

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1659

AN ACT

To repeal sections 43.080, 190.053, 190.101, 190.109, 190.142, 197.135, 210.1505, 211.031, 211.033, 211.071, 211.072, 211.326, 217.345, 217.690, 219.021, 221.044, 221.105, 221.400, 221.402, 221.405, 221.407, 221.410, 287.243, 292.606, 307.175, 324.035, 332.081, 337.618, 386.572, 455.010, 455.035, 455.513, 478.001, 490.692, 491.075, 491.641, 492.304, 547.031, 556.021, 556.061, 558.016, 558.019, 559.125, 565.240, 566.151, 567.030, 568.045, 571.015, 571.070, 575.010, 575.150, 575.205, 575.353, 578.007, 578.022, 579.065, 579.068, 589.401, 589.414, 590.033, 590.050, 590.192, 590.653, 595.045, 600.042, and 610.140, RSMo, and section 56.265 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, section 56.265 as enacted by senate bill no. 275, ninetieth general assembly, first regular session, section 304.022 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, and section 304.022 as enacted by senate bill no. 26 merged with senate bills nos. 53 & 60, one hundred first general assembly, first regular session, and to enact in lieu thereof one hundred twenty-six new sections relating to public safety, with penalty provisions, an emergency clause for certain sections, and a delayed effective date for a certain section.

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

Section A. Sections 43.080, 190.053, 190.101, 190.109,  
2 190.142, 197.135, 210.1505, 211.031, 211.033, 211.071, 211.072,  
3 211.326, 217.345, 217.690, 219.021, 221.044, 221.105, 221.400,  
4 221.402, 221.405, 221.407, 221.410, 287.243, 292.606, 307.175,  
5 324.035, 332.081, 337.618, 386.572, 455.010, 455.035, 455.513,  
6 478.001, 490.692, 491.075, 491.641, 492.304, 547.031, 556.021,  
7 556.061, 558.016, 558.019, 559.125, 565.240, 566.151, 567.030,  
8 568.045, 571.015, 571.070, 575.010, 575.150, 575.205, 575.353,  
9 578.007, 578.022, 579.065, 579.068, 589.401, 589.414, 590.033,  
10 590.050, 590.192, 590.653, 595.045, 600.042, and 610.140, RSMo,  
11 and section 56.265 as enacted by senate bill no. 672, ninety-  
12 seventh general assembly, second regular session, section  
13 56.265 as enacted by senate bill no. 275, ninetieth general  
14 assembly, first regular session, section 304.022 as enacted by  
15 house bill no. 1606, one hundred first general assembly, second  
16 regular session, and section 304.022 as enacted by senate bill  
17 no. 26 merged with senate bills nos. 53 & 60, one hundred first  
18 general assembly, first regular session, are repealed and one  
19 hundred twenty-six new sections enacted in lieu thereof, to be  
20 known as sections 27.170, 43.080, 56.265, 190.053, 190.076,  
21 190.101, 190.109, 190.112, 190.142, 190.166, 197.135, 210.1505,  
22 211.031, 211.033, 211.071, 211.072, 211.326, 211.600, 217.345,  
23 217.451, 217.690, 219.021, 221.044, 221.108, 221.400, 221.402,  
24 221.405, 221.407, 221.410, 221.520, 221.523, 287.243, 292.606,  
25 304.022, 307.018, 307.175, 320.500, 320.502, 320.504, 320.506,  
26 320.508, 320.510, 320.512, 320.514, 320.516, 320.518, 320.520,  
27 320.522, 320.524, 320.526, 320.528, 324.035, 332.081, 337.618,  
28 386.572, 452.1100, 452.1102, 452.1104, 452.1106, 452.1108,  
29 452.1110, 452.1112, 452.1114, 452.1118, 452.1120, 452.1122,  
30 454.1050, 455.010, 455.035, 455.098, 455.513, 478.001, 490.692,  
31 491.075, 491.641, 492.304, 537.1300, 537.1302, 537.1304,  
32 537.1306, 537.1308, 537.1310, 537.1312, 537.1314, 537.1316,

33 547.031, 547.500, 550.320, 556.021, 556.061, 557.520, 558.016,  
34 558.019, 559.125, 565.240, 565.258, 566.151, 567.030, 568.045,  
35 569.158, 570.036, 571.015, 571.031, 571.070, 575.010, 575.150,  
36 575.151, 575.205, 575.353, 578.007, 578.022, 579.021, 579.022,  
37 579.065, 579.068, 589.401, 589.414, 589.700, 590.033, 590.050,  
38 590.192, 590.653, 595.045, 595.325, 600.042, and 610.140, to  
39 read as follows:

27.170. 1. There is hereby established the "Committee  
2 on Sex and Human Trafficking Training".

3 2. The committee shall consist of the following  
4 members:

5 (1) A representative of the attorney general's office  
6 who is involved in the office's anti-trafficking efforts  
7 appointed by the attorney general;

8 (2) A representative of the department of public  
9 safety with experience in human trafficking investigations  
10 appointed by the director of the department of public safety;

11 (3) A representative from a child advocacy center  
12 appointed by the director of a statewide nonprofit  
13 organization that advocates for the protection of children;

14 (4) A juvenile officer appointed by the chief justice  
15 of the supreme court of Missouri;

16 (5) A representative from an agency providing victim  
17 services appointed by the director of the department of  
18 social services;

19 (6) A representative from a child abuse medical  
20 resource center, as defined in section 334.950, appointed by  
21 the director of the department of health and senior  
22 services; and

23 (7) The executive director of the Missouri office of  
24 prosecution services or his or her designee.

25 3. The member who represents the attorney general's  
26 office shall serve as chair of the committee.

27 4. Members of the committee shall serve without  
28 compensation but may be reimbursed for actual expenses  
29 necessary to the performance of their official duties for  
30 the committee.

31 5. The committee shall annually evaluate, and  
32 establish guidelines for, the sex and human trafficking  
33 training, to be produced and distributed in a digital  
34 platform, required under sections 56.265, 190.142, 198.082,  
35 211.326, 335.059, 337.618, and 590.050.

36 6. Any board, department, or agency that regulates any  
37 profession for which sex and human trafficking training is  
38 required as described in subsection 5 of this section may  
39 provide such training. Funding for the training shall be  
40 subject to appropriations.

41 7. The provisions of this section shall become  
42 effective on January 1, 2025, and shall expire on December  
43 31, 2029.

43.080. 1. The superintendent is authorized and  
2 empowered to prescribe policies providing for increases in  
3 the salaries of members of the highway patrol. Each year,  
4 prior to January first, the superintendent shall submit a  
5 salary schedule report to the governor, speaker of the house  
6 of representatives, and the president pro tem of the  
7 senate. The salary schedule report prepared by the  
8 superintendent shall include, in addition to other matters  
9 deemed pertinent to the superintendent, a comparison of the  
10 salaries of police officers of the three largest police  
11 departments in the state and a comparison of the salaries  
12 and benefits of police officers employed by the following  
13 law enforcement agencies located in surrounding states:

- 14 (1) The Iowa State Patrol;  
15 (2) The Nebraska State Patrol;  
16 (3) The Illinois State Police;

- 17           (4) The Kentucky State Police;
- 18           (5) The Tennessee Highway Patrol;
- 19           (6) The Arkansas State Police;
- 20           (7) The Oklahoma Highway Patrol; and
- 21           (8) The Kansas Highway Patrol.

22           2. The governor may make additional recommendations to  
23 the report and forward them to the speaker of the house of  
24 representatives and the president pro tem of the senate.  
25 The speaker of the house of representatives and the  
26 president pro tem of the senate may assign the salary  
27 schedule report to the appropriate standing committees to  
28 review the salary comparisons to ensure that parity in the  
29 salary of members of the highway patrol and officers of the  
30 three largest police departments is maintained. The  
31 superintendent of the highway patrol shall testify before  
32 the appropriate committee on the salary schedule report if  
33 called upon by such committee. The "service" of a member of  
34 the patrol, who has served in the Armed Forces of the United  
35 States and who has subsequently been reinstated as a member  
36 of the patrol within ninety days after receiving a discharge  
37 other than dishonorable from the Armed Forces of the United  
38 States, shall be considered service with the patrol as a  
39 member of the patrol rendered since last becoming a member  
40 prior to entrance into the Armed Forces of the United  
41 States; except that no member shall be entitled to any  
42 credit, privilege or benefit provided by this chapter if  
43 such member voluntarily extends or participates in an  
44 extension of the period of service, whether by reenlistment,  
45 waiver of discharge, acceptance of commission or any other  
46 action, with the Armed Forces beyond the period of service  
47 for which such member was originally commissioned, enlisted,  
48 inducted or called.

[56.265. 1. The county prosecuting attorney in any county, other than in a chartered county, shall receive an annual salary computed using the following schedule, when applicable. The assessed valuation factor shall be the amount thereof as shown for the year immediately preceding the year for which the computation is done.

(1) For a full-time prosecutor the prosecutor shall receive compensation equal to the compensation of an associate circuit judge;

(2) For a part-time prosecutor:

Assessed Valuation	Amount
\$18,000,000 to 40,999,999	\$37,000
41,000,000 to 53,999,999	38,000
54,000,000 to 65,999,999	39,000
66,000,000 to 85,999,999	41,000
86,000,000 to 99,999,999	43,000
100,000,000 to 130,999,999	45,000
131,000,000 to 159,999,999	47,000
160,000,000 to 189,999,999	49,000
190,000,000 to 249,999,999	51,000
250,000,000 to 299,999,999	53,000
300,000,000 or more	55,000

2. Two thousand dollars of the salary authorized in this section shall be payable to the prosecuting attorney only if the prosecuting attorney has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the prosecuting attorney's office when approved by a professional association of the county prosecuting attorneys of Missouri unless

34 exempted from the training by the professional  
35 association. The professional association  
36 approving the program shall provide a  
37 certificate of completion to each prosecuting  
38 attorney who completes the training program and  
39 shall send a list of certified prosecuting  
40 attorneys to the treasurer of each county.  
41 Expenses incurred for attending the training  
42 session may be reimbursed to the county  
43 prosecuting attorney in the same manner as other  
44 expenses as may be appropriated for that purpose.

45 3. As used in this section, the term  
46 "prosecuting attorney" includes the circuit  
47 attorney of any city not within a county.

48 4. The prosecuting attorney of any county  
49 which becomes a county of the first  
50 classification during a four-year term of office  
51 or a county which passed the proposition  
52 authorized by subsection 1 of section 56.363  
53 shall not be required to devote full time to  
54 such office pursuant to section 56.067 until the  
55 beginning of the prosecuting attorney's next  
56 term of office or until the proposition  
57 otherwise becomes effective.

58 5. The provisions of section 56.066 shall  
59 not apply to full-time prosecutors who are  
60 compensated pursuant to subdivision (1) of  
61 subsection 1 of this section.]

56.265. 1. The county prosecuting attorney in any  
2 county, other than in a chartered county, shall receive an  
3 annual salary computed using the following schedule, when  
4 applicable. The assessed valuation factor shall be the  
5 amount thereof as shown for the year immediately preceding  
6 the year for which the computation is done.

7 (1) For a full-time prosecutor the prosecutor shall  
8 receive compensation equal to the compensation of an  
9 associate circuit judge;

10 (2) For a part-time prosecutor:

11

Assessed Valuation	Amount
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12	\$18,000,000 to 40,999,999	\$37,000
13	41,000,000 to 53,999,999	38,000
14	54,000,000 to 65,999,999	39,000
15	66,000,000 to 85,999,999	41,000
16	86,000,000 to 99,999,999	43,000
17	100,000,000 to 130,999,999	45,000
18	131,000,000 to 159,999,999	47,000
19	160,000,000 to 189,999,999	49,000
20	190,000,000 to 249,999,999	51,000
21	250,000,000 to 299,999,999	53,000
22	300,000,000 or more	55,000

23           2. Two thousand dollars of the salary authorized in  
24 this section shall be payable to the prosecuting attorney  
25 only if the prosecuting attorney has completed:

26           (1) At least twenty hours of classroom instruction  
27 each calendar year relating to the operations of the  
28 prosecuting attorney's office when approved by a  
29 professional association of the county prosecuting attorneys  
30 of Missouri unless exempted from the training by the  
31 professional association. The professional association  
32 approving the program shall provide a certificate of  
33 completion to each prosecuting attorney who completes the  
34 training program and shall send a list of certified  
35 prosecuting attorneys to the treasurer of each county.  
36 Expenses incurred for attending the training session may be  
37 reimbursed to the county prosecuting attorney in the same  
38 manner as other expenses as may be appropriated for that  
39 purpose; and



40           (2) One hour of sex and human trafficking training  
41 each calendar year consistent with the guidelines  
42 established in section 21.170. The provisions of this  
43 subdivision shall become effective on January 1, 2025, and  
44 shall expire on December 31, 2029.

45           3. As used in this section, the term "prosecuting  
46 attorney" includes the circuit attorney of any city not  
47 within a county.

48           4. The prosecuting attorney of any county which  
49 becomes a county of the first classification during a four-  
50 year term of office or a county which passed the proposition  
51 authorized by section 56.363 shall not be required to devote  
52 full time to such office pursuant to section 56.067 until  
53 the beginning of the prosecuting attorney's next term of  
54 office or until the proposition otherwise becomes effective.

55           5. The provisions of section 56.066 shall not apply to  
56 full-time prosecutors who are compensated pursuant to  
57 subdivision (1) of subsection 1 of this section.

190.053. 1. All members of the board of directors of  
2 an ambulance district first elected on or after January 1,  
3 2008, shall attend and complete an educational seminar or  
4 conference or other suitable training on the role and duties  
5 of a board member of an ambulance district. The training  
6 required under this section shall be offered by a statewide  
7 association organized for the benefit of ambulance districts  
8 or be approved by the state advisory council on emergency  
9 medical services. Such training shall include, at a minimum:

10           (1) Information relating to the roles and duties of an  
11 ambulance district director;

12           (2) A review of all state statutes and regulations  
13 relevant to ambulance districts;

14           (3) State ethics laws;

15           (4) State sunshine laws, chapter 610;

- 16 (5) Financial and fiduciary responsibility;  
17 (6) State laws relating to the setting of tax rates;  
18 and  
19 (7) State laws relating to revenue limitations.

20 2. [If any ambulance district board member fails to  
21 attend a training session within twelve months after taking  
22 office, the board member shall not be compensated for  
23 attendance at meetings thereafter until the board member has  
24 completed such training session. If any ambulance district  
25 board member fails to attend a training session within  
26 twelve months of taking office regardless of whether the  
27 board member received an attendance fee for a training  
28 session, the board member shall be ineligible to run for  
29 reelection for another term of office until the board member  
30 satisfies the training requirement of this section; however,  
31 this requirement shall only apply to board members elected  
32 after August 28, 2022] All members of the board of directors  
33 of an ambulance district shall complete three hours of  
34 continuing education for each term of office. The  
35 continuing education shall be offered by a statewide  
36 association organized for the benefit of ambulance districts  
37 or be approved by the state advisory council on emergency  
38 medical services.

39 3. Any ambulance district board member who fails to  
40 complete the initial training and continuing education  
41 requirements on or before the anniversary date of his or her  
42 election or appointment shall immediately be disqualified  
43 from office and his or her position shall be vacant without  
44 further process or declaration. The vacancy shall be filled  
45 in the manner provided for pursuant to section 190.052.

190.076. Each ambulance district shall arrange for an  
2 audit of the records and accounts of the district at least  
3 every three years by a certified public accountant or firm

4 of certified public accountants. The audit shall be made  
5 available to the public on the district's website or  
6 otherwise freely available by other electronic means.

190.101. 1. There is hereby established a "State  
2 Advisory Council on Emergency Medical Services" which shall  
3 consist of ~~[sixteen]~~ no more than twenty-three members[, ~~one~~  
4 ~~of which shall be a resident of a city not within a~~  
5 ~~county~~]. The members of the council shall be appointed [by  
6 ~~the governor with the advice and consent of the senate~~]  
7 pursuant to subsection 2 of this subsection and shall serve  
8 terms of four years. The ~~[governor shall designate one of~~  
9 ~~the members as chairperson]~~ council members shall annually  
10 select a chairperson, along with other officers as the  
11 council deems necessary. The chairperson may appoint  
12 subcommittees that include noncouncil members.

13 2. Council members shall be appointed as follows:

14 (1) The director of the department of health and  
15 senior services shall make appointments to the council from  
16 the recommendations provided by the following:

17 (a) The statewide professional association  
18 representing ambulance service managers;

19 (b) The statewide professional association  
20 representing EMT's and paramedics;

21 (c) The statewide professional association  
22 representing ambulance districts;

23 (d) The statewide professional association  
24 representing fire chiefs;

25 (e) The statewide professional association  
26 representing fire protection districts;

27 (f) The statewide professional association  
28 representing firefighters;

29 (g) The statewide professional association  
30 representing emergency nurses;

31           (h) The statewide professional association  
32 representing the air ambulance industry;  
33           (i) The statewide professional association  
34 representing emergency medicine physicians;  
35           (j) The statewide association representing hospitals;  
36 and  
37           (k) The statewide association representing pediatric  
38 emergency professionals;  
39           (2) The director of health and senior services shall  
40 appoint a member to the council with a background in mobile  
41 integrated healthcare-community paramedicine (MIH-CP);  
42           (3) Each regional EMS advisory committee shall appoint  
43 one member; and  
44           (4) The time-critical diagnosis advisory committee  
45 established under section 190.257 shall appoint one member.

46           3. The state EMS medical directors advisory committee  
47 and the regional EMS advisory committees will be recognized  
48 as subcommittees of the state advisory council on emergency  
49 medical services.

50           [3.] 4. The council shall have geographical  
51 representation and representation from appropriate areas of  
52 expertise in emergency medical services including  
53 volunteers, professional organizations involved in emergency  
54 medical services, EMT's, paramedics, nurses, firefighters,  
55 physicians, ambulance service administrators, hospital  
56 administrators and other health care providers concerned  
57 with emergency medical services. [The regional EMS advisory  
58 committees shall serve as a resource for the identification  
59 of potential members of the state advisory council on  
60 emergency medical services.

61           4.] 5. The state EMS medical director, as described  
62 under section 190.103, shall serve as an ex officio member  
63 of the council.

64           [5.] 6. The members of the council and subcommittees  
65 shall serve without compensation except that members of the  
66 council shall, subject to appropriations, be reimbursed for  
67 reasonable travel expenses and meeting expenses related to  
68 the functions of the council.

69           [6.] 7. The purpose of the council is to make  
70 recommendations to the governor, the general assembly, and  
71 the department on policies, plans, procedures and proposed  
72 regulations on how to improve the statewide emergency  
73 medical services system. The council shall advise the  
74 governor, the general assembly, and the department on all  
75 aspects of the emergency medical services system.

76           [7.] 8. (1) There is hereby established a standing  
77 subcommittee of the council to monitor the implementation of  
78 the recognition of the EMS personnel licensure interstate  
79 compact under sections 190.900 to 190.939, the interstate  
80 commission for EMS personnel practice, and the involvement  
81 of the state of Missouri. The subcommittee shall meet at  
82 least biannually and receive reports from the Missouri  
83 delegate to the interstate commission for EMS personnel  
84 practice. The subcommittee shall consist of at least seven  
85 members appointed by the chair of the council, to include at  
86 least two members as recommended by the Missouri state  
87 council of firefighters and one member as recommended by the  
88 Missouri Association of Fire Chiefs. The subcommittee may  
89 submit reports and recommendations to the council, the  
90 department of health and senior services, the general  
91 assembly, and the governor regarding the participation of  
92 Missouri with the recognition of the EMS personnel licensure  
93 interstate compact.

94           (2) The subcommittee shall formally request a public  
95 hearing for any rule proposed by the interstate commission  
96 for EMS personnel practice in accordance with subsection 7

97 of section 190.930. The hearing request shall include the  
98 request that the hearing be presented live through the  
99 internet. The Missouri delegate to the interstate  
100 commission for EMS personnel practice shall be responsible  
101 for ensuring that all hearings, notices of, and related  
102 rulemaking communications as required by the compact be  
103 communicated to the council and emergency medical services  
104 personnel under the provisions of subsections 4, 5, 6, and 8  
105 of section 190.930.

106 (3) The department of health and senior services shall  
107 not establish or increase fees for Missouri emergency  
108 medical services personnel licensure in accordance with this  
109 chapter for the purpose of creating the funds necessary for  
110 payment of an annual assessment under subdivision (3) of  
111 subsection 5 of section 190.924.

112 **[8.]** 9. The council shall consult with the time-  
113 critical diagnosis advisory committee, as described under  
114 section 190.257, regarding time-critical diagnosis.

190.109. 1. The department shall, within a reasonable  
2 time after receipt of an application, cause such  
3 investigation as the department deems necessary to be made  
4 of the applicant for a ground ambulance license.

5 2. Any person that owned and operated a licensed  
6 ambulance on December 31, 1997, shall receive an ambulance  
7 service license from the department, unless suspended,  
8 revoked or terminated, for that ambulance service area which  
9 was, on December 31, 1997, described and filed with the  
10 department as the primary service area for its licensed  
11 ambulances on August 28, 1998, provided that the person  
12 makes application and adheres to the rules and regulations  
13 promulgated by the department pursuant to sections 190.001  
14 to 190.245.

