186 **the requirement, priority shall be in the following order:**

187 **(1) The county of work;**

- 188 (2) The county of school; and
- 189 (3) The county of volunteering or any other required status,
- 190
- 191 with registration being required at only the highest priority county or city not within a
- 192 county where the registerable status remains.

~~[589.400. 1. Sections 589.400 to 589.425 shall apply to:~~

2 ~~(1) Any person who, since July 1, 1979, has been or is hereafter~~
3 ~~adjudicated for an offense referenced in section 589.414, unless such person is~~
4 ~~exempt from registering under subsection 9 or 10 of this section or section~~
5 ~~589.401;~~

6 ~~(2) Any person who, since July 1, 1979, has been or is hereafter~~
7 ~~convicted of, been found guilty of, or pled guilty or nolo contendere to~~
8 ~~committing, attempting to commit, or conspiring to commit one or more of the~~
9 ~~following offenses: kidnapping or kidnapping in the first degree when the~~
10 ~~victim was a child and the defendant was not a parent or guardian of the child;~~
11 ~~abuse of a child under section 568.060 when such abuse is sexual in nature;~~
12 ~~felonious restraint or kidnapping in the second degree when the victim was a~~
13 ~~child and the defendant is not a parent or guardian of the child; sexual contact~~
14 ~~or sexual intercourse with a resident of a nursing home or sexual conduct with~~
15 ~~a nursing facility resident or vulnerable person in the first or second degree;~~
16 ~~endangering the welfare of a child under section 568.045 when the~~
17 ~~endangerment is sexual in nature; genital mutilation of a female child, under~~
18 ~~section 568.065; promoting prostitution in the first degree; promoting~~
19 ~~prostitution in the second degree; promoting prostitution in the third degree;~~
20 ~~sexual exploitation of a minor; promoting child pornography in the first degree~~
21 ~~as it existed prior to August 28, 2026; **promoting child sexual abuse**~~
22 ~~material in the first degree; promoting child pornography in the second~~
23 ~~degree as it existed prior to August 28, 2026; **promoting child sexual abuse**~~
24 ~~material in the second degree; possession of child pornography as it existed~~
25 ~~prior to August 28, 2026; **possession of child sexual abuse material;**~~
26 ~~furnishing pornographic material to minors; public display of explicit sexual~~
27 ~~material; coercing acceptance of obscene material; promoting obscenity in the~~
28 ~~first degree; promoting pornography for minors or obscenity in the second~~
29 ~~degree; incest; use of a child in a sexual performance; or promoting sexual~~
30 ~~performance by a child; patronizing prostitution if the individual the person~~
31 ~~patronizes is less than eighteen years of age; **grooming of a minor;**~~
32 ~~**nonconsensual dissemination of private sexual images; or threatening the**~~
33 ~~**nonconsensual dissemination of private sexual images;**~~

34 ~~(3) Any person who, since July 1, 1979, has been committed to the~~
35 ~~department of mental health as a criminal sexual psychopath;~~

36 ~~(4) Any person who, since July 1, 1979, has been found not guilty as a~~
37 ~~result of mental disease or defect of any offense referenced in section 589.414;~~

38 ~~(5) Any juvenile certified as an adult and transferred to a court of~~
39 ~~general jurisdiction who has been adjudicated for an offense listed under~~
40 ~~section 589.414;~~

41 ~~(6) Any juvenile fourteen years of age or older at the time of the~~
42 ~~offense who has been adjudicated for an offense which is equal to or more~~
43 ~~severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which~~
44 ~~shall include any attempt or conspiracy to commit such offense;~~

45 ~~(7) Any person who is a resident of this state who has, since July 1,~~
46 ~~1979, been or is hereafter adjudicated in any other state, territory, the District~~
47 ~~of Columbia, or foreign country, or under federal, tribal, or military~~
48 ~~jurisdiction for an offense which, if committed in this state, would~~
49 ~~constitute an offense listed under section 589.414, or has been or is required~~
50 ~~to register in another state, territory, the District of Columbia, or foreign~~
51 ~~country, or has been or is required to register under tribal, federal, or military~~
52 ~~law; or~~

53 ~~(8) Any person who has been or is required to register in another state,~~
54 ~~territory, the District of Columbia, or foreign country, or has been or is~~
55 ~~required to register under tribal, federal, or military law and who works or~~
56 ~~attends an educational institution, whether public or private in nature,~~
57 ~~including any secondary school, trade school, professional school, or~~
58 ~~institution of higher education on a full time or on a part time basis or has a~~
59 ~~temporary residence in Missouri. "Part time" in this subdivision means for~~
60 ~~more than seven days in any twelve-month period.~~

61 ~~2. Any person to whom sections 589.400 to 589.425 apply shall,~~
62 ~~within three business days of adjudication, release from incarceration, or~~
63 ~~placement upon probation, register with the chief law enforcement official of~~
64 ~~the county or city not within a county in which such person resides unless such~~
65 ~~person has already registered in that county for the same offense. For any~~
66 ~~juvenile under subdivision (6) of subsection 1 of this section, within three~~
67 ~~business days of adjudication or release from commitment to the division of~~
68 ~~youth services, the department of mental health, or other placement, such~~
69 ~~juvenile shall register with the chief law enforcement official of the county or~~
70 ~~city not within a county in which he or she resides unless he or she has already~~
71 ~~registered in such county or city not within a county for the same offense. Any~~
72 ~~person to whom sections 589.400 to 589.425 apply if not currently registered~~
73 ~~in their county of residence shall register with the chief law enforcement~~
74 ~~official of such county or city not within a county within three business days.~~
75 ~~The chief law enforcement official shall forward a copy of the registration~~
76 ~~form required by section 589.407 to a city, town, village, or campus law~~
77 ~~enforcement agency located within the county of the chief law enforcement~~
78 ~~official.~~

79 ~~3. The registration requirements of sections 589.400 through 589.425~~
80 ~~shall be as provided under subsection 4 of this section unless:~~

81 ~~(1) All offenses requiring registration are reversed, vacated, or set~~
82 ~~aside;~~

83 ~~(2) The registrant is no longer required to register and his or her name~~
84 ~~shall be removed from the registry under the provisions of section 589.414; or~~

85 ~~(3) The court orders the removal or exemption of such person from the~~
86 ~~registry under section 589.401.~~

87 ~~4. The registration requirements shall be as follows:~~

88 (1) ~~Fifteen years if the offender is a tier I sex offender as provided~~
89 ~~under section 589.414;~~
90 (2) ~~Twenty five years if the offender is a tier II sex offender as~~
91 ~~provided under section 589.414; or~~
92 (3) ~~The life of the offender if the offender is a tier III sex offender.~~
93 5. (1) ~~The registration period shall be reduced as described in~~
94 ~~subdivision (3) of this subsection for a sex offender who maintains a clean~~
95 ~~record for the periods described under subdivision (2) of this subsection by:~~
96 (a) ~~Not being adjudicated of any offense for which imprisonment for~~
97 ~~more than one year may be imposed;~~
98 (b) ~~Not being adjudicated of any sex offense;~~
99 (c) ~~Successfully completing any periods of supervised release,~~
100 ~~probation, or parole; and~~
101 (d) ~~Successfully completing an appropriate sex offender treatment~~
102 ~~program certified by the attorney general.~~
103 (2) ~~In the case of a:~~
104 (a) ~~Tier I sex offender, the period during which the clean record shall~~
105 ~~be maintained is ten years;~~
106 (b) ~~Tier III sex offender adjudicated delinquent for the offense which~~
107 ~~required registration in a sex offender registry under sections 589.400 to~~
108 ~~589.425, the period during which the clean record shall be maintained is~~
109 ~~twenty five years.~~
110 (3) ~~In the case of a:~~
111 (a) ~~Tier I sex offender, the reduction is five years;~~
112 (b) ~~Tier III sex offender adjudicated delinquent, the reduction is from~~
113 ~~life to that period for which the clean record under paragraph (b) of~~
114 ~~subdivision (2) of this subsection is maintained.~~
115 6. ~~For processing an initial sex offender registration the chief law~~
116 ~~enforcement officer of the county or city not within a county may charge the~~
117 ~~offender registering a fee of up to ten dollars.~~
118 7. ~~For processing any change in registration required pursuant to~~
119 ~~section 589.414 the chief law enforcement official of the county or city not~~
120 ~~within a county may charge the person changing their registration a fee of five~~
121 ~~dollars for each change made after the initial registration.~~
122 8. ~~Any person currently on the sexual offender registry or who~~
123 ~~otherwise would be required to register for being adjudicated for the offense of~~
124 ~~felonious restraint of a nonsexual nature when the victim was a child and he or~~
125 ~~she was the parent or guardian of the child, nonsexual child abuse that was~~
126 ~~committed under section 568.060, or kidnapping of a nonsexual nature when~~
127 ~~the victim was a child and he or she was the parent or guardian of the child~~
128 ~~shall be removed from the registry. However, such person shall remain on the~~
129 ~~sexual offender registry for any other offense for which he or she is required to~~
130 ~~register under sections 589.400 to 589.425.~~
131 9. ~~The following persons shall be exempt from registering as a sexual~~
132 ~~offender upon petition to the court of jurisdiction under section 589.401;~~
133 ~~except that, such person shall remain on the sexual offender registry for any~~
134 ~~other offense for which he or she is required to register under sections 589.400~~
135 ~~to 589.425.~~

136 ~~(1) Any person currently on the sexual offender registry or who~~
 137 ~~otherwise would be required to register for a sexual offense involving:~~
 138 ~~(a) Sexual conduct where no force or threat of force was directed~~
 139 ~~toward the victim or any other individual involved, if the victim was an adult,~~
 140 ~~unless the adult was under the custodial authority of the offender at the time of~~
 141 ~~the offense; or~~
 142 ~~(b) Sexual conduct where no force or threat of force was directed~~
 143 ~~toward the victim, the victim was at least fourteen years of age, and the~~
 144 ~~offender was not more than four years older than the victim at the time of the~~
 145 ~~offense; or~~
 146 ~~(2) Any person currently required to register for the following sexual~~
 147 ~~offenses:~~
 148 ~~(a) Promoting obscenity in the first degree under section 573.020;~~
 149 ~~(b) Promoting obscenity in the second degree under section 573.030;~~
 150 ~~(c) Furnishing pornographic materials to minors under section~~
 151 ~~573.040;~~
 152 ~~(d) Public display of explicit sexual material under section 573.060;~~
 153 ~~(e) Coercing acceptance of obscene material under section 573.065;~~
 154 ~~(f) Trafficking for the purpose of slavery, involuntary servitude,~~
 155 ~~peonage, or forced labor under section 566.206;~~
 156 ~~(g) Abusing an individual through forced labor under section 566.203;~~
 157 ~~(h) Contributing to human trafficking through the misuse of~~
 158 ~~documentation under section 566.215; or~~
 159 ~~(i) Acting as an international marriage broker and failing to provide~~
 160 ~~the information and notice as required under section 578.475.~~
 161 ~~10. Any person currently on the sexual offender registry for having~~
 162 ~~been adjudicated for a tier I or II offense or adjudicated delinquent for a tier III~~
 163 ~~offense or other comparable offenses listed under section 589.414 may file a~~
 164 ~~petition under section 589.401.~~
 165 ~~11. Any nonresident worker, including work as a volunteer or intern,~~
 166 ~~or nonresident student shall register for the duration of such person's~~
 167 ~~employment, including participation as a volunteer or intern, or attendance at~~
 168 ~~any school of higher education whether public or private, including any~~
 169 ~~secondary school, trade school, professional school, or institution of higher~~
 170 ~~education on a full time or part time basis in this state unless granted relief~~
 171 ~~under section 589.401. Any registered offender shall provide information~~
 172 ~~regarding any place in which the offender is staying when away from his or~~
 173 ~~her residence for seven or more days, including the period of time the offender~~
 174 ~~is staying in such place. Any registered offender from another state who has a~~
 175 ~~temporary residence in this state and resides more than seven days in a twelve-~~
 176 ~~month period shall register for the duration of such person's temporary~~
 177 ~~residency unless granted relief under section 589.401.]~~

589.401. 1. A person on the sexual offender registry **of this state** may file a petition
 2 in the division of the circuit court in the county or city not within a county in which the
 3 offense requiring registration was [~~committed~~] **adjudicated** to have his or her name
 4 **exempted or** removed from the sexual offender registry **in accordance with this section.**

5 2. **(1)** A person who is required to register in this state because of an offense that was
6 adjudicated in another jurisdiction shall file his or her petition for removal, **termination, or**
7 **relief from registration, or the declaratory judgment providing for removal,**
8 **termination, or relief from registration** according to the laws of the state, **federal,**
9 territory, tribal, or military jurisdiction, the District of Columbia, or foreign country in which
10 his or her offense was adjudicated. Upon ~~[the grant of the petition for removal in the]~~ **entry**
11 **of a judgment by a court of competent** jurisdiction ~~[where the offense was adjudicated]~~
12 **providing that the person is no longer required to register as a sex offender under the**
13 **laws of the adjudicating jurisdiction,** such judgment may be registered in this state by
14 sending the information required under subsection 5 of this section as well as one
15 authenticated copy of the order granting removal from the sexual offender registry in the
16 jurisdiction where the offense was adjudicated to the court in the county or city not within a
17 county in which the offender is required to register. On receipt of a request for registration
18 removal, the registering court shall cause the order to be filed as a foreign judgment, together
19 with one copy of the documents and information, regardless of their form. The petitioner
20 shall be responsible for costs associated with filing the petition. **Nothing in this subdivision**
21 **shall be construed to remove any requirements for a petition under this section or to**
22 **remove the requirement that a person prove he or she is entitled to removal under**
23 **Missouri law, when applicable.**

24 **(2)** A person required to register as an offender in this state based solely on an
25 offense adjudicated in another jurisdiction may file a petition for removal from this
26 state's sexual offender registry, provided that:

27 **(a)** The offense did not require the person to register as an offender in the
28 adjudicating jurisdiction at the time the offense was adjudicated; or

29 **(b)** The person never resided, worked, or attended school in the adjudicating
30 jurisdiction and was never required to register in the adjudicating jurisdiction.

