

HS HCS HBs 3068 & 3049 -- PUBLIC SAFETY (Myers)

COMMITTEE OF ORIGIN: Standing Committee on Crime and Public Safety

This bill modifies and establishes provisions relating to public safety.

HIGHWAY PATROL PURCHASES (Section 43.265)

Currently, there is a fund called the "Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund" that is used for the purchase of motor vehicles, aircrafts, and watercraft for the State Highway Patrol (MSHP). Prior to obligating funds for the purchase of an individual unit that costs in excess of \$100,000, the MSHP must receive a specific appropriation from the General Assembly for that particular purchase. This bill increases the purchase price to be in excess of \$500,000.

THE SEX OFFENDER REGISTRY (Sections 43.500, 43.503, 43.506, 43.509, 43.527, 43.530, 589.400, 589.401, 589.403, 589.404, 589.405, 589.407, 589.410, 589.411, 589.412, 589.413, 589.414, 589.415, and 589.417)

This bill modifies provisions relating to the sex offender registry. Instead of listing certain sexual offenses, this bill provides that any person who, since July 1, 1979, has been or is adjudicated for a tier I offense, tier II offense, or tier III offense in this state or in any other state, territory, the District of Columbia, foreign country, or federal, tribal or military jurisdiction will be required to register as a sex offender.

Offenders will be classified as a tier I, tier II, or tier III offender. To the extent more than one tier definition applies, the highest tier will be the applicable tier for the offender. This bill also provides that certain juvenile offenders and certain offenders who live or work in Missouri with registration requirements by other jurisdictions will be assigned a tier, which will be only for the purposes of registration appearance frequency and removal eligibility. The initial determination as to the tier will be made by the registration official and the MSHP will analyze the tier designation for accuracy.

This bill additionally provides that any sex offender with a primary residence outside of Missouri who has a temporary residence in Missouri in which he or she resides for more than a

part-time period must register for the duration of the offender's temporary residency. This bill also provides that a nonresident sex offender who works or is a nonresident student in this state must register in the county where the status requiring registration occurs for the duration of the offender's employment or attendance at any school of higher education as long as the status requiring registration remains active.

The jurisdiction, in addition to the Attorney General, can certify appropriate sex offender treatment programs for purposes of reductions in registration periods. Additionally, if records of program completion are unavailable, and completion of the program that was required as a term of probation, an order discharging the sex offender from probation, or other record acknowledging satisfactory completion of probation will constitute evidence of successful completion.

This bill modifies provisions relating to removal from registration for a person required to register because of an offense adjudicated in another jurisdiction. The person must file the petition or complaint for removal, termination, or relief from registration, or the declaratory judgment providing for removal, termination, or relief, instead of filing a petition for removal, according to the laws of the adjudicating jurisdiction. Upon the entry of a judgment, rather than a grant of a petition for removal, providing that the person is no longer required to register, the judgment can be registered in this State by providing the information required by current law. Additionally, the person may file a petition for removal from this State's sexual offender registry and satisfy the requirements for removal based on adjudication in another state if certain requirements specified in the bill are satisfied.

Currently, if a petition for removal is denied, no successive petition will be filed for at least five years from the judgment date of a petition. If the denial was based on a statute or law that has since been amended, repealed, or invalidated, a person can file a petition within the five-year period.

This bill repeals the provisions relating to someone being removed from the sex offender registry for certain offenses that were nonsexual in nature as specified in the bill. The bill also modifies the list of offenses that exempts offenders who meet the other requirements provided in current law from registration. An offender will have the burden of proving that the requirements for exemption are met.

The chief law enforcement registration official must enter, rather than forward to MSHP, the completed offender registration forms and related updates into the online sex offender registry within three days. MSHP must ensure the information entered into the registry is accessible through the Missouri Uniform Law Enforcement System and forwarded to the National Crime Information Center. MSHP must also regularly update the web page to remove persons who have been removed or exempted, persons deceased, or persons who have moved out of state. Lastly, this bill modifies certain information related to sex offenders and the metadata of the sex offender registry that is considered as an open or closed record under Missouri Sunshine Law.

