

HCS HB 1910 -- CHILD MAINTENANCE FOR CERTAIN PERSONS CONVICTED OF DWI

SPONSOR: Williams

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 7 to 0 with 1 member present. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 11 to 0.

The following is a summary of the House Committee Substitute for HB 1910.

This bill establishes "Bentley and Mason's Law". Under this bill, if a person is convicted of the offense of driving while intoxicated and such offense caused the death of a parent or guardian, and the surviving parent or guardian files a petition to receive child maintenance from the convicted person, such person may be required to pay, pursuant to a court order, child maintenance to the child of the deceased parent or guardian in an amount and duration as specified in the bill.

If the person is ordered to pay child maintenance and is unable to make maintenance because such person is imprisoned or otherwise confined, the person will have up to one year after release from incarceration to begin payment, including any arrearage.

If the surviving parent or guardian brings a civil action and obtains a judgment against the convicted person prior to any child maintenance order under this Section, no maintenance will be ordered. If the surviving parent or guardian brings a civil action after maintenance is ordered, the maintenance order must offset the judgment. The maintenance order can be modified only upon a showing of changed circumstances so substantial and continuing as to make the terms unreasonable.

This bill is similar to SB 235 (2025).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this is a bill that came from an incident that happened in April of 2021, when there was a tragic car accident that took the lives of three people. The surviving children are being raised by their grandparents. This bill will

hopefully serve as a deterrent and it requires a person convicted of DWI where there was a death to pay child maintenance to the surviving parent or guardian. This maintenance will continue until the child reaches 18 but can continue on if the child goes to college for at least 12 hours a semester. There has been a decrease in alcohol-related deaths in cars but there are still drug-related car accident deaths and this maintenance applies to both scenarios. If there was a judgment in a civil action in a case, it would offset the amount of child maintenance they could receive. This can amount to more than what a family would get from an insurance payout. This has passed in seven states. Missouri needs to take a stand and show that the punishments for impaired driving will be severe, especially because it is easy to find a ride home. Everyone has a choice and, if the choice made is to drive impaired, then consequences should be faced. This is about accountability for Missouri drivers to know that this will not be tolerated.

Testifying in person for the bill were Representative Williams; Cecilia Williams; Cody Umfress, Byrnes Mill Police Department; Heather Elder, Mothers Against Drunk Driving (MADD); Corinn Hake; Jennifer Neldon; Justine "Tina" Woehr; and Arnie Dienoff.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.