31 **(3)** A petition filed under subdivision (2) of this subsection shall otherwise satisfy
32 the requirements applicable to a petition filed under subdivision (1) of this subsection.

33 3. A person required to register as a tier III offender shall not file a petition under this
34 section unless the requirement to register results from a juvenile adjudication.

35 4. The petition shall be dismissed without prejudice if the following time periods
36 have not elapsed since the date the person was required to register for his or her most recent
37 offense under sections 589.400 to 589.425:

38 (1) For a tier I offense, ten years;

39 (2) For a tier II offense, twenty-five years; or

40 (3) For a tier III offense adjudicated delinquent, twenty-five years.

41 5. The petition shall be dismissed without prejudice if it fails to include any of the
42 following:

43 (1) The petitioner's:

44 (a) Full name, including any alias used by the ~~[individual]~~ **petitioner**;

45 (b) Sex;

46 (c) Race;

47 (d) Date of birth;

48 (e) Last four digits of the Social Security number;

49 (f) Address; and

50 (g) Place of employment, school, or volunteer status;

51 (2) The offense and tier of the offense that required the petitioner to register;

52 (3) The date the petitioner was adjudicated for the offense;

53 (4) The date the petitioner was required to register;

54 (5) The case number and court, including the county or city not within a county, that
55 entered the original order for the adjudicated sex offense;

56 (6) Petitioner's **original** fingerprints on an applicant fingerprint card;

57 (7) If the petitioner was pardoned or an offense requiring registration was reversed,
58 vacated, or set aside, an authenticated copy of the order; and

59 (8) If the petitioner is currently registered under applicable law and has not been
60 adjudicated for failure to register in any jurisdiction and does not have any charges pending
61 for failure to register.

62 6. The petition shall name as respondents the Missouri state highway patrol and the
63 ~~[chief law enforcement]~~ **registration** official in the county or city not within a county in
64 which the petition is filed.

65 7. All proceedings under this section shall be governed under the Missouri supreme
66 court rules of civil procedure.

67 8. The person seeking removal or exemption from the registry shall provide the
68 prosecuting attorney in the circuit court in which the petition is filed with notice of the
69 petition. The prosecuting attorney may present evidence in opposition to the requested relief
70 or may otherwise demonstrate the reasons why the petition should be denied. Failure of the
71 person seeking removal or exemption from the registry to notify the prosecuting attorney of
72 the petition shall result in an automatic denial of such person's petition.

73 9. The **Missouri state highway patrol**, the prosecuting attorney in the circuit court in
74 which the petition is filed, **and the petitioner** shall have access to all applicable records
75 concerning the petitioner including, but not limited to, criminal history records, mental health
76 records, juvenile records, and records of the department of corrections or probation and
77 parole.

78 10. The prosecuting attorney shall make reasonable efforts to notify the victim of the
79 crime for which the person was required to register of the petition and the dates and times of
80 any hearings or other proceedings in connection with such petition.

81 11. The court shall not enter an order directing the removal of the petitioner's name
82 from the sexual offender registry unless it finds the petitioner:

83 (1) Has not been adjudicated or does not have charges pending for any additional
84 nonsexual offense for which imprisonment for more than one year may be imposed since the
85 date the offender was required to register for his or her current tier level;

86 (2) Has not been adjudicated or does not have charges pending for any additional sex
87 offense that would require registration under sections 589.400 to 589.425 since the date the
88 offender was required to register for his or her current tier level, even if the offense was
89 punishable by less than one year imprisonment;

90 (3) Has successfully completed any required periods of supervised release, probation,
91 or parole without revocation since the date the offender was required to register for his or her
92 current tier level, **or, in the case of lifetime supervision or probation, such term has been**
93 **reduced or terminated by a court of competent jurisdiction;**

94 (4) Has successfully completed an appropriate sex offender treatment program as
95 approved by a court of competent jurisdiction or the Missouri department of corrections; and

96 (5) Is not a current or potential threat to public safety.

97 12. In order to meet the criteria required by subdivisions (1) and (2) of subsection 11
98 of this section, the fingerprints filed in the case shall be examined by the Missouri state
99 highway patrol. The petitioner shall be responsible for all costs associated with the
100 fingerprint-based criminal history check of both state and federal files under section 43.530.

101 13. If the petition is denied due to an adjudication in violation of subdivision (1) or
102 (2) of subsection 11 of this section, the petitioner shall not file a new petition under this
103 section until:

104 (1) Fifteen years have passed from the date of the adjudication resulting in the denial
105 of relief if the petitioner is classified as a tier I offender;

106 (2) Twenty-five years have passed from the date of adjudication resulting in the
107 denial of relief if the petitioner is classified as a tier II offender; or

108 (3) Twenty-five years have passed from the date of the adjudication resulting in the
109 denial of relief if the petitioner is classified as a tier III offender on the basis of a juvenile
110 adjudication.

111 14. If the petition is denied due to the petitioner having charges pending in violation
112 of subdivision (1) or (2) of subsection 11 of this section, the petitioner shall not file a new
113 petition under this section until:

114 (1) The pending charges resulting in the denial of relief have been finally disposed of
115 in a manner other than adjudication; or

116 (2) If the pending charges result in an adjudication, the necessary time period has
117 elapsed under subsection 13 of this section.

118 15. **(1) Except as provided in subdivision (2) of this subsection**, if the petition is
119 denied for reasons other than those outlined in subsection 11 of this section, no successive
120 petition requesting such relief shall be filed for at least five years from the date the judgment
121 denying relief is entered.

122 **(2) If the denial was based on a statute or law that has since been amended,**
123 **repealed, or invalidated, a person may file a new petition within the five-year period. In**
124 **addition to the requirements under subsection 5 of this section, the new petition shall**
125 **include the case number and court of the prior petition and identify the applicable**
126 **change in the statute or law.**

127 16. If the court finds the petitioner is entitled to have his or her name removed from
128 the sexual offender registry, the court shall enter judgment directing the removal of the name.
129 A copy of the judgment shall be provided to the respondents named in the petition.

130 17. Any person subject to the judgment requiring his or her name to be removed from
131 the sexual offender registry is not required to register under sections 589.400 to 589.425
132 unless such person is required to register for an offense that was different from that listed on
133 the judgment of removal.

134 18. The court shall not deny the petition unless the petition failed to comply with the
135 provisions of sections 589.400 to 589.425 or the prosecuting attorney provided evidence
136 demonstrating the petition should be denied.

137 19. **(1) The provisions of subsections 3 and 4 of this section shall not apply to**
138 **persons filing for exemption pursuant to this subsection.**

139 **(2) Except as provided in this subsection, a petition for exemption shall be**
140 **governed by the other requirements provided in this section.**

141 **(3) A petition for exemption under this subsection shall be the exclusive remedy**
142 **for adjudicating the applicability of the exemptions in this subsection.**

143 **(4) A person shall be ordered exempt from registration if the person meets the**
144 **requirements of this section and the offense requiring registration is:**

145 **(a) Sexual conduct where no force or threat of force was directed toward the**
146 **victim, the victim was at least fourteen years of age, and the person was not more than**
147 **four years older than the victim at the time of the offense, unless the victim was under**
148 **the custodial authority of the offender at the time of the offense;**

149 **(b) Sexual conduct where no force or threat of force was directed toward the**
150 **victim or any other individual involved if the victim or other individual was eighteen**

151 years of age or older, unless the victim was under the custodial authority of the offender
152 at the time of the offense;

153 (c) Promoting obscenity in the first degree under section 573.020;

154 (d) Promoting obscenity in the second degree under section 573.030;

155 (e) Furnishing pornographic materials to minors under section 573.040;

156 (f) Public display of explicit sexual material under section 573.060; or

157 (g) Coercing acceptance of obscene material under section 573.065.

158 (5) The person shall have the burden of proving the person meets the
159 requirements for exemption. In determining whether the person meets the
160 requirements, a court may look beyond the offense of conviction and consider the
161 underlying facts and conduct of the offense when evaluating noncategorical exemptions.

162 (6) If a court determines a person to be exempt, the provisions of sections
163 589.400 to 589.425 shall not apply for the purposes of the exempt offense. In the event a
164 person currently registering is found to be exempt from the registration visit
165 requirements, the person shall also be removed from the sexual offender registry.

166 (7) Nothing in this subsection shall prohibit a person from remaining or being
167 placed on the sexual offender registry for any other nonexempt offense for which the
168 person is required to register under sections 589.400 to 589.425.

169 (8) If a petition for exemption is filed before a person is required to register
170 under sections 589.400 to 589.425, the requirements of sections 589.400 to 589.425 shall
171 be automatically stayed pending the outcome. In the event a petition is denied, the
172 requirements of sections 589.400 to 589.425 shall be in effect three business days
173 following the exhaustion of all appeal rights. Nothing in this subdivision shall alter or be
174 construed to give any court authority to alter ongoing requirements for persons whose
175 initial registration requirement begins prior to the filing of a petition for exemption until
176 a final order of exemption is entered.

177 20. The provisions of subsections 3 and 4 of this section shall not apply to
178 persons filing for removal if the offense requiring registration is reversed, vacated, or set
179 aside. A petition for removal due to the offense being reversed, vacated, or set aside
180 shall be filed in accordance with all other requirements of this section and shall be the
181 exclusive remedy for removal in such situations. Such petition shall include a certified
182 copy of the action reversing, vacating, or setting aside the offense requiring registration.

183 21. This section shall be the sole remedy for removal or exemption for persons
184 adjudicated of a registerable offense. No declaratory action shall be filed for relief from
185 registration requirements, except if registration, or threat thereof, is the result of an
186 offense never requiring registration. Nothing in this subsection shall be construed to

187 **prohibit the filing of a declaratory action solely on the issue of what tier an offender**
188 **should be classified under.**

189 **22. Notwithstanding any other provision of law, no person convicted of an**
190 **offense that requires him or her to register under sections 589.400 to 589.425 shall**
191 **change his or her legal name for the period of time he or she is required to register. To**
192 **the extent the person has a prior legal name that was utilized on or after the date of**
193 **conviction for any offense requiring registration, such name shall be reported under this**
194 **section as an alias.**

589.403. 1. Any person who is required to register under sections 589.400 to 589.425
2 and who is paroled, discharged, or otherwise released from any correctional facility of the
3 department of corrections, any mental health institution, private jail under section 221.095, or
4 other private facility recognized by or contracted with the department of corrections or
5 department of mental health where such person was confined shall:

6 (1) If the person plans to reside in this state, be informed by the official in charge of
7 such correctional facility, private jail, or mental health institution of the person's possible duty
8 to register pursuant to sections 589.400 to 589.425. If such person is required to register
9 pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility,
10 private jail, or the mental health institution shall complete the initial registration notification
11 at least seven days prior to release and ~~[forward]~~ **report** the offender's **initial** registration~~[-]~~
12 **notification in accordance with subsection 1 of section 589.410** within three business days
13 of release~~[-]~~ to the Missouri state highway patrol and the ~~[chief law enforcement]~~ **registration**
14 official of the county or city not within a county where the person expects to reside upon
15 discharge, parole, or release; or

16 (2) If the person does not reside or plan to reside in Missouri, be informed by the
17 official in charge of such correctional facility, private jail, or mental health institution of the
18 person's possible duty to register under sections 589.400 to 589.425. If such person is
19 required to register under sections 589.400 to 589.425, the official in charge of the
20 correctional facility, private jail, or ~~[the]~~ mental health institution shall complete the initial
21 registration notification at least seven days prior to release and ~~[forward]~~ **report** the
22 offender's **initial** registration~~[-]~~ **notification in accordance with subsection 1 of section**
23 **589.410** within three business days of release~~[-]~~ to the Missouri state highway patrol and the
24 ~~[chief law enforcement]~~ **registration** official ~~[within]~~ of the county or city not within a
25 county where the correctional facility, private jail, or mental health institution is located.

26 2. If the offender refuses to complete and sign the registration information as outlined
27 in this section or fails to register with the ~~[chief law enforcement]~~ **registration** official within
28 three business days as directed, the offender commits the offense of failure to register under

29 section 589.425 within the jurisdiction where the correctional facility, private jail, or mental
30 health institution is located.