EMPLOYMENT WITH THE KANSAS CITY POLICE FORCE (Section 84.570)

Currently, law enforcement officers must be separated from services on the last day of the month in which the person becomes 65 years old or reaches 35 years of service, whichever occurs later. This bill changes it to whichever occurs first.

MISSOURI INTEGRATED SAFE DRIVING PROGRAM (Section 170.027)

This bill creates the "Missouri Integrated Safe Driving Program" and provides that the program will inform pupils about requirements for obtaining driving permits, emphasis on the knowledge, attitudes, habits, and skills necessary to safely operate a vehicle, instruct on distracted driving and traffic stops, and provide data on driver safety and risky behavior. The program will also provide instructions on safety concerns relating to pedestrians, commercial motor vehicles, motorcycles and potentially hazardous encounters on the road.

The Department of Elementary and Secondary Education will receive and vet lessons from districts and professional organizations that will integrate the tenants of the safe driving program into courses that students are taking.

Beginning in the 2027-28 school year, districts can adopt a plan to implement and use lessons. The instruction does not require physical operation of a vehicle and the bill does not prohibit schools from offering additional driver education courses.

SEX AND HUMAN TRAFFICKING TRAINING (Section 190.142)

The Department of Health and Senior Services will require each EMT, including each paramedic, to receive certain hours of sex

and human trafficking training as part of continuing education requirements for relicensure.

ALTERNATIVE THERAPIES (Section 191.479, 191.480, and 630.1170)

As specified in this bill, any person who acquires, uses, produces, possesses, transfers, or administers psilocybin for the person's own therapeutic use will not be in violation of State or local law and will not be subject to a civil fine, penalty, or sanction so long as the person meets the following conditions:

- (1) Is a "veteran" or "first responder", as those terms are defined in the bill;
- (2) Is 21 years of age or older;
- (3) Suffers from posttraumatic stress disorder, major depressive disorder, or a substance use disorder or requires end-of-life care;
- (4) Has enrolled in a study to study the use of psilocybin to treat posttraumatic stress disorder, major depressive disorder, or substance use disorders or for end-of-life care;
- (5) Informs the Department of Mental Health (DMH) that the person plans to acquire, use, produce, possess, transfer, or administer psilocybin in accordance with this Section;
- (6) Provides DMH with documents specified in the bill. DMH must maintain the confidentiality of any personally identifiable protected information collected from anyone who provides information to the Department;
- (7) Use of psilocybin occurs only in the presence of a facilitator who meets requirements outlined in the bill;
- (8) Ensures that a laboratory licensed by the State to test controlled substances tests the psilocybin the person intends to ingest; and
- (9) The person limits the use of psilocybin to no more than 150 milligrams of psilocybin analyte during any 12-month period.

This bill specifies that a physician will not be subject to criminal or civil liability or sanction under the laws of this State for providing documentation that a person suffers from posttraumatic stress disorder, major depressive disorder, or a

substance use disorder or requires end-of-life care, and no State agency or regulatory board can revoke, fail to renew, or take any other action against a physician's license issued under Chapter 334, RSMo, based solely on the physician's provision of documentation that a person suffers from posttraumatic stress disorder, major depressive disorder, or a substance use disorder or requires end-of-life care.

This bill also requires DMH, in collaboration with a hospital operated by an institution of higher education in this State or contract research organizations conducting trials approved by the United States Food and Drug Administration in Missouri, to conduct a study on the efficacy of using alternative medicines and therapies, including, but not limited to, the use of psilocybin for the treatment of patients suffering from posttraumatic stress disorder, major depressive disorder, substance use disorders, or who require end-of-life care.

The bill specifies that the study must include the therapeutic efficacy of using psilocybin in the treatment of veterans who suffer from posttraumatic stress disorder, major depressive disorder, or substance use disorders or who require end-of-life care, as well as a literature review and the submission of various reports.