15           3. The department shall issue a new ground ambulance  
16 service license to an ambulance service that is not  
17 currently licensed by the department, or is currently  
18 licensed by the department and is seeking to expand its  
19 ambulance service area, except as provided in subsection 4  
20 of this section, to be valid for a period of five years,  
21 unless suspended, revoked or terminated, when the director  
22 finds that the applicant meets the requirements of ambulance  
23 service licensure established pursuant to sections 190.100  
24 to 190.245 and the rules adopted by the department pursuant  
25 to sections 190.001 to 190.245. In order to be considered  
26 for a new ambulance service license, an ambulance service  
27 shall submit to the department a letter of endorsement from  
28 each ambulance district or fire protection district that is  
29 authorized to provide ambulance service, or from each  
30 municipality not within an ambulance district or fire  
31 protection district that is authorized to provide ambulance  
32 service, in which the ambulance service proposes to  
33 operate. If an ambulance service proposes to operate in  
34 unincorporated portions of a county not within an ambulance  
35 district or fire protection district that is authorized to  
36 provide ambulance service, in order to be considered for a  
37 new ambulance service license, the ambulance service shall  
38 submit to the department a letter of endorsement from the  
39 county. Any letter of endorsement required pursuant to this  
40 section shall verify that the political subdivision has  
41 conducted a public hearing regarding the endorsement and  
42 that the governing body of the political subdivision has  
43 adopted a resolution approving the endorsement. The letter  
44 of endorsement shall affirmatively state that the proposed  
45 ambulance service:

46           (1) Will provide a benefit to public health that  
47 outweighs the associated costs;

48           (2) Will maintain or enhance the public's access to  
49 ambulance services;

50           (3) Will maintain or improve the public health and  
51 promote the continued development of the regional emergency  
52 medical service system;

53           (4) Has demonstrated the appropriate expertise in the  
54 operation of ambulance services; and

55           (5) Has demonstrated the financial resources necessary  
56 for the operation of the proposed ambulance service.

57           4. A contract between a political subdivision and a  
58 licensed ambulance service for the provision of ambulance  
59 services for that political subdivision shall expand,  
60 without further action by the department, the ambulance  
61 service area of the licensed ambulance service to include  
62 the jurisdictional boundaries of the political subdivision.  
63 The termination of the aforementioned contract shall result  
64 in a reduction of the licensed ambulance service's ambulance  
65 service area by removing the geographic area of the  
66 political subdivision from its ambulance service area,  
67 except that licensed ambulance service providers may provide  
68 ambulance services as are needed at and around the state  
69 fair grounds for protection of attendees at the state fair.

70           5. The department shall renew a ground ambulance  
71 service license if the applicant meets the requirements  
72 established pursuant to sections 190.001 to 190.245, and the  
73 rules adopted by the department pursuant to sections 190.001  
74 to 190.245.

75           6. The department shall promulgate rules relating to  
76 the requirements for a ground ambulance service license  
77 including, but not limited to:

78           (1) Vehicle design, specification, operation and  
79 maintenance standards;

80           (2) Equipment requirements;



- 81 (3) Staffing requirements;  
82 (4) Five-year license renewal;  
83 (5) Records and forms;  
84 (6) Medical control plans;  
85 (7) Medical director qualifications;  
86 (8) Standards for medical communications;  
87 (9) Memorandums of understanding with emergency  
88 medical response agencies that provide advanced life support;  
89 (10) Quality improvement committees; [and]  
90 (11) Response time, patient care and transportation  
91 standards;  
92 (12) Participation with regional emergency medical  
93 services advisory committees; and  
94 (13) Ambulance service administrator qualifications.

95 7. Application for a ground ambulance service license  
96 shall be made upon such forms as prescribed by the  
97 department in rules adopted pursuant to sections 190.001 to  
98 190.245. The application form shall contain such  
99 information as the department deems necessary to make a  
100 determination as to whether the ground ambulance service  
101 meets all the requirements of sections 190.001 to 190.245  
102 and rules promulgated pursuant to sections 190.001 to  
103 190.245.

190.112. 1. Each ambulance service licensed under  
2 this chapter shall identify to the department the individual  
3 serving as the ambulance service administrator who is  
4 responsible for the operations and staffing of the ambulance  
5 service. The ambulance service administrator shall be  
6 required to have achieved basic training of at least forty  
7 hours regarding the operations of an ambulance service and  
8 two hours of annual continuing education. The training  
9 required under this section shall be offered by a statewide  
10 association organized for the benefit of ambulance districts

11 or be approved by the state advisory council on emergency  
12 medical services and shall include the following:

13 (1) Basic principles of accounting and economics;

14 (2) State and federal laws applicable to ambulance  
15 services;

16 (3) Regulatory requirements applicable to ambulance  
17 services;

18 (4) Human resources management and laws;

19 (5) Grant writing, contracts, and fundraising;

20 (6) State sunshine laws in chapter 610, as well as  
21 applicable ethics requirements; and

22 (7) Volunteer and community involvement.

23 2. Ambulance service administrators serving in this  
24 capacity as of August 28, 2024, shall have until January 1,  
25 2026, to demonstrate compliance with the provisions of this  
26 section.

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

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

18 such a criminal background check with any emergency services  
19 licensing agency in any member state, as that term is  
20 defined under section 190.900, in recognition of the EMS  
21 personnel licensure interstate compact. The department  
22 shall not issue a license until the department receives the  
23 results of an applicant's criminal background check from the  
24 Missouri state highway patrol and the Federal Bureau of  
25 Investigation, but, notwithstanding this subsection, the  
26 department may issue a temporary license as provided under  
27 section 190.143. Any fees due for a criminal background  
28 check shall be paid by the applicant.

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

31 2. The department shall issue a license to all levels  
32 of emergency medical technicians, for a period of five  
33 years, if the applicant meets the requirements established  
34 pursuant to sections 190.001 to 190.245 and the rules  
35 adopted by the department pursuant to sections 190.001 to  
36 190.245. The department may promulgate rules relating to  
37 the requirements for an emergency medical technician  
38 including but not limited to:

39 (1) Age requirements;

40 (2) Emergency medical technician and paramedic  
41 education and training requirements based on respective  
42 National Emergency Medical Services Education Standards and  
43 any modification to such curricula specified by the  
44 department through rules adopted pursuant to sections  
45 190.001 to 190.245;

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

49 (4) Initial licensure testing requirements. Initial  
50 paramedic licensure testing shall be through the national  
51 registry of EMTs;

52 (5) (a) Continuing education and relicensure  
53 requirements.

54 (b) The department shall require each emergency  
55 medical technician or advanced emergency medical technician,  
56 including each paramedic, to receive four hours of sex and  
57 human trafficking training produced by the committee on sex  
58 and human trafficking training pursuant to section 27.170 or  
59 training already produced and approved by the committee on  
60 sex and human trafficking training pursuant to section  
61 27.170 as part of the continuing education requirements for  
62 relicensure every five years. The provisions of this  
63 paragraph shall become effective on January 1, 2025, and  
64 shall expire on December 31, 2029;

65 a. Licensees who submit an application for renewal  
66 prior to January 1, 2026, shall be required to receive one  
67 hour of sex and human trafficking training consistent with  
68 the guidelines established in section 27.170;

69 b. Licensees who submit an application for renewal on  
70 or after January 1, 2026, but prior to January 1, 2027,  
71 shall be required to receive two hours of sex and human  
72 trafficking training consistent with the guidelines  
73 established in section 21.170;

74 c. Licensees who submit an application for renewal on  
75 or after January 1, 2027, but prior to January 1, 2028,  
76 shall be required to receive three hours of sex and human  
77 trafficking training consistent with the guidelines  
78 established in section 21.170;

79 d. Licensees who submit an application for renewal on  
80 or after January 1, 2028, but prior to January 1, 2029,  
81 shall be required to receive four hours of sex and human

82 trafficking training consistent with the guidelines  
83 established in section 21.170; and

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

86 3. Application for all levels of emergency medical  
87 technician license shall be made upon such forms as  
88 prescribed by the department in rules adopted pursuant to  
89 sections 190.001 to 190.245. The application form shall  
90 contain such information as the department deems necessary  
91 to make a determination as to whether the emergency medical  
92 technician meets all the requirements of sections 190.001 to  
93 190.245 and rules promulgated pursuant to sections 190.001  
94 to 190.245.

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

97 (1) Consistent with the training, education and  
98 experience of the particular emergency medical technician;  
99 and

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

102 5. No person shall hold themselves out as an emergency  
103 medical technician or provide the services of an emergency  
104 medical technician unless such person is licensed by the  
105 department.

106 6. Any rule or portion of a rule, as that term is  
107 defined in section 536.010, that is created under the  
108 authority delegated in this section shall become effective  
109 only if it complies with and is subject to all of the  
110 provisions of chapter 536 and, if applicable, section  
111 536.028. This section and chapter 536 are nonseverable and  
112 if any of the powers vested with the general assembly  
113 pursuant to chapter 536 to review, to delay the effective  
114 date, or to disapprove and annul a rule are subsequently

115 held unconstitutional, then the grant of rulemaking  
116 authority and any rule proposed or adopted after August 28,  
117 2002, shall be invalid and void.

190.166. 1. In addition to the provisions of section  
2 190.165, the department of health and senior services may  
3 refuse to issue, deny renewal of, or suspend a license  
4 required pursuant to section 190.109, or take other  
5 corrective actions as described in this section, based on  
6 the following considerations:

7 (1) The license holder is determined to be financially  
8 insolvent;

9 (2) The ambulance service has inadequate personnel to  
10 operate the ambulance service to provide for basic emergency  
11 operations, determined by the ability to staff a minimum of  
12 one ambulance unit twenty-four hours per day, seven days per  
13 week, with at least two licensed emergency medical  
14 technicians and a reasonable plan and schedule for the  
15 services of a second ambulance;

16 (3) The ambulance service requires an inordinate  
17 amount of mutual aid from neighboring services, such as more  
18 than ten percent of the total runs in the service area in  
19 any given month, or than would be considered prudent and  
20 thus cannot provide an appropriate level of emergency  
21 response for the service area as would be considered prudent  
22 by the typical ground ambulance services operator;

23 (4) The principal manager, board members, or other  
24 executives are determined to be criminally liable for  
25 actions related to the license or service provided;

26 (5) The license holder or principal manager, board  
27 members, or other executives are determined by the Centers  
28 for Medicare and Medicaid Services to be ineligible for  
29 participation in Medicare;

30 (6) The license holder or principal manager, board  
31 members, or other executives are determined by the MO  
32 HealthNet division to be ineligible for participation in MO  
33 HealthNet;

34 (7) The ambulance service administrator has failed to  
35 meet the required qualifications or failed to complete the  
36 training required pursuant to section 190.112; and

37 (8) Three or more board members have failed to  
38 complete required training pursuant to section 190.053 if  
39 the ambulance service is an ambulance district.

40 2. If the department makes a determination of  
41 insolvency or insufficiency of operations of a license  
42 holder under subsection 1 of this section, then the  
43 department may require the license holder to submit a  
44 corrective plan within fifteen days and require  
45 implementation of the corrective plan within thirty days.

46 3. The department shall be required to provide notice  
47 of any determination by the department of insolvency or  
48 insufficiency of operations of a license holder to other  
49 license holders operating in the license holder's vicinity,  
50 members of the general assembly who represent the license  
51 holder's service area, the governing officials of any county  
52 or municipal entity in the license holder's service area,  
53 the appropriate regional emergency medical services advisory  
54 committee, and the state advisory council on emergency  
55 medical services.

56 4. The department shall immediately engage with other  
57 license holders in the area to determine the extent to which  
58 ground ambulance service may be provided to the affected  
59 service area during the time in which the license holder is  
60 unable to provide adequate services, including any long-term  
61 service arrangements. The nature of the agreement between  
62 the license holder and other license holders providing

63 services to the affected area may include an agreement to  
64 provide services, a joint powers agreement, formal  
65 consideration, or some payment for services rendered.

66 5. Any license holder who provides assistance in the  
67 service area of another license holder whose license has  
68 been suspended under this section shall have the right to  
69 seek reasonable compensation from the license holder whose  
70 license to operate has been suspended for all calls, stand-  
71 by time, and responses to medical emergencies during such  
72 time as the license remains suspended. The reasonable  
73 compensation shall not be limited to those expenses incurred  
74 in actual responses, but may also include reasonable  
75 expenses to maintain ambulance service, including, but not  
76 limited to, the daily operation costs of maintaining the  
77 service, personnel wages and benefits, equipment purchases  
78 and maintenance, and other costs incurred in the operation  
79 of a ground ambulance service. The license holder providing  
80 assistance shall be entitled to an award of costs and  
81 reasonable attorney fees in any action to enforce the  
82 provisions of this subsection.

197.135. 1. Beginning January 1, 2023, or no later  
2 than six months after the establishment of the statewide  
3 telehealth network under section 192.2520, whichever is  
4 later, any hospital licensed under this chapter shall  
5 perform a forensic examination using an evidentiary  
6 collection kit upon the request and consent of the victim of  
7 a sexual offense, or the victim's guardian, when the victim  
8 is at least fourteen years of age. In the case of minor  
9 consent, the provisions of subsection 2 of section 595.220  
10 shall apply. Victims under fourteen years of age shall be  
11 referred, and victims fourteen years of age or older but  
12 less than eighteen years of age may be referred, to a SAFE  
13 CARE provider, as such term is defined in section 334.950,



14 for medical or forensic evaluation and case review. Nothing  
15 in this section shall be interpreted to preclude a hospital  
16 from performing a forensic examination for a victim under  
17 fourteen years of age upon the request and consent of the  
18 victim or victim's guardian, subject to the provisions of  
19 section 595.220 and the rules promulgated by the department  
20 of public safety.

21 2. (1) An appropriate medical provider, as such term  
22 is defined in section 595.220, shall perform the forensic  
23 examination of a victim of a sexual offense. The hospital  
24 shall ensure that any provider performing the examination  
25 has received training conducting such examinations that is,  
26 at a minimum, equivalent to the training offered by the  
27 statewide telehealth network under subsection 4 of section  
28 192.2520. Nothing in this section shall require providers  
29 to utilize the training offered by the statewide telehealth  
30 network, as long as the training utilized is, at a minimum,  
31 equivalent to the training offered by the statewide  
32 telehealth network.

33 (2) If the provider is not a sexual assault nurse  
34 examiner (SANE), or another similarly trained physician or  
35 nurse, then the hospital shall utilize telehealth services  
36 during the examination, such as those provided by the  
37 statewide telehealth network, to provide guidance and  
38 support through a SANE, or other similarly trained physician  
39 or nurse, who may observe the live forensic examination and  
40 who shall communicate with and support the onsite provider  
41 with the examination, forensic evidence collection, and  
42 proper transmission and storage of the examination evidence.

43 3. The department of health and senior services may  
44 issue a waiver of the telehealth requirements of subsection  
45 2 of this section if the hospital demonstrates to the  
46 department, in writing, a technological hardship in

47 accessing telehealth services or a lack of access to  
48 adequate broadband services sufficient to access telehealth  
49 services. Such waivers shall be granted sparingly and for  
50 no more than a year in length at a time, with the  
51 opportunity for renewal at the department's discretion.

52 4. The department shall waive the requirements of this  
53 section if the statewide telehealth network established  
54 under section 192.2520 ceases operation, the director of the  
55 department of health and senior services has provided  
56 written notice to hospitals licensed under this chapter that  
57 the network has ceased operation, and the hospital cannot,  
58 in good faith, comply with the requirements of this section  
59 without assistance or resources of the statewide telehealth  
60 network. Such waiver shall remain in effect until such time  
61 as the statewide telehealth network resumes operation or  
62 until the hospital is able to demonstrate compliance with  
63 the provisions of this section without the assistance or  
64 resources of the statewide telehealth network.

65 5. The provisions of section 595.220 shall apply to  
66 the reimbursement of the reasonable costs of the  
67 examinations and the provision of the evidentiary collection  
68 kits.

69 6. No individual hospital shall be required to comply  
70 with the provisions of this section and section 192.2520  
71 unless and until the department provides such hospital with  
72 access to the statewide telehealth network for the purposes  
73 of mentoring and training services required under section  
74 192.2520 without charge to the hospital.

75 7. A specialty hospital shall be considered exempt  
76 from the provisions of this section and section 192.2520 if  
77 such hospital has a policy for the transfer of a victim of a  
78 sexual offense to an appropriate hospital with an emergency  
79 department. As used in this section, "specialty hospital"

80 shall mean a hospital licensed under this chapter and  
81 designated by the department as something other than a  
82 general acute care hospital.

210.1505. 1. There is hereby created the "Statewide  
2 Council [on Sex] Against Adult Trafficking and the  
3 Commercial Sexual Exploitation of Children" [to] within the  
4 office of the attorney general to make recommendations for a  
5 coordinated statewide effort against the trafficking of  
6 adults and children within the state of Missouri. The  
7 council shall consist of the following members:

8 (1) [The following four members of the general  
9 assembly:

10 (a) Two members of the senate, with one member to be  
11 appointed by the president pro tempore of the senate and one  
12 member to be appointed by the minority floor leader of the  
13 senate; and

14 (b) Two members of the house of representatives, with  
15 one member to be appointed by the speaker of the house of  
16 representatives and one member to be appointed by the  
17 minority floor leader of the house of representatives] The  
18 attorney general or his or her designee, who shall serve as  
19 the chair of the council;

20 (2) The director of the children's division or his or  
21 her designee;

22 (3) The director of the department of public safety or  
23 his or her designee;

24 (4) The director of the department of mental health or  
25 his or her designee;

26 (5) The director of the office of prosecution services  
27 or his or her designee;

28 (6) The superintendent of the Missouri state highway  
29 patrol or his or her designee;

30 (7) The executive director of the statewide network of  
31 child advocacy organizations [specializing in the prevention  
32 of child abuse or neglect] or his or her designee;

33 (8) The executive director of the statewide coalition  
34 against domestic and sexual violence or his or her designee;

35 (9) The executive director of the Missouri Juvenile  
36 Justice Association or his or her designee;

37 (10) The director of the attorney general's human  
38 trafficking task force or his or her designee;

39 (11) Two representatives from agencies providing  
40 services to victims of child sex trafficking and sexual  
41 exploitation [who reflect the geographic diversity of the  
42 state and who shall be appointed by the director of the  
43 department of social services]; [and]

44 (12) Two members of the senate to be appointed by the  
45 president pro tempore of the senate;

46 (13) Two members of the house of representatives to be  
47 appointed by the speaker of the house of representatives;

48 (14) A member of the judiciary, who shall be appointed  
49 by the Missouri supreme court;

50 (15) The commissioner of the department of elementary  
51 and secondary education or his or her designee;

52 (16) A designee from the governor's office;

53 (17) Two human trafficking survivors identified by a  
54 children's advocacy center who are willing to serve on the  
55 council; and

56 (18) A representative from any other government or  
57 nongovernment organization deemed necessary by the attorney  
58 general.

59 2. A majority of the members of the council shall  
60 constitute a quorum. The council shall be created within  
61 thirty days of August 28, 2024, and shall hold its first  
62 meeting within thirty days after the council's creation [and

63 organize by selecting a chair and a vice chair]. The  
64 council shall meet at [the call of the chair] least  
65 quarterly. The council may create a subgroup to offer  
66 recommendations on specific issues as deemed necessary.

67 3. [The council shall:

68 (1) Collect and analyze data relating to sex  
69 trafficking and sexual exploitation of children, including  
70 the number of reports made to the children's division under  
71 section 210.115, any information obtained from phone calls  
72 to the national sex trafficking hotline, the number of  
73 reports made to law enforcement, arrests, prosecution rates,  
74 and any other data important for any recommendations of the  
75 council. State departments and council members shall  
76 provide relevant data as requested by the council to fulfill  
77 the council's duties; and

78 (2) Collect feedback from stakeholders, practitioners,  
79 and leadership throughout the state in order to develop best  
80 practices and procedures regarding the response to sex  
81 trafficking and sexual exploitation of children, including  
82 identification and assessment of victims; response and  
83 treatment coordination and collaboration across systems;  
84 trauma-informed, culturally competent victim-centered  
85 services; training for professionals in all systems; and  
86 investigating and prosecuting perpetrators.

87 4. The department of social services shall provide  
88 administrative support to the council.

89 5. On or before December 31, 2023, the council shall  
90 submit a report of the council's activities to the governor  
91 and general assembly and the joint committee on child abuse  
92 and neglect under section 21.771. The report shall include  
93 recommendations for priority needs and actions, including  
94 statutory or regulatory changes relating to the response to

95 sex trafficking and sexual exploitation of children and  
96 services for child victims.

97 6. The council shall expire on December 31, 2023]

98 There shall be an executive director who shall be appointed  
99 by the attorney general who shall fix his or her  
100 compensation and provide for such other administrative  
101 personnel as necessary within the limits of appropriations  
102 provided in subsection 4 of this section. The executive  
103 director shall serve under the supervision of the attorney  
104 general who shall provide necessary office space.

105 4. (1) There is hereby created in the state treasury  
106 the "Anti-Trafficking Fund", which shall consist of moneys  
107 appropriated to it by the general assembly and any grants,  
108 gifts, donations, and bequests. The state treasurer shall  
109 be custodian of the fund. In accordance with sections  
110 30.170 and 30.180, the state treasurer may approve  
111 disbursements. The fund shall be a dedicated fund and, upon  
112 appropriation, moneys in this fund shall be used solely to  
113 pay for the position of the executive director of the  
114 statewide council against adult trafficking and the  
115 commercial sexual exploitation of children, education and  
116 awareness regarding human trafficking, and anti-trafficking  
117 efforts throughout the state of Missouri.

118 (2) Notwithstanding the provisions of section 33.080  
119 to the contrary, any moneys remaining in the fund at the end  
120 of the biennium shall not revert to the credit of the  
121 general revenue fund.

122 (3) The state treasurer shall invest moneys in the  
123 fund in the same manner as other funds are invested. Any  
124 interest and moneys earned on such investments shall be  
125 credited to the fund.