589.404. As used in sections 589.400 to 589.425, the following terms mean:

- 2 (1) "Adjudicated" or "adjudication", adjudication of delinquency, a finding of guilt,
3 plea of guilt, finding of not guilty due to mental disease or defect, or plea of nolo contendere
4 to committing, attempting to commit, or conspiring to commit. **Adjudication does not**
5 **require the imposition of sentence for the purposes of sections 589.400 to 589.425. The**
6 **term "adjudication" shall include by reference all acts meeting the definition of**
7 **"conviction" under Section 111 of the Sex Offender Registration and Notification Act,**
8 **Title I of the Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248, as**
9 **amended;**
- 10 (2) "Adjudicated delinquent", a person found to have committed an offense that, if
11 committed by an adult, would be a criminal offense;
- 12 (3) "Chief law enforcement official", the sheriff's office of each county or the police
13 department of a city not within a county;
- 14 (4) "Electronic mail", **the transmission of information or communication by the**
15 **use of the internet, a computer, a facsimile machine, a pager, a cellular telephone or**
16 **other wireless communication device, a video recorder, or other electronic means sent to**
17 **a person identified by a unique address or address number and received by that person;**
- 18 (5) "Entity", **a business or organization that provides internet service, electronic**
19 **communications service, remote computing service, online service, electronic mail**
20 **service, or electronic instant message or chat services regardless of whether the business**
21 **or organization is within or outside this state;**
- 22 (6) "Instant message", **a form of real-time text communication between two or**
23 **more people. The communication is conveyed via computers connected over a network**
24 **such as the internet, or between cell phone or wireless communication device users, or**
25 **over a cell phone or wireless communication device network;**
- 26 (7) "Offender registration", the required minimum informational content of sex
27 offender registries, which shall consist of, but not be limited to, a full set of fingerprints on a
28 standard sex offender registration card upon initial registration in Missouri, as well as all
29 other forms **and in whatever manner** required by the Missouri state highway patrol upon
30 each initial and subsequent registration;
- 31 [~~5~~] (8) "Online identifier", **includes all of the following: electronic mail**
32 **address, instant message screen name, user ID, cell phone number or wireless**
33 **communication device number or identifier, chat or other internet communication**
34 **name, social media profiles, IP addresses, or other identity information specified on the**
35 **registration form by the Missouri state highway patrol;**

36 **(9) "Part-time", more than seven days in any twelve-month period;**

37 **(10) "Probation officer", includes any agent of a private entity assigned to**
38 **provide probation supervision services to an offender due to the offender's status as a**
39 **sexual offender who is required to register pursuant to sections 589.400 to 589.425;**

40 **(11) "Registration official", the chief law enforcement official for the county or**
41 **city not within a county in which the offender is required to register;**

42 **(12) "Residence", ~~[any place where an offender sleeps for seven or more consecutive~~**
43 **~~or nonconsecutive days or nights within a twelve-month period]~~ the domicile of the**
44 **offender;**

45 ~~[(6)]~~ **(13) "Sex offender", any person who meets the criteria to register under sections**
46 **589.400 to 589.425 or under the Sex Offender Registration and Notification Act, Title I of**
47 **the Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248, as amended;**

48 ~~[(7)]~~ **(14) "Sex offender registry", a system maintained by the Missouri state**
49 **highway patrol to collect, store, and disseminate all initial notification information,**
50 **registration information, offender status, and all other information required under**
51 **sections 589.400 to 589.425. The sex offender registry is a distinct system from the**
52 **website maintained by the Missouri state highway patrol, which displays a distinct set of**
53 **information contained within the sex offender registry publicly on the web in**
54 **accordance with this section;**

55 **(15) "Sex offense", any offense ~~[which]~~ that is listed ~~[under section 589.414 or~~**
56 **~~comparable to those listed under section 589.414 or otherwise]~~ as a tier I offense, tier II**
57 **offense, or tier III offense, that is comparable to offenses listed as a tier I offense, tier II**
58 **offense, or tier III offense, or that is otherwise comparable to offenses covered under the**
59 **Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection**
60 **and Safety Act of 2006, P.L. 109-248, as amended;**

61 ~~[(8)]~~ **(16) "Sexual act", any type or degree of genital, oral, or anal penetration;**

62 ~~[(9)]~~ **(17) "Sexual conduct", sexual intercourse, deviate sexual intercourse, or sexual**
63 **contact;**

64 ~~[(10)]~~ **(18) "Sexual contact", any touching of another person with the genitals or any**
65 **touching of the genitals or anus of another person, or the breast of a female person, or such**
66 **touching through the clothing, or causing semen, seminal fluid, or other ejaculate to come**
67 **into contact with another person, for the purpose of arousing or gratifying the sexual desire of**
68 **any person or for the purpose of terrorizing the victim;**

69 ~~[(11)]~~ **(19) "Sexual element", used for the purposes of distinguishing if sexual contact**
70 **or a sexual act was committed. Authorities shall refer to information filed by the prosecutor,**
71 **amended information filed by the prosecutor, indictment information filed by the prosecutor,**

72 or amended indictment information filed by the prosecutor, the plea agreement, or court
73 documentation to determine if a sexual element exists;

74 ~~[(12)]~~ **(20) "Signature"**, the name of the offender signed in writing or electronic form
75 approved by the Missouri state highway patrol;

76 ~~[(13)]~~ **(21) "Student"**, an individual who enrolls in or attends the physical location of
77 an educational institution, including a public or private secondary school, trade or
78 professional school, or an institution of higher education;

79 ~~[(14)]~~ **(22) "Temporary residence"**, any place where a person sleeps for seven or
80 more consecutive or nonconsecutive days or nights within a twelve-month period, other
81 than the person's domicile;

82 **(23) "Tier I offender":**

83 **(a) An individual who has been adjudicated for a tier I offense; or**

84 **(b) Any offender who is or has been adjudicated in any other state, territory, the**
85 **District of Columbia, or foreign country, or under federal, tribal, or military**
86 **jurisdiction for an offense comparable to a tier I offense or that meets the definition**
87 **of a tier I offense under the Sex Offender Registration and Notification Act, Title I of the**
88 **Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248, as amended;**

89 **(24) "Tier II offender":**

90 **(a) An individual who has been adjudicated for a tier II offense; or**

91 **(b) Any offender who is adjudicated for an offense comparable to a tier I offense**
92 **or failure to register offense under section 589.425 or comparable out-of-state failure to**
93 **register offense and who is already required to register as a tier I offender due to having**
94 **been adjudicated of a tier I offense on a previous occasion; or**

95 **(c) Any offender who is or has been adjudicated in any other state, territory, the**
96 **District of Columbia, or foreign country, or under federal, tribal, or military**
97 **jurisdiction for an offense of a sexual nature or with a sexual element that is**
98 **comparable to a tier II offense or that meets the definition of a tier II offense under the**
99 **Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child**
100 **Protection and Safety Act of 2006, P.L. 109-248, as amended;**

101 **(25) "Tier III offender":**

102 **(a) An individual who has been adjudicated for a tier III offense;**

103 **(b) Any offender registered as a predatory sexual offender or a persistent sexual**
104 **offender, as the terms "predatory sexual offender" and "persistent sexual offender" are**
105 **defined in section 566.125;**

106 **(c) Any offender who is adjudicated for an offense comparable to a tier I offense**
107 **or tier II offense or failure to register offense under section 589.425, or other**
108 **comparable out-of-state failure to register offense, who has been or is already required**

109 to register as a tier II offender because of having been adjudicated for a tier II offense,
110 two tier I offenses, or a combination of a tier I offense and a failure to register offense,
111 on a previous occasion;

112 (d) Any offender who is adjudicated in any other state, territory, the District of
113 Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an
114 offense of a sexual nature or with a sexual element that is comparable to a tier III
115 offense or that meets the definition of a tier III offense under the Sex Offender
116 Registration and Notification Act, Title I of the Adam Walsh Child Protection and
117 Safety Act of 2006, P.L. 109-248, as amended; or

118 (e) Any offender who is adjudicated in this state for any offense of a sexual
119 nature or with a sexual element requiring registration under sections 589.400 to 589.425
120 that is not classified as a tier I offense or tier II offense in this section;

121 (26) "Tier I offense", the following adjudicated offenses:

122 (a) Kidnapping in the first degree under section 565.110 with sexual motivation
123 if the victim is eighteen years of age or older;

124 (b) Kidnapping in the second degree under section 565.120 with sexual
125 motivation if the victim is eighteen years of age or older;

126 (c) Kidnapping in the third degree under section 565.130 with sexual motivation
127 if the victim is eighteen years of age or older;

128 (d) Invasion of privacy under section 565.252 if the victim is less than eighteen
129 years of age;

130 (e) Child molestation in the second degree under section 566.068 as it existed
131 prior to January 1, 2017, if the punishment is less than one year;

132 (f) Sexual misconduct involving a child under section 566.083 if it is a first
133 offense and the punishment is less than one year;

134 (g) Sexual misconduct in the first degree under section 566.093;

135 (h) Sexual misconduct in the second degree under section 566.095;

136 (i) Sexual abuse in the first degree under section 566.100 if the victim is eighteen
137 years of age or older;

138 (j) Sexual abuse in the second degree under section 566.101 if the punishment is
139 less than a year;

140 (k) Sex with an animal under section 566.111;

141 (l) Sexual conduct with a nursing facility resident or vulnerable person in the
142 first degree under section 566.115 if the punishment is less than one year;

143 (m) Sexual conduct under section 566.116 with a nursing facility resident or
144 vulnerable person;

- 145 **(n) Sexual conduct in the course of public duty under section 566.145 if the**
146 **victim is eighteen years of age or older;**
- 147 **(o) Trafficking for the purpose of sexual exploitation under section 566.209 if the**
148 **victim is eighteen years of age or older;**
- 149 **(p) Promoting obscenity in the first degree under section 573.020 if the victim is**
150 **less than eighteen years of age;**
- 151 **(q) Promoting pornography for minors or obscenity in the second degree under**
152 **section 573.030 if the victim is less than eighteen years of age;**
- 153 **(r) Possession of child pornography under section 573.037 as it existed prior to**
154 **August 28, 2026;**
- 155 **(s) Possession of child sexual abuse material under section 573.037;**
- 156 **(t) Furnishing pornographic material to minors under section 573.040;**
- 157 **(u) Public display of explicit sexual material under section 573.060 if the victim**
158 **is less than eighteen years of age; or**
- 159 **(v) Coercing acceptance of obscene material under section 573.065 if the victim**
160 **is less than eighteen years of age;**
- 161 **(27) "Tier II offense", the following adjudicated offenses:**
- 162 **(a) Statutory sodomy in the second degree under section 566.064 if the victim is**
163 **sixteen to seventeen years of age;**
- 164 **(b) Child molestation in the third degree under section 566.069 if the victim is**
165 **between thirteen and fourteen years of age;**
- 166 **(c) Child molestation in the fourth degree under section 566.071 if the victim is**
167 **thirteen to seventeen years of age;**
- 168 **(d) Sexual misconduct involving a child under section 566.083 if it is a first**
169 **offense and the penalty is a term of imprisonment of one year or more;**
- 170 **(e) Sexual contact with a student under section 566.086 if the victim is thirteen to**
171 **seventeen years of age;**
- 172 **(f) Sexual abuse in the first degree under section 566.100 if the victim is thirteen**
173 **to seventeen years of age;**
- 174 **(g) Sexual conduct in the course of public duty under section 566.145 if the**
175 **victim is thirteen to seventeen years of age;**
- 176 **(h) Grooming or enticement of a minor under section 566.151;**
- 177 **(i) Age misrepresentation with intent to solicit a minor under section 566.153;**
- 178 **(j) Patronizing prostitution under section 567.030 if the person patronized is**
179 **eighteen years of age or older;**
- 180 **(k) Promoting prostitution in the first degree under section 567.050 if the victim**
181 **is eighteen years of age or older;**

- 182 **(l) Promoting prostitution in the second degree under section 567.060 if the**
183 **victim is eighteen years of age or older;**
- 184 **(m) Promoting prostitution in the third degree under section 567.070 if the**
185 **victim is eighteen years of age or older;**
- 186 **(n) Abuse of a child under section 568.060 if the offense is of a sexual nature and**
187 **the victim is thirteen to seventeen years of age;**
- 188 **(o) Sexual exploitation of a minor under section 573.023;**
- 189 **(p) Promoting child pornography in the first degree under section 573.025 as it**
190 **existed prior to August 28, 2026;**
- 191 **(q) Promoting child sexual abuse material in the first degree under section**
192 **573.025;**
- 193 **(r) Promoting child pornography in the second degree under section 573.035 as**
194 **it existed prior to August 28, 2026;**
- 195 **(s) Promoting child sexual abuse material in the second degree under section**
196 **573.035;**
- 197 **(t) Nonconsensual dissemination of private sexual images under section 573.110**
198 **if the victim is seventeen years of age or under or if coercion of the victim was sexual in**
199 **nature; or**
- 200 **(u) Threatening the nonconsensual dissemination of private sexual images under**
201 **section 573.112 if the victim is seventeen years of age or under or if coercion of the**
202 **victim was sexual in nature;**
- 203 **(28) "Tier III offense", the following adjudicated offenses:**
- 204 **(a) Kidnapping in the first degree under section 565.110 if the victim is under**
205 **eighteen years of age, excluding kidnapping by a parent or guardian of a nonsexual**
206 **nature;**
- 207 **(b) Kidnapping in the second degree under section 565.120 if the victim is under**
208 **eighteen years of age, excluding kidnapping by a parent or guardian of a nonsexual**
209 **nature;**
- 210 **(c) Kidnapping in the third degree under section 565.130 if the victim is under**
211 **eighteen years of age, excluding kidnapping by a parent or guardian of a nonsexual**
212 **nature;**
- 213 **(d) Child kidnapping under section 565.115;**
- 214 **(e) Rape in the first degree under section 566.030;**
- 215 **(f) Rape in the second degree under section 566.031;**
- 216 **(g) Statutory rape in the first degree under section 566.032;**
- 217 **(h) Statutory rape in the second degree under section 566.034;**
- 218 **(i) Sodomy in the first degree under section 566.060;**