DMH, any health care providers, and any person participating in the study will not be subjected to criminal or civil liability or sanction for participating in the study, except in cases of gross negligence or willful misconduct. A physician will not be subject to criminal or civil liability or sanction under the laws of this State for referring a patient to the study under this section, and no state agency or regulatory board can revoke, fail to renew, or take any other action against a physician's license based solely on the physician's referral of a patient to the study under this section.

DMH must prepare and submit to the Governor, Lieutenant Governor, and the General Assembly:

- (1) Quarterly reports on the progress of the study; and
- (2) A written report, submitted one year following the commencement of the study, that contains the study's results and any recommendations for legislative or regulatory action and that highlights clinical practices appearing to be most successful as well as any health or safety concerns. DMH must maintain

confidentiality of any personally identifiable protected information collected during the study.

LINE OF DUTY COMPENSATION ACT (Section 287.243)

Currently, the Line of Duty Compensation Act provides compensation to the survivors of certain public safety officers and emergency responders killed in the line of duty and is subject to the Missouri Sunset Act, ending on December 31, 2031. This bill repeals and reenacts the Line of Duty Compensation Act to specify that the Act will not be subject to the Missouri Sunset Act.

MASON'S LAW (Section 301.287)

This bill establishes "Mason's Law".

The bill allows a resident of this State who has a health condition or disability that limits or impairs their ability to effectively communicate with law enforcement to apply to the Department of Revenue for a designation that will be associated with the person's license plate number and made available to law enforcement under the Missouri Uniform Law Enforcement System (MULES).

The application must be made on a form prescribed by the Department of Revenue and must be signed by a physician, certifying that the applicant or their child, parent, or spouse has such a condition or disability and will have the condition or disability for at least five years.

This bill requires the Department of Revenue to notify the MSHP of approved applications. MSHP must prepare an entry in MULES that indicates the applicant or the applicant's child, parent, or spouse has a physical or mental health condition that may impair the ability to effectively communicate with law enforcement. The entry will remain active for five years unless the applicant requests its removal. The entry in MULES may be reactivated for another period of five years upon submission of a renewal form signed by a physician meeting the same requirements as the original application.

The Department of Public Safety (DPS) must issue guidance and education materials to all law enforcement agencies in the State to promote awareness of the designation established in the bill. Rulemaking authority is granted to the Department of Revenue (DOR) to implement the provisions of this bill.

DRIVING WHILE INTOXICATED (Sections 302.304, 302.440, 302.525, 302.574, and 577.010)

Currently, a person who has had his or her driver's license suspended or revoked because of an assessment of points for an intoxication-related traffic offense conviction and who has a prior alcohol-related enforcement contact must show proof to the Director of Revenue that any motor vehicle driven by the person has a certified ignition interlock device installed, and the ignition interlock device must be installed for at least six months. Under this bill, the requirement applies only to a person who has an intoxication-related traffic offense conviction in which the person's blood alcohol content (BAC) was at least .08 but less than .15 and who has a prior alcohol-related enforcement contact or to a person who has an assessment of points for an intoxication-related traffic offense conviction in which the person's BAC was found to be .15 or more.

The bill also prohibits restricted driving privileges to be issued to any person whose driving record shows an intoxication-related traffic offense in which the person's BAC was found to be .15 or more until the person files proof with the Department of Revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device.

The bill also modifies the offense of driving while intoxicated. Currently, the offense is a class E felony if the defendant, while driving intoxicated, acts with criminal negligence, causing physical injury to another person. The bill increases the penalty for this provision to a class D felony. It is currently a class D felony if the defendant, while driving intoxicated, acts with criminal negligence, causing serious physical injury to another person. The bill increases the penalty for this provision to a class C felony. Currently, if the defendant is driving while intoxicated and acts with criminal negligence to cause the death of another person, the defendant is guilty of a class C felony; this bill increases the penalty for that to a class B felony. If the defendant, while driving intoxicated, acts with criminal negligence to cause the death of two or more persons or to cause the death of any person while the defendant has a BAC of at least .15 by weight of alcohol, or the defendant has been previously been found guilty as a habitual offender or of driving while intoxicated and causing the death of another person, the defendant will be guilty of a class A felony.