211.031. 1. Except as otherwise provided in this  
2 chapter, the juvenile court or the family court in circuits

3 that have a family court as provided in chapter 487 shall  
4 have exclusive original jurisdiction in proceedings:

5 (1) Involving any child who may be a resident of or  
6 found within the county and who is alleged to be in need of  
7 care and treatment because:

8 (a) The parents, or other persons legally responsible  
9 for the care and support of the child, neglect or refuse to  
10 provide proper support, education which is required by law,  
11 medical, surgical or other care necessary for his or her  
12 well-being; except that reliance by a parent, guardian or  
13 custodian upon remedial treatment other than medical or  
14 surgical treatment for a child shall not be construed as  
15 neglect when the treatment is recognized or permitted  
16 pursuant to the laws of this state;

17 (b) The child is otherwise without proper care,  
18 custody or support;

19 (c) The child was living in a room, building or other  
20 structure at the time such dwelling was found by a court of  
21 competent jurisdiction to be a public nuisance pursuant to  
22 section 195.130; or

23 (d) The child is in need of mental health services and  
24 the parent, guardian or custodian is unable to afford or  
25 access appropriate mental health treatment or care for the  
26 child;

27 (2) Involving any child who may be a resident of or  
28 found within the county and who is alleged to be in need of  
29 care and treatment because:

30 (a) The child while subject to compulsory school  
31 attendance is repeatedly and without justification absent  
32 from school;

33 (b) The child disobeys the reasonable and lawful  
34 directions of his or her parents or other custodian and is  
35 beyond their control;

36 (c) The child is habitually absent from his or her  
37 home without sufficient cause, permission, or justification;

38 (d) The behavior or associations of the child are  
39 otherwise injurious to his or her welfare or to the welfare  
40 of others; or

41 (e) The child is charged with an offense not  
42 classified as criminal, or with an offense applicable only  
43 to children; except that, the juvenile court shall not have  
44 jurisdiction over any child fifteen years of age who is  
45 alleged to have violated a state or municipal traffic  
46 ordinance or regulation, the violation of which does not  
47 constitute a felony, or any child who is alleged to have  
48 violated a state or municipal ordinance or regulation  
49 prohibiting possession or use of any tobacco product;

50 (3) Involving any child who is alleged to have  
51 violated a state law or municipal ordinance, or any person  
52 who is alleged to have violated a state law or municipal  
53 ordinance prior to attaining the age of eighteen years, in  
54 which cases jurisdiction may be taken by the court of the  
55 circuit in which [the child or person resides or may be  
56 found or in which] the violation is alleged to have  
57 occurred, except as provided in subsection 2 of this  
58 section; except that, the juvenile court shall not have  
59 jurisdiction over any child fifteen years of age who is  
60 alleged to have violated a state or municipal traffic  
61 ordinance or regulation, the violation of which does not  
62 constitute a felony, and except that the juvenile court  
63 shall have concurrent jurisdiction with the municipal court  
64 over any child who is alleged to have violated a municipal  
65 curfew ordinance, and except that the juvenile court shall  
66 have concurrent jurisdiction with the circuit court on any  
67 child who is alleged to have violated a state or municipal



68 ordinance or regulation prohibiting possession or use of any  
69 tobacco product;

70 (4) For the adoption of a person;

71 (5) For the commitment of a child to the guardianship  
72 of the department of social services as provided by law;

73 (6) Involving an order of protection pursuant to  
74 chapter 455 when the respondent is less than eighteen years  
75 of age; and

76 (7) Involving a child who has been a victim of sex  
77 trafficking or sexual exploitation.

78 2. Transfer of a matter, proceeding, jurisdiction or  
79 supervision for a child who resides in a county of this  
80 state shall be made as follows:

81 (1) Prior to the filing of a petition and upon request  
82 of any party or at the discretion of the juvenile officer,  
83 the matter in the interest of a child may be transferred by  
84 the juvenile officer, with the prior consent of the juvenile  
85 officer of the receiving court, to the county of the child's  
86 residence or the residence of the person eighteen years of  
87 age for future action;

88 (2) Upon the motion of any party or on its own motion  
89 prior to final disposition on the pending matter, the court  
90 in which a proceeding is commenced may transfer the  
91 proceeding of a child to the court located in the county of  
92 the child's residence, or the county in which the offense  
93 pursuant to subdivision (3) of subsection 1 of this section  
94 is alleged to have occurred for further action;

95 (3) Upon motion of any party or on its own motion, the  
96 court in which jurisdiction has been taken pursuant to  
97 subsection 1 of this section may at any time thereafter  
98 transfer jurisdiction of a child to the court located in the  
99 county of the child's residence for further action with the  
100 prior consent of the receiving court;

101           (4) Upon motion of any party or upon its own motion at  
102 any time following a judgment of disposition or treatment  
103 pursuant to section 211.181, the court having jurisdiction  
104 of the cause may place the child under the supervision of  
105 another juvenile court within or without the state pursuant  
106 to section 210.570 with the consent of the receiving court;

107           (5) Upon motion of any child or his or her parent, the  
108 court having jurisdiction shall grant one change of judge  
109 pursuant to Missouri supreme court rules;

110           (6) Upon the transfer of any matter, proceeding,  
111 jurisdiction or supervision of a child, certified copies of  
112 all legal and social documents and records pertaining to the  
113 case on file with the clerk of the transferring juvenile  
114 court shall accompany the transfer.

115           3. In any proceeding involving any child taken into  
116 custody in a county other than the county of the child's  
117 residence, the juvenile court of the county of the child's  
118 residence shall be notified of such taking into custody  
119 within seventy-two hours.

120           4. When an investigation by a juvenile officer  
121 pursuant to this section reveals that the only basis for  
122 action involves an alleged violation of section 167.031  
123 involving a child who alleges to be home schooled, the  
124 juvenile officer shall contact a parent or parents of such  
125 child to verify that the child is being home schooled and  
126 not in violation of section 167.031 before making a report  
127 of such a violation. Any report of a violation of section  
128 167.031 made by a juvenile officer regarding a child who is  
129 being home schooled shall be made to the prosecuting  
130 attorney of the county where the child legally resides.

131           5. The disability or disease of a parent shall not  
132 constitute a basis for a determination that a child is a  
133 child in need of care or for the removal of custody of a

134 child from the parent without a specific showing that there  
135 is a causal relation between the disability or disease and  
136 harm to the child.

211.033. 1. No person under the age of eighteen  
2 years, except those transferred to the court of general  
3 jurisdiction under the provisions of section 211.071, shall  
4 be detained in a jail or other adult detention facility as  
5 that term is defined in section 211.151. [A traffic court  
6 judge may request the juvenile court to order the commitment  
7 of a person under the age of eighteen to a juvenile  
8 detention facility.]

2. Nothing in this section shall be construed as  
10 creating any civil or criminal liability for any law  
11 enforcement officer, juvenile officer, school personnel, or  
12 court personnel for any action taken or failure to take any  
13 action involving a minor child who remains under the  
14 jurisdiction of the juvenile court under this section if  
15 such action or failure to take action is based on a good  
16 faith belief by such officer or personnel that the minor  
17 child is not under the jurisdiction of the juvenile court.

211.071. 1. If a petition alleges that a child  
2 between the ages of [twelve] fourteen and eighteen has  
3 committed an offense which would be considered a felony if  
4 committed by an adult, the court may, upon its own motion or  
5 upon motion by the juvenile officer, the child or the  
6 child's custodian, order a hearing and may, in its  
7 discretion, dismiss the petition and such child may be  
8 transferred to the court of general jurisdiction and  
9 prosecuted under the general law; except that if a petition  
10 alleges that [any] a child between the ages of twelve and  
11 eighteen has committed an offense which would be considered  
12 first degree murder under section 565.020, second degree  
13 murder under section 565.021, first degree assault under

14 section 565.050, forcible rape under section 566.030 as it  
15 existed prior to August 28, 2013, rape in the first degree  
16 under section 566.030, forcible sodomy under section 566.060  
17 as it existed prior to August 28, 2013, sodomy in the first  
18 degree under section 566.060, first degree robbery under  
19 section 569.020 as it existed prior to January 1, 2017, or  
20 robbery in the first degree under section 570.023,  
21 distribution of drugs under section 195.211 as it existed  
22 prior to January 1, 2017, or the manufacturing of a  
23 controlled substance under section 579.055, a dangerous  
24 felony as defined in section 556.061, or has committed two  
25 or more prior unrelated offenses which would be felonies if  
26 committed by an adult, the court shall order a hearing, and  
27 may in its discretion, dismiss the petition and transfer the  
28 child to a court of general jurisdiction for prosecution  
29 under the general law.

30 2. Upon apprehension and arrest, jurisdiction over the  
31 criminal offense allegedly committed by any person between  
32 eighteen and twenty-one years of age over whom the juvenile  
33 court has retained continuing jurisdiction shall  
34 automatically terminate and that offense shall be dealt with  
35 in the court of general jurisdiction as provided in section  
36 211.041.

37 3. Knowing and willful age misrepresentation by a  
38 juvenile subject shall not affect any action or proceeding  
39 which occurs based upon the misrepresentation. Any evidence  
40 obtained during the period of time in which a child  
41 misrepresents his or her age may be used against the child  
42 and will be subject only to rules of evidence applicable in  
43 adult proceedings.

44 4. Written notification of a transfer hearing shall be  
45 given to the juvenile and his or her custodian in the same  
46 manner as provided in sections 211.101 and 211.111. Notice

47 of the hearing may be waived by the custodian. Notice shall  
48 contain a statement that the purpose of the hearing is to  
49 determine whether the child is a proper subject to be dealt  
50 with under the provisions of this chapter, and that if the  
51 court finds that the child is not a proper subject to be  
52 dealt with under the provisions of this chapter, the  
53 petition will be dismissed to allow for prosecution of the  
54 child under the general law.

55         5. The juvenile officer may consult with the office of  
56 prosecuting attorney concerning any offense for which the  
57 child could be certified as an adult under this section.  
58 The prosecuting or circuit attorney shall have access to  
59 police reports, reports of the juvenile or deputy juvenile  
60 officer, statements of witnesses and all other records or  
61 reports relating to the offense alleged to have been  
62 committed by the child. The prosecuting or circuit attorney  
63 shall have access to the disposition records of the child  
64 when the child has been adjudicated pursuant to subdivision  
65 (3) of subsection 1 of section 211.031. The prosecuting  
66 attorney shall not divulge any information regarding the  
67 child and the offense until the juvenile court at a judicial  
68 hearing has determined that the child is not a proper  
69 subject to be dealt with under the provisions of this  
70 chapter.

71         6. A written report shall be prepared in accordance  
72 with this chapter developing fully all available information  
73 relevant to the criteria which shall be considered by the  
74 court in determining whether the child is a proper subject  
75 to be dealt with under the provisions of this chapter and  
76 whether there are reasonable prospects of rehabilitation  
77 within the juvenile justice system. These criteria shall  
78 include but not be limited to:

79           (1) The seriousness of the offense alleged and whether  
80 the protection of the community requires transfer to the  
81 court of general jurisdiction;

82           (2) Whether the offense alleged involved viciousness,  
83 force and violence;

84           (3) Whether the offense alleged was against persons or  
85 property with greater weight being given to the offense  
86 against persons, especially if personal injury resulted;

87           (4) Whether the offense alleged is a part of a  
88 repetitive pattern of offenses which indicates that the  
89 child may be beyond rehabilitation under the juvenile code;

90           (5) The record and history of the child, including  
91 experience with the juvenile justice system, other courts,  
92 supervision, commitments to juvenile institutions and other  
93 placements;

94           (6) The sophistication and maturity of the child as  
95 determined by consideration of his or her home and  
96 environmental situation, emotional condition and pattern of  
97 living;

98           (7) The age of the child;

99           (8) The program and facilities available to the  
100 juvenile court in considering disposition;

101           (9) Whether or not the child can benefit from the  
102 treatment or rehabilitative programs available to the  
103 juvenile court; and

104           (10) Racial disparity in certification.

105           7. If the court dismisses the petition to permit the  
106 child to be prosecuted under the general law, the court  
107 shall enter a dismissal order containing:

108           (1) Findings showing that the court had jurisdiction  
109 of the cause and of the parties;

110           (2) Findings showing that the child was represented by  
111 counsel;

112 (3) Findings showing that the hearing was held in the  
113 presence of the child and his or her counsel; and

114 (4) Findings showing the reasons underlying the  
115 court's decision to transfer jurisdiction.

116 8. A copy of the petition and order of the dismissal  
117 shall be sent to the prosecuting attorney.

118 9. When a petition has been dismissed thereby  
119 permitting a child to be prosecuted under the general law  
120 and the prosecution of the child results in a conviction,  
121 the jurisdiction of the juvenile court over that child is  
122 forever terminated, except as provided in subsection 10 of  
123 this section, for an act that would be a violation of a  
124 state law or municipal ordinance.

125 10. If a petition has been dismissed thereby  
126 permitting a child to be prosecuted under the general law  
127 and the child is found not guilty by a court of general  
128 jurisdiction, the juvenile court shall have jurisdiction  
129 over any later offense committed by that child which would  
130 be considered a misdemeanor or felony if committed by an  
131 adult, subject to the certification provisions of this  
132 section.

133 11. If the court does not dismiss the petition to  
134 permit the child to be prosecuted under the general law, it  
135 shall set a date for the hearing upon the petition as  
136 provided in section 211.171.

211.072. 1. A juvenile under eighteen years of age  
2 who has been certified to stand trial as an adult for  
3 offenses pursuant to section 211.071, if currently placed in  
4 a secure juvenile detention facility, shall remain in a  
5 secure juvenile detention facility pending finalization of  
6 the judgment and completion of appeal, if any, of the  
7 judgment dismissing the juvenile petition to allow for  
8 prosecution under the general law unless otherwise ordered

9 by the juvenile court. Upon the judgment dismissing the  
10 petition to allow prosecution under the general laws  
11 becoming final and adult charges being filed, if the  
12 juvenile is currently in a secure juvenile detention  
13 facility, the juvenile shall remain in such facility unless  
14 the juvenile posts bond or the juvenile is transferred to an  
15 adult jail. If the juvenile officer does not believe  
16 juvenile detention would be the appropriate placement or  
17 would continue to serve as the appropriate placement, the  
18 juvenile officer may file a motion in the adult criminal  
19 case requesting that the juvenile be transferred from a  
20 secure juvenile detention facility to an adult jail. The  
21 court shall hear evidence relating to the appropriateness of  
22 the juvenile remaining in a secure juvenile detention  
23 facility or being transferred to an adult jail. At such  
24 hearing, the following shall have the right to be present  
25 and have the opportunity to present evidence and  
26 recommendations at such hearing: the juvenile; the  
27 juvenile's parents; the juvenile's counsel; the prosecuting  
28 attorney; the juvenile officer or his or her designee for  
29 the circuit in which the juvenile was certified; the  
30 juvenile officer or his or her designee for the circuit in  
31 which the pretrial-certified juvenile is proposed to be  
32 held, if different from the circuit in which the juvenile  
33 was certified; counsel for the juvenile officer; and  
34 representatives of the county proposed to have custody of  
35 the pretrial-certified juvenile.

36 2. Following the hearing, the court shall order that  
37 the juvenile continue to be held in a secure juvenile  
38 detention facility subject to all Missouri juvenile  
39 detention standards, or the court shall order that the  
40 pretrial-certified juvenile be held in an adult jail but  
41 only after the court has made findings that it would be in



42 the best interest of justice to move the pretrial-certified  
43 juvenile to an adult jail. The court shall weigh the  
44 following factors when deciding whether to detain a  
45 certified juvenile in an adult facility:

46 (1) The certified juvenile's age;

47 (2) The certified juvenile's physical and mental  
48 maturity;

49 (3) The certified juvenile's present mental state,  
50 including whether he or she presents an imminent risk of  
51 self-harm;

52 (4) The nature and circumstances of the charges;

53 (5) The certified juvenile's history of delinquency;

54 (6) The relative ability of the available adult and  
55 juvenile facilities to both meet the needs of the certified  
56 juvenile and to protect the public and other youth in their  
57 custody;

58 (7) The opinion of the juvenile officer in the circuit  
59 of the proposed placement as to the ability of that juvenile  
60 detention facility to provide for appropriate care, custody,  
61 and control of the pretrial-certified juvenile; and

62 (8) Any other relevant factor.

63 3. In the event the court finds that it is in the best  
64 interest of justice to require the certified juvenile to be  
65 held in an adult jail, the court shall hold a hearing once  
66 every thirty days to determine whether the placement of the  
67 certified juvenile in an adult jail is still in the best  
68 interests of justice. If a pretrial-certified juvenile  
69 under eighteen years of age is ordered released on the  
70 juvenile's adult criminal case from an adult jail following  
71 a transfer order under subsection 2 of this section and the  
72 juvenile is detained on violation of the conditions of  
73 release or bond, the juvenile shall return to the custody of  
74 the adult jail pending further court order.

75           4. A certified juvenile cannot be held in an adult  
76 jail for more than one hundred eighty days unless the court  
77 finds, for good cause, that an extension is necessary or the  
78 juvenile, through counsel, waives the one hundred eighty day  
79 maximum period. If no extension is granted under this  
80 subsection, the certified juvenile shall be transferred from  
81 the adult jail to a secure juvenile detention facility. If  
82 an extension is granted under this subsection, the court  
83 shall hold a hearing once every thirty days to determine  
84 whether the placement of the certified juvenile in an adult  
85 jail is still in the best interests of justice.

86           5. Effective December 31, 2021, all previously  
87 pretrial-certified juveniles under eighteen years of age who  
88 had been certified prior to August 28, 2021, shall be  
89 transferred from adult jail to a secure juvenile detention  
90 facility, unless a hearing is held and the court finds,  
91 based upon the factors in subsection 2 of this section, that  
92 it would be in the best interest of justice to keep the  
93 juvenile in the adult jail.

94           6. All pretrial-certified juveniles under eighteen  
95 years of age who are held in adult jails pursuant to the  
96 best interest of justice exception shall continue to be  
97 subject to the protections of the Prison Rape Elimination  
98 Act (PREA) and shall be physically separated from adult  
99 inmates.

100           7. If the certified juvenile remains in juvenile  
101 detention, the juvenile officer may file a motion to  
102 reconsider placement. The court shall consider the factors  
103 set out in subsection 2 of this section and the individuals  
104 set forth in subsection 1 of this section shall have a right  
105 to be present and present evidence. The court may amend its  
106 earlier order in light of the evidence and arguments  
107 presented at the hearing if the court finds that it would

108 not be in the best interest of justice for the juvenile to  
109 remain in a secure juvenile detention facility.

110 8. Issues related to the setting of, and posting of,  
111 bond along with any bond forfeiture proceedings shall be  
112 held in the pretrial-certified juvenile's adult criminal  
113 case.

114 9. Upon attaining eighteen years of age or upon  
115 conviction on the adult charges, the juvenile shall be  
116 transferred from juvenile detention to the appropriate adult  
117 facility.

118 10. Any responsibility for transportation of and  
119 contracted service for the certified juvenile who remains in  
120 a secure juvenile detention facility shall be handled by  
121 county jail staff in the same manner as in all other adult  
122 criminal cases where the defendant is in custody.

123 11. The county jail staff shall designate a liaison  
124 assigned to each pretrial-certified juvenile while housed in  
125 a juvenile detention facility, who shall assist in  
126 communication with the juvenile detention facility on the  
127 needs of the juvenile including, but not limited to,  
128 visitation, legal case status, medical and mental health  
129 needs, and phone contact.

130 12. The per diem provisions as set forth in section  
131 211.156 shall apply to certified juveniles who are being  
132 held in a secure juvenile detention facility.

211.326. 1. The state courts administrator shall:

2 (1) Evaluate existing services by establishing  
3 performance standards including performance standards for  
4 juvenile courts receiving diversion funds;

5 (2) Develop standards for orientation training for all  
6 new juvenile court professional personnel, including  
7 juvenile officers, deputy juvenile officers and other  
8 personnel deemed necessary by the state courts administrator;

9 (3) Develop standards for continuing education for  
10 existing juvenile court professional personnel, including  
11 juvenile officers, deputy juvenile officers and other  
12 personnel deemed necessary by the state courts administrator;

13 (4) Develop a process to evaluate services and collect  
14 relevant outcome data;

15 (5) Develop a standardized assessment form for  
16 classifying juvenile offenders; and

17 (6) Develop guidelines for juvenile court judges to  
18 use in determining the length of time a child may be  
19 detained prior to informal adjustment or formal adjudication.

20 2. Standards, training and assessment forms developed  
21 pursuant to subsection 1 of this section shall be developed  
22 considering racial disparities in the juvenile justice  
23 system.

24 3. Continuing education standards established under  
25 subdivision (3) of subsection 1 of this section shall  
26 include a requirement that each juvenile officer annually  
27 complete one hour of sex and human trafficking training  
28 consistent with the guidelines established in section  
29 27.170. The provisions of this subsection shall become  
30 effective on January 1, 2025, and shall expire on December  
31 31, 2029.

211.600. 1. The office of state courts administrator  
2 shall collect information related to the filing and  
3 disposition of petitions to certify juveniles pursuant to  
4 section 211.071.

5 2. The data collected pursuant to this section shall  
6 include the following:

7 (1) The number of certification petitions filed  
8 annually;

9 (2) The disposition of certification petitions filed  
10 annually;

11           (3) The offenses for which certification petitions are  
12 filed annually;

13           (4) The race of the juveniles for whom the  
14 certification petitions are filed annually; and

15           (5) The number of juveniles who have waived their  
16 right to counsel.

17           3. The data collected pursuant to this section shall  
18 be made publicly available annually.

          217.345. 1. Correctional treatment programs for first  
2 offenders and offenders eighteen years of age or younger in  
3 the department shall be established, subject to the control  
4 and supervision of the director, and shall include such  
5 programs deemed necessary and sufficient for the successful  
6 rehabilitation of offenders.

7           2. [Correctional treatment programs for offenders who  
8 are younger than eighteen years of age shall be established,  
9 subject to the control and supervision of the director. By  
10 January 1, 1998, such] Programs established pursuant to this  
11 section shall include physical separation of offenders who  
12 are younger than eighteen years of age from offenders who  
13 are eighteen years of age or older and shall include  
14 educational programs that award a high school diploma or its  
15 equivalent.