- 219 (j) Sodomy in the second degree under section 566.061;
220 (k) Statutory sodomy in the first degree under section 566.062;
221 (l) Statutory sodomy in the second degree under section 566.064 if the victim is
222 under sixteen years of age;
223 (m) Child molestation in the first degree under section 566.067;
224 (n) Child molestation in the second degree under section 566.068;
225 (o) Child molestation in the third degree under section 566.069 if the victim is
226 under thirteen years of age;
227 (p) Child molestation in the fourth degree under section 566.071 if the victim is
228 under thirteen years of age;
229 (q) Sexual misconduct involving a child under section 566.083 if the offense is a
230 second or subsequent offense;
231 (r) Sexual contact with a student under section 566.086 if the victim is under
232 thirteen years of age;
233 (s) Sexual abuse in the first degree under section 566.100 if the victim is under
234 thirteen years of age;
235 (t) Sexual abuse in the second degree under section 566.101 if the penalty is a
236 term of imprisonment of one year or more;
237 (u) Sexual conduct with a nursing facility resident or vulnerable person in the
238 first degree under section 566.115 if the punishment is one year or more;
239 (v) Sexual conduct in the course of public duty under section 566.145 if the
240 victim is under thirteen years of age;
241 (w) Trafficking for the purpose of sexual exploitation under section 566.209 if
242 the victim is under eighteen years of age;
243 (x) Sexual trafficking of a child in the first degree under section 566.210;
244 (y) Sexual trafficking of a child in the second degree under section 566.211;
245 (z) Patronizing prostitution under section 567.030 if the offender is a persistent
246 offender or if the person patronized is less than eighteen years of age;
247 (aa) Promoting prostitution in the first degree under section 567.050 if the victim
248 is under eighteen years of age;
249 (bb) Promoting prostitution in the second degree under section 567.060 if the
250 victim is under eighteen years of age;
251 (cc) Promoting prostitution in the third degree under section 567.070 if the
252 victim is under eighteen years of age;
253 (dd) Promoting travel for prostitution under section 567.085 if the victim is
254 under eighteen years of age;
255 (ee) Incest under section 568.020;

256 **(ff) Endangering the welfare of a child in the first degree under section 568.045 if**
257 **the offense is sexual in nature or if the offense involves sexual intercourse or deviate**
258 **sexual intercourse with a victim under eighteen years of age;**

259 **(gg) Abuse of a child under section 568.060 if the offense is of a sexual nature**
260 **and the victim is under thirteen years of age;**

261 **(hh) Genital mutilation of a female child under section 568.065;**

262 **(ii) Use of a child in a sexual performance under section 573.200; or**

263 **(jj) Promoting a sexual performance by a child under section 573.205;**

264 **(29) "Vehicle", any land vehicle, watercraft, or aircraft.**

 589.405. 1. Any person who is required to register under sections 589.400 to 589.425
2 and who is released on probation, discharged upon payment of a fine, or released after
3 confinement in a county jail shall, prior to such release or discharge and at the time of
4 adjudication, be informed of the possible duty to register pursuant to sections 589.400 to
5 589.425 by the court having jurisdiction over the case. If such person is required to register
6 pursuant to sections 589.400 to 589.425 and is placed on probation, the court shall make it a
7 condition of probation that the offender report within three business days to the [~~chief law~~
8 ~~enforcement~~] **registration** official of the county of adjudication or city not within a county of
9 adjudication to complete initial registration. If such offender is not placed on probation, the
10 court shall:

11 (1) If the offender resides in Missouri, complete the initial notification of duty to
12 register form approved by the state judicial records committee and the Missouri state highway
13 patrol and forward the form within three business days to the Missouri state highway patrol
14 and the [~~chief law enforcement~~] **registration** official in the county or city not within a county
15 in which the offender resides; or

16 (2) If the offender does not reside in Missouri:

17 (a) Order the offender to report directly to the [~~chief law enforcement~~] **registration**
18 official in the county or city not within a county where the adjudication was heard to register
19 as provided in sections 589.400 to 589.425; and

20 (b) Complete the initial notification of duty to register form approved by the state
21 judicial records committee and the Missouri state highway patrol and forward the form within
22 three business days to the Missouri state highway patrol and the [~~chief law enforcement~~]
23 **registration** official in the county or city not within a county where the offender was
24 adjudicated.

25 2. If the offender resides in Missouri and refuses to complete and sign the registration
26 information as provided in subdivision (1) of subsection 1 of this section, or if the offender
27 resides outside of Missouri and refuses to directly report to the [~~chief law enforcement~~]

28 **registration** official as provided in subdivision (2) of subsection 1 of this section, the
29 offender commits the offense of failure to register under section 589.425.

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, **biological sex, as defined in section 191.1720**, Social Security number, and phone
8 number of the person, the license plate number and vehicle description, including the year,
9 make, model, and color of each vehicle owned or operated by the offender, any online
10 identifiers~~[as defined in section 43.651,]~~ used by the person, the place of employment of
11 such person, enrollment within any institutions of higher education, the crime which requires
12 registration, whether the person was sentenced as a persistent or predatory offender pursuant
13 to section 566.125, the date, place, and a brief description of such crime, the date and place of
14 the conviction or plea regarding such crime, the age and gender of the victim at the time of the
15 offense and whether the person successfully completed the Missouri sexual offender program
16 pursuant to section 589.040, if 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 **and**

28 (5) **Information regarding any temporary residence where the offender is**
29 **staying away from his or her primary residence for seven or more days, including the**
30 **period of time the offender is staying in such place, regardless of whether the temporary**
31 **residence is in Missouri or any other place.**

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

35 (1) A photocopy of a valid driver's license or nondriver's identification card;

36 (2) A document verifying proof of the offender's residency; and

37 (3) A photocopy of the vehicle registration for each of the offender's vehicles.

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

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

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

46 **5. (1) Regular in-person appearances to the registration official following initial**
47 **registration shall be required:**

48 (a) **Annually for tier I offenders;**

49 (b) **Every six months for tier II offenders; and**

50 (c) **Every ninety days for tier III offenders.**

51 (2) **For the purposes of establishing a schedule for registration appearances, the**
52 **registration official shall ensure that the required registration interval is followed from**
53 **the date of any initial registration until the month of an offender's birth and at the**
54 **appropriate interval beginning from the month of the offender's birth thereafter.**

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

59 **7. If an offender has a guardian appointed by a court of competent jurisdiction,**
60 **the guardian may sign affirming the accuracy of the offender registration form under**
61 **this section. Nothing in this subsection shall alleviate the requirements of the offender to**
62 **appear in person, nor shall this subsection be construed to affect any restrictions**
63 **applicable to an offender because of the offender's status on the sexual offender registry.**

64 **8. Notwithstanding subsection 1 of section 527.270, no person required to**
65 **register under sections 589.400 to 589.425 shall change his or her name for the period of**
66 **time he or she is required to be placed on the registry.**

589.410. 1. **All notifications of a requirement to register shall be reported to the**
2 **sex offender registry within three days, in a manner prescribed by the Missouri state**
3 **highway patrol.**

4 2. The ~~chief law enforcement~~ **registration** official shall ~~forward~~ **enter** the
5 completed offender registration ~~form to~~ **forms and related updates into the sex offender**
6 **registry in a manner prescribed by** the Missouri state highway patrol within three days.

7 The **Missouri state highway** patrol shall ~~[enter]~~ **ensure** the information **entered** into the **sex**
8 **offender registry is accessible through the** Missouri uniform law enforcement system
9 (MULES) ~~[where it is]~~ **and forwarded to the National Crime Information Center (NCIC)**
10 **in accordance with applicable law. The information shall also be** available to members of
11 the criminal justice system, and other entities as provided by law, upon inquiry. **Certain**
12 **portions of the information shall also be published on the internet in accordance with**
13 **this section.**

~~[43.650.]~~ **589.411.** 1. The **Missouri state highway** patrol shall~~],—subject to~~
2 ~~appropriation,~~ maintain a web page on the internet which shall be open to the public and
3 shall include a registered sexual offender search capability.

4 2. Except as provided in subsections 4 and 5 of this section, the registered sexual
5 offender search shall make it possible for any person using the internet to search for and find
6 the information specified in subsection 4 of this section, if known, on offenders registered in
7 this state pursuant to sections 589.400 to 589.425.

8 3. The registered sexual offender search shall include the capability to search for
9 sexual offenders by name, zip code, and by typing in an address and specifying a search
10 within a certain number of miles radius from that address.

11 4. Only the information listed in this subsection shall be provided to the public in the
12 registered sexual offender search:

13 (1) The name and any known aliases of the offender;

14 (2) The date of birth and any known alias dates of birth of the offender;

15 (3) A physical description of the offender;

16 (4) The residence, temporary, work, and school addresses of the offender, including
17 the street address, city, county, state, and zip code;

18 (5) Any photographs of the offender;

19 (6) A physical description of the offender's vehicles, including the year, make, model,
20 color, and license plate number;

21 (7) The nature and dates of all offenses qualifying the offender to register, including
22 the tier level assigned to the offender under sections 589.400 to 589.425;

23 (8) The date on which the offender was released from the department of mental
24 health, prison, or jail, or placed on parole, supervised release, or probation for the offenses
25 qualifying the offender to register;

26 (9) Compliance status of the offender with the provisions of section 589.400 to
27 589.425; and

28 (10) Any online identifiers~~[, as defined in section 43.651,]~~ used by the person. Such
29 online identifiers shall not be included in the general profile of an offender on the web page

30 and shall only be available to a member of the public by a search using the specific online
31 identifier to determine if a match exists with a registered offender.

32 5. Juveniles required to register under subdivision [~~(5)~~] (4) of subsection 1 of section
33 589.400 shall be exempt from public notification **on the internet** to include any adjudications
34 from another state, territory, the District of Columbia, or foreign country or any federal, tribal,
35 or military jurisdiction.

36 6. **The Missouri state highway patrol shall regularly update the web page to**
37 **remove persons who have been ordered removed or exempt by a court in accordance**
38 **with section 589.401 persons who are deceased and persons who have moved out of the**
39 **state. In the case of a person who has moved out of the state, the entry shall remain until**
40 **the Missouri state highway patrol confirms the person has complied with all registration**
41 **requirements in the person's new state, territory, or country of residence, when**
42 **applicable.**

43 7. **In addition to the web page maintained by the Missouri state highway patrol,**
44 **a registration official may maintain a web page on the internet, which shall be open to**
45 **the public and shall include a registered sexual offender search capability. Except as**
46 **provided in subsections 5 and 6 of this section, the registered sexual offender search**
47 **shall make it possible for any person using the internet to search for and find the**
48 **information specified in subsection 5 of this section, if known, on offenders registered in**
49 **this state pursuant to sections 589.400 to 589.425. The chief law enforcement officer of**
50 **any county or city not within a county may also publish in any newspaper distributed in**
51 **the county or city not within a county the offender information provided under**
52 **subsection 3 of this section for any offender residing in the county or city not within a**
53 **county.**

[43.651.] **589.412.** [1.—As used in this section, the following terms shall mean:

2 (1) ~~"Electronic mail", the transmission of information or communication by the use of~~
3 ~~the internet, a computer, a facsimile machine, a pager, a cellular telephone or other wireless~~
4 ~~communication device, a video recorder, or other electronic means sent to a person identified~~
5 ~~by a unique address or address number and received by that person;~~

6 (2) ~~"Entity", a business or organization that provides internet service, electronic~~
7 ~~communications service, remote computing service, online service, electronic mail service, or~~
8 ~~electronic instant message or chat services whether the business or organization is within or~~
9 ~~outside this state;~~

10 (3) ~~"Instant message", a form of real-time text communication between two or more~~
11 ~~people. The communication is conveyed via computers connected over a network such as the~~
12 ~~internet, or between cell phone or wireless communication device users, or over a cell phone~~
13 ~~or wireless communication device network;~~

14 ~~(4) "Online identifier", includes all of the following: electronic mail address and~~
15 ~~instant message screen name, user ID, cell phone number or wireless communication device~~
16 ~~number or identifier, chat or other internet communication name, or other identity~~
17 ~~information.~~

18 ~~2.]~~ Subject to appropriations, the **Missouri state highway** patrol shall make registry
19 information regarding a registered sexual offender's online identifiers available to an entity
20 for the purpose of allowing the entity to prescreen users or for comparison with information
21 held by the entity as provided by this subsection:

22 (1) The information obtained by an entity from the state sexual offender registry shall
23 not be used for any purpose other than for prescreening its users or comparing the database of
24 registered users of the entity against the list of online identifiers of persons in the state sexual
25 offender registry in order to protect children from online sexual predators. The **Missouri**
26 **state highway** patrol shall promulgate rules and regulations regarding the release and use of
27 online identifier information. Any rule or portion of a rule, as that term is defined in section
28 536.010, that is created under the authority delegated in this section shall become effective
29 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
30 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
31 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
32 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
33 of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be
34 invalid and void;

35 (2) Any entity desiring to prescreen its users or compare its database of registered
36 users to the list of online identifiers of persons in the state sexual offender registry may apply
37 to the **Missouri state highway** patrol to access the information. An entity that complies with
38 the rules and regulations promulgated by the **Missouri state highway** patrol regarding the
39 release and use of the online identifier information and pays the fee established by the
40 **Missouri state highway** patrol may screen new users or compare its database of registered
41 users to the list of online identifiers of persons in the state sexual offender registry as
42 frequently as the **Missouri state highway** patrol may allow for the purpose of identifying a
43 registered user associated with an online identifier contained in the state sexual offender
44 registry;

45 (3) Any entity complying with this subsection in good faith shall be immune from any
46 civil or criminal liability resulting from:

47 (a) The entity's refusal to provide system service to a person on the basis that the
48 entity believed that the person was required to register under sections 589.400 to 589.425;

49 (b) A person's criminal or tortious acts when the person is required to register
50 pursuant to sections 589.400 to 589.425, and the person complied with the requirement to

51 register their online identifiers under section 589.407, and committed the criminal or tortious
52 acts against a minor with whom he or she had communicated on the entity's system by using
53 their registered online identifier; or

54 (c) Any activity for which the entity would be immune from liability under 47 U.S.C.
55 Section 230.