A person found guilty of driving while intoxicated and acting with criminal negligence to cause the death of another person

will not be eligible for probation or parole until the person has served at least five years' imprisonment. If the person has been found guilty of acting with criminal negligence, while driving while intoxicated, to cause the death of two or more persons or to cause the death of any person while the defendant has a BAC of at least .15 by weight of alcohol, the person will not be eligible for probation or parole until the person has served at least 10 years' imprisonment.

ELECTRONIC COMMUNICATION DEVICES (Section 304.822)

Currently, the state preempts the field of regulating the use of electronic communication devices by the operators of motor vehicles.

This bill changes the language of the preemption so that local laws, ordinances, or regulations are allowed provided they do not conflict with state law on the subject.

SAFETY STANDARDS (Sections 320.405 and 650.240)

This bill requires the Division of Fire Safety within DPS to, by rule, no later than July 1, 2027, adopt Missouri fire and life safety standards establishing certain minimum requirements for fire safety. Certain aspects can be incorporated by reference, and some Missouri-specific modifications can be adopted by the Division. The Division must review the fire and life safety standards at least every five years and can update the standards by rule if necessary.

Starting January 1, 2028, the fire and life safety standards will apply to state-inspected facilities under the conditions specified in the bill, and compliance will be verified by the Division by inspection. State-inspected facilities existing prior to August 28, 2026, will not be required to comply with the standards. Cities, counties, and fire protection districts are not prohibited from adopting more stringent standards.

This bill repeals the appointment experience requirements for deputy boiler inspectors and requires deputy inspectors to meet the requirements as set forth by the most current Codes/Standards of the National Board of Boiler and Pressure Vessel Inspector for an Inservice Inspector at the time of appointment.

ARTIFICIALLY GENERATED MATERIAL (Sections 407.3007, 537.039, 573.010, and 573.550)

This bill prohibits any person or entity that develops or deploys artificial intelligence (AI) in this state from advertising or representing to the public that the AI is, or is able to act as, a mental health professional or is capable of providing therapy services, psychotherapy services, or a mental health diagnosis.

A violation of this provision constitutes an unlawful practice under the Missouri Merchandising Practices Act.

The Attorney General is required to enforce the provisions of this bill, though any individual can report violations to the Attorney General. If a violation is found to have occurred, the Attorney General must commence a civil action.

The bill provides for civil penalties as follows:

- (1) \$10,000 for the first violation; or
- (2) \$20,000 for any subsequent violation.

This bill makes it unlawful for a person or entity to:

- (1) Use AI to replicate or alter an image or voice of an individual to generate explicit sexual material, unless the person or entity received express written consent; or
- (2) Use the likeness of an individual by using AI for explicit sexual material, unless the person or entity received express written consent.

Any individual injured through a violation of these provisions can bring a civil cause of action against the person or entity for actual damages, attorney's fees and costs.

Currently, the criminal offense for possession or distribution of child pornography includes visual depictions in photographs, films, videos, pictures, or computer-generated images that involves:

- (1) The production of such visual depiction in which a minor is engaging in sexually explicit conduct;
- (2) The use of digital, computer, or computer-generated images that depicts a minor engaging in sexually explicit conduct; or

(3) The creation, adaptation, or modification of a visual depiction that shows an identifiable minor engaging in sexually explicit conduct.

This bill adds "artificially generated visual depiction", as defined in the bill, to the definition of "child pornography".

Currently, the definition of "material" in relation to pornography criminal offenses includes, but is not limited to, anything printed or written, pictures, drawings, photographs, films, videotapes or videotape productions, and pictorial representations. This bill adds "artificially generated visual depiction" to the definition.