16           3. The department shall have the authority to  
17 promulgate rules pursuant to subsection 2 of section 217.378  
18 to establish correctional treatment programs for offenders  
19 under age eighteen. Such rules may include:

20           (1) Establishing separate housing units for such  
21 offenders; and

22           (2) Providing housing and program space in existing  
23 housing units for such offenders that is not accessible to  
24 adult offenders.

25           4. The department shall have the authority to  
26 determine the number of juvenile offenders participating in  
27 any treatment program depending on available  
28 appropriations. The department may contract with any  
29 private or public entity for the provision of services and  
30 facilities for offenders under age eighteen. The department  
31 shall apply for and accept available federal, state and  
32 local public funds including project demonstration funds as  
33 well as private moneys to fund such services and facilities.

34           5. The department shall develop and implement an  
35 evaluation process for all juvenile offender programs.

217.451. 1. Correctional centers shall provide  
2 offenders with reasonable access to phone services during an  
3 offender's term of confinement; provided that, phone access  
4 may be restricted as a disciplinary measure.

5           2. No correctional center or other party shall charge  
6 an offender in a correctional center a total amount for a  
7 domestic phone call, including fees and any per-minute rate,  
8 that exceeds the equivalent of twelve cents per minute.

217.690. 1. All releases or paroles shall issue upon  
2 order of the parole board, duly adopted.

3           2. Before ordering the parole of any offender, the  
4 parole board shall conduct a validated risk and needs  
5 assessment and evaluate the case under the rules governing  
6 parole that are promulgated by the parole board. The parole  
7 board shall then have the offender appear before a hearing  
8 panel and shall conduct a personal interview with him or  
9 her, unless waived by the offender, or if the guidelines  
10 indicate the offender may be paroled without need for an  
11 interview. The guidelines and rules shall not allow for the  
12 waiver of a hearing if a victim requests a hearing. The  
13 appearance or presence may occur by means of a  
14 videoconference at the discretion of the parole board. A

15 parole may be ordered for the best interest of society when  
16 there is a reasonable probability, based on the risk  
17 assessment and indicators of release readiness, that the  
18 person can be supervised under parole supervision and  
19 successfully reintegrated into the community, not as an  
20 award of clemency; it shall not be considered a reduction of  
21 sentence or a pardon. Every offender while on parole shall  
22 remain in the legal custody of the department but shall be  
23 subject to the orders of the parole board.

24 3. The division of probation and parole has  
25 discretionary authority to require the payment of a fee, not  
26 to exceed sixty dollars per month, from every offender  
27 placed under division supervision on probation, parole, or  
28 conditional release, to waive all or part of any fee, to  
29 sanction offenders for willful nonpayment of fees, and to  
30 contract with a private entity for fee collections  
31 services. All fees collected shall be deposited in the  
32 inmate fund established in section 217.430. Fees collected  
33 may be used to pay the costs of contracted collections  
34 services. The fees collected may otherwise be used to  
35 provide community corrections and intervention services for  
36 offenders. Such services include substance abuse assessment  
37 and treatment, mental health assessment and treatment,  
38 electronic monitoring services, residential facilities  
39 services, employment placement services, and other offender  
40 community corrections or intervention services designated by  
41 the division of probation and parole to assist offenders to  
42 successfully complete probation, parole, or conditional  
43 release. The division of probation and parole shall adopt  
44 rules not inconsistent with law, in accordance with section  
45 217.040, with respect to sanctioning offenders and with  
46 respect to establishing, waiving, collecting, and using fees.

47           4. The parole board shall adopt rules not inconsistent  
48 with law, in accordance with section 217.040, with respect  
49 to the eligibility of offenders for parole, the conduct of  
50 parole hearings or conditions to be imposed upon paroled  
51 offenders. Whenever an order for parole is issued it shall  
52 recite the conditions of such parole.

53           5. When considering parole for an offender with  
54 consecutive sentences, the minimum term for eligibility for  
55 parole shall be calculated by adding the minimum terms for  
56 parole eligibility for each of the consecutive sentences,  
57 except the minimum term for parole eligibility shall not  
58 exceed the minimum term for parole eligibility for an  
59 ordinary life sentence.

60           6. Any offender sentenced to a term of imprisonment  
61 amounting to fifteen years or more or multiple terms of  
62 imprisonment that, taken together, amount to fifteen or more  
63 years who was under eighteen years of age at the time of the  
64 commission of the offense or offenses may be eligible for  
65 parole after serving fifteen years of incarceration,  
66 regardless of whether the case is final for the purposes of  
67 appeal, and may be eligible for reconsideration hearings in  
68 accordance with regulations promulgated by the parole board.

69           7. The provisions of subsection 6 of this section  
70 shall not apply to an offender found guilty of [murder in  
71 the first degree or] capital murder, murder in the first  
72 degree, or murder in the second degree when murder in the  
73 second degree is committed pursuant to subdivision (1) of  
74 subsection 1 of section 565.021, who was under eighteen  
75 years of age when the offender committed the offense or  
76 offenses who may be found ineligible for parole or whose  
77 parole eligibility may be controlled by section 558.047 or  
78 565.033.



79           8. Any offender under a sentence for first degree  
80 murder who has been denied release on parole after a parole  
81 hearing shall not be eligible for another parole hearing  
82 until at least three years from the month of the parole  
83 denial; however, this subsection shall not prevent a release  
84 pursuant to subsection 4 of section 558.011.

85           9. A victim who has requested an opportunity to be  
86 heard shall receive notice that the parole board is  
87 conducting an assessment of the offender's risk and  
88 readiness for release and that the victim's input will be  
89 particularly helpful when it pertains to safety concerns and  
90 specific protective measures that may be beneficial to the  
91 victim should the offender be granted release.

92           10. Parole hearings shall, at a minimum, contain the  
93 following procedures:

94           (1) The victim or person representing the victim who  
95 attends a hearing may be accompanied by one other person;

96           (2) The victim or person representing the victim who  
97 attends a hearing shall have the option of giving testimony  
98 in the presence of the inmate or to the hearing panel  
99 without the inmate being present;

100           (3) The victim or person representing the victim may  
101 call or write the parole board rather than attend the  
102 hearing;

103           (4) The victim or person representing the victim may  
104 have a personal meeting with a parole board member at the  
105 parole board's central office;

106           (5) The judge, prosecuting attorney or circuit  
107 attorney and a representative of the local law enforcement  
108 agency investigating the crime shall be allowed to attend  
109 the hearing or provide information to the hearing panel in  
110 regard to the parole consideration; and

111 (6) The parole board shall evaluate information listed  
112 in the juvenile sex offender registry pursuant to section  
113 211.425, provided the offender is between the ages of  
114 seventeen and twenty-one, as it impacts the safety of the  
115 community.

116 11. The parole board shall notify any person of the  
117 results of a parole eligibility hearing if the person  
118 indicates to the parole board a desire to be notified.

119 12. The parole board may, at its discretion, require  
120 any offender seeking parole to meet certain conditions  
121 during the term of that parole so long as said conditions  
122 are not illegal or impossible for the offender to perform.  
123 These conditions may include an amount of restitution to the  
124 state for the cost of that offender's incarceration.

125 13. Special parole conditions shall be responsive to  
126 the assessed risk and needs of the offender or the need for  
127 extraordinary supervision, such as electronic monitoring.  
128 The parole board shall adopt rules to minimize the  
129 conditions placed on low-risk cases, to frontload conditions  
130 upon release, and to require the modification and reduction  
131 of conditions based on the person's continuing stability in  
132 the community. Parole board rules shall permit parole  
133 conditions to be modified by parole officers with review and  
134 approval by supervisors.

135 14. Nothing contained in this section shall be  
136 construed to require the release of an offender on parole  
137 nor to reduce the sentence of an offender heretofore  
138 committed.

139 15. Beginning January 1, 2001, the parole board shall  
140 not order a parole unless the offender has obtained a high  
141 school diploma or its equivalent, or unless the parole board  
142 is satisfied that the offender, while committed to the  
143 custody of the department, has made an honest good-faith

144 effort to obtain a high school diploma or its equivalent;  
145 provided that the director may waive this requirement by  
146 certifying in writing to the parole board that the offender  
147 has actively participated in mandatory education programs or  
148 is academically unable to obtain a high school diploma or  
149 its equivalent.

150 16. Any rule or portion of a rule, as that term is  
151 defined in section 536.010, that is created under the  
152 authority delegated in this section shall become effective  
153 only if it complies with and is subject to all of the  
154 provisions of chapter 536 and, if applicable, section  
155 536.028. This section and chapter 536 are nonseverable and  
156 if any of the powers vested with the general assembly  
157 pursuant to chapter 536 to review, to delay the effective  
158 date, or to disapprove and annul a rule are subsequently  
159 held unconstitutional, then the grant of rulemaking  
160 authority and any rule proposed or adopted after August 28,  
161 2005, shall be invalid and void.

219.021. 1. Except as provided in subsections 2 and 3  
2 of this section, any child may be committed to the custody  
3 of the division when the juvenile court determines a  
4 suitable community-based treatment service does not exist,  
5 or has proven ineffective; and when the child is adjudicated  
6 pursuant to the provisions of subdivision (3) of subsection  
7 1 of section 211.031 or when the child is adjudicated  
8 pursuant to subdivision (2) of subsection 1 of section  
9 211.031 and is currently under court supervision for  
10 adjudication under subdivision (2) or (3) of subsection 1 of  
11 section 211.031. The division shall not keep any youth  
12 beyond his [eighteenth birth date] or her nineteenth  
13 birthday, except upon petition and a showing of just cause  
14 in which case the division may maintain custody until the  
15 youth's twenty-first birth date. Notwithstanding any other

16 provision of law to the contrary, the committing court shall  
17 review the treatment plan to be provided by the division.  
18 The division shall notify the court of original jurisdiction  
19 from which the child was committed at least three weeks  
20 prior to the child's release to aftercare supervision. The  
21 notification shall include a summary of the treatment plan  
22 and progress of the child that has resulted in the planned  
23 release. The court may formally object to the director of  
24 the division in writing, stating its reasons in opposition  
25 to the release. The director shall review the court's  
26 objection in consideration of its final approval for  
27 release. The court's written objection shall be made within  
28 a one-week period after it receives notification of the  
29 division's planned release; otherwise the division may  
30 assume court agreement with the release. The division  
31 director's written response to the court shall occur within  
32 five working days of service of the court's objection and  
33 preferably prior to the release of the child. The division  
34 shall not place a child directly into a precare setting  
35 immediately upon commitment from the court until it advises  
36 the court of such placement.

37 2. No child who has been diagnosed as having a mental  
38 disease or a communicable or contagious disease shall be  
39 committed to the division; except the division may, by  
40 regulation, when services for the proper care and treatment  
41 of persons having such diseases are available at any of the  
42 facilities under its control, authorize the commitment of  
43 children having such diseases to it for treatment in such  
44 institution. Notice of any such regulation shall be  
45 promptly mailed to the judges and juvenile officers of all  
46 courts having jurisdiction of cases involving children.

47 3. When a child has been committed to the division,  
48 the division shall forthwith examine the individual and

49 investigate all pertinent circumstances of his background  
50 for the purpose of facilitating the placement and treatment  
51 of the child in the most appropriate program or residential  
52 facility to assure the public safety and the rehabilitation  
53 of the child; except that, no child committed under the  
54 provisions of subdivision (2) of subsection 1 of section  
55 211.031 may be placed in the residential facilities  
56 designated by the division as a maximum security facility,  
57 unless the juvenile is subsequently adjudicated under  
58 subdivision (3) of subsection 1 of section 211.031.

59 4. The division may transfer any child under its  
60 jurisdiction to any other institution for children if, after  
61 careful study of the child's needs, it is the judgment of  
62 the division that the transfer should be effected. If the  
63 division determines that the child requires treatment by  
64 another state agency, it may transfer the physical custody  
65 of the child to that agency, and that agency shall accept  
66 the child if the services are available by that agency.

67 5. The division shall make periodic reexaminations of  
68 all children committed to its custody for the purpose of  
69 determining whether existing dispositions should be modified  
70 or continued. Reexamination shall include a study of all  
71 current circumstances of such child's personal and family  
72 situation and an evaluation of the progress made by such  
73 child since the previous study. Reexamination shall be  
74 conducted as frequently as the division deems necessary, but  
75 in any event, with respect to each such child, at intervals  
76 not to exceed six months. Reports of the results of such  
77 examinations shall be sent to the child's committing court  
78 and to his parents or guardian.

79 6. Failure of the division to examine a child  
80 committed to it or to reexamine him within six months of a  
81 previous examination shall not of itself entitle the child

82 to be discharged from the custody of the division but shall  
83 entitle the child, his parent, guardian, or agency to which  
84 the child may be placed by the division to petition for  
85 review as provided in section 219.051.

86 7. The division is hereby authorized to establish,  
87 build, repair, maintain, and operate, from funds  
88 appropriated or approved by the legislature for these  
89 purposes, facilities and programs necessary to implement the  
90 provisions of this chapter. Such facilities or programs may  
91 include, but not be limited to, the establishment and  
92 operation of training schools, maximum security facilities,  
93 moderate care facilities, group homes, day treatment  
94 programs, family foster homes, aftercare, counseling  
95 services, educational services, and such other services as  
96 may be required to meet the needs of children committed to  
97 it. The division may terminate any facility or program no  
98 longer needed to meet the needs of children.

99 8. The division may institute day release programs for  
100 children committed to it. The division may arrange with  
101 local schools, public or private agencies, or persons  
102 approved by the division for the release of children  
103 committed to the division on a daily basis to the custody of  
104 such schools, agencies, or persons for participation in  
105 programs.

106 9. The division shall make all reasonable efforts to  
107 ensure that any outstanding judgment entered in accordance  
108 with section 211.185 or any outstanding assessments ordered  
109 in accordance with section 211.181 be paid while a child is  
110 in the care, custody or control of the division.

221.044. No person under the age of eighteen years,  
2 except those transferred to the court of general  
3 jurisdiction under the provisions of section 211.071, shall  
4 be detained in a jail or other adult detention facility as

5 that term is defined in section 211.151. [A traffic court  
6 judge may request the juvenile court to order the commitment  
7 of a person under the age of eighteen to a juvenile  
8 detention facility.] If a person is eighteen years of age or  
9 older or attains the age of eighteen while in detention,  
10 upon a motion filed by the juvenile officer, the court may  
11 order that the person be detained in a jail or other adult  
12 detention facility as that term is defined in section  
13 211.151 until the disposition of that person's juvenile  
14 court case.

221.108. 1. Jails shall provide inmates with  
2 reasonable access to phone services during an inmate's term  
3 of confinement; provided that, phone access may be  
4 restricted as a disciplinary measure.

2. No jail or other party shall charge an inmate in a  
6 jail a total amount for a domestic phone call, including  
7 fees and any per-minute rate, that exceeds the equivalent of  
8 twelve cents per minute.

221.400. 1. Any two or more contiguous counties  
2 within the state may form an agreement to establish a  
3 regional jail district. The district shall have a boundary  
4 which includes the areas within each member county, and it  
5 shall be named the "\_\_\_\_\_ Regional Jail District". Such  
6 regional jail districts may contract to carry out the  
7 mission of the commission and the regional jail district.

2. The county commission of each county desiring to  
9 join the district shall approve an ordinance, order, or  
10 resolution to join the district and shall approve the  
11 agreement which specifies the duties of each county within  
12 the district.

3. If any county wishes to join a district which has  
14 already been established under this section, the agreement  
15 shall be rewritten and reapproved by each member county. If

16 the district already levies a sales tax pursuant to section  
17 221.407, the county desiring to join shall have approved the  
18 levy of the district sales tax in the county pursuant to  
19 subsection 3 of section 221.407, and the rewritten agreement  
20 shall be provided.

21 4. The agreement which specifies the duties of each  
22 county shall contain the following:

- 23 (1) The name of the district;
- 24 (2) The names of the counties within the district;
- 25 (3) The formula for calculating each county's  
26 contribution to the costs of the district;
- 27 (4) The types of prisoners which the regional jail may  
28 house, limited to prisoners which may be transferred to  
29 counties under state law;
- 30 (5) The methods and powers which may be used for  
31 constructing, leasing or financing a regional jail;
- 32 (6) The duties of the director of the regional jail;
- 33 (7) The timing and procedures for approval of the  
34 regional jail district's annual budget by the regional jail  
35 commission; and
- 36 (8) The delegation, if any, by the member counties to  
37 the regional jail district of the power of eminent domain.

38 5. Any county, city, town or village may contract with  
39 a regional jail commission for the holding of its prisoners.

221.402. In addition to the powers granted to the  
2 district by its member counties under the agreement, the  
3 district has all the powers necessary or appropriate to  
4 carry out its purposes, including, but not limited to, the  
5 following:

- 6 (1) To adopt bylaws and rules for the regulation of  
7 its affairs and the conduct of its business;
- 8 (2) To adopt an official seal;



9           (3) To maintain an office at such place or places in  
10 one or more of the member counties as the commission may  
11 designate;

12           (4) To sue and be sued;

13           (5) To make and execute leases, contracts, releases,  
14 compromises and other instruments necessary or convenient  
15 for the exercise of its powers or to carry out its purposes;

16           (6) To acquire, construct, reconstruct, repair, alter,  
17 improve, **[and]** equip, extend, and maintain jail facilities;

18           (7) To sell, lease, assign, mortgage, grant a security  
19 interest in, exchange, donate and convey any or all of its  
20 properties whenever the commission finds such action to be  
21 in furtherance of the district's purposes;

22           (8) To collect rentals, fees and other charges in  
23 connection with its services or for the use of any  
24 facilities;

25           (9) To issue its bonds, notes or other obligations for  
26 any of its corporate purposes and to refund the same.

          221.405. 1. Any regional jail district created  
2 pursuant to section 221.400 shall be governed by a  
3 commission. The commission shall be composed of the sheriff  
4 and presiding commissioner from each county within the  
5 district.

6           2. Each commissioner shall serve during his tenure as  
7 sheriff or as presiding commissioner.

8           3. Commissioners shall serve until their successors in  
9 their county offices have **[been duly appointed]** assumed  
10 office. Vacancies on the commission shall be filled by the  
11 succeeding sheriff or presiding commissioner for the  
12 remainder of the term.

13           4. Commissioners shall serve without compensation,  
14 except that they shall be reimbursed by the district for

15 their reasonable and necessary expenses in the performance  
16 of their duties.

17 5. A jail commissioner from each county in the  
18 district shall present a proposed budget to the county  
19 commission.

221.407. 1. The commission of any regional jail  
2 district may impose, by order, a sales tax in the amount of  
3 [one-eighth of] up to one percent[, one-fourth of one  
4 percent, three-eighths of one percent, or one-half of one  
5 percent] on all retail sales made in such region which are  
6 subject to taxation pursuant to the provisions of sections  
7 144.010 to 144.525 for the purpose of providing jail  
8 services [and court], facilities, and equipment for such  
9 region. The tax authorized by this section shall be in  
10 addition to any and all other sales taxes allowed by law,  
11 except that no order imposing a sales tax pursuant to this  
12 section shall be effective unless the commission submits to  
13 the voters of the district, on any election date authorized  
14 in chapter 115, a proposal to authorize the commission to  
15 impose a tax.

16 2. The ballot of submission shall contain, but need  
17 not be limited to, the following language:

18 Shall the \_\_\_\_\_ (District name) regional  
19 jail district [of \_\_\_\_\_ (counties' names)] impose  
20 a region-wide sales tax of \_\_\_\_\_ (insert amount)  
21 for the purpose of providing jail services [and  
22 court], facilities, and equipment for the region?

23  YES  NO

24 If you are in favor of the question, place an "X"  
25 in the box opposite "YES". If you are opposed to  
26 the question, place an "X" in the box opposite  
27 "NO".

28 If a majority of the votes cast on the proposal by the  
29 qualified voters of the district voting thereon are in favor  
30 of the proposal, then the order and any amendment to such  
31 order shall be in effect on the first day of the second  
32 quarter immediately following the election approving the  
33 proposal. If the proposal receives less than the required  
34 majority, the commission shall have no power to impose the  
35 sales tax authorized pursuant to this section unless and  
36 until the commission shall again have submitted another  
37 proposal to authorize the commission to impose the sales tax  
38 authorized by this section and such proposal is approved by  
39 the [required] majority of the qualified voters of the  
40 district voting on such proposal [; however, in no event  
41 shall a proposal pursuant to this section be submitted to  
42 the voters sooner than twelve months from the date of the  
43 last submission of a proposal pursuant to this section].

44 3. In the case of a county attempting to join an  
45 existing district that levies a sales tax pursuant to  
46 subsection 1 of this section, such joining with the district  
47 shall not become effective until the approval of the voters  
48 to levy the district sales tax in the county attempting to  
49 join the district has been obtained. The election shall be  
50 called by the county commission of the county attempting to  
51 join the district, and the district shall by ordinance or  
52 order provide that the sales tax shall be levied in the  
53 joining county, subject to approval of the county voters as  
54 herein provided. The ballot of submission shall contain,  
55 but need not be limited to, the following language:

56 Shall the (District name) extend  
57 its regional jail district sales tax of  
58 (insert amount) to the boundaries of  
59 (name of joining county) for the purpose of

providing jail services, facilities, and equipment  
for the region?

62

YES

NO

63

If you are in favor of the question, place an "X"

64

in the box opposite "YES". If you are opposed to

65

the question, place an "X" in the box opposite

66

"NO".