[43.533.] **589.413.** 1. The **Missouri state** highway patrol shall, subject to
2 appropriation, operate a toll-free telephone number in order to disseminate registration
3 information provided by [~~individuals~~] **persons** who are required to register under sections
4 589.400 to 589.425, and receive information from persons regarding the residency of a
5 registered sexual offender. The information available via the telephone number shall include
6 only information that offenders are required to provide under section 589.407. When the
7 **Missouri state** highway patrol provides such information regarding a sexual offender, the
8 patrol personnel shall advise the person making the inquiry that positive identification of a
9 person believed to be a sexual offender cannot be established unless a fingerprint comparison
10 is made, and that it is illegal to use such information regarding a registered sexual offender to
11 facilitate the commission of a crime. The toll-free telephone number shall be published on
12 the **Missouri state** highway patrol's sexual offender registry website maintained under
13 section [43.650] **589.411.**

14 2. The **Missouri state highway** patrol shall promulgate rules to effect the
15 enforcement of this section. Any rule or portion of a rule, as that term is defined in section
16 536.010, that is created under the authority delegated in this section shall become effective
17 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
18 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
19 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
20 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
21 of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be
22 invalid and void.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall,
2 within three business days, appear in person to the [~~chief law enforcement officer of the~~
3 ~~county or city not within a county~~] **registration official** if there is a change to any of the
4 following information:

- 5 (1) Name;
- 6 (2) Residence;
- 7 (3) Employment, including status as a volunteer or intern;
- 8 (4) Student status; or
- 9 (5) A termination to any of the items listed in this subsection.

10 2. Any person required to register under sections 589.400 to 589.425 shall, within
11 three business days, notify the ~~[chief law enforcement]~~ **registration** official ~~[of the county or~~
12 ~~city not within a county]~~ of any changes to the following information:

13 (1) Vehicle information;

14 (2) ~~[Temporary lodging information;~~

15 ~~(3)]~~ Temporary residence information;

16 ~~[(4) Email addresses, instant messaging addresses, and any other designations used in~~
17 ~~internet communications, postings, or telephone communications; or~~

18 ~~(5)]~~ **(3)** Telephone or other cellular number, including any new forms of electronic
19 communication; **or**

20 **(4) Online identifiers.**

21 3. The ~~[chief law enforcement]~~ **registration** official ~~[in the county or city not within a~~
22 ~~county]~~ shall immediately forward the registration changes described under subsections 1 and
23 2 of this section to the Missouri state highway patrol within three business days **in**
24 **accordance with section 589.410.**

25 4. **(1)** If any person required by sections 589.400 to 589.425 to register changes such
26 person's residence or address to a different county or city not within a county, the person shall
27 appear in person and shall inform both the ~~[chief law enforcement]~~ **registration** official with
28 whom the person last registered and the ~~[chief law enforcement]~~ **registration** official of the
29 county or city not within a county having jurisdiction over the new residence or address in
30 writing within three business days of such new address and phone number, if the phone
31 number is also changed.

32 **(2)** If any person required by sections 589.400 to 589.425 to register changes his or
33 her state, territory, the District of Columbia, or foreign country, or federal, tribal, or military
34 jurisdiction of residence, the person shall appear in person and shall inform both the ~~[chief~~
35 ~~law enforcement]~~ **registration** official with whom the person was last registered and the
36 ~~[chief law enforcement]~~ **registration** official of the area in the new state, territory, the District
37 of Columbia, or foreign country, or federal, tribal, or military jurisdiction having jurisdiction
38 over the new residence or address within three business days of such new address.

39 **(3)** Whenever a registrant changes residence, the ~~[chief law enforcement]~~
40 **registration** official of the county or city not within a county where the person was
41 previously registered shall inform the Missouri state highway patrol of the change within
42 three business days.

43 **(4)** When the registrant is changing the residence to a new state, territory, the District
44 of Columbia, or foreign country, or federal, tribal, or military jurisdiction, the Missouri state
45 highway patrol shall inform the responsible official in the new state, territory, the District of

46 Columbia, or foreign country, or federal, tribal, or military jurisdiction of residence within
47 three business days.

48 **5. Registrants shall appear in person before the registration official and**
49 **complete all forms required for such purposes by the United States Marshal's Service no**
50 **less than twenty-one days before travel outside of the United States. Such information**
51 **shall be forwarded to the United States Marshal's Service, and a copy shall be provided**
52 **by the registration official to the Missouri state highway patrol in a manner prescribed**
53 **by the Missouri state highway patrol.**

54 **6. Offenders shall be classified as a tier I offender, tier II offender, or tier III**
55 **offender in accordance with this section. To the extent more than one tier definition**
56 **applies to an offender, the highest tier that applies shall be the tier the offender is**
57 **classified into.**

58 **7. The initial determination as to the tier of an offender shall be made by the**
59 **registration official when an offender first appears for registration with the official.**
60 **Upon receipt of an initial offender registration from a new registration official, the**
61 **Missouri state highway patrol shall analyze the initial tier determination for accuracy.**
62 **If the Missouri state highway patrol determines the initial tier decision is inaccurate, the**
63 **Missouri state highway patrol shall notify the registration official, and the Missouri**
64 **state highway patrol's determination shall control the tier classification. Upon receipt of**
65 **an updated tiering decision, the registration official shall notify the offender no later**
66 **than the next previously scheduled in-person check-in for the offender. Upon**
67 **notification of the offender or failure of the offender to appear at the next regularly**
68 **scheduled in-person check, reporting requirements aligning with the new tier**
69 **determination shall be in effect.**

70 **8. Tier I [sexual] offenders, in addition to the requirements of subsections 1 to [4] 5 of**
71 **this section, shall report in person [to] before the [chief law enforcement] registration**
72 **official annually in the month of their birth to verify the information contained in their**
73 **statement made pursuant to section 589.407. [Tier I sexual offenders include:**

74 ~~(1) Any offender who has been adjudicated for the offense of:~~

75 ~~(a) Sexual abuse in the first degree under section 566.100 if the victim is eighteen~~
76 ~~years of age or older;~~

77 ~~(b) Sexual misconduct involving a child under section 566.083 if it is a first offense~~
78 ~~and the punishment is less than one year;~~

79 ~~(c) Sexual abuse in the second degree under section 566.101 if the punishment is less~~
80 ~~than a year;~~

81 ~~(d) Kidnapping in the second degree under section 565.120 with sexual motivation;~~

82 ~~(e) Kidnapping in the third degree under section 565.130;~~

83 ~~(f) Sexual conduct with a nursing facility resident or vulnerable person in the first~~
84 ~~degree under section 566.115 if the punishment is less than one year;~~

85 ~~(g) Sexual conduct under section 566.116 with a nursing facility resident or~~
86 ~~vulnerable person;~~

87 ~~(h) Sexual contact with a prisoner or offender under section 566.145 if the victim is~~
88 ~~eighteen years of age or older;~~

89 ~~(i) Sex with an animal under section 566.111;~~

90 ~~(j) Trafficking for the purpose of sexual exploitation under section 566.209 if the~~
91 ~~victim is eighteen years of age or older;~~

92 ~~(k) Possession of child pornography under section 573.037;~~

93 ~~(l) Sexual misconduct in the first degree under section 566.093;~~

94 ~~(m) Sexual misconduct in the second degree under section 566.095;~~

95 ~~(n) Child molestation in the second degree under section 566.068 as it existed prior to~~
96 ~~January 1, 2017, if the punishment is less than one year; or~~

97 ~~(o) Invasion of privacy under section 565.252 if the victim is less than eighteen years~~
98 ~~of age;~~

99 ~~(2) Any offender who is or has been adjudicated in any other state, territory, the~~
100 ~~District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction of an~~
101 ~~offense of a sexual nature or with a sexual element that is comparable to the tier I sexual~~
102 ~~offenses listed in this subsection or, if not comparable to those in this subsection, comparable~~
103 ~~to those described as tier I offenses under the Sex Offender Registration and Notification Act,~~
104 ~~Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.~~

105 ~~6.] 9. Tier II [sexual] offenders, in addition to the requirements of subsections 1 to [4]~~
106 ~~5 of this section, shall report semiannually in person in the month of their birth and six~~
107 ~~months thereafter to the [chief law enforcement] **registration** official to verify the~~
108 ~~information contained in their statement made pursuant to section 589.407. [Tier II sexual~~
109 ~~offenders include:~~

110 ~~(1) Any offender who has been adjudicated for the offense of:~~

111 ~~(a) Statutory sodomy in the second degree under section 566.064 if the victim is~~
112 ~~sixteen to seventeen years of age;~~

113 ~~(b) Child molestation in the third degree under section 566.069 if the victim is~~
114 ~~between thirteen and fourteen years of age;~~

115 ~~(c) Sexual contact with a student under section 566.086 if the victim is thirteen to~~
116 ~~seventeen years of age;~~

117 ~~(d) Enticement of a child under section 566.151;~~

118 ~~(e) Abuse of a child under section 568.060 if the offense is of a sexual nature and the~~
119 ~~victim is thirteen to seventeen years of age;~~

- 120 ~~(f) Sexual exploitation of a minor under section 573.023;~~
121 ~~(g) Promoting child pornography in the first degree under section 573.025;~~
122 ~~(h) Promoting child pornography in the second degree under section 573.035;~~
123 ~~(i) Patronizing prostitution under section 567.030;~~
124 ~~(j) Sexual contact with a prisoner or offender under section 566.145 if the victim is~~
125 ~~thirteen to seventeen years of age;~~
126 ~~(k) Child molestation in the fourth degree under section 566.071 if the victim is~~
127 ~~thirteen to seventeen years of age;~~
128 ~~(l) Sexual misconduct involving a child under section 566.083 if it is a first offense~~
129 ~~and the penalty is a term of imprisonment of more than a year; or~~
130 ~~(m) Age misrepresentation with intent to solicit a minor under section 566.153;~~
131 ~~(2) Any person who is adjudicated of an offense comparable to a tier I offense listed~~
132 ~~in this section or failure to register offense under section 589.425 or comparable out of state~~
133 ~~failure to register offense and who is already required to register as a tier I offender due to~~
134 ~~having been adjudicated of a tier I offense on a previous occasion; or~~
135 ~~(3) Any person who is or has been adjudicated in any other state, territory, the District~~
136 ~~of Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense~~
137 ~~of a sexual nature or with a sexual element that is comparable to the tier II sexual offenses~~
138 ~~listed in this subsection or, if not comparable to those in this subsection, comparable to those~~
139 ~~described as tier II offenses under the Sex Offender Registration and Notification Act, Title I~~
140 ~~of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.~~
141 ~~7.] 10. Tier III [sexual] offenders, in addition to the requirements of subsections 1 to~~
142 ~~[4] 5 of this section, shall report in person [to] before the [chief law enforcement]~~
143 ~~registration official every ninety days to verify the information contained in their statement~~
144 ~~made under section 589.407. [Tier III sexual offenders include:~~
145 ~~(1) Any offender registered as a predatory sexual offender as defined in section~~
146 ~~566.123 or a persistent sexual offender as defined in section 566.124;~~
147 ~~(2) Any offender who has been adjudicated for the crime of:~~
148 ~~(a) Rape in the first degree under section 566.030;~~
149 ~~(b) Statutory rape in the first degree under section 566.032;~~
150 ~~(c) Rape in the second degree under section 566.031;~~
151 ~~(d) Endangering the welfare of a child in the first degree under section 568.045 if the~~
152 ~~offense is sexual in nature;~~
153 ~~(e) Sodomy in the first degree under section 566.060;~~
154 ~~(f) Statutory sodomy under section 566.062;~~
155 ~~(g) Statutory sodomy under section 566.064 if the victim is under sixteen years of~~
156 ~~age;~~

- 157 (h) ~~Sodomy in the second degree under section 566.061;~~
158 (i) ~~Sexual misconduct involving a child under section 566.083 if the offense is a~~
159 ~~second or subsequent offense;~~
160 (j) ~~Sexual abuse in the first degree under section 566.100 if the victim is under~~
161 ~~thirteen years of age;~~
162 (k) ~~Kidnapping in the first degree under section 565.110 if the victim is under~~
163 ~~eighteen years of age, excluding kidnapping by a parent or guardian;~~
164 (l) ~~Child kidnapping under section 565.115;~~
165 (m) ~~Sexual conduct with a nursing facility resident or vulnerable person in the first~~
166 ~~degree under section 566.115 if the punishment is greater than a year;~~
167 (n) ~~Incest under section 568.020;~~
168 (o) ~~Endangering the welfare of a child in the first degree under section 568.045 with~~
169 ~~sexual intercourse or deviate sexual intercourse with a victim under eighteen years of age;~~
170 (p) ~~Child molestation in the first degree under section 566.067;~~
171 (q) ~~Child molestation in the second degree under section 566.068;~~
172 (r) ~~Child molestation in the third degree under section 566.069 if the victim is under~~
173 ~~thirteen years of age;~~
174 (s) ~~Promoting prostitution in the first degree under section 567.050 if the victim is~~
175 ~~under eighteen years of age;~~
176 (t) ~~Promoting prostitution in the second degree under section 567.060 if the victim is~~
177 ~~under eighteen years of age;~~
178 (u) ~~Promoting prostitution in the third degree under section 567.070 if the victim is~~
179 ~~under eighteen years of age;~~
180 (v) ~~Promoting travel for prostitution under section 567.085 if the victim is under~~
181 ~~eighteen years of age;~~
182 (w) ~~Trafficking for the purpose of sexual exploitation under section 566.209 if the~~
183 ~~victim is under eighteen years of age;~~
184 (x) ~~Sexual trafficking of a child in the first degree under section 566.210;~~
185 (y) ~~Sexual trafficking of a child in the second degree under section 566.211;~~
186 (z) ~~Genital mutilation of a female child under section 568.065;~~
187 (aa) ~~Statutory rape in the second degree under section 566.034;~~
188 (bb) ~~Child molestation in the fourth degree under section 566.071 if the victim is~~
189 ~~under thirteen years of age;~~
190 (cc) ~~Sexual abuse in the second degree under section 566.101 if the penalty is a term~~
191 ~~of imprisonment of more than a year;~~
192 (dd) ~~Patronizing prostitution under section 567.030 if the offender is a persistent~~
193 ~~offender;~~

