

SECOND REGULAR SESSION

# HOUSE BILL NO. 3451

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SEITZ.

7426H.011

JOSEPH ENGLER, Chief Clerk

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## AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to recordings of interviews regarding child abuse or neglect.

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

Section A. Chapter 210, RSMo, is amended by adding thereto one new section, to be  
2 known as section 210.141, to read as follows:

210.141. 1. If an assessment is initiated for alleged child abuse or neglect, any  
2 face-to-face interview with a child and any adult associated with the assessment by the  
3 department of social services shall be recorded, either by audio or video medium, unless  
4 the recording equipment malfunctions or circumstances occur that could not have been  
5 reasonably foreseen by the director of the department of social services that would  
6 prevent the recording of the interview.

7 2. Only applications or software approved by the department of social services  
8 shall be used to generate any audio or video recording, and any such recording shall be  
9 securely stored.

10 3. Any person who is charged with an offense alleging child abuse or neglect  
11 shall not be able to sustain a motion or have standing to bring a claim objecting to any  
12 failure, in whole or in part, by the department of social services to comply with the  
13 requirements of this section. Any such failure by the department to comply with such  
14 requirements shall not solely constitute grounds to preclude statements made by a child  
15 during that interview that would otherwise be admissible in a criminal or civil  
16 proceeding.

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.

17           **4. Any recording obtained under this section shall be retained and stored for no**  
18 **less than five years. Any retention system shall securely manage the storage and**  
19 **distribution of the recordings.**

20           **5. A copy of any recording under this section shall be issued only to those**  
21 **investigating an allegation or prosecuting an offense relating to an allegation of child**  
22 **abuse or neglect and upon request by a caregiver or guardian in connection with a**  
23 **judicial proceeding unless the court orders otherwise.**

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