67

If a majority of the votes cast on the proposal by the

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qualified voters of the county attempting to join the

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district voting thereon are in favor of the proposal, then

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the tax shall be in effect on the first day of the second

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quarter immediately following the election approving the

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proposal, the county shall have been deemed to have joined

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the district pursuant to a rewritten agreement as provided

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in subsection 3 of section 221.400, and the order of the

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commission levying the tax shall also become effective as to

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the joining county on said date. If the proposal receives

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less than the required majority, the district shall have no

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power to impose the sales tax authorized pursuant to this

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section, and the county attempting to join the district

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shall not be permitted to do so, unless and until the county

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commission of the county attempting to join the district

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shall again have submitted another proposal to authorize the

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imposition of the sales tax authorized by this section and

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such proposal is approved by the majority of the qualified

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voters of the county attempting to join the district voting

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on such proposal.

87

4. All revenue received by a district from the tax

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authorized pursuant to this section shall be deposited in a

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special trust fund and shall be used solely for providing

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jail services [and court], facilities and equipment for such

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district for so long as the tax shall remain in effect.

92           [4.] 5. Once the tax authorized by this section is  
93 abolished or terminated by any means, all funds remaining in  
94 the special trust fund shall be used solely for providing  
95 jail services [and court], facilities and equipment for the  
96 district. Any funds in such special trust fund which are  
97 not needed for current expenditures may be invested by the  
98 commission in accordance with applicable laws relating to  
99 the investment of other county funds.

100           [5.] 6. All sales taxes collected by the director of  
101 revenue pursuant to this section on behalf of any district,  
102 less one percent for cost of collection which shall be  
103 deposited in the state's general revenue fund after payment  
104 of premiums for surety bonds as provided in section 32.087,  
105 shall be deposited in a special trust fund, which is hereby  
106 created, to be known as the "Regional Jail District Sales  
107 Tax Trust Fund". The moneys in the regional jail district  
108 sales tax trust fund shall not be deemed to be state funds  
109 and shall not be commingled with any funds of the state.  
110 The director of revenue shall keep accurate records of the  
111 amount of money in the trust fund which was collected in  
112 each district imposing a sales tax pursuant to this section,  
113 and the records shall be open to the inspection of officers  
114 of each member county and the public. Not later than the  
115 tenth day of each month the director of revenue shall  
116 distribute all moneys deposited in the trust fund during the  
117 preceding month to the district which levied the tax. Such  
118 funds shall be deposited with the treasurer of each such  
119 district, and all expenditures of funds arising from the  
120 regional jail district sales tax trust fund shall be paid  
121 pursuant to an appropriation adopted by the commission and  
122 shall be approved by the commission. Expenditures may be  
123 made from the fund for any [function authorized in the order  
124 adopted by the commission submitting the regional jail

125 district tax to the voters] of the district's authorized  
126 purposes.

127 [6.] 7. The director of revenue may make refunds from  
128 the amounts in the trust fund and credited to any district  
129 for erroneous payments and overpayments made, and may redeem  
130 dishonored checks and drafts deposited to the credit of such  
131 districts. If any district abolishes the tax, the  
132 commission shall notify the director of revenue of the  
133 action at least ninety days prior to the effective date of  
134 the repeal, and the director of revenue may order retention  
135 in the trust fund, for a period of one year, of two percent  
136 of the amount collected after receipt of such notice to  
137 cover possible refunds or overpayment of the tax and to  
138 redeem dishonored checks and drafts deposited to the credit  
139 of such accounts. After one year has elapsed after the  
140 effective date of abolition of the tax in such district, the  
141 director of revenue shall remit the balance in the account  
142 to the district and close the account of that district. The  
143 director of revenue shall notify each district in each  
144 instance of any amount refunded or any check redeemed from  
145 receipts due the district.

146 [7.] 8. Except as provided in this section, all  
147 provisions of sections 32.085 and 32.087 shall apply to the  
148 tax imposed pursuant to this section.

149 [8. The provisions of this section shall expire  
150 September 30, 2028.]

221.410. Except as provided in sections 221.400 to  
2 221.420 the regional jail commission shall have the  
3 following powers and duties:

4 (1) It shall implement the agreement approved by the  
5 counties within the district under section 221.400;

6 (2) It shall determine the means to establish a  
7 regional jail for the district;

8 (3) It shall appoint a director for the regional jail;

9 (4) It shall determine the initial budget for the  
10 regional jail and shall approve, after a review and a  
11 majority of the commissioners concurring therein, all  
12 subsequent budgets, for which proposals may be submitted by  
13 the director;

14 (5) It may determine the policies for the housing of  
15 prisoners within the regional jail;

16 (6) It may buy, lease or sell real or personal  
17 property for the purpose of establishing and maintaining a  
18 regional jail, and it may contract with public or private  
19 entities [for the planning and acquisition of a] to acquire,  
20 construct, reconstruct, repair, alter, improve, equip, and  
21 extend a regional jail;

22 (7) It may contract with [the department of  
23 corrections and with cities and other counties in this  
24 state] governmental entities, including, without limitation,  
25 agencies and instrumentalities thereof, or private entities  
26 for the housing of prisoners;

27 (8) It shall approve all positions to be created for  
28 the purpose of administering the regional jail; and

29 (9) It shall approve a location for the regional jail  
30 which is [generally central to] within the district.

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

3 (1) "Extraordinary circumstance", a substantial flight  
4 risk or some other extraordinary medical or security  
5 circumstance that dictates restraints be used to aid in the  
6 safety and security of a pregnant offender in her third  
7 trimester or a postpartum offender within forty-eight hours  
8 postdelivery, the staff of the county or city jail or  
9 medical facility, other offenders, or the public;

10           (2) "Extraordinary medical circumstance", a  
11 substantial risk that continued restraint will interfere  
12 with medical staff's ability to provide timely and  
13 appropriate care and lead to potential complications or harm  
14 to the pregnant offender or the unborn child;

15           (3) "Labor", the period of time before a birth during  
16 which contractions are present;

17           (4) "Postpartum", the period of recovery immediately  
18 following childbirth, which is six weeks for a vaginal birth  
19 or eight weeks for a cesarean birth, or longer if so  
20 determined by a physician or nurse;

21           (5) "Restraints", any mechanical device used to  
22 control the movement of a person's body or limbs;

23           (6) "Third trimester", the gestational age, as defined  
24 in subdivision (6) of section 188.015, of twenty seven weeks  
25 when determined by a doctor, nurse, or other health care  
26 provider.

27           2. Except in extraordinary circumstances, a county or  
28 city jail shall not use restraints on a pregnant offender in  
29 her third trimester or on a postpartum offender within forty-  
30 eight hours postdelivery.

31           3. In the event a sheriff or jailer determines that  
32 extraordinary circumstances exist and restraints are  
33 objectively reasonable, the sheriff or jailer shall fully  
34 document in writing within forty-eight hours of the use of  
35 such restraints the reasons he or she determined such  
36 extraordinary circumstances existed, the type of restraints  
37 used, and the reasons those restraints were considered  
38 objectively reasonable under the circumstances. Such  
39 documents shall be kept on file by the county or city jail  
40 for at least five years from the date the restraints were  
41 used.



42           4. Any time restraints are used on a pregnant offender  
43 in her third trimester or on a postpartum offender within  
44 forty-eight hours postdelivery, the restraints shall be  
45 objectively reasonable under the circumstances. If wrist  
46 restraints are used, a sheriff or jailor shall take  
47 reasonable steps to mitigate a forward fall.

48           5. (1) If a doctor, nurse, or other health care  
49 provider treating the pregnant offender in her third  
50 trimester or the postpartum offender within forty-eight  
51 hours postdelivery, who believes, on an objectively  
52 reasonable basis, that extraordinary circumstances exist,  
53 requests that restraints not be used, the sheriff or jailer  
54 accompanying such offender shall immediately remove all  
55 restraints.

56           (2) In the event a doctor, nurse, or other health care  
57 provider treating the pregnant offender in her third  
58 trimester or the postpartum offender within forty-eight  
59 hours postdelivery determines that extraordinary medical  
60 circumstances exist and that restraints must be removed, the  
61 doctor, nurse, or other health care provider shall document  
62 in writing within forty-eight hours of the incident the  
63 reasons he or she determined such extraordinary medical  
64 circumstances existed, the substantial risk of complications  
65 or harm that existed, and the specific appropriate care that  
66 was being interfered with.

67           (3) Such documents shall be kept on file by the  
68 doctor, nurse, or other health care provider for at least  
69 five years from the date the restraints were order removed.

70           6. Pregnant offenders shall be transported in vehicles  
71 equipped with seatbelts.

72           7. The county or city jail shall:

73 (1) Ensure that employees of the jail are provided  
74 with training, which may include online training, on the  
75 provisions of this section; and

76 (2) Inform female offenders, in writing and orally, of  
77 any policies and practices developed in accordance with this  
78 section upon admission to the jail, and post the policies  
79 and practices in locations in the jail where such notices  
80 are commonly posted and will be seen by female offenders.

221.523. 1. By January 1, 2025, all county and city  
2 jails shall develop specific procedures for the intake and  
3 care of offenders who are pregnant, which shall include  
4 procedures regarding:

5 (1) Maternal health evaluations;

6 (2) Dietary supplements, including prenatal vitamins;

7 (3) Timely and regular nutritious meals, which shall  
8 include, at minimum, two thousand five hundred calories  
9 total per day;

10 (4) Substance abuse treatment;

11 (5) Treatment for the human immunodeficiency virus and  
12 ways to avoid human immunodeficiency virus transmission;

13 (6) Hepatitis C;

14 (7) Sleeping arrangements for such offenders in the  
15 third trimester or for postpartum offenders within forty-  
16 eight hours postdelivery;

17 (8) Access to mental health professionals;

18 (9) Sanitary materials; and

19 (10) Postpartum recovery.

20 2. As used in this section, "postpartum recovery"  
21 means, as determined by a physician, the period immediately  
22 following delivery, including the entire period an offender  
23 who was pregnant is in the hospital or infirmary after  
24 delivery.

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

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

5 (1) "Air ambulance pilot", a person certified as an  
6 air ambulance pilot in accordance with sections 190.001 to  
7 190.245 and corresponding regulations applicable to air  
8 ambulances adopted by the department of health and senior  
9 services;

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

19 (3) "Air ambulance registered respiratory therapist",  
20 a person licensed as a registered respiratory therapist in  
21 accordance with sections 334.800 to 334.930 and  
22 corresponding regulations adopted by the state board for  
23 respiratory care, who provides respiratory therapy services  
24 in conjunction with an air ambulance program that is  
25 certified in accordance with sections 190.001 to 190.245 and  
26 corresponding regulations applicable to such programs;

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

31 (a) Eighteen years of age or under;

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

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

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

41 (6) "Firefighter", any person, including a volunteer  
42 firefighter, employed by the state or a local governmental  
43 entity as an employer defined under subsection 1 of section  
44 287.030, or otherwise serving as a member or officer of a  
45 fire department either for the purpose of the prevention or  
46 control of fire or the underwater recovery of drowning  
47 victims;

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

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

54 (a) Death is caused by an accident or the willful act  
55 of violence of another;

56 (b) The public safety officer is in the active  
57 performance of his or her duties in his or her respective  
58 profession and there is a relationship between the accident  
59 or commission of the act of violence and the performance of  
60 the duty, even if the individual is off duty; the public  
61 safety officer is traveling to or from employment; or the  
62 public safety officer is taking any meal break or other  
63 break which takes place while that individual is on duty;

64 (c) Death is the natural and probable consequence of  
65 the injury; and

66 (d) Death occurs within three hundred weeks from the  
67 date the injury was received.

68 The term excludes death resulting from the willful  
69 misconduct or intoxication of the public safety officer.  
70 The division of workers' compensation shall have the burden  
71 of proving such willful misconduct or intoxication;

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

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

83 (11) "Public safety officer", any law enforcement  
84 officer, firefighter, uniformed employee of the office of  
85 the state fire marshal, emergency medical technician, police  
86 officer, capitol police officer, parole officer, probation  
87 officer, state correctional employee, water safety officer,  
88 park ranger, conservation officer, or highway patrolman  
89 employed by the state of Missouri or a political subdivision  
90 thereof who is killed in the line of duty or any emergency  
91 medical technician, air ambulance pilot, air ambulance  
92 registered professional nurse, air ambulance registered  
93 respiratory therapist, or flight crew member who is killed  
94 in the line of duty;

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

98           (13) "Volunteer firefighter", a person having  
99 principal employment other than as a firefighter, but who is  
100 carried on the rolls of a regularly constituted fire  
101 department either for the purpose of the prevention or  
102 control of fire or the underwater recovery of drowning  
103 victims, the members of which are under the jurisdiction of  
104 the corporate authorities of a city, village, incorporated  
105 town, or fire protection district. Volunteer firefighter  
106 shall not mean an individual who volunteers assistance  
107 without being regularly enrolled as a firefighter.

108           3. (1) A claim for compensation under this section  
109 shall be filed by survivors of the deceased with the  
110 division of workers' compensation not later than one year  
111 from the date of death of a public safety officer. If a  
112 claim is made within one year of the date of death of a  
113 public safety officer killed in the line of duty,  
114 compensation shall be paid, if the division finds that the  
115 claimant is entitled to compensation under this section.

116           (2) The amount of compensation paid to the claimant  
117 shall be twenty-five thousand dollars, subject to  
118 appropriation, for death occurring on or after June 19,  
119 2009, but before August 28, 2024.

120           (3) The amount of compensation paid to the claimant  
121 shall be one hundred thousand dollars, subject to  
122 appropriation, for death occurring on or after the effective  
123 date of this section. The amount of compensation paid,  
124 subject to the modifications under subdivision (4) of this  
125 subsection, shall be determined as the amount in effect as  
126 of the date of death of the public safety officer.

127           (4) Beginning with the 2025 calendar year, the amount  
128 of compensation paid as identified under subdivision (3) of  
129 this subsection shall be adjusted annually by the percent  
130 increase in the Consumer Price Index for All Urban

131 Consumers, or its successor index, as such index is defined  
132 and officially reported by the United States Department of  
133 Labor, or its successor agency. Such annual adjustment  
134 under this subdivision, however, shall not decrease the  
135 amount of compensation paid to an amount less than one  
136 hundred thousand dollars. The department of labor and  
137 industrial relations shall annually publish such adjusted  
138 amount. The modification shall take effect on January first  
139 of each calendar year and shall apply to all calendar years  
140 beginning on or after the effective date of the adjusted  
141 compensation amount, until the next modification occurs.

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

144 (1) To the surviving spouse of the public safety  
145 officer if there is no child who survived the public safety  
146 officer;

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

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

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

157 (a) To the surviving individual, or individuals, in  
158 shares per the designation or, otherwise, in equal shares,  
159 designated by the public safety officer to receive benefits  
160 under this subsection in the most recently executed  
161 designation of beneficiary of the public safety officer on  
162 file at the time of death with the public safety agency,  
163 organization, or unit; or

164 (b) To the surviving individual, or individuals, in  
165 equal shares, designated by the public safety officer to  
166 receive benefits under the most recently executed life  
167 insurance policy of the public safety officer on file at the  
168 time of death with the public safety agency, organization,  
169 or unit if there is no individual qualifying under paragraph  
170 (a) of this subdivision;

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

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

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

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

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

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

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

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



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

200           7. Neither employers nor workers' compensation  
201 insurers shall have subrogation rights against any  
202 compensation awarded for claims under this section. Such  
203 compensation shall not be assignable, shall be exempt from  
204 attachment, garnishment, and execution, and shall not be  
205 subject to setoff or counterclaim, or be in any way liable  
206 for any debt, except that the division or commission may  
207 allow as lien on the compensation, reasonable attorney's  
208 fees for services in connection with the proceedings for  
209 compensation if the services are found to be necessary.  
210 Such fees are subject to regulation as set forth in section  
211 287.260.

212           8. Any person seeking compensation under this section  
213 who is aggrieved by the decision of the division of workers'  
214 compensation regarding his or her compensation claim, may  
215 make application for a hearing as provided in section  
216 287.450. The procedures applicable to the processing of  
217 such hearings and determinations shall be those established  
218 by this chapter. Decisions of the administrative law judge  
219 under this section shall be binding, subject to review by  
220 either party under the provisions of section 287.480.

221           9. Pursuant to section 23.253 of the Missouri sunset  
222 act:

223           (1) The provisions of the new program authorized under  
224 this section shall be reauthorized as of August 28, 2024,  
225 and shall automatically sunset [six years after June 19,  
226 2019] on December 31, 2030, unless reauthorized by an act of  
227 the general assembly; and

228           (2) If such program is reauthorized, the program  
229 authorized under this section shall automatically sunset  
230 twelve years after the effective date of the reauthorization  
231 of this section; and

232           (3) This section shall terminate on September first of  
233 the calendar year immediately following the calendar year in  
234 which the program authorized under this section is sunset.

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

237           11. There is hereby created in the state treasury the  
238 "Line of Duty Compensation Fund", which shall consist of  
239 moneys appropriated to the fund and any voluntary  
240 contributions, gifts, or bequests to the fund. The state  
241 treasurer shall be custodian of the fund and shall approve  
242 disbursements from the fund in accordance with sections  
243 30.170 and 30.180. Upon appropriation, money in the fund  
244 shall be used solely for paying claims under this section.  
245 Notwithstanding the provisions of section 33.080 to the  
246 contrary, any moneys remaining in the fund at the end of the  
247 biennium shall not revert to the credit of the general  
248 revenue fund. The state treasurer shall invest moneys in  
249 the fund in the same manner as other funds are invested.  
250 Any interest and moneys earned on such investments shall be  
251 credited to the fund.

252           12. The division shall promulgate rules to administer  
253 this section, including but not limited to the appointment  
254 of claims to multiple claimants, record retention, and  
255 procedures for information requests. Any rule or portion of  
256 a rule, as that term is defined in section 536.010, that is  
257 created under the authority delegated in this section shall  
258 become effective only if it complies with and is subject to  
259 all of the provisions of chapter 536 and, if applicable,  
260 section 536.028. This section and chapter 536 are

261 nonseverable and if any of the powers vested with the  
262 general assembly under chapter 536 to review, to delay the  
263 effective date, or to disapprove and annul a rule are  
264 subsequently held unconstitutional, then the grant of  
265 rulemaking authority and any rule proposed or adopted after  
266 June 19, 2009, shall be invalid and void.

292.606. 1. Fees shall be collected for a period of  
2 six years from August 28, [2018] 2024.

3 2. (1) Any employer required to report under  
4 subsection 1 of section 292.605, except local governments  
5 and family-owned farm operations, shall submit an annual fee  
6 to the commission of one hundred dollars along with the Tier  
7 II form. Owners or operators of petroleum retail facilities  
8 shall pay a fee of no more than fifty dollars for each such  
9 facility. Any person, firm or corporation selling,  
10 delivering or transporting petroleum or petroleum products  
11 and whose primary business deals with petroleum products or  
12 who is covered by the provisions of chapter 323, if such  
13 person, firm or corporation is paying fees under the  
14 provisions of the federal hazardous materials transportation  
15 registration and fee assessment program, shall deduct such  
16 federal fees from those fees owed to the state under the  
17 provisions of this subsection. If the federal fees exceed  
18 or are equal to what would otherwise be owed under this  
19 subsection, such employer shall not be liable for state fees  
20 under this subsection. In relation to petroleum products  
21 "primary business" shall mean that the person, firm or  
22 corporation shall earn more than fifty percent of hazardous  
23 chemical revenues from the sale, delivery or transport of  
24 petroleum products. For the purpose of calculating fees,  
25 all grades of gasoline are considered to be one product, all  
26 grades of heating oils, diesel fuels, kerosenes, naphthas,  
27 aviation turbine fuel, and all other heavy distillate

28 products except for grades of gasoline are considered to be  
29 one product, and all varieties of motor lubricating oil are  
30 considered to be one product. For the purposes of this  
31 section "facility" shall mean all buildings, equipment,  
32 structures and other stationary items that are located on a  
33 single site or on contiguous or adjacent sites and which are  
34 owned or operated by the same person. If more than three  
35 hazardous substances or mixtures are reported on the Tier II  
36 form, the employer shall submit an additional twenty-dollar  
37 fee for each hazardous substance or mixture. Fees collected  
38 under this subdivision shall be for each hazardous chemical  
39 on hand at any one time in excess of ten thousand pounds or  
40 for extremely hazardous substances on hand at any one time  
41 in excess of five hundred pounds or the threshold planning  
42 quantity, whichever is less, or for explosives or blasting  
43 agents on hand at any one time in excess of one hundred  
44 pounds. However, no employer shall pay more than ten  
45 thousand dollars per year in fees. Moneys acquired through  
46 litigation and any administrative fees paid pursuant to  
47 subsection 3 of this section shall not be applied toward  
48 this cap.

49 (2) Employers engaged in transporting hazardous  
50 materials by pipeline except local gas distribution  
51 companies regulated by the Missouri public service  
52 commission shall pay to the commission a fee of two hundred  
53 fifty dollars for each county in which they operate.

54 (3) Payment of fees is due each year by March first.  
55 A late fee of ten percent of the total owed, plus one  
56 percent per month of the total, may be assessed by the  
57 commission.

58 (4) If, on March first of each year, fees collected  
59 under this section and natural resources damages made  
60 available pursuant to section 640.235 exceed one million

61 dollars, any excess over one million dollars shall be  
62 proportionately credited to fees payable in the succeeding  
63 year by each employer who was required to pay a fee and who  
64 did pay a fee in the year in which the excess occurred. The  
65 limit of one million dollars contained herein shall be  
66 reviewed by the commission concurrent with the review of  
67 fees as required in subsection 1 of this section.