194 ~~(ee) Abuse of a child under section 568.060 if the offense is of a sexual nature and the~~
195 ~~victim is under thirteen years of age;~~

196 ~~(ff) Sexual contact with a prisoner or offender under section 566.145 if the victim is~~
197 ~~under thirteen years of age;~~

198 ~~(gg) Sexual intercourse with a prisoner or offender under section 566.145;~~

199 ~~(hh) Sexual contact with a student under section 566.086 if the victim is under~~
200 ~~thirteen years of age;~~

201 ~~(ii) Use of a child in a sexual performance under section 573.200; or~~

202 ~~(jj) Promoting a sexual performance by a child under section 573.205;~~

203 ~~(3) Any offender who is adjudicated for a crime comparable to a tier I or tier II~~
204 ~~offense listed in this section or failure to register offense under section 589.425, or other~~
205 ~~comparable out-of-state failure to register offense, who has been or is already required to~~
206 ~~register as a tier II offender because of having been adjudicated for a tier II offense, two tier I~~
207 ~~offenses, or combination of a tier I offense and failure to register offense, on a previous~~
208 ~~occasion;~~

209 ~~(4) Any offender who is adjudicated in any other state, territory, the District of~~
210 ~~Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of~~
211 ~~a sexual nature or with a sexual element that is comparable to a tier III offense listed in this~~
212 ~~section or a tier III offense under the Sex Offender Registration and Notification Act, Title I~~
213 ~~of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248; or~~

214 ~~(5) Any offender who is adjudicated in Missouri for any offense of a sexual nature~~
215 ~~requiring registration under sections 589.400 to 589.425 that is not classified as a tier I or tier~~
216 ~~II offense in this section.~~

217 ~~8.] 11. In addition to the requirements of subsections 1 to [7] 5 and 8 to 10 of this~~
218 ~~section, all Missouri registrants who work, including as a volunteer or unpaid intern, or attend~~
219 ~~any school whether public or private, including any secondary school, trade school,~~
220 ~~professional school, or institution of higher education, on a full-time or part-time basis or~~
221 ~~have a temporary residence in this state shall be required to report in person [to] before the~~
222 ~~[chief law enforcement officer] registration official in the area of the state where they work,~~
223 ~~including as a volunteer or unpaid intern, or attend any school or training and register in that~~
224 ~~state. ["Part-time" in this subsection means for more than seven days in any twelve-month~~
225 ~~period.~~

226 ~~9.] 12. If a person who is required to register as a sexual offender under sections~~
227 ~~589.400 to 589.425 changes or obtains a new online identifier [as defined in section 43.651],~~
228 ~~the person shall report such information in the same manner as a change of residence before~~
229 ~~using such online identifier.~~

2 ~~[589.414. 1. Any person required by sections 589.400 to 589.425 to~~
3 ~~register shall, within three business days, appear in person to the chief law~~
4 ~~enforcement officer of the county or city not within a county if there is a~~
5 ~~change to any of the following information:~~

6 ~~(1) Name;~~

7 ~~(2) Residence;~~

8 ~~(3) Employment, including status as a volunteer or intern;~~

9 ~~(4) Student status; or~~

10 ~~(5) A termination to any of the items listed in this subsection.~~

11 ~~2. Any person required to register under sections 589.400 to 589.425~~
12 ~~shall, within three business days, notify the chief law enforcement official of~~
13 ~~the county or city not within a county of any changes to the following~~
14 ~~information:~~

15 ~~(1) Vehicle information;~~

16 ~~(2) Temporary lodging information;~~

17 ~~(3) Temporary residence information;~~

18 ~~(4) Email addresses, instant messaging addresses, and any other~~
19 ~~designations used in internet communications, postings, or telephone~~
20 ~~communications; or~~

21 ~~(5) Telephone or other cellular number, including any new forms of~~
22 ~~electronic communication.~~

23 ~~3. The chief law enforcement official in the county or city not within a~~
24 ~~county shall immediately forward the registration changes described under~~
25 ~~subsections 1 and 2 of this section to the Missouri state highway patrol within~~
26 ~~three business days.~~

27 ~~4. If any person required by sections 589.400 to 589.425 to register~~
28 ~~changes such person's residence or address to a different county or city not~~
29 ~~within a county, the person shall appear in person and shall inform both the~~
30 ~~chief law enforcement official with whom the person last registered and the~~
31 ~~chief law enforcement official of the county or city not within a county having~~
32 ~~jurisdiction over the new residence or address in writing within three business~~
33 ~~days of such new address and phone number, if the phone number is also~~
34 ~~changed. If any person required by sections 589.400 to 589.425 to register~~
35 ~~changes his or her state, territory, the District of Columbia, or foreign country,~~
36 ~~or federal, tribal, or military jurisdiction of residence, the person shall appear~~
37 ~~in person and shall inform both the chief law enforcement official with whom~~
38 ~~the person was last registered and the chief law enforcement official of the~~
39 ~~area in the new state, territory, the District of Columbia, or foreign country, or~~
40 ~~federal, tribal, or military jurisdiction having jurisdiction over the new~~
41 ~~residence or address within three business days of such new address.~~
42 ~~Whenever a registrant changes residence, the chief law enforcement official of~~
43 ~~the county or city not within a county where the person was previously~~
44 ~~registered shall inform the Missouri state highway patrol of the change within~~
45 ~~three business days. When the registrant is changing the residence to a new~~
46 ~~state, territory, the District of Columbia, or foreign country, or federal, tribal,~~
47 ~~or military jurisdiction, the Missouri state highway patrol shall inform the~~
~~responsible official in the new state, territory, the District of Columbia, or~~

48 foreign country, or federal, tribal, or military jurisdiction of residence within
 49 ~~three business days.~~

50 5. ~~Tier I sexual offenders, in addition to the requirements of~~
 51 ~~subsections 1 to 4 of this section, shall report in person to the chief law~~
 52 ~~enforcement official annually in the month of their birth to verify the~~
 53 ~~information contained in their statement made pursuant to section 589.407.~~
 54 ~~Tier I sexual offenders include:~~

55 ~~(1) Any offender who has been adjudicated for the offense of:~~

56 ~~(a) Sexual abuse in the first degree under section 566.100 if the victim~~
 57 ~~is eighteen years of age or older;~~

58 ~~(b) Sexual misconduct involving a child under section 566.083 if it is a~~
 59 ~~first offense and the punishment is less than one year;~~

60 ~~(c) Sexual abuse in the second degree under section 566.101 if the~~
 61 ~~punishment is less than a year;~~

62 ~~(d) Kidnapping in the second degree under section 565.120 with~~
 63 ~~sexual motivation;~~

64 ~~(e) Kidnapping in the third degree under section 565.130;~~

65 ~~(f) Sexual conduct with a nursing facility resident or vulnerable person~~
 66 ~~in the first degree under section 566.115 if the punishment is less than one~~
 67 ~~year;~~

68 ~~(g) Sexual conduct under section 566.116 with a nursing facility~~
 69 ~~resident or vulnerable person;~~

70 ~~(h) Sexual [contact with a prisoner or offender] **conduct in the course**~~
 71 ~~**of public duty** under section 566.145 if the victim is eighteen years of age or~~
 72 ~~older;~~

73 ~~(i) Sex with an animal under section 566.111;~~

74 ~~(j) Trafficking for the purpose of sexual exploitation under section~~
 75 ~~566.209 if the victim is eighteen years of age or older;~~

76 ~~(k) Possession of child pornography under section 573.037 **as it**~~
 77 ~~**existed prior to August 28, 2026;**~~

78 ~~(l) **Possession of child sexual abuse material under section 573.037;**~~

79 ~~(m) Sexual misconduct in the first degree under section 566.093;~~

80 ~~{(m)} (n) Sexual misconduct in the second degree under section~~
 81 ~~566.095;~~

82 ~~{(n)} (o) Child molestation in the second degree under section 566.068~~
 83 ~~as it existed prior to January 1, 2017, if the punishment is less than one year;~~

84 ~~for~~
 85 ~~(o) (p) Invasion of privacy under section 565.252 if the victim is less~~
 86 ~~than eighteen years of age; or~~

87 ~~(q) **Grooming of a minor under section 566.152;**~~

88 ~~(2) Any offender who is or has been adjudicated in any other state,~~
 89 ~~territory, the District of Columbia, or foreign country, or under federal, tribal,~~
 90 ~~or military jurisdiction of an offense of a sexual nature or with a sexual~~
 91 ~~element that is comparable to the tier I sexual offenses listed in this subsection~~
 92 ~~or, if not comparable to those in this subsection, comparable to those described~~
 93 ~~as tier I offenses under the Sex Offender Registration and Notification Act,~~
 94 ~~Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L.~~
 95 ~~109-248.~~

96 ~~6. Tier II sexual offenders, in addition to the requirements of~~
 97 ~~subsections 1 to 4 of this section, shall report semiannually in person in the~~
 98 ~~month of their birth and six months thereafter to the chief law enforcement~~
 99 ~~official to verify the information contained in their statement made pursuant to~~
 100 ~~section 589.407. Tier II sexual offenders include:~~

101 ~~(1) Any offender who has been adjudicated for the offense of:~~

102 ~~(a) Statutory sodomy in the second degree under section 566.064 if the~~
 103 ~~victim is sixteen to seventeen years of age;~~

104 ~~(b) Child molestation in the third degree under section 566.069 if the~~
 105 ~~victim is between thirteen and fourteen years of age;~~

106 ~~(c) Sexual contact with a student under section 566.086 if the victim is~~
 107 ~~thirteen to seventeen years of age;~~

108 ~~(d) Enticement of a child under section 566.151;~~

109 ~~(e) Abuse of a child under section 568.060 if the offense is of a sexual~~
 110 ~~nature and the victim is thirteen to seventeen years of age;~~

111 ~~(f) Sexual exploitation of a minor under section 573.023;~~

112 ~~(g) Promoting child pornography in the first degree under section~~
 113 ~~573.025 as it existed prior to August 28, 2026;~~

114 ~~(h) Promoting child sexual abuse material in the first degree under~~
 115 ~~section 573.025;~~

116 ~~(i) Promoting child pornography in the second degree under section~~
 117 ~~573.035 as it existed prior to August 28, 2026;~~

118 ~~(j) Promoting child sexual abuse material in the second degree~~
 119 ~~under section 573.035;~~

120 ~~[(i)] (k) Patronizing prostitution under section 567.030;~~

121 ~~[(j)] (l) Sexual [contact with a prisoner or offender] conduct in the~~
 122 ~~course of public duty under section 566.145 if the victim is thirteen to~~
 123 ~~seventeen years of age;~~

124 ~~[(k)] (m) Child molestation in the fourth degree under section 566.071~~
 125 ~~if the victim is thirteen to seventeen years of age;~~

126 ~~[(l)] (n) Sexual misconduct involving a child under section 566.083 if~~
 127 ~~it is a first offense and the penalty is a term of imprisonment of more than a~~
 128 ~~year; [or~~

129 ~~[(m)] (o) Age misrepresentation with intent to solicit a minor under~~
 130 ~~section 566.153;~~

131 ~~(p) Nonconsensual dissemination of private sexual images under~~
 132 ~~section 573.110 if the victim is seventeen years of age or under or if~~
 133 ~~coercion of the victim was sexual in nature; or~~

134 ~~(q) Threatening the nonconsensual dissemination of private sexual~~
 135 ~~images under section 573.112 if the victim is seventeen years of age or~~
 136 ~~under or if coercion of the victim was sexual in nature;~~

137 ~~(2) Any person who is adjudicated of an offense comparable to a tier I~~
 138 ~~offense listed in this section or failure to register offense under section 589.425~~
 139 ~~or comparable out-of-state failure to register offense and who is already~~
 140 ~~required to register as a tier I offender due to having been adjudicated of a tier~~
 141 ~~I offense on a previous occasion; or~~

142 ~~(3) Any person who is or has been adjudicated in any other state,~~
 143 ~~territory, the District of Columbia, or foreign country, or under federal, tribal,~~

144 or military jurisdiction for an offense of a sexual nature or with a sexual
145 element that is comparable to the tier II sexual offenses listed in this
146 subsection or, if not comparable to those in this subsection, comparable to
147 those described as tier II offenses under the Sex Offender Registration and
148 Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of
149 2006, Pub. L. 109-248.