Currently, the definition of "explicit sexual material" in relation to explicit sexual material criminal offenses includes, but is not limited to, any pictorial, three-dimensional, or visual depictions. This bill adds "artificially generated visual depiction" to the definition.

NAME CHANGES WHILE ON SEX OFFENDER REGISTRY (Section 527.270)

No person required to register as a sex offender will be able to change his or her name for the period of time he or she is required to register on the registry.

INTIMATE DIGITAL DEPICTIONS (Sections 537.043 and 573.570)

Except as provided in the bill, an individual who is the subject of an "intimate digital depiction", as defined in the bill, that is disclosed without the consent of the individual and made by a person who knows or recklessly disregards that the individual has not consented can bring a civil action against the other person.

In the case of an individual who is a minor or is otherwise in need of representation, a representative can assume the individual's rights as listed in the bill, but in no event can the defendant be named as the representative.

For the purposes of a civil action based on disclosure of an intimate digital depiction: an individual's "consent", as defined in the bill, to the intimate digital depiction's creation will not establish consent to its disclosure. Consent will be considered validly given only if the requirements listed in the bill are fulfilled.

This bill lists what an individual can recover in the event of a civil action based on disclosure of an intimate digital depiction, what the court can order as relief, and in what situations an individual may not bring an action for relief. A disclaimer stating that the intimate digital depiction was unauthorized or that the depicted individual, as defined in the bill, was not involved in the development of the material, is not a defense.

The bill also establishes the criminal offense of disclosure of an intimate digital depiction, which a person commits if the person discloses or threatens to disclose an intimate digital depiction: with the intent to harass, annoy, threaten, alarm, or cause harm to the depicted individual; or with the actual knowledge that, or reckless disregard for whether, such disclosure or threatened disclosure will cause harm to the depicted individual.

The bill lists the penalties associated with the offense of disclosure of an intimate digital depiction as well as whether certain defenses can be applied to the offense.

An interactive computer service, a provider of public mobile services or private mobile radio services, and a telecommunications network or broadband provider will not be held liable for the offense of disclosure of an intimate digital depiction.

ASSAULT IN THE FOURTH DEGREE (Section 565.056)

This bill amends the offense of assault in the fourth degree to include when a person knowingly causes physical pain to a special victim, defined in Section 565.002, RSMo. If a person commits the offense under this provision, the person will be guilty of a class A misdemeanor unless the person has previously pled guilty or been found guilty of being a prior or persistent assault offender, as defined in Section 565.079, in which case the person will be guilty of a class E felony. If a person has previously pled or been found guilty of an assault offense on two or more occasions and the person violates the provisions of this bill, the person will be guilty of a class D felony. A person found guilty under the provisions of this bill will be required to serve at least six months' imprisonment for a first offense and at least one year for a second or subsequent offense prior to being eligible for probation or parole and the person will not be sentenced to pay a fine.

CERTAIN OFFENDERS PROHIBITED FROM BEING PRESENT OR LOITERING AT CERTAIN LOCATIONS (Section 566.150)

Current law prohibits certain offenders from being present or loitering within 500 feet at certain locations, including public parks, swimming pools, and athletic complexes. This adds the Missouri State Fair, local fairs, or fairgrounds. The term "local fair" is defined in the bill.

CRIMINAL OFFENSES INVOLVING CERTAIN INFRASTRUCTURES (Sections 569.086, 569.117, and 569.119)

This bill modifies the definition of "critical infrastructure facility" to include wireline telecommunication networks, infrastructure, or facilities in addition to wireless telecommunication networks, infrastructure, or facilities.

Currently, a person commits the offense of damage of a critical infrastructure facility if he or she purposely damages, destroys, or tampers with equipment in a critical infrastructure facility. This bill modifies the offense to add if he or she recklessly damages, destroys or tampers with a critical infrastructure facility or removes any component of the facility excluding equipment. Classifications of the offense are specified in the bill and depend on the monetary value of the damages.

Any person who violates these provisions will be required to make restitution and perform community service, as specified in the bill.