68 3. Beginning January 1, 2013, any employer filing its  
69 Tier II form pursuant to subsection 1 of section 292.605 may  
70 request that the commission distribute that employer's Tier  
71 II report to the local emergency planning committees and  
72 fire departments listed in its Tier II report. Any employer  
73 opting to have the commission distribute its Tier II report  
74 shall pay an additional fee of ten dollars for each facility  
75 listed in the report at the time of filing to recoup the  
76 commission's distribution costs. Fees shall be deposited in  
77 the chemical emergency preparedness fund established under  
78 section 292.607. An employer who pays the additional fee  
79 and whose Tier II report includes all local emergency  
80 planning committees and fire departments required to be  
81 notified under subsection 1 of section 292.605 shall satisfy  
82 the reporting requirements of subsection 1 of section  
83 292.605. The commission shall develop a mechanism for an  
84 employer to exercise its option to have the commission  
85 distribute its Tier II report.

86 4. Local emergency planning committees receiving funds  
87 under section 292.604 shall coordinate with the commission  
88 and the department in chemical emergency planning, training,  
89 preparedness, and response activities. Local emergency  
90 planning committees receiving funds under this section,  
91 section 260.394, sections 292.602, 292.604, 292.605, 292.615  
92 and section 640.235 shall provide to the commission an  
93 annual report of expenditures and activities.

94           5. Fees collected by the department and all funds  
95 provided to local emergency planning committees shall be  
96 used for chemical emergency preparedness purposes as  
97 outlined in sections 292.600 to 292.625 and the federal act,  
98 including contingency planning for chemical releases;  
99 exercising, evaluating, and distributing plans, providing  
100 training related to chemical emergency preparedness and  
101 prevention of chemical accidents; identifying facilities  
102 required to report; processing the information submitted by  
103 facilities and making it available to the public; receiving  
104 and handling emergency notifications of chemical releases;  
105 operating a local emergency planning committee; and  
106 providing public notice of chemical preparedness  
107 activities. Local emergency planning committees receiving  
108 funds under this section may combine such funds with other  
109 local emergency planning committees to further the purposes  
110 of sections 292.600 to 292.625, or the federal act.

111           6. The commission shall establish criteria and  
112 guidance on how funds received by local emergency planning  
113 committees may be used.

          [304.022. 1. Upon the immediate approach  
2 of an emergency vehicle giving audible signal by  
3 siren or while having at least one lighted lamp  
4 exhibiting red light visible under normal  
5 atmospheric conditions from a distance of five  
6 hundred feet to the front of such vehicle or a  
7 flashing blue light authorized by section  
8 307.175, the driver of every other vehicle shall  
9 yield the right-of-way and shall immediately  
10 drive to a position parallel to, and as far as  
11 possible to the right of, the traveled portion  
12 of the highway and thereupon stop and remain in  
13 such position until such emergency vehicle has  
14 passed, except when otherwise directed by a  
15 police or traffic officer.

16           2. Upon approaching a stationary vehicle  
17 displaying lighted red or red and blue lights,  
18 or a stationary vehicle displaying lighted amber

19 or amber and white lights, the driver of every  
20 motor vehicle shall:

21 (1) Proceed with caution and yield the  
22 right-of-way, if possible with due regard to  
23 safety and traffic conditions, by making a lane  
24 change into a lane not adjacent to that of the  
25 stationary vehicle, if on a roadway having at  
26 least four lanes with not less than two lanes  
27 proceeding in the same direction as the  
28 approaching vehicle; or

29 (2) Proceed with due caution and reduce  
30 the speed of the vehicle, maintaining a safe  
31 speed for road conditions, if changing lanes  
32 would be unsafe or impossible.

33 3. The motorman of every streetcar shall  
34 immediately stop such car clear of any  
35 intersection and keep it in such position until  
36 the emergency vehicle has passed, except as  
37 otherwise directed by a police or traffic  
38 officer.

39 4. An "emergency vehicle" is a vehicle of  
40 any of the following types:

41 (1) A vehicle operated by the state  
42 highway patrol, the state water patrol, the  
43 Missouri capitol police, a conservation agent,  
44 or a state or a county or municipal park ranger,  
45 those vehicles operated by enforcement personnel  
46 of the state highways and transportation  
47 commission, police or fire department, sheriff,  
48 constable or deputy sheriff, federal law  
49 enforcement officer authorized to carry firearms  
50 and to make arrests for violations of the laws  
51 of the United States, traffic officer, coroner,  
52 medical examiner, or forensic investigator of  
53 the county medical examiner's office, or by a  
54 privately owned emergency vehicle company;

55 (2) A vehicle operated as an ambulance or  
56 operated commercially for the purpose of  
57 transporting emergency medical supplies or  
58 organs;

59 (3) Any vehicle qualifying as an emergency  
60 vehicle pursuant to section 307.175;

61 (4) Any wrecker, or tow truck or a vehicle  
62 owned and operated by a public utility or public  
63 service corporation while performing emergency  
64 service;

65 (5) Any vehicle transporting equipment  
66 designed to extricate human beings from the  
67 wreckage of a motor vehicle;

68 (6) Any vehicle designated to perform  
69 emergency functions for a civil defense or  
70 emergency management agency established pursuant  
71 to the provisions of chapter 44;

72 (7) Any vehicle operated by an authorized  
73 employee of the department of corrections who,  
74 as part of the employee's official duties, is  
75 responding to a riot, disturbance, hostage  
76 incident, escape or other critical situation  
77 where there is the threat of serious physical  
78 injury or death, responding to mutual aid call  
79 from another criminal justice agency, or in  
80 accompanying an ambulance which is transporting  
81 an offender to a medical facility;

82 (8) Any vehicle designated to perform  
83 hazardous substance emergency functions  
84 established pursuant to the provisions of  
85 sections 260.500 to 260.550;

86 (9) Any vehicle owned by the state  
87 highways and transportation commission and  
88 operated by an authorized employee of the  
89 department of transportation that is marked as a  
90 department of transportation emergency response  
91 or motorist assistance vehicle; or

92 (10) Any vehicle owned and operated by the  
93 civil support team of the Missouri National  
94 Guard while in response to or during operations  
95 involving chemical, biological, or radioactive  
96 materials or in support of official requests  
97 from the state of Missouri involving unknown  
98 substances, hazardous materials, or as may be  
99 requested by the appropriate state agency acting  
100 on behalf of the governor.

101 5. (1) The driver of any vehicle referred  
102 to in subsection 4 of this section shall not  
103 sound the siren thereon or have the front red  
104 lights or blue lights on except when such  
105 vehicle is responding to an emergency call or  
106 when in pursuit of an actual or suspected law  
107 violator, or when responding to, but not upon  
108 returning from, a fire.

109 (2) The driver of an emergency vehicle may:



110 (a) Park or stand irrespective of the  
111 provisions of sections 304.014 to 304.025;

112 (b) Proceed past a red or stop signal or  
113 stop sign, but only after slowing down as may be  
114 necessary for safe operation;

115 (c) Exceed the prima facie speed limit so  
116 long as the driver does not endanger life or  
117 property;

118 (d) Disregard regulations governing  
119 direction of movement or turning in specified  
120 directions.

121 (3) The exemptions granted to an emergency  
122 vehicle pursuant to subdivision (2) of this  
123 subsection shall apply only when the driver of  
124 any such vehicle while in motion sounds audible  
125 signal by bell, siren, or exhaust whistle as may  
126 be reasonably necessary, and when the vehicle is  
127 equipped with at least one lighted lamp  
128 displaying a red light or blue light visible  
129 under normal atmospheric conditions from a  
130 distance of five hundred feet to the front of  
131 such vehicle.

132 6. No person shall purchase an emergency  
133 light as described in this section without  
134 furnishing the seller of such light an affidavit  
135 stating that the light will be used exclusively  
136 for emergency vehicle purposes.

137 7. Violation of this section shall be  
138 deemed a class A misdemeanor.]

304.022. 1. Upon the immediate approach of an  
2 emergency vehicle giving audible signal by siren or while  
3 having at least one lighted lamp exhibiting red light  
4 visible under normal atmospheric conditions from a distance  
5 of five hundred feet to the front of such vehicle or a  
6 flashing blue light authorized by section 307.175, the  
7 driver of every other vehicle shall yield the right-of-way  
8 and shall immediately drive to a position parallel to, and  
9 as far as possible to the right of, the traveled portion of  
10 the highway and thereupon stop and remain in such position  
11 until such emergency vehicle has passed, except when  
12 otherwise directed by a police or traffic officer.

13           2. Upon approaching a stationary vehicle displaying  
14 lighted red or red and blue lights, or a stationary vehicle  
15 displaying lighted amber or amber and white lights, the  
16 driver of every motor vehicle shall:

17           (1) Proceed with caution and yield the right-of-way,  
18 if possible with due regard to safety and traffic  
19 conditions, by making a lane change into a lane not adjacent  
20 to that of the stationary vehicle, if on a roadway having at  
21 least four lanes with not less than two lanes proceeding in  
22 the same direction as the approaching vehicle; or

23           (2) Proceed with due caution and reduce the speed of  
24 the vehicle, maintaining a safe speed for road conditions,  
25 if changing lanes would be unsafe or impossible.

26           3. The motorman of every streetcar shall immediately  
27 stop such car clear of any intersection and keep it in such  
28 position until the emergency vehicle has passed, except as  
29 otherwise directed by a police or traffic officer.

30           4. An "emergency vehicle" is a vehicle of any of the  
31 following types:

32           (1) A vehicle operated by a state fire investigator,  
33 the state highway patrol, the state water patrol, the  
34 Missouri capitol police, a conservation agent, or a state or  
35 a county or municipal park ranger, those vehicles operated  
36 by enforcement personnel of the state highways and  
37 transportation commission, police or fire department,  
38 sheriff, constable or deputy sheriff, federal law  
39 enforcement officer authorized to carry firearms and to make  
40 arrests for violations of the laws of the United States,  
41 traffic officer, coroner, medical examiner, or forensic  
42 investigator of the county medical examiner's office, or by  
43 a privately owned emergency vehicle company;

- 44           (2) A vehicle operated as an ambulance or operated  
45 commercially for the purpose of transporting emergency  
46 medical supplies or organs;
- 47           (3) Any vehicle qualifying as an emergency vehicle  
48 pursuant to section 307.175;
- 49           (4) Any wrecker, or tow truck or a vehicle owned and  
50 operated by a public utility or public service corporation  
51 while performing emergency service;
- 52           (5) Any vehicle transporting equipment designed to  
53 extricate human beings from the wreckage of a motor vehicle;
- 54           (6) Any vehicle designated to perform emergency  
55 functions for a civil defense or emergency management agency  
56 established pursuant to the provisions of chapter 44;
- 57           (7) Any vehicle operated by an authorized employee of  
58 the department of corrections who, as part of the employee's  
59 official duties, is responding to a riot, disturbance,  
60 hostage incident, escape or other critical situation where  
61 there is the threat of serious physical injury or death,  
62 responding to mutual aid call from another criminal justice  
63 agency, or in accompanying an ambulance which is  
64 transporting an offender to a medical facility;
- 65           (8) Any vehicle designated to perform hazardous  
66 substance emergency functions established pursuant to the  
67 provisions of sections 260.500 to 260.550;
- 68           (9) Any vehicle owned by the state highways and  
69 transportation commission and operated by an authorized  
70 employee of the department of transportation that is marked  
71 as a department of transportation emergency response or  
72 motorist assistance vehicle; or
- 73           (10) Any vehicle owned and operated by the civil  
74 support team of the Missouri National Guard while in  
75 response to or during operations involving chemical,  
76 biological, or radioactive materials or in support of

77 official requests from the state of Missouri involving  
78 unknown substances, hazardous materials, or as may be  
79 requested by the appropriate state agency acting on behalf  
80 of the governor.

81 5. (1) The driver of any vehicle referred to in  
82 subsection 4 of this section shall not sound the siren  
83 thereon or have the front red lights or blue lights on  
84 except when such vehicle is responding to an emergency call  
85 or when in pursuit of an actual or suspected law violator,  
86 or when responding to, but not upon returning from, a fire.

87 (2) The driver of an emergency vehicle may:

88 (a) Park or stand irrespective of the provisions of  
89 sections 304.014 to 304.025;

90 (b) Proceed past a red or stop signal or stop sign,  
91 but only after slowing down as may be necessary for safe  
92 operation;

93 (c) Exceed the prima facie speed limit so long as the  
94 driver does not endanger life or property;

95 (d) Disregard regulations governing direction of  
96 movement or turning in specified directions.

97 (3) The exemptions granted to an emergency vehicle  
98 pursuant to subdivision (2) of this subsection shall apply  
99 only when the driver of any such vehicle while in motion  
100 sounds audible signal by bell, siren, or exhaust whistle as  
101 may be reasonably necessary, and when the vehicle is  
102 equipped with at least one lighted lamp displaying a red  
103 light or blue light visible under normal atmospheric  
104 conditions from a distance of five hundred feet to the front  
105 of such vehicle.

106 6. No person shall purchase an emergency light as  
107 described in this section without furnishing the seller of  
108 such light an affidavit stating that the light will be used  
109 exclusively for emergency vehicle purposes.

110 7. Violation of this section shall be deemed a class A  
111 misdemeanor.

307.018. 1. Notwithstanding any other provision of  
2 law, no court shall issue a warrant of arrest for a person's  
3 failure to respond, pay the fine assessed, or appear in  
4 court with respect to a traffic citation issued for an  
5 infraction under the provisions of this chapter. In lieu of  
6 such warrant of arrest, the court shall issue a notice of  
7 failure to respond, pay the fine assessed, or appear, and  
8 the court shall schedule a second court date for the person  
9 to respond, pay the fine assessed, or appear. A copy of the  
10 court's notice with the new court date shall be sent to the  
11 driver of the vehicle. If the driver fails to respond, pay  
12 the fine assessed, or appear on the second court date, the  
13 court shall issue a second notice of failure to respond, pay  
14 the fine assessed, or appear. If the driver fails to  
15 respond, pay the fine assessed, or appear after the second  
16 notice, the court may issue a default judgment under section  
17 556.021 for the infraction.

18 2. At any point after the default judgment has been  
19 entered, the driver may appear in court to state that he or  
20 she is unable to pay and to request the court to modify the  
21 judgment. The court shall hold a hearing to determine  
22 whether the driver has the ability to pay. If the court  
23 finds the driver lacks the present ability to pay, the court  
24 shall modify the judgment in any way authorized by statute  
25 or court rule, including:

26 (1) Allowing for payment of the fine on an installment  
27 basis;

28 (2) Waiving or reducing the amount owed; or

29 (3) Requiring the driver to perform community service  
30 or attend a court-ordered program in lieu of payment.

31           3. At any point after the default judgment has been  
32 entered, the driver may appear in court and show proof that  
33 he or she corrected the equipment violation for which the  
34 fine and costs were assessed. If the driver shows such  
35 proof, the court may waive the fines and costs that are due.

          307.175. 1. Motor vehicles and equipment which are  
2 operated by any member of an organized fire department,  
3 ambulance association, or rescue squad, including a canine  
4 search and rescue team, whether paid or volunteer, may be  
5 operated on streets and highways in this state as an  
6 emergency vehicle under the provisions of section 304.022  
7 while responding to a fire call [or], ambulance call, or an  
8 emergency call requiring search and rescue operations, or at  
9 the scene of a fire call [or], ambulance call, or an  
10 emergency call requiring search and rescue operations, and  
11 while using or sounding a warning siren and using or  
12 displaying thereon fixed, flashing or rotating blue lights,  
13 but sirens and blue lights shall be used only in bona fide  
14 emergencies.

15           2. (1) Notwithstanding subsection 1 of this section,  
16 the following vehicles may use or display fixed, flashing,  
17 or rotating red or red and blue lights:

18           (a) Emergency vehicles, as defined in section 304.022,  
19 when responding to an emergency;

20           (b) Vehicles operated as described in subsection 1 of  
21 this section;

22           (c) Vehicles and equipment owned or leased by a  
23 contractor or subcontractor performing work for the  
24 department of transportation, except that the red or red and  
25 blue lights shall be displayed on vehicles or equipment  
26 described in this paragraph only between dusk and dawn, when  
27 such vehicles or equipment are stationary, such vehicles or  
28 equipment are located in a work zone as defined in section

29 304.580, highway workers as defined in section 304.580 are  
30 present, and such work zone is designated by a sign or  
31 signs. No more than two vehicles or pieces of equipment in  
32 a work zone may display fixed, flashing, or rotating lights  
33 under this subdivision;

34 (d) Vehicles and equipment owned, leased, or operated  
35 by a coroner, medical examiner, or forensic investigator of  
36 the county medical examiner's office or a similar entity,  
37 when responding to a crime scene, motor vehicle accident,  
38 workplace accident, or any location at which the services of  
39 such professionals have been requested by a law enforcement  
40 officer.

41 (2) The following vehicles and equipment may use or  
42 display fixed, flashing, or rotating amber or amber and  
43 white lights:

44 (a) Vehicles and equipment owned or leased by the  
45 state highways and transportation commission and operated by  
46 an authorized employee of the department of transportation;

47 (b) Vehicles and equipment owned or leased by a  
48 contractor or subcontractor performing work for the  
49 department of transportation, except that the amber or amber  
50 and white lights shall be displayed on vehicles described in  
51 this paragraph only when such vehicles or equipment are  
52 located in a work zone as defined in section 304.580,  
53 highway workers as defined in section 304.580 are present,  
54 and such work zone is designated by a sign or signs;

55 (c) Vehicles and equipment operated by a utility  
56 worker performing work for the utility, except that the  
57 amber or amber and white lights shall be displayed on  
58 vehicles described in this paragraph only when such vehicles  
59 are stationary, such vehicles or equipment are located in a  
60 work zone as defined in section 304.580, a utility worker is  
61 present, and such work zone is designated by a sign or

62 signs. As used in this paragraph, the term "utility worker"  
63 means any employee while in performance of his or her job  
64 duties, including any person employed under contract of a  
65 utility that provides gas, heat, electricity, water, steam,  
66 telecommunications or cable services, or sewer services,  
67 whether privately, municipally, or cooperatively owned.

68 3. Permits for the operation of such vehicles equipped  
69 with sirens or blue lights shall be in writing and shall be  
70 issued and may be revoked by the chief of an organized fire  
71 department, organized ambulance association, rescue squad,  
72 or the state highways and transportation commission and no  
73 person shall use or display a siren or blue lights on a  
74 motor vehicle, fire, ambulance, or rescue equipment without  
75 a valid permit authorizing the use. A permit to use a siren  
76 or lights as heretofore set out does not relieve the  
77 operator of the vehicle so equipped with complying with all  
78 other traffic laws and regulations. Violation of this  
79 section constitutes a class A misdemeanor.

2 320.500. The provisions of sections 320.500 to 320.528  
3 shall be known and referred to as the "Firefighters  
4 Procedural Bill of Rights Act".

2 320.502. For purposes of sections 320.500 to 320.528,  
3 the following terms mean:

3 (1) "Firefighter", a paid firefighter employed by a  
4 public agency and all first responders and ancillary service  
5 personnel, including emergency medical service workers,  
6 dispatchers, paramedics, emergency maintenance technicians,  
7 or emergency medical technicians (EMT) who are employed by a  
8 fire district, fire protection district, fire department, or  
9 fire authority. The term "firefighter" shall not include  
10 probationary employees;



11           (2) "Interrogation", any formal interview, inquiry, or  
12 questioning of any firefighter by the appointing authority's  
13 designee regarding misconduct or violation of policy;

14           (3) "Public agency", any fire district, municipal fire  
15 department, ambulance district, or emergency 911 dispatching  
16 agency;

17           (4) "Punitive action", any action that may lead to  
18 dismissal, demotion, suspension, reduction in salary,  
19 written reprimand, or transfer for purposes of punishment;

20           (5) "Representative", an individual that accompanies  
21 and advises a firefighter during an interrogation and during  
22 the course of the investigation and who may intervene, raise  
23 objections, and provide moral support to the firefighter;

24           (6) "Social media account", any electronic service or  
25 account or any electronic content including, but not limited  
26 to, videos, photographs, blogs, video blogs, podcasts,  
27 instant or text messages, email programs or services, online  
28 services, or website profiles.

320.504. 1. Except as otherwise provided in chapter  
2 36, or whenever on duty or in uniform, no firefighter shall  
3 be prohibited from engaging, or be coerced or required to  
4 engage, in political activity.

5           2. A firefighter shall not be prohibited from seeking  
6 election to, or serving as a member of, the governing board  
7 of a school district or any local agency or any other board  
8 where the firefighter is not employed including, but not  
9 limited to, any city, county, or political subdivision  
10 thereof, except as provided under section 321.015.