150 7. ~~Tier III sexual offenders, in addition to the requirements of~~
151 ~~subsections 1 to 4 of this section, shall report in person to the chief law~~
152 ~~enforcement official every ninety days to verify the information contained in~~
153 ~~their statement made under section 589.407. Tier III sexual offenders include:~~

154 (1) ~~Any offender registered as a predatory [sexual offender as defined~~
155 ~~in section 566.123 or a] or persistent sexual offender as defined in section~~
156 ~~[566.124] **566.125;**~~

157 (2) ~~Any offender who has been adjudicated for the crime of:~~

158 (a) ~~Rape in the first degree under section 566.030;~~

159 (b) ~~Statutory rape in the first degree under section 566.032;~~

160 (c) ~~Rape in the second degree under section 566.031;~~

161 (d) ~~Endangering the welfare of a child in the first degree under section~~
162 ~~568.045 if the offense is sexual in nature;~~

163 (e) ~~Sodomy in the first degree under section 566.060;~~

164 (f) ~~Statutory sodomy under section 566.062;~~

165 (g) ~~Statutory sodomy under section 566.064 if the victim is under~~
166 ~~sixteen years of age;~~

167 (h) ~~Sodomy in the second degree under section 566.061;~~

168 (i) ~~Sexual misconduct involving a child under section 566.083 if the~~
169 ~~offense is a second or subsequent offense;~~

170 (j) ~~Sexual abuse in the first degree under section 566.100 if the victim~~
171 ~~is under thirteen years of age;~~

172 (k) ~~Kidnapping in the first degree under section 565.110 if the victim~~
173 ~~is under eighteen years of age, excluding kidnapping by a parent or guardian;~~

174 (l) ~~Child kidnapping under section 565.115;~~

175 (m) ~~Sexual conduct with a nursing facility resident or vulnerable~~
176 ~~person in the first degree under section 566.115 if the punishment is greater~~
177 ~~than a year;~~

178 (n) ~~Incest under section 568.020;~~

179 (o) ~~Endangering the welfare of a child in the first degree under section~~
180 ~~568.045 with sexual intercourse or deviate sexual intercourse with a victim~~
181 ~~under eighteen years of age;~~

182 (p) ~~Child molestation in the first degree under section 566.067;~~

183 (q) ~~Child molestation in the second degree under section 566.068;~~

184 (r) ~~Child molestation in the third degree under section 566.069 if the~~
185 ~~victim is under thirteen years of age;~~

186 (s) ~~Promoting prostitution in the first degree under section 567.050 if~~
187 ~~the victim is under eighteen years of age;~~

188 (t) ~~Promoting prostitution in the second degree under section 567.060~~
189 ~~if the victim is under eighteen years of age;~~

190 (u) ~~Promoting prostitution in the third degree under section 567.070 if~~
191 ~~the victim is under eighteen years of age;~~

192 (v) ~~Promoting travel for prostitution under section 567.085 if the~~
 193 ~~victim is under eighteen years of age;~~
 194 (w) ~~Trafficking for the purpose of sexual exploitation under section~~
 195 ~~566.209 if the victim is under eighteen years of age;~~
 196 (x) ~~Sexual trafficking of a child in the first degree under section~~
 197 ~~566.210;~~
 198 (y) ~~Sexual trafficking of a child in the second degree under section~~
 199 ~~566.211;~~
 200 (z) ~~Genital mutilation of a female child under section 568.065;~~
 201 (aa) ~~Statutory rape in the second degree under section 566.034;~~
 202 (bb) ~~Child molestation in the fourth degree under section 566.071 if~~
 203 ~~the victim is under thirteen years of age;~~
 204 (cc) ~~Sexual abuse in the second degree under section 566.101 if the~~
 205 ~~penalty is a term of imprisonment of more than a year;~~
 206 (dd) ~~Patronizing prostitution under section 567.030 if the offender is a~~
 207 ~~persistent offender;~~
 208 (ee) ~~Abuse of a child under section 568.060 if the offense is of a~~
 209 ~~sexual nature and the victim is under thirteen years of age;~~
 210 (ff) ~~Sexual [contact with a prisoner or offender] **conduct in the course**~~
 211 ~~**of public duty** under section 566.145 if the victim is under thirteen years of~~
 212 ~~age;~~
 213 (gg) ~~[Sexual intercourse with a prisoner or offender under section~~
 214 ~~566.145;~~
 215 (hh) ~~Sexual contact with a student under section 566.086 if the victim~~
 216 ~~is under thirteen years of age;~~
 217 {(ii)} ~~(hh) Use of a child in a sexual performance under section~~
 218 ~~573.200; or~~
 219 {(jj)} ~~(ii) Promoting a sexual performance by a child under section~~
 220 ~~573.205;~~
 221 (3) ~~Any offender who is adjudicated for a crime comparable to a tier I~~
 222 ~~or tier II offense listed in this section or failure to register offense under~~
 223 ~~section 589.425, or other comparable out-of-state failure to register offense,~~
 224 ~~who has been or is already required to register as a tier II offender because of~~
 225 ~~having been adjudicated for a tier II offense, two tier I offenses, or~~
 226 ~~combination of a tier I offense and failure to register offense, on a previous~~
 227 ~~occasion;~~
 228 (4) ~~Any offender who is adjudicated in any other state, territory, the~~
 229 ~~District of Columbia, or foreign country, or under federal, tribal, or military~~
 230 ~~jurisdiction for an offense of a sexual nature or with a sexual element that is~~
 231 ~~comparable to a tier III offense listed in this section or a tier III offense under~~
 232 ~~the Sex Offender Registration and Notification Act, Title I of the Adam Walsh~~
 233 ~~Child Protection and Safety Act of 2006, Pub. L. 109-248; or~~
 234 (5) ~~Any offender who is adjudicated in Missouri for any offense of a~~
 235 ~~sexual nature requiring registration under sections 589.400 to 589.425 that is~~
 236 ~~not classified as a tier I or tier II offense in this section.~~
 237 8. ~~In addition to the requirements of subsections 1 to 7 of this section,~~
 238 ~~all Missouri registrants who work, including as a volunteer or unpaid intern, or~~
 239 ~~attend any school whether public or private, including any secondary school,~~

240 ~~trade school, professional school, or institution of higher education, on a full-~~
 241 ~~time or part time basis or have a temporary residence in this state shall be~~
 242 ~~required to report in person to the chief law enforcement officer in the area of~~
 243 ~~the state where they work, including as a volunteer or unpaid intern, or attend~~
 244 ~~any school or training and register in that state. "Part time" in this subsection~~
 245 ~~means for more than seven days in any twelve-month period.~~

246 ~~9. If a person who is required to register as a sexual offender under~~
 247 ~~sections 589.400 to 589.425 changes or obtains a new online identifier as~~
 248 ~~defined in section 43.651, the person shall report such information in the same~~
 249 ~~manner as a change of residence before using such online identifier.]~~

589.415. [1-] Any probation officer or parole officer assigned to a sexual offender
 2 who is required to register pursuant to sections 589.400 to 589.425 shall notify the
 3 appropriate law enforcement officials whenever the **probation officer or parole officer** has
 4 reason to believe that the offender will be changing his or her residence. Upon obtaining the
 5 new address where the offender expects to reside, the **probation officer or parole officer**
 6 shall report such address to the ~~[chief law enforcement]~~ **registration** official with whom the
 7 offender last registered and the ~~[chief law enforcement]~~ **registration** official of the county
 8 having jurisdiction over the new residence, if different. The **probation officer or parole**
 9 **officer** shall also inform the offender of the offender's duty to register. However, nothing in
 10 this section shall affect the offender's duty to register, pursuant to sections 589.400 to
 11 589.425.

12 ~~[2. As used in this section, the term "probation officer" includes any agent of a private~~
 13 ~~entity assigned to provide probation supervision services to an offender due to the offender's~~
 14 ~~status as a sexual offender who is required to register pursuant to sections 589.400 to~~
 15 ~~589.425.]~~

589.417. 1. Except for the specific information listed in subsection 2 of this section,
 2 the complete statements, photographs and fingerprints required by sections 589.400 to
 3 589.425 shall not be subject to the provisions of chapter 610 and are not public records as
 4 defined in section 610.010, and shall be available only to courts, prosecutors and law
 5 enforcement agencies.

6 2. ~~[Notwithstanding any provision of law to the contrary, the chief law enforcement~~
 7 ~~official of the county]~~ **(1) The following information shall be available as an open record**
 8 **under chapter 610:**

9 **(a) Any information retained by the Missouri state highway patrol required to**
 10 **be published on the internet at the time of the request, as provided in section 589.411;**
 11 **and**

12 **(b) The name, offense requiring registration, dates of registration, and**
 13 **compliance status of any offender who has been removed from the internet because**

14 **of death or a move out of the state. For offenders who have moved out of the state, the**
15 **new state of residence shall also be an open record.**

16 **(2) The registration official** shall maintain, for all offenders registered in such
17 county, a complete list of the names, addresses and crimes for which such offenders are
18 registered. Any person may request such list from the [~~chief law enforcement~~] **registration**
19 **official of the county.**

20 **3. Nothing in this section shall be construed to open any records relating to an**
21 **offender who has been removed from the sexual offender registry or found exempt**
22 **under section 589.401. Such records shall be governed by the provisions of chapter 610.**

23 **4. The metadata recorded by the sex offender registry system, website, or other**
24 **related databases utilized by the sex offender registry including activity logs, user**
25 **information, or other related information shall be a closed record, available only to**
26 **authorized users for the administration of criminal justice, as the term "administration**
27 **of criminal justice" is defined in section 43.500.**

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

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 589.770, 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.

590.100. 1. The director shall have cause to deny any application for a peace officer
2 license or entrance into a basic training course when the director has knowledge that would
3 constitute cause to discipline the applicant if the applicant were licensed.

4 2. **The director shall have cause to deny any application for a peace officer**
5 **license or entrance into a basic training course when the applicant had a peace officer**
6 **license or certification that was revoked or surrendered.**

7 3. **The director shall have cause to deny any application for a peace officer**
8 **license or entrance into a basic training course when the applicant is not a citizen of the**
9 **United States.**

10 4. When the director has knowledge of cause to deny an application pursuant to this
11 section, the director may grant the application subject to probation or may deny the
12 application. The director shall notify the applicant in writing of the reasons for such action
13 and of the right to appeal pursuant to this section.

14 ~~[3-]~~ 5. Any applicant aggrieved by a decision of the director pursuant to this section
15 may appeal within thirty days to the administrative hearing commission, which shall conduct
16 a hearing to determine whether the director has cause for denial, and which shall issue
17 findings of fact and conclusions of law on the matter. The administrative hearing commission
18 shall not consider the relative severity of the cause for denial or any rehabilitation of the
19 applicant or otherwise impinge upon the discretion of the director to determine whether to
20 grant the application subject to probation or deny the application when cause exists pursuant
21 to this section. Failure to submit a written request for a hearing to the administrative hearing
22 commission within thirty days after a decision of the director pursuant to this section shall
23 constitute a waiver of the right to appeal such decision.

24 ~~[4-]~~ 6. Upon a finding by the administrative hearing commission that cause for denial
25 exists, the director shall not be bound by any prior action on the matter and shall, within thirty
26 days, hold a hearing to determine whether to grant the application subject to probation or
27 deny the application. If the licensee fails to appear at the director's hearing, this shall
28 constitute a waiver of the right to such hearing.

29 ~~[5-]~~ 7. The provisions of chapter 621 and any amendments thereto, except those
30 provisions or amendments that are in conflict with this chapter, shall apply to and govern the
31 proceedings of the administrative hearing commission pursuant to this section and the rights
32 and duties of the parties involved.

630.1170. 1. Notwithstanding the provisions of chapter 195 or 579 to the
2 **contrary, the department of mental health, in collaboration with a hospital operated by**
3 **an institution of higher education in this state or with contract research organizations**
4 **conducting studies approved by the United States Food and Drug Administration, shall**
5 **conduct a study on the efficacy of using alternative medicine and therapies, including**
6 **the use of psilocybin, in the treatment of veterans who suffer from posttraumatic stress**
7 **disorder, major depressive disorder, or substance use disorders or who require end-of-**
8 **life care.**

9 **2. (1) In conducting the study, the department of mental health, in collaboration**
10 **with the hospital or contract research organizations described in subsection 1 of this**
11 **section and subject to appropriations, shall:**

12 **(a) Perform a study on the therapeutic efficacy of using psilocybin in the**
13 **treatment of veterans who suffer from posttraumatic stress disorder, major depressive**
14 **disorder, or substance use disorders or who require end-of-life care; and**

15 **(b) Review current literature regarding:**

16 **a. The safety and efficacy of psilocybin in the treatment of veterans who suffer**
17 **from posttraumatic stress disorder, major depressive disorder, or substance use**
18 **disorders or who require end-of-life care; and**

19 **b. The access that veterans have to psilocybin for such treatment.**

20 **(2) The department of mental health shall prepare and submit to the governor,**
21 **lieutenant governor, and the general assembly the following:**

22 **(a) Quarterly reports on the progress of the study; and**

23 **(b) A written report, submitted one year following the commencement of the**
24 **study, that shall:**

25 **a. Contain the results of the study and any recommendations for legislative or**
26 **regulatory action; and**

27 **b. Highlight those clinical practices that appear to be most successful as well as**
28 **any safety or health concerns.**

29 **3. The department of mental health shall maintain the confidentiality of any**
30 **personally identifiable protected information collected during the study under this**
31 **section.**

32 **4. Notwithstanding any other provision of law to the contrary, the department of**
33 **mental health, any health care providers, and any other person involved in the study**
34 **under this section shall not be subject to criminal or civil liability or sanction under the**
35 **laws of this state for participating in the study, except in cases of gross negligence or**
36 **willful misconduct. No health care provider shall be subject to discipline against his or**
37 **her professional license for participation in the study.**

38 **5. Notwithstanding any other provision of law to the contrary, a physician shall**
39 **not be subject to criminal or civil liability or sanction under the laws of this state for**
40 **referring a veteran to the study under this section, and no state agency or regulatory**
41 **board shall revoke, fail to renew, or take any other action against a physician's license**
42 **issued under chapter 334 based solely on the physician's referral of a veteran to the**
43 **study under this section.**

632.489. 1. Upon filing a petition pursuant to section 632.484 or 632.486, the judge
2 shall determine whether probable cause exists to believe that the person named in the petition

3 is a sexually violent predator. If such probable cause determination is made, the judge shall
4 direct that person be taken into custody and direct that the person be transferred to an
5 appropriate secure facility, including, but not limited to, a county jail. If the person is ordered
6 to the department of mental health, the director of the department of mental health shall
7 determine the appropriate secure facility to house the person under the provisions of section
8 632.495.

9 2. Within seventy-two hours after a person is taken into custody pursuant to
10 subsection 1 of this section, excluding Saturdays, Sundays and legal holidays, such person
11 shall be provided with notice of, and an opportunity to appear in person at, a hearing to
12 contest probable cause as to whether the detained person is a sexually violent predator. At
13 this hearing the court shall:

14 (1) Verify the detainee's identity; and

15 (2) Determine whether probable cause exists to believe that the person is a sexually
16 violent predator. The state may rely upon the petition and supplement the petition with
17 additional documentary evidence or live testimony.