A person commits the offense of unauthorized possession of certain copper, brass, aluminum, fiber, or telecommunications materials if the person knowingly possesses such metals, fiber, or materials and is not the person authorized, as specified in the bill, to possess them. The offense of unauthorized possession of certain copper, brass, aluminum, fiber, or telecommunications materials is a class E felony, except it is a class D felony if certain circumstances detailed in the bill are proven at trial.

OFFENSE OF GIFT CARD FRAUD (Sections 570.010 and 570.137)

This bill creates the offense of gift card fraud, which a person commits if he or she alters or tampers with a gift card or its packaging; devises a scheme to obtain a gift card or gift card redemption information from a gift card holder, issuer, or seller by means of deceit; or uses a gift card or gift card redemption

information that has been obtained in violation of this Section for the purpose of obtaining money, goods, services, or anything else of value. The offense is a class C felony if the value of the gift card, gift card redemption information, or money, goods, services or other thing of value is \$25,000 or more. The offense is a class D felony if the value is at least \$750 but less than \$25,000. If the value is less than \$750, the offense is a class A misdemeanor. The bill defines "value" for the purpose of determining the value of a gift card under this provision.

OFFENSE OF IMPEDING, THREATENING, OR HARASSING A FIRST RESPONDER
(Section 575.356)

This bill creates the offense of impeding, threatening, or harassing a first responder, which a person commits if a person receives an oral warning from a first responder not to approach and the person willfully violates the warning and approaches or remains within 25 feet of the first responder with the intent to impede or interfere with the first responder performing his or her duties, threaten the first responder with physical harm, or harass the first responder. The offense is a class D misdemeanor.

OFFENSES INVOLVING ANIMALS (Sections 578.009 and 578.024)

This bill modifies the offense of animal neglect to include a person who has custody or ownership of an animal, other than livestock, and fails to provide adequate control.

If a person fails to provide adequate care or control that results in:

- (1) Property damage, it is a class B misdemeanor, unless the damage exceeds \$750, then it is a class E felony;
- (2) Physical injury to a person, it is a class A misdemeanor;
- (3) Serious physical injury to a person, it is a class E felony;
or
- (4) Death to a person , it is a class D felony.

The bill also repeals a provision allowing the court to waive all fines and penalties for the first finding of guilt if the person shows that the adequate, permanent remedies have been made.

The offense of keeping a dangerous dog is currently a class A misdemeanor if the attack results in serious injury and a class E felony if the current and previous attacks result in serious injury. Under this bill, the offense is a class A misdemeanor if the attack results in serious physical injury, and it is a class E felony if the current and any previous attacks result in serious physical injury.

TRAFFICKING DRUGS (Sections 579.022, 579.065, and 579.068)

Currently, the offense of delivery of a controlled substance causing death contains the element that the person who commits the offense knows that the controlled substance is mixed with another controlled substance. This bill removes that element.

This bill amends the offenses of drug trafficking in the first degree and drug trafficking in the second degree.

Currently, trafficking drugs in the first degree is a class B felony if the person knowingly distributes, delivers, manufactures, or produces, or attempts to distribute, deliver, manufacture, or produce more than 10 milligrams of fentanyl or carfentanil. It is a class A felony if the amount is 20 milligrams or more.

Trafficking drugs in the second degree is a class C felony if the person knowingly possesses or has under his or her control, purchases or attempts to purchase, or brings into this State more than 10 milligrams of fentanyl or carfentanil, and is a class B felony if the amount is 20 milligrams or more.

This bill amends the quantities of fentanyl for the offense of trafficking of drugs, in the first and second degree, as follows:

- (1) Drug trafficking in the first degree is a class B felony for more than three but less than 14 milligrams of fentanyl;
- (2) Drug trafficking in the first degree is a class A felony for at least 14 milligrams of fentanyl;
- (3) Drug trafficking in the second degree is a class C felony for more than three but less than 14 milligrams of fentanyl;
- (4) Drug trafficking in the second degree is a class B felony for at least 14 milligrams of fentanyl.