320.506. 1. When any firefighter is under  
2 investigation and subjected to interrogation by his or her  
3 commanding officer, or any other member designated by the  
4 employing department or licensing or certifying agency, that

5 could lead to punitive action, the interrogation shall be  
6 conducted under the following conditions:

7 (1) The interrogation shall be conducted at a  
8 reasonable hour, at a time when the firefighter is on duty,  
9 unless an imminent threat to the safety of the public  
10 requires otherwise. If the interrogation does occur during  
11 off-duty time of the firefighter being interrogated, the  
12 firefighter shall be compensated for any off-duty time in  
13 accordance with regular department procedures. The  
14 firefighter's compensation shall not be reduced as a result  
15 of any work missed while being interrogated;

16 (2) The firefighter under investigation shall be  
17 informed, prior to the interrogation, of the rank, name, and  
18 command of the officer or other person in charge of the  
19 interrogation; the interrogating officer; and all other  
20 persons to be present during the interrogation. All  
21 questions directed to the firefighter under investigation  
22 shall be asked by and through no more than two interrogators  
23 at one time;

24 (3) The firefighter under investigation shall be  
25 informed of the nature of the investigation prior to any  
26 interrogation;

27 (4) The interrogating session shall be for a  
28 reasonable period taking into consideration the gravity and  
29 complexity of the issue being investigated. The firefighter  
30 under interrogation shall be allowed reasonable breaks to  
31 attend to his or her own personal physical necessities;

32 (5) Prior to an interview session, the investigator or  
33 investigators conducting the investigation shall advise the  
34 firefighter of the rule set out in *Garrity v. New Jersey*,  
35 385 U.S. 493 (1967), specifically that the firefighter is  
36 being ordered to answer questions under threat of  
37 disciplinary action and that the firefighter's answers to

38 the questions will not be used against the firefighter in  
39 criminal proceedings;

40 (6) (a) The firefighter under investigation shall not  
41 be subjected to offensive language or threatened with  
42 punitive action. A promise of reward shall not be made as  
43 an inducement to answer any question. Except that,  
44 firefighters may be compelled by their employer to give  
45 protected Garrity statements to an investigator under the  
46 direct control of the employer, but such compelled  
47 statements shall not be used or derivatively used against  
48 the firefighter in any aspect of a criminal case brought  
49 against the firefighter;

50 (b) The employer shall not cause the firefighter under  
51 investigation to be subjected to visits by the press or news  
52 media without his or her express written consent free of  
53 duress, and the firefighter's photograph, home address,  
54 telephone number, or other contact information shall not be  
55 given to the press or news media without his or her express  
56 written consent free of duress. All personally identifying  
57 information of the firefighter's spouse, partner, children,  
58 or dependents shall be held confidential and protected from  
59 release including, but not limited to, names, addresses,  
60 phone numbers, email addresses, photographs, social media  
61 profiles or information, or any other contact information.  
62 Any information regarding the firefighter's assets, income,  
63 debts, or other financial information shall be held  
64 confidential and protected from release;

65 (7) A statement made during interrogation by a  
66 firefighter under coercion, or threat of punitive action  
67 shall not be admissible in any subsequent judicial  
68 proceeding, subject to the following qualifications:

69 (a) This subdivision shall not limit the use of  
70 statements otherwise made by a firefighter when the

71 employing fire department is seeking civil service sanctions  
72 against any firefighter;

73 (b) This subdivision shall not prevent the  
74 admissibility of statements otherwise made by the  
75 firefighter during interrogation in any civil action,  
76 including administrative actions, brought by that  
77 firefighter, or that firefighter's exclusive representative,  
78 arising out of a disciplinary action;

79 (8) The complete interrogation of a firefighter may be  
80 recorded. If a recording is made of the interrogation, the  
81 firefighter shall have access to the recording if any  
82 further proceedings are contemplated or prior to any further  
83 interrogation at a subsequent time. The firefighter shall  
84 be entitled to a transcribed copy of any notes made by a  
85 stenographer or to any reports or complaints made by  
86 investigators or other persons, except those portions that  
87 are otherwise required by law to be kept confidential.  
88 Notes or reports that are deemed to be confidential shall  
89 not be entered in the firefighter's personnel file. The  
90 firefighter being interrogated shall have the right to bring  
91 his or her own recording device and record any and all  
92 aspects of the interrogation;

93 (9) Upon the filing of a formal written statement of  
94 charges, or whenever an interrogation focuses on matters  
95 that may result in punitive action against any firefighter,  
96 that firefighter, at his or her request, shall have the  
97 right to be represented by a representative of his or her  
98 choice who may be present at all times during the  
99 interrogation. The representative shall not be a person  
100 subject to the same investigation. The representative shall  
101 not be required to disclose, or be subject to any punitive  
102 action for refusing to disclose, any information received

103 from the firefighter under investigation for noncriminal  
104 matters; and

105 (10) An employer shall not, either directly or  
106 indirectly, require, request, suggest, or cause any  
107 firefighter to disclose the username, password, or any other  
108 information that would provide access to any of his or her  
109 personal social media accounts.

110 2. The provisions of this section shall not be  
111 construed to apply to counseling, instruction, or informal  
112 verbal admonishment by, or other routine or unplanned  
113 contact with, a supervisor or any other firefighter.

320.508. 1. A firefighter shall not be subjected to  
2 punitive action, or denied promotion, or threatened with  
3 that treatment, because of the lawful exercise of the rights  
4 granted under sections 320.500 to 320.528 or the exercise of  
5 any rights under any existing administrative grievance  
6 procedure.

7 2. Punitive action or denial of promotion on grounds  
8 other than merit shall not be undertaken by any employing  
9 department or licensing or certifying agency against any  
10 firefighter who has successfully completed the probationary  
11 period without providing the firefighter with an opportunity  
12 for administrative appeal.

13 3. A fire chief shall not be removed by a public  
14 agency or appointing authority without providing that fire  
15 chief with written notice, the reason or reasons for  
16 removal, and an opportunity for administrative appeal. For  
17 purposes of this subsection, the removal of a fire chief by  
18 a public agency or appointing authority, for the purpose of  
19 implementing the goals or policies, or both, of the public  
20 agency or appointing authority, or for reasons including,  
21 but not limited to, incompatibility of management styles or  
22 as a result of change in administration, shall be sufficient

23 to constitute reason. Nothing in this subsection shall be  
24 construed to create a property interest, if one does not  
25 otherwise exist by rule or law, in the job of fire chief.

26 4. Punitive action or denial of promotion on grounds  
27 other than merit shall not be undertaken for any act,  
28 omission, or other allegation of misconduct if the  
29 investigation of the allegation is not completed within one  
30 year of discovery by the employing fire department or  
31 licensing or certifying agency. This one-year limitation  
32 period shall apply only if the discovery of the act,  
33 omission, or other misconduct occurred on or after August  
34 28, 2024. If the employing department or licensing or  
35 certifying agency determines that discipline may be taken,  
36 it shall complete its investigation and notify the  
37 firefighter of its proposed disciplinary action within that  
38 year, except in any of the following circumstances:

39 (1) If the firefighter voluntarily waives the one-year  
40 time period in writing, the time period shall be tolled for  
41 the period of time specified in the written waiver;

42 (2) If the act, omission, or other allegation of  
43 misconduct is also the subject of a criminal investigation  
44 or criminal prosecution, the time during which the criminal  
45 investigation or criminal prosecution is pending shall toll  
46 the one-year period;

47 (3) If the investigation is a multi-jurisdictional  
48 investigation that requires a reasonable extension for  
49 coordination of the involved agencies;

50 (4) If the investigation involves an employee who is  
51 incapacitated or otherwise unavailable;

52 (5) If the investigation involves a matter in civil  
53 litigation where the firefighter is named as a party  
54 defendant, the one-year time period shall be tolled while  
55 that civil action is pending;

56 (6) If the investigation involves a matter in criminal  
57 litigation in which the complainant is a criminal defendant,  
58 the one-year time period shall be tolled during the period  
59 of that defendant's criminal investigation and prosecution;  
60 or

61 (7) If the investigation involves an allegation of  
62 workers' compensation fraud on the part of the firefighter.

63 5. If a predisciplinary response or grievance  
64 procedure is required or utilized, the time for that  
65 response or procedure shall not be governed or limited by  
66 sections 320.500 to 320.528.

67 6. If, after investigation and any predisciplinary  
68 response or procedure, the employing department or licensing  
69 or certifying agency decides to impose discipline, that  
70 department or agency shall notify the firefighter in writing  
71 of its decision to impose discipline within thirty days of  
72 its decision but not less than forty-eight hours prior to  
73 imposing the discipline.

74 7. Notwithstanding the one-year time period specified  
75 in subsection 4 of this section, an investigation may be  
76 reopened against a firefighter if both of the following  
77 circumstances exist:

78 (1) Significant new evidence has been discovered that  
79 is likely to affect the outcome of the investigation; and

80 (2) One of the following conditions exists:

81 (a) The evidence could not reasonably be discovered in  
82 the normal course of investigation without resorting to  
83 extraordinary measures by the agency; or

84 (b) The evidence resulted from the firefighter's  
85 predisciplinary response or procedure.

320.510. 1. An administrative appeal instituted by a  
2 firefighter under sections 320.500 to 320.528 shall be  
3 conducted in accordance with rules and procedures adopted by

4 the employing department or licensing or certifying agency  
5 that are in accordance with chapter 536.

6 2. Notwithstanding subsection 1 of this section, if  
7 the employing department is subject to a memorandum of  
8 understanding that provides for binding arbitration of  
9 administrative appeals, the arbitrator or arbitration panel  
10 shall serve as the hearing officer in accordance with  
11 chapter 536 and, notwithstanding any other provision of law,  
12 that hearing officer's decision shall be binding. However,  
13 a memorandum of understanding negotiated with an employing  
14 agency shall not control the process for administrative  
15 appeals instituted with licensing or certifying agencies.  
16 Any administrative appeal instituted with licensing or  
17 certifying agencies shall adhere to the requirements  
18 prescribed in subsection 1 of this section.

320.512. A firefighter shall not have any comment  
2 adverse to his or her interest entered in his or her  
3 personnel file, or any other file used for any personnel  
4 purposes by his or her employer, without the firefighter  
5 having first read and signed the instrument containing the  
6 adverse comment indicating he or she is aware of the  
7 comment. However, the entry may be made if after reading  
8 the instrument, the firefighter refuses to sign it. That  
9 fact shall be noted on that document and signed or initialed  
10 by the firefighter.

320.514. A firefighter shall have thirty days to file  
2 a written response to any adverse comment entered in his or  
3 her personnel file. The written response shall be attached  
4 to, and shall accompany, the adverse comment.

320.516. 1. Every employer shall, at reasonable times  
2 and at reasonable intervals, upon the request of a  
3 firefighter, during usual business hours, with no loss of  
4 compensation to the firefighter, permit that firefighter to



5 inspect personnel files that are used or have been used to  
6 determine that firefighter's qualifications for employment,  
7 promotion, additional compensation, or termination or other  
8 disciplinary action.

9 2. Each employer shall keep each firefighter's  
10 personnel file or a true and correct copy thereof and shall  
11 make the file or copy thereof available within a reasonable  
12 period of time after a request therefor by the firefighter.

13 3. If, after examination of the firefighter's  
14 personnel file, the firefighter believes that any portion of  
15 the material is mistakenly or unlawfully placed in the file,  
16 the firefighter may request, in writing, that the mistaken  
17 or unlawful portion be corrected or deleted. Any request  
18 made pursuant to this subsection shall include a statement  
19 by the firefighter describing the corrections or deletions  
20 from the personnel file requested and the reasons supporting  
21 those corrections or deletions. A statement submitted  
22 pursuant to this subsection shall become part of the  
23 personnel file of the firefighter.

24 4. Within thirty calendar days of receipt of a request  
25 made under subsection 3 of this section, the employer shall  
26 either grant the firefighter's request or notify the officer  
27 of the decision to refuse to grant the request. If the  
28 employer refuses to grant the request, in whole or in part,  
29 the employer shall state in writing the reasons for refusing  
30 the request and that written statement shall become part of  
31 the personnel file of the firefighter

320.518. 1. A firefighter shall not be compelled to  
2 submit to a lie detector test against his or her will.

3 2. Disciplinary action or other recrimination shall  
4 not be taken against a firefighter refusing to submit to a  
5 lie detector test.

6           3. No comment shall be entered anywhere in the  
7 investigator's notes or anywhere else that the firefighter  
8 refused to take, or did not take, a lie detector test.

9           4. Testimony or evidence to the effect that the  
10 firefighter refused to take, or was subjected to, a lie  
11 detector test shall not be admissible at a subsequent  
12 hearing, trial, or proceeding, judicial or administrative.

13           5. For purposes of this section, the term "lie  
14 detector" means a polygraph, deceptograph, voice stress  
15 analyzer, psychological stress evaluator, or any other  
16 similar device, whether mechanical or electrical, that is  
17 used, or the results of which are used, for the purpose of  
18 rendering a diagnostic opinion regarding the honesty or  
19 dishonesty of an individual.

320.520. A firefighter shall not be required or  
2 requested for purposes of job assignment or other personnel  
3 action to disclose any item of his or her property, income,  
4 assets, source of income, debts, or personal or domestic  
5 expenditures, including those of any member of his or her  
6 family or household, unless that information is otherwise  
7 required to be furnished under state law or obtained  
8 pursuant to court order.

320.522. 1. A firefighter shall not have his or her  
2 locker that may be assigned to him or her searched, except:

- 3           (1) In his or her presence;
- 4           (2) With his or her consent;
- 5           (3) If exigent circumstances exist;
- 6           (4) If a valid search warrant has been obtained; or
- 7           (5) If he or she has been given notice that a search  
8 will be conducted.

9           2. This section shall apply only to lockers that are  
10 owned or leased by the employing department or licensing or  
11 certifying agency.

320.524. 1. It shall be unlawful for any employing department or licensing or certifying agency to deny or refuse to any firefighter the rights and protections guaranteed by sections 320.500 to 320.528.

2. The circuit court of the county of proper venue shall have initial jurisdiction over any proceeding brought by any firefighter against any employing department or licensing or certifying agency for alleged violations of sections 320.500 to 320.528.

3. (1) If the court finds that the employing department or licensing or certifying agency has violated any of the provisions of sections 320.500 to 320.528, the court shall render appropriate injunctive or other extraordinary relief to remedy the violation and to prevent future violations of a like or similar nature including, but not limited to, the granting of a temporary restraining order or preliminary or permanent injunction prohibiting the employing department or licensing or certifying agency from taking any punitive action against the firefighter.

(2) If the court finds that a bad faith or frivolous action or a filing for an improper purpose has been brought under sections 320.500 to 320.528, the court may order sanctions against the party filing the action, the party's attorney, or both, pursuant to the applicable Missouri rules of civil procedure. Those sanctions may include, but not be limited to, reasonable expenses, including attorney's fees, incurred by a fire department as the court deems appropriate.

(3) Nothing in this subsection is intended to subject actions or filings under this section to rules or standards that are different from those applicable to other civil actions or filings subject to the Missouri supreme court rules of civil procedure.

33           4. In addition to the extraordinary relief afforded  
34 under sections 320.500 to 320.528, upon a finding by the  
35 court that a fire department, its employees, agents, or  
36 assigns, with respect to acts taken within the scope of  
37 employment, maliciously violated any provision of sections  
38 320.500 to 320.528 with the intent to injure the  
39 firefighter, the fire department shall, for each and every  
40 violation, be liable for a civil penalty not to exceed  
41 twenty-five thousand dollars to be awarded to the  
42 firefighter whose right or protection was denied and for  
43 reasonable attorney's fees as may be determined by the  
44 court. If the court so finds, and there is sufficient  
45 evidence to establish actual damages suffered by the  
46 firefighter whose right or protection was denied, the fire  
47 department shall also be liable for the amount of the actual  
48 damages. Notwithstanding these provisions, a fire  
49 department shall not be required to indemnify a contractor  
50 for the contractor's liability under this subsection if  
51 there is, within the contract between the fire department  
52 and the contractor, a hold harmless or similar provision  
53 that protects the fire department from liability for the  
54 actions of the contractor. An individual shall not be  
55 liable for any act for which a fire department is liable  
56 under this section.

320.526. Nothing in sections 320.500 to 320.528 shall  
2 in any way be construed to limit the ability of any  
3 employment department, licensing or certifying agency, or  
4 any firefighter to fulfill mutual aid agreements with other  
5 jurisdictions or agencies, and the provisions of sections  
6 320.500 to 320.528 shall not be construed in any way to  
7 limit any jurisdictional or interagency cooperation under  
8 any circumstances where that activity is deemed necessary or  
9 desirable by the jurisdictions or agencies involved.

320.528. 1. The rights and protections described in sections 320.500 to 320.528 shall apply only to a firefighter during events and circumstances involving the performance of his or her official duties.

2. Any employer shall provide legal defense for any firefighter who, while acting in the normal course of his or her duties, is named as a defendant in civil litigation relating to such duties.

3. Volunteer fire departments may opt into the provisions of sections 320.500 to 320.528.

324.035. 1. No board, commission, or committee within the division of professional registration shall utilize occupational fees, or any other fees associated with licensing requirements, or contract or partner with any outside vendor or agency for the purpose of offering continuing education classes unless the continuing education program is approved by the director of the division of professional registration and is available to all licensees of the board, commission, or committee.

2. Nothing in this section shall be construed to preclude a board, commission, or committee within the division of professional registration from utilizing occupational licensure fees for the purpose of participating in conferences, seminars, or other outreach for the purpose of communicating information to licensees with respect to changes in policy, law, or regulations.

332.081. 1. Notwithstanding any other provision of law to the contrary, hospitals licensed under chapter 197 shall be authorized to employ any or all of the following oral health providers:

(1) A dentist licensed under this chapter for the purpose of treating on hospital premises those patients who present with a dental condition and such treatment is

8 necessary to ameliorate the condition for which they  
9 presented such as severe pain or tooth abscesses;

10 (2) An oral and maxillofacial surgeon licensed under  
11 this chapter for the purpose of treating oral conditions  
12 that need to be ameliorated as part of treating the  
13 underlying cause of the patient's medical needs including,  
14 but not limited to, head and neck cancer, HIV or AIDS,  
15 severe trauma resulting in admission to the hospital, organ  
16 transplant, diabetes, or seizure disorders. It shall be a  
17 condition of treatment that such patients are admitted to  
18 the hospital on either an in- or out-patient basis; and

19 (3) A maxillofacial prosthodontist licensed under this  
20 chapter for the purpose of treating and supporting patients  
21 of a head and neck cancer team or other complex care or  
22 surgical team for the fabrication of appliances following  
23 ablative surgery, surgery to correct birth anomalies,  
24 extensive radiation treatment of the head or neck, or trauma-  
25 related surgery.

26 2. No person or other entity shall practice dentistry  
27 in Missouri or provide dental services as defined in section  
28 332.071 unless and until the board has issued to the person  
29 a certificate certifying that the person has been duly  
30 registered as a dentist in Missouri or the board has issued  
31 such certificate to an entity that has been duly registered  
32 to provide dental services by licensed dentists and dental  
33 hygienists and unless and until the board has issued to the  
34 person a license, to be renewed each period, as provided in  
35 this chapter, to practice dentistry or as a dental  
36 hygienist, or has issued to the person or entity a permit,  
37 to be renewed each period, to provide dental services in  
38 Missouri. Nothing in this chapter shall be so construed as  
39 to make it unlawful for:

- 40 (1) A legally qualified physician or surgeon, who does  
41 not practice dentistry as a specialty, from extracting teeth;
- 42 (2) A dentist licensed in a state other than Missouri  
43 from making a clinical demonstration before a meeting of  
44 dentists in Missouri;
- 45 (3) Dental students in any accredited dental school to  
46 practice dentistry under the personal direction of  
47 instructors;
- 48 (4) Dental hygiene students in any accredited dental  
49 hygiene school to practice dental hygiene under the personal  
50 direction of instructors;
- 51 (5) A duly registered and licensed dental hygienist in  
52 Missouri to practice dental hygiene as defined in section  
53 332.091;
- 54 (6) A dental assistant, certified dental assistant, or  
55 expanded functions dental assistant to be delegated duties  
56 as defined in section 332.093;
- 57 (7) A duly registered dentist or dental hygienist to  
58 teach in an accredited dental or dental hygiene school;
- 59 (8) A person who has been granted a dental faculty  
60 permit under section 332.183 to practice dentistry in the  
61 scope of his or her employment at an accredited dental  
62 school, college, or program in Missouri;
- 63 (9) A duly qualified anesthesiologist or nurse  
64 anesthetist to administer an anesthetic in connection with  
65 dental services or dental surgery;
- 66 (10) A person to practice dentistry in or for:
- 67 (a) The United States Armed Forces;
- 68 (b) The United States Public Health Service;
- 69 (c) Migrant, community, or health care for the  
70 homeless health centers provided in Section 330 of the  
71 Public Health Service Act (42 U.S.C. Section 254b);

72 (d) Federally qualified health centers as defined in  
73 Section 1905(1) (42 U.S.C. Section 1396d(1)) of the Social  
74 Security Act;

75 (e) Governmental entities, including county health  
76 departments; or

77 (f) The United States Veterans Bureau; or

78 (11) A dentist licensed in a state other than Missouri  
79 to evaluate a patient or render an oral, written, or  
80 otherwise documented dental opinion when providing testimony  
81 or records for the purpose of a civil or criminal action  
82 before any judicial or administrative proceeding of this  
83 state or other forum in this state.

84 3. No corporation shall practice dentistry as defined  
85 in section 332.071 unless that corporation is organized  
86 under the provisions of chapter 355 or 356 provided that a  
87 corporation organized under the provisions of chapter 355  
88 and qualifying as an organization under 26 U.S.C. Section  
89 501(c) (3) may only employ dentists and dental hygienists  
90 licensed in this state to render dental services to Medicaid  
91 recipients, low-income individuals who have available income  
92 below two hundred percent of the federal poverty level, and  
93 all participants in the SCHIP program, unless such  
94 limitation is contrary to or inconsistent with federal or  
95 state law or regulation. This subsection shall not apply to:

96 (1) A hospital licensed under chapter 197 that  
97 provides care and treatment only to children under the age  
98 of eighteen at which a person regulated under this chapter  
99 provides dental care within the scope of his or her license  
100 or registration;

101 (2) A federally qualified health center as defined in  
102 Section 1905(1) of the Social Security Act (42 U.S.C.  
103 Section 1396d(1)), or a migrant, community, or health care  
104 for the homeless health center provided for in Section 330



105 of the Public Health Services Act (42 U.S.C. Section 254b)  
106 at which a person regulated under this chapter provides  
107 dental care within the scope of his or her license or  
108 registration;

109 (3) A city or county health department organized under  
110 chapter 192 or chapter 205 at which a person regulated under  
111 this chapter provides dental care within the scope of his or  
112 her license or registration;

113 (4) A social welfare board organized under section  
114 205.770, a city health department operating under a city  
115 charter, or a city-county health department at which a  
116 person regulated under this chapter provides dental care  
117 within the scope of his or her license or registration;

118 (5) Any entity that has received a permit from the  
119 dental board and does not receive compensation from the  
120 patient or from any third party on the patient's behalf at  
121 which a person regulated under this chapter provides dental  
122 care within the scope of his or her license or registration;

123 (6) Any hospital nonprofit corporation exempt from  
124 taxation under Section 501(c)(3) of the Internal Revenue  
125 Code, as amended, that engages in its operations and  
126 provides dental services at facilities owned by a city,  
127 county, or other political subdivision of the state, or any  
128 entity contracted with the state to provide care in a  
129 correctional center, as such term is defined in section  
130 217.010, at which a person regulated under this chapter  
131 provides dental care within the scope of his or her license  
132 or registration.