18 3. At the probable cause hearing as provided in subsection 2 of this section, the
19 detained person shall have the following rights in addition to the rights previously specified:

20 (1) To be represented by counsel;

21 (2) To present evidence on such person's behalf;

22 (3) To cross-examine witnesses who testify against such person; and

23 (4) To view and copy all petitions and reports in the court file, including the
24 assessment of the multidisciplinary team.

25 4. If the probable cause determination is made, the court shall direct that the person be
26 transferred to an appropriate secure facility, including, but not limited to, a county jail, for an
27 evaluation as to whether the person is a sexually violent predator. If the person is ordered to
28 the department of mental health, the director of the department of mental health shall
29 determine the appropriate secure facility, which may include **the department of corrections**
30 **or** a county jail as set forth in section 632.495, to house the person. The court shall direct the
31 director of the department of mental health to have the person examined by a psychiatrist or
32 psychologist as defined in section 632.005 who was not a member of the multidisciplinary
33 team that previously reviewed the person's records. In addition, such person may be
34 examined by a consenting psychiatrist or psychologist of the person's choice at the person's
35 own expense. Any examination shall be conducted in the facility in which the person is
36 confined. Any examinations ordered shall be made at such time and under such conditions as
37 the court deems proper; except that, if the order directs the director of the department of
38 mental health to have the person examined, the director shall determine the time, place and
39 conditions under which the examination shall be conducted. The psychiatrist or psychologist

40 conducting such an examination shall be authorized to interview family and associates of the
41 person being examined, as well as victims and witnesses of the person's offense or offenses,
42 for use in the examination unless the court for good cause orders otherwise. The psychiatrist
43 or psychologist shall have access to all materials provided to and considered by the
44 multidisciplinary team and to any police reports related to sexual offenses committed by the
45 person being examined. Any examination performed pursuant to this section shall be
46 completed and filed with the court within sixty days of the date the order is received by the
47 director or other evaluator unless the court for good cause orders otherwise. One examination
48 shall be provided at no charge by the department. All costs of any subsequent evaluations
49 shall be assessed to the party requesting the evaluation.

632.492. Within sixty days after the completion of any examination held pursuant to
2 section 632.489, the court shall conduct a trial to determine whether the person is a sexually
3 violent predator. The trial may be continued upon the request of either party and a showing of
4 good cause, or by the court on its own motion in the due administration of justice, and when
5 the respondent will not be substantially prejudiced. At all stages of the proceedings pursuant
6 to sections 632.480 to 632.513, any person subject to sections 632.480 to 632.513 shall be
7 entitled to the assistance of counsel, and if the person is indigent, the court shall appoint
8 counsel to assist such person. The person, the attorney general, or the judge shall have the
9 right to demand that the trial be before a jury. If the trial is held before a jury, the judge shall
10 instruct the jury that if it finds that the person is a sexually violent predator, the person shall
11 be committed to the custody of the director of the department of mental health **to be housed**
12 **in an appropriate secure facility, as determined by the director of the department of**
13 **mental health as set forth in section 632.495**, for control, care and treatment. If no demand
14 for a jury is made, the trial shall be before the court. The court shall conduct all trials
15 pursuant to this section in open court, except as otherwise provided for by the child victim
16 witness protection law pursuant to sections 491.675 to 491.705.

632.495. 1. The court or jury shall determine whether, by clear and convincing
2 evidence, the person is a sexually violent predator. If such determination that the person is a
3 sexually violent predator is made by a jury, such determination shall be by unanimous verdict
4 of such jury. Any determination as to whether a person is a sexually violent predator may be
5 appealed.

6 2. If the court or jury determines that the person is a sexually violent predator, the
7 person shall be committed to the custody of the director of the department of mental health for
8 control, care and treatment until such time as the person's mental abnormality has so changed
9 that the person is safe to be at large. Such control, care and treatment shall be provided **or**
10 **arranged** by the department of mental health **in an appropriate secure facility, as**

11 **determined by the director of the department of mental health as set forth in this**
12 **section.**

13 3. At all times, persons ordered to the department of mental health after a
14 determination by the court that such persons may meet the definition of a sexually violent
15 predator, persons ordered to the department of mental health after a finding of probable cause
16 under section 632.489, and persons committed for control, care and treatment by the
17 department of mental health pursuant to sections 632.480 to 632.513 shall be kept in a secure
18 facility designated by the director of the department of mental health and such persons shall
19 be segregated at all times from any other patient under the supervision of the director of the
20 department of mental health. The department of mental health shall not place or house a
21 person ordered to the department of mental health after a determination by the court that such
22 person may meet the definition of a sexually violent predator, a person ordered to the
23 department of mental health after a finding of probable cause under section 632.489, or a
24 person committed for control, care, and treatment by the department of mental health,
25 pursuant to sections 632.480 to 632.513, with other mental health patients. The provisions of
26 this subsection shall not apply to a person who has been conditionally released under section
27 632.505.

28 4. The department of mental health is authorized to enter into an interagency
29 agreement with the department of corrections for the confinement of ~~such~~ persons **ordered**
30 **to the department of mental health after a determination by the court that such persons**
31 **may meet the definition of a sexually violent predator or for the confinement of persons**
32 **ordered to the department of mental health after a finding of probable cause under**
33 **section 632.489, provided the department of corrections has necessary space and**
34 **services available and the director of the department of corrections has agreed to**
35 **provide such confinement through an interagency agreement with the department of**
36 **mental health.** Such persons who are in the confinement of the department of corrections
37 pursuant to an interagency agreement shall be housed and managed separately from offenders
38 in the custody of the department of corrections, and except for occasional instances of
39 supervised incidental contact, shall be segregated from such offenders. **If the department of**
40 **mental health and the department of corrections have entered into an interagency**
41 **agreement as provided in this subsection, the department of corrections is authorized to**
42 **enter into one or more contract agreements as may be necessary to perform the agreed**
43 **upon responsibilities of the department of corrections under the interagency agreement**
44 **including, but not limited to, a contract agreement with one or more licensed**
45 **professionals or providers of health care services to provide health care services to the**
46 **persons identified in this subsection.**

47 5. The department of mental health is authorized to enter into a contract agreement
48 with one or more county jails in Missouri for the confinement of persons ordered to the
49 department of mental health after a determination by the court that such persons may meet the
50 definition of a sexually violent predator or for the confinement of persons ordered to the
51 department of mental health after a finding of probable cause under section 632.489. Such
52 persons who are in the confinement of a county jail pursuant to a contract agreement shall be
53 housed and managed separately from offenders in the custody of the county jail, and except
54 for occasional instances of supervised incidental contact, shall be segregated from such
55 offenders.

56 **6. The department of mental health is authorized to enter into an interagency**
57 **agreement with the department of corrections for the control and care, including health**
58 **care services, of persons committed to the department of mental health by the court as a**
59 **sexually violent predator, provided the department of corrections has necessary space**
60 **and services available and the director of the department of corrections has agreed to**
61 **provide such control and care through an interagency agreement with the department**
62 **of mental health. Such persons who are in the control and care of the department of**
63 **corrections under an interagency agreement shall be housed and managed separately**
64 **from offenders in the custody of the department of corrections, and except for**
65 **occasional instances of supervised incidental contact, shall be segregated from such**
66 **offenders. If the department of mental health and the department of corrections have**
67 **entered into an interagency agreement as provided in this subsection, the department of**
68 **corrections is authorized to enter into one or more contract agreements as may be**
69 **necessary to perform the agreed upon responsibilities of the department of corrections**
70 **under the interagency agreement including, but not limited to, a contract agreement**
71 **with one or more licensed professionals or providers of health care services to provide**
72 **health care services to the persons identified in this subsection.**

73 **7. The department of mental health is authorized to enter into a contract**
74 **agreement with one or more licensed professionals or providers of health care or mental**
75 **health care services to provide health care or mental health care services to persons**
76 **ordered to the department of mental health after a determination by the court that such**
77 **persons may meet the definition of a sexually violent predator, persons ordered to the**
78 **department of mental health after a finding of probable cause under section 632.489,**
79 **and persons committed for control, care, and treatment by the department of mental**
80 **health under sections 632.480 to 632.513.**

81 **8. If the court or jury is not satisfied by clear and convincing evidence that the person**
82 **is a sexually violent predator, the court shall direct the person's release.**

83 [7-] 9. Upon a mistrial, the court shall direct that the person be held at an appropriate
84 secure facility, including, but not limited to, a county jail, until another trial is conducted. If
85 the person is ordered to the department of mental health, the director of the department of
86 mental health shall determine the appropriate secure facility to house the person. Any
87 subsequent trial following a mistrial shall be held within ninety days of the previous trial,
88 unless such subsequent trial is continued as provided in section 632.492.

632.504. Nothing in sections 632.480 to 632.513 shall prohibit a person from filing a
2 petition for release pursuant to sections 632.480 to 632.513. However, if a person has
3 previously filed a petition for release without the ~~director's~~ **director of the department of**
4 **mental health's** approval and the court determined either upon review of the petition or
5 following a hearing that the petitioner's petition was frivolous or that the petitioner's condition
6 had not so changed that the person was safe to be at large, then the court shall deny the
7 subsequent petition unless the petition contains facts upon which a court could find the
8 condition of the petitioner had so changed that a hearing was warranted. Upon receipt of a
9 first or subsequent petition from committed persons without the director's approval, the court
10 shall endeavor whenever possible to review the petition and determine if the petition is based
11 upon frivolous grounds and if so shall deny the petition without a hearing.

632.520. 1. For purposes of this section, the following terms mean:

2 (1) "Employee of the department of mental health", a person who is an employee of
3 the department of mental health, an employee or contracted employee of a subcontractor of
4 the department of mental health, or an employee or contracted employee of a subcontractor of
5 an entity ~~[responsible for confining offenders]~~ **under an interagency agreement or contract**
6 **with the department of mental health** as authorized by section 632.495;

7 (2) "Offender", a person ordered to the department of mental health after a
8 determination by the court that the person meets the definition of a sexually violent predator,
9 a person ordered to the department of mental health after a finding of probable cause under
10 section 632.489, or a person committed for control, care, and treatment by the department of
11 mental health under sections 632.480 to 632.513;

12 (3) "Secure facility", a facility operated by the department of mental health or an
13 entity ~~[responsible for confining offenders]~~ **designated by the department of mental health**
14 **to confine offenders or provide control and care to offenders** as authorized by section
15 632.495.

16 2. No offender shall knowingly commit violence to an employee of the department of
17 mental health or to another offender housed in a secure facility. Violation of this subsection
18 shall be a class B felony.

19 3. No offender shall knowingly damage any building or other property owned or
20 operated by the department of mental health. Violation of this subsection shall be a class D
21 felony.

2 650.240. The director shall employ deputy inspectors who shall be responsible to the
3 chief inspector [~~and who shall have had at the time of appointment not less than five years'~~
4 ~~experience in the construction, installation, inspection, operation, maintenance, or repair of~~
5 ~~high pressure boilers and pressure vessels as a mechanical engineer, steam operating~~
6 ~~engineer, boilermaker, or boiler inspector, and who shall have passed the examination~~
7 ~~provided for in section 650.250].~~

2 ~~[589.402. 1. The chief law enforcement officer of the county or city~~
3 ~~not within a county may maintain a web page on the internet, which shall be~~
4 ~~open to the public and shall include a registered sexual offender search~~
5 ~~capability.~~

6 ~~2. Except as provided in subsections 4 and 5 of this section, the~~
7 ~~registered sexual offender search shall make it possible for any person using~~
8 ~~the internet to search for and find the information specified in subsection 3 of~~
9 ~~this section, if known, on offenders registered in this state pursuant to sections~~
10 ~~589.400 to 589.425.~~

11 ~~3. Only the information listed in this subsection shall be provided to~~
12 ~~the public in the registered sexual offender search:~~

13 ~~(1) The name and any known aliases of the offender;~~

14 ~~(2) The date of birth and any known alias dates of birth of the~~
15 ~~offender;~~

16 ~~(3) A physical description of the offender;~~

17 ~~(4) The residence, temporary, work, and school addresses of the~~
18 ~~offender, including the street address, city, county, state, and zip code;~~

19 ~~(5) Any photographs of the offender;~~

20 ~~(6) A physical description of the offender's vehicles, including the~~
21 ~~year, make, model, color, and license plate number;~~

22 ~~(7) The nature and dates of all offenses qualifying the offender to~~
23 ~~register, including the tier level assigned to the offender under sections~~
24 ~~589.400 to 589.425;~~

25 ~~(8) The date on which the offender was released from the department~~
26 ~~of mental health, prison, or jail, or placed on parole, supervised release, or~~
27 ~~probation for the offenses qualifying the offender to register;~~

28 ~~(9) Compliance status of the offender with the provisions of sections~~
29 ~~589.400 to 589.425; and~~

30 ~~(10) Any online identifiers, as defined in section 43.651, used by the~~
31 ~~person. Such online identifiers shall not be included in the general profile of~~
32 ~~an offender on the web page and shall only be available to a member of the~~
33 ~~public by a search using the specific online identifier to determine if a match~~
34 ~~exists with a registered offender.~~

35 ~~4. The chief law enforcement officer of any county or city not within a~~
36 ~~county may publish in any newspaper distributed in the county or city not~~
37 ~~within a county the sexual offender information provided under subsection 3~~

37 ~~of this section for any offender residing in the county or city not within a~~
38 ~~county.~~
39 ~~5. Juveniles required to register under subdivision (6) of subsection 1~~
40 ~~of section 589.400 shall be exempt from public notification to include any~~
41 ~~adjudications from another state, territory, the District of Columbia, or foreign~~
42 ~~country or any federal, tribal, or military jurisdiction.]~~

✓