



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

| | | | |
|--|-------------------------------|--|------|
| BILL NUMBER: HB 2323 | | DATE: 3/10/2026 | |
| COMMITTEE: Crime and Public Safety | | | |
| TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES | | | |
| WITNESS NAME | | | |
| INDIVIDUAL: | | | |
| WITNESS NAME: SARAH BERRY | | PHONE NUMBER: | |
| BUSINESS/ORGANIZATION NAME: | | TITLE: | |
| ADDRESS: | | | |
| CITY: | | STATE: | ZIP: |
| EMAIL: | ATTENDANCE: Written | SUBMIT DATE: 3/10/2026 8:02 AM | |

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

HB 2323 establishes a narrowly tailored framework to improve accountability for repeat domestic abuse offenders while incorporating several important safeguards that reduce the risk of constitutional defects often associated with registry systems.

Notably, the bill includes procedural protections such as a judicial hearing prior to registration, the right to counsel, the opportunity to present evidence, and written findings by the court.

These provisions appropriately protect due process rights while allowing courts to address individuals who present a demonstrable risk of repeat domestic violence.

The bill also avoids several pitfalls that have undermined registry laws in other jurisdictions.

Registration is limited to high-risk offenders, the database is restricted to law enforcement use rather than public disclosure, and the registration period is finite with the possibility of early termination. The inclusion of independent oversight through a state auditor performance review and a statutory sunset provision further strengthens the program by ensuring that its effectiveness and proportionality will be evaluated over time.

One provision, however, could benefit from additional clarification to ensure the statute remains narrowly tailored and resistant to future legal challenges. Section 589.750 currently requires registrants to provide specified identifying information as well as:

“any other information deemed necessary by the department of public safety.”

While the administrative intent of this clause is understandable, the open-ended nature of this language may create unnecessary ambiguity regarding the scope of information that may be required from registrants. Courts evaluating regulatory statutes frequently scrutinize provisions that grant agencies broad discretion without clearly defined limits. Such language can invite vagueness or nondelegation challenges and may ultimately weaken the durability of an otherwise carefully constructed statute.

A modest clarification could preserve the department’s ability to administer the program while reinforcing constitutional precision. For example, the clause could be revised to state:
 “any additional information reasonably necessary for identification, supervision, and enforcement of the registration requirements under sections 589.750 to 589.753.”

Clarifying the scope of the department's authority in this manner would help ensure that the statute remains focused on legitimate public-safety objectives while avoiding interpretive ambiguity that could undermine enforcement or invite unnecessary litigation.

HB 2323 represents a thoughtful attempt to address repeat domestic violence while respecting procedural protections and avoiding the overbreadth that has caused similar laws elsewhere to fail judicial review. With the above clarification, the legislation would be even more likely to withstand scrutiny and achieve its intended purpose of protecting victims and supporting law enforcement.

For these reasons, HB 2323 merits support with the recommended clarification.



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| WITNESS NAME | | | |
| INDIVIDUAL: | | | |
| WITNESS NAME: SHERRY L BUCHANAN | | PHONE NUMBER: | |
| BUSINESS/ORGANIZATION NAME: | | TITLE: | |
| ADDRESS: | | | |
| CITY: | | STATE: | ZIP: |
| EMAIL: | ATTENDANCE: Written | SUBMIT DATE: 3/6/2026 11:04 AM | |
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This bill could save lives. Domestic Violence is an extremely serious crime. Many perpetrators are repeat offenders. A registry could help to provide physical and emotional safety for victims and potential victims.



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| WITNESS NAME | | |
| BUSINESS/ORGANIZATION: | | |
| WITNESS NAME: ARNIE C. A.C. "HONEST-ABE" DIENOFF | | PHONE NUMBER: |
| BUSINESS/ORGANIZATION NAME: STATE PUBLIC ADVOCACY | | TITLE: STATE PUBLIC ADVOCATE |
| ADDRESS: | | |
| CITY: | STATE: MO | ZIP: |
| EMAIL: | ATTENDANCE: | SUBMIT DATE: 3/10/2026 12:00 AM |
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