Under the offense of trafficking drugs in the first degree, trafficking any amount of carfentanil up to .05 milligrams is a class B felony, and trafficking more than .05 milligrams is a class A felony. Under the offense of trafficking drugs in the second degree, trafficking any amount of carfentanil up to .05 milligrams is a class C felony, and trafficking more than .05 milligrams is a class B felony.

PERSISTENT DOMESTIC VIOLENCE OFFENDERS (Sections 589.770, 589.772, and 589.774)

This bill creates "Adriaunna's and BreAnna's Law", which would require persistent domestic violence offenders, defined in the bill, convicted after January 1, 2027, to be placed on the persistent domestic violence offender registry, created within the DPS and maintained by the MSHP. The registry will be made available for public inquiry on the internet. The registry available for public inquiry will not include an offender's address, Social Security Number, driver's license number, or any other State or Federal identification number. The bill specifies the conditions that make certain offenders eligible to be placed on the registry, the procedures for ensuring an offender is placed on the registry, and the procedures and time frames for an offender to be removed from the registry. An offender who fails to register will be subject to a civil fine according to the terms specified in the bill.

In addition to any other punishment imposed for a conviction of a domestic violence offense, an offender required to register under the provisions of this bill will also be assessed a registration fee of \$150, \$50 of which will be retained for the administration of the registry and \$100 of which will be remitted to the "Domestic Violence Prevention Fund", established in this bill. Moneys in the Fund will be used solely to fund and administer grants under the domestic violence prevention program, established in the bill. Grants will be awarded to eligible entities to fund domestic violence prevention and intervention services.

The provisions of this bill sunset six years after the effective date.

PEACE OFFICER LICENSE REQUIREMENTS (Section 590.100)

This bill provides cause for the Director of Public Safety to deny an application for a peace officer license or to deny entrance into a basic training course when the applicant had a

peace officer license or certification that was revoked or surrendered or when the applicant is not a United States citizen.

DETENTION FOR EVALUATION AND TREATMENT FOR MENTAL HEALTH (Section 632.305)

Currently, an application for detention and evaluation for treatment at a mental health facility may be executed by any adult person, who is not required to be an attorney or represented by an attorney, without a notarization requirement.

This bill repeals the provision that notarization is not required and specifies that no notarization will be required for any application, or for any affidavits, declarations, or other supporting documents, that were completed or executed by certain peace officers, licensed physicians, mental health professionals, registered professional nurses, or employees acting on behalf of a hospital, as specified in the bill.

SEXUALLY VIOLENT PREDATORS (Sections 632.489, 632.492, 632.495, 632.504, and 632.520)

Currently, if a person determined by a court to be a sexually violent predator is ordered to the DMH, the Director of DMH determines the appropriate secure facility. This bill adds the Department of Corrections (DOC) as an option for an appropriate secure facility.

The bill allows DMH to enter into an interagency agreement with DOC to confine persons determined to be sexually violent predators who have been ordered to DMH or for persons ordered to DMH after a finding of probable cause that the person is a sexually violent predator, as long as DOC has enough space and services available and the Director of Corrections has agreed to provide the confinement through an interagency agreement with DMH.

The interagency agreement will also be for the control and care, including health care services, of the persons committed to DMH as sexually violent predators. Persons who are under the control and care of DOC under an agreement with DMH must be housed and managed separately from offenders in the custody of DOC and must be segregated from such offenders except for occasional instances of supervised incidental contact.

If DMH and DOC have entered into an interagency agreement, DOC is authorized to enter into one or more contract agreements as may be necessary to perform the agreed-upon responsibilities of DOC under the interagency agreement, as provided in the bill. DOC is also authorized to enter into one or more contract agreements with one or more licensed professionals or providers of health care services to provide health care services for the sexually violent predators housed in DOC.

DMH is authorized to enter into one or more contract agreements with one or more licensed professionals or providers of health care or mental health care services to provide health care or mental health care services to the persons ordered to DMH as sexually violent predators.