133 If any of the entities exempted from the requirements of  
134 this subsection are unable to provide services to a patient  
135 due to the lack of a qualified provider and a referral to  
136 another entity is made, the exemption shall extend to the

137 person or entity that subsequently provides services to the  
138 patient.

139 4. No unincorporated organization shall practice  
140 dentistry as defined in section 332.071 unless such  
141 organization is exempt from federal taxation under Section  
142 501(c)(3) of the Internal Revenue Code of 1986, as amended,  
143 and provides dental treatment without compensation from the  
144 patient or any third party on their behalf as a part of a  
145 broader program of social services including food  
146 distribution. Nothing in this chapter shall prohibit  
147 organizations under this subsection from employing any  
148 person regulated by this chapter.

149 5. A dentist shall not enter into a contract that  
150 allows a person who is not a dentist to influence or  
151 interfere with the exercise of the dentist's independent  
152 professional judgment.

153 6. A not-for-profit corporation organized under the  
154 provisions of chapter 355 and qualifying as an organization  
155 under 26 U.S.C. Section 501(c)(3), an unincorporated  
156 organization operating pursuant to subsection 4 of this  
157 section, or any other person should not direct or interfere  
158 or attempt to direct or interfere with a licensed dentist's  
159 professional judgment and competent practice of dentistry.  
160 Nothing in this subsection shall be so construed as to make  
161 it unlawful for not-for-profit organizations to enforce  
162 employment contracts, corporate policy and procedure  
163 manuals, or quality improvement or assurance requirements.

164 7. All entities defined in subsection 3 of this  
165 section and those exempted under subsection 4 of this  
166 section shall apply for a permit to employ dentists and  
167 dental hygienists licensed in this state to render dental  
168 services, and the entity shall apply for the permit in  
169 writing on forms provided by the Missouri dental board. The

170 board shall not charge a fee of any kind for the issuance or  
171 renewal of such permit. The provisions of this subsection  
172 shall not apply to a federally qualified health center as  
173 defined in Section 1905(l) of the Social Security Act (42  
174 U.S.C. Section 1396d(l)).

175 8. Any entity that obtains a permit to render dental  
176 services in this state is subject to discipline pursuant to  
177 section 332.321. If the board concludes that the person or  
178 entity has committed an act or is engaging in a course of  
179 conduct that would be grounds for disciplinary action, the  
180 board may file a complaint before the administrative hearing  
181 commission. The board may refuse to issue or renew the  
182 permit of any entity for one or any combination of causes  
183 stated in subsection 2 of section 332.321. The board shall  
184 notify the applicant in writing of the reasons for the  
185 refusal and shall advise the applicant of his or her right  
186 to file a complaint with the administrative hearing  
187 commission as provided by chapter 621.

188 9. A federally qualified health center as defined in  
189 Section 1905(l) of the Social Security Act (42 U.S.C.  
190 Section 1396d(l)) shall register with the board. The  
191 information provided to the board as part of the  
192 registration shall include the name of the health center,  
193 the nonprofit status of the health center, sites where  
194 dental services will be provided, and the names of all  
195 persons employed by, or contracting with, the health center  
196 who are required to hold a license pursuant to this  
197 chapter. The registration shall be renewed every twenty-  
198 four months. The board shall not charge a fee of any kind  
199 for the issuance or renewal of the registration. The  
200 registration of the health center shall not be subject to  
201 discipline pursuant to section 332.321. Nothing in this  
202 subsection shall prohibit disciplinary action against a

203 licensee of this chapter who is employed by, or contracts  
204 with, such health center for the actions of the licensee in  
205 connection with such employment or contract.

206 10. The board may promulgate rules and regulations to  
207 ensure not-for-profit corporations are rendering care to the  
208 patient populations as set forth herein, including  
209 requirements for covered not-for-profit corporations to  
210 report patient census data to the board. The provisions of  
211 this subsection shall not apply to a federally qualified  
212 health center as defined in Section 1905(1) of the Social  
213 Security Act (42 U.S.C. Section 1396d(1)).

214 11. All not-for-profit corporations organized or  
215 operated pursuant to the provisions of chapter 355 and  
216 qualifying as an organization under 26 U.S.C. Section  
217 501(c)(3), or the requirements relating to migrant,  
218 community, or health care for the homeless health centers  
219 provided in Section 330 of the Public Health Service Act (42  
220 U.S.C. Section 254b) and federally qualified health centers  
221 as defined in Section 1905(1) (42 U.S.C. Section 1396d(1))  
222 of the Social Security Act, that employ persons who practice  
223 dentistry or dental hygiene in this state shall do so in  
224 accordance with the relevant laws of this state except to  
225 the extent that such laws are contrary to, or inconsistent  
226 with, federal statute or regulation.

337.618. 1. Each license issued pursuant to the  
2 provisions of sections 337.600 to 337.689 shall expire on a  
3 renewal date established by the director. The term of  
4 licensure shall be twenty-four months. The committee shall  
5 require a minimum number of thirty clock hours of continuing  
6 education for renewal of a license issued pursuant to  
7 sections 337.600 to 337.689, including two hours of suicide  
8 assessment, referral, treatment, and management training.  
9 The committee shall renew any license upon application for a

10 renewal, completion of the required continuing education  
11 hours and upon payment of the fee established by the  
12 committee pursuant to the provisions of section 337.612. As  
13 provided by rule, the board may waive or extend the time  
14 requirements for completion of continuing education for  
15 reasons related to health, military service, foreign  
16 residency, or for other good cause. All requests for  
17 waivers or extensions of time shall be made in writing and  
18 submitted to the board before the renewal date.

19 2. The hours of continuing education required for  
20 renewal of a license under this section shall include two  
21 hours of sex and human trafficking training consistent with  
22 the guidelines established in section 27.170. The  
23 provisions of this subsection shall become effective on  
24 January 1, 2025, and shall expire on December 31, 2029.

386.572. 1. No corporation, person, public utility,  
2 or municipality that owns any gas plant shall violate any  
3 law or any order, decision, decree, rule, direction, demand,  
4 or requirement of the commission or any part or portion  
5 thereof relating to federally mandated natural gas safety  
6 standards. Notwithstanding the above, a municipality that  
7 owns any gas plant shall be subject to the provisions of  
8 this section only for violations of natural gas safety laws,  
9 rules, or orders.

10 2. The maximum penalties for violations of federally  
11 mandated natural gas safety standards, or such stricter  
12 natural gas safety standards or rules as may be approved by  
13 the commission, shall [not be greater than fifteen thousand  
14 dollars for each violation with a maximum penalty for a  
15 continuing violation or a multiple series of violations of  
16 the same standard or rule provision not to exceed one  
17 hundred fifty thousand dollars,] not exceed an amount as  
18 determined by the Secretary of Transportation of the United

19 States pursuant to 49 CFR Part 190.223(a), notwithstanding  
20 any provisions of subsection 1 of section 386.570 to the  
21 contrary. [The maximum penalty for each violation shall  
22 increase to twenty thousand dollars, effective January 1,  
23 2015, twenty-five thousand dollars, effective January 1,  
24 2025, thirty thousand dollars, effective January 1, 2035,  
25 and forty thousand dollars, effective January 1, 2040. The  
26 maximum penalty for a continuing violation or a multiple  
27 series of violations of the same standard or rule provision  
28 shall increase to two hundred thousand dollars, effective  
29 January 1, 2015, two hundred fifty thousand dollars,  
30 effective January 1, 2025, three hundred thousand dollars,  
31 effective January 1, 2035, and four hundred thousand  
32 dollars, effective January 1, 2040.] In determining the  
33 amount of the penalty, the commission shall consider the  
34 nature, circumstances, and gravity of the violation, and  
35 also shall consider, with respect to the entity found to  
36 have committed the violation:

- 37 (1) The degree of culpability;
- 38 (2) Any history of prior violations;
- 39 (3) The effect of the penalty on the entity's ability  
40 to continue operation;
- 41 (4) Any good faith effort in attempting to achieve  
42 compliance;
- 43 (5) Ability to pay the penalty; and
- 44 (6) Such other matters as are relevant in the case.

45 3. Every violation of a specific natural gas safety  
46 standard or rule by any corporation, person, public utility,  
47 or municipality that owns any gas plant is a separate and  
48 distinct offense, regardless of whether such violations  
49 relate to the same incident. In case of a continuing  
50 violation, each day's continuance thereof shall be a  
51 separate and distinct offense.

52 4. In construing and enforcing the provisions of this  
53 section, the act, omission, or failure of any officer,  
54 agent, or employee of any corporation, person, public  
55 utility, or municipality that owns any gas plant acting  
56 within the scope of official duties of employment shall in  
57 every case be considered the act, omission, or failure of  
58 such corporation, person, public utility, or municipality  
59 that owns any gas plant.

2 452.1100. Sections 452.1100 to 452.1122 shall be known  
3 and may be cited as the "Uniform Child Abduction Prevention  
4 Act".

2 452.1102. As used in sections 452.1100 to 452.1122,  
3 the following terms mean:

3 (1) "Abduction", the wrongful removal or wrongful  
4 retention of a child;

5 (2) "Child", an unemancipated individual who is less  
6 than eighteen years of age;

7 (3) "Child abduction prevention measures", measures  
8 and conditions that are reasonably calculated to prevent the  
9 abduction of a child, including provisions of subsections 3,  
10 4, and 5 of section 452.1114, and other measures that the  
11 court deems appropriate to prevent the abduction of a child;

12 (4) "Child-custody determination", a judgment, decree,  
13 or other order of a court providing for the legal custody,  
14 physical custody, or visitation with respect to a child.  
15 The term "child-custody determination" includes a permanent,  
16 temporary, initial, and modification order;

17 (5) "Child custody proceeding", a proceeding in which  
18 legal custody, physical custody, or visitation with respect  
19 to a child is at issue. The term "child custody proceeding"  
20 includes a proceeding for divorce, dissolution of marriage,  
21 separation, neglect, abuse, dependency, guardianship,

22 paternity, termination of parental rights, or protection  
23 from domestic violence;

24 (6) "Court", an entity authorized under the law of a  
25 state to establish, enforce, or modify a child-custody  
26 determination;

27 (7) "Petition", includes a motion or its equivalent;

28 (8) "Record", information that is inscribed on a  
29 tangible medium or that is stored in an electronic or other  
30 medium and is retrievable in perceivable form;

31 (9) "State", a state of the United States, the  
32 District of Columbia, Puerto Rico, the United States Virgin  
33 Islands, or any territory or insular possession subject to  
34 the jurisdiction of the United States. The term "state"  
35 includes a federally recognized Indian tribe or nation;

36 (10) "Travel document", records relating to a travel  
37 itinerary, including travel tickets, passes, reservations  
38 for transportation, or accommodations. The term "travel  
39 document" does not include a passport or visa;

40 (11) "Warrant", an order issued by a court authorizing  
41 law enforcement officers to take physical custody of a child;

42 (12) "Wrongful removal", the taking of a child that  
43 breaches rights of custody or visitation given or recognized  
44 under the law of this state;

45 (13) "Wrongful retention", the keeping or concealing  
46 of a child that breaches rights of custody or visitation  
47 given or recognized under the law of this state.

452.1104. Sections 452.730, 452.735, and 452.820 of  
2 the uniform child custody jurisdiction and enforcement act  
3 apply to cooperation and communications among courts in  
4 proceedings under sections 452.1100 to 452.1122.

452.1106. 1. A court on its own motion may order  
2 abduction prevention measures in a child custody proceeding



3 if the court finds that the evidence establishes a credible  
4 risk of abduction of the child.

5 2. A party to a child custody determination or another  
6 individual or entity having a right under the law of this  
7 state or any other state to seek a child custody  
8 determination for the child may file a petition seeking  
9 abduction prevention measures to protect the child under  
10 sections 452.1100 to 452.1122.

11 3. A prosecutor or public authority designated under  
12 section 452.910 may seek a warrant to take physical custody  
13 of a child under section 452.885 or other appropriate  
14 prevention measures.

452.1108. 1. A petition under sections 452.1100 to  
2 452.1122 may be filed only in a court that has jurisdiction  
3 to make a child custody determination with respect to the  
4 child at issue under sections 452.700 to 452.930.

5 2. A court of this state has temporary emergency  
6 jurisdiction under section 452.755 if the court finds a  
7 credible risk of abduction.

452.1110. A petition under sections 452.1100 to  
2 452.1122 shall be verified and include a copy of any  
3 existing child custody determination, if available. The  
4 petition shall specify the risk factors for abduction,  
5 including the relevant factors described in section  
6 452.1112. Subject to subsection 5 of section 452.780, if  
7 reasonably ascertainable, the petition shall contain:

8 (1) The name, date of birth, and sex of the child;

9 (2) The customary address and current physical  
10 location of the child;

11 (3) The identity, customary address, and current  
12 physical location of the respondent;

13 (4) A statement of whether a prior action to prevent  
14 abduction or domestic violence has been filed by a party or

15 other individual or entity having custody of the child, and  
16 the date, location, and disposition of the action;

17 (5) A statement of whether a party to the proceeding  
18 has been arrested for a crime related to domestic violence,  
19 stalking, or child abuse or neglect, and the date, location,  
20 and disposition of the case; and

21 (6) Any other information required to be submitted to  
22 the court for a child custody determination under section  
23 452.780.

452.1112. 1. In determining whether there is a  
2 credible risk of abduction of a child, the court shall  
3 consider any evidence that the petitioner or respondent:

4 (1) Has previously abducted or attempted to abduct the  
5 child;

6 (2) Has threatened to abduct the child;

7 (3) Has recently engaged in activities that may  
8 indicate a planned abduction, including:

9 (a) Abandoning employment;

10 (b) Selling a primary residence;

11 (c) Terminating a lease;

12 (d) Closing bank or other financial management  
13 accounts, liquidating assets, hiding or destroying financial  
14 documents, or conducting any unusual financial activities;

15 (e) Applying for a passport or visa or obtaining  
16 travel documents for the respondent, a family member, or the  
17 child; or

18 (f) Seeking to obtain the child's birth certificate or  
19 school or medical records;

20 (4) Has engaged in domestic violence, stalking, or  
21 child abuse or neglect;

22 (5) Has refused to follow a child custody  
23 determination;

24           (6) Lacks strong familial, financial, emotional, or  
25 cultural ties to the state or the United States;

26           (7) Has strong familial, financial, emotional, or  
27 cultural ties to another state or country;

28           (8) Is likely to take the child to a country that:

29           (a) Is not a party to the Hague Convention on the  
30 Civil Aspects of International Child Abduction and does not  
31 provide for the extradition of an abducting parent or for  
32 the return of an abducted child;

33           (b) Is a party to the Hague Convention on the Civil  
34 Aspects of International Child Abduction but:

35           a. The Hague Convention on the Civil Aspects of  
36 International Child Abduction is not in force between the  
37 United States and that country;

38           b. Is noncompliant according to the most recent  
39 compliance report issued by the United States Department of  
40 State; or

41           c. Lacks legal mechanisms for immediately and  
42 effectively enforcing a return order under the Hague  
43 Convention on the Civil Aspects of International Child  
44 Abduction;

45           (c) Poses a risk that the child's physical or  
46 emotional health or safety would be endangered in the  
47 country because of specific circumstances relating to the  
48 child or because of human rights violations committed  
49 against children;

50           (d) Has laws or practices that would:

51           a. Enable the respondent, without due cause, to  
52 prevent the petitioner from contacting the child;

53           b. Restrict the petitioner from freely traveling to or  
54 exiting from the country because of the petitioner's sex,  
55 nationality, marital status, or religion; or

56 c. Restrict the child's ability legally to leave the  
57 country after the child reaches the age of majority because  
58 of a child's sex, nationality, or religion;

59 (e) Is included by the United States Department of  
60 State on a current list of state sponsors of terrorism;

61 (f) Does not have an official United States diplomatic  
62 presence in the country; or

63 (g) Is engaged in active military action or war,  
64 including a civil war, to which the child may be exposed;

65 (9) Is undergoing a change in immigration or  
66 citizenship status that would adversely affect the  
67 respondent's ability to remain in the United States legally;

68 (10) Has had an application for United States  
69 citizenship denied;

70 (11) Has forged or presented misleading or false  
71 evidence on government forms or supporting documents to  
72 obtain or attempt to obtain a passport, a visa, travel  
73 documents, a Social Security card, a driver's license, or  
74 other government-issued identification card or has made a  
75 misrepresentation to the United States government;

76 (12) Has used multiple names to attempt to mislead or  
77 defraud; or

78 (13) Has engaged in any other conduct the court  
79 considers relevant to the risk of abduction.

80 2. In the hearing on a petition under sections  
81 452.1100 to 452.1122, the court shall consider any evidence  
82 that the respondent believed in good faith that the  
83 respondent's conduct was necessary to avoid imminent harm to  
84 the child or respondent and any other evidence that may be  
85 relevant to whether the respondent may be permitted to  
86 remove or retain the child.

452.1114. 1. If a petition is filed under sections  
2 452.1100 to 452.1122, the court may enter an order that  
3 shall include:

4 (1) The basis for the court's exercise of jurisdiction;

5 (2) The manner in which notice and opportunity to be  
6 heard were given to the persons entitled to notice of the  
7 proceeding;

8 (3) A detailed description of each party's custody and  
9 visitation rights and residential arrangements for the child;

10 (4) A provision stating that a violation of the order  
11 may subject the party in violation to civil and criminal  
12 penalties; and

13 (5) Identification of the child's country of habitual  
14 residence at the time of the issuance of the order.

15 2. If, at a hearing on a petition under sections  
16 452.1100 to 452.1122 or on the court's own motion, the court  
17 after reviewing the evidence finds a credible risk of  
18 abduction of the child, the court shall enter an abduction  
19 prevention order. The order shall include the provisions  
20 required by subsection 1 of this section and measures and  
21 conditions, including those in subsections 3, 4, and 5 of  
22 this section, that are reasonably calculated to prevent  
23 abduction of the child, giving due consideration to the  
24 potential harm to the child from an abduction, the legal and  
25 practical difficulties of returning the child to the  
26 jurisdiction if abducted, and the reasons for the potential  
27 abduction, including evidence of domestic violence,  
28 stalking, or child abuse or neglect.

29 3. An abduction prevention order may include one or  
30 more of the following:

31 (1) An imposition of travel restrictions that require  
32 that a party traveling with the child outside a designated  
33 geographical area provide the other party with the following:

34           (a) The travel itinerary of the child;  
35           (b) A list of physical addresses and telephone numbers  
36 at which the child can be reached at specified times; and  
37           (c) Copies of all travel documents;  
38           (2) A prohibition of the respondent directly or  
39 indirectly:  
40           (a) Removing the child from this state, the United  
41 States, or another geographic area without permission of the  
42 court or the petitioner's written consent;  
43           (b) Removing or retaining the child in violation of a  
44 child custody determination;  
45           (c) Removing the child from school or a child care or  
46 similar facility; or  
47           (d) Approaching the child at any location other than a  
48 site designated for supervised visitation;  
49           (3) A requirement that a party register the order in  
50 another state as a prerequisite to allowing the child to  
51 travel to that state;  
52           (4) With regard to the child's passport:  
53           (a) A direction that the petitioner place the child's  
54 name in the United States Department of State's Child  
55 Passport Issuance Alert Program;  
56           (b) A requirement that the respondent surrender to the  
57 court or the petitioner's attorney any United States or  
58 foreign passport issued in the child's name, including a  
59 passport issued in the name of both the parent and the  
60 child; and  
61           (c) A prohibition upon the respondent from applying on  
62 behalf of the child for a new or replacement passport or  
63 visa;  
64           (5) As a prerequisite to exercising custody or  
65 visitation, a requirement that the respondent provide:

66 (a) To the United States Department of State Office of  
67 Children's Issues and the relevant foreign consulate or  
68 embassy, an authenticated copy of the order detailing  
69 passport and travel restrictions for the child;

70 (b) To the court:

71 a. Proof that the respondent has provided the  
72 information in paragraph (a) of this subdivision; and

73 b. An acknowledgment in a record from the relevant  
74 foreign consulate or embassy that no passport application  
75 has been made, or passport issued, on behalf of the child;

76 (c) To the petitioner, proof of registration with the  
77 United States Embassy or other United States diplomatic  
78 presence in the destination country and with the Central  
79 Authority for the Hague Convention on the Civil Aspects of  
80 International Child Abduction, if that Convention is in  
81 effect between the United States and the destination  
82 country, unless one of the parties objects; and

83 (d) A written waiver under 5 U.S.C. Section 552a of  
84 the Privacy Act of 1974, as amended, with respect to any  
85 document, application, or other information pertaining to  
86 the child authorizing its disclosure to the court and the  
87 petitioner; and

88 (6) Upon the petitioner's request, a requirement that  
89 the respondent obtain an order from the relevant foreign  
90 country containing terms identical to the child custody  
91 determination issued in the United States.

92 4. In an abduction prevention order, the court may  
93 impose conditions on the exercise of custody or visitation  
94 that:

95 (1) Limit visitation or require that visitation with  
96 the child by the respondent be supervised until the court  
97 finds that supervision is no longer necessary and order the  
98 respondent to pay the costs of supervision;

99           (2) Require the respondent to post a bond or provide  
100 other security in an amount sufficient to serve as a  
101 financial deterrent to abduction, the proceeds of which may  
102 be used to pay for the reasonable expenses of recovery of  
103 the child, including reasonable attorneys' fees and costs if  
104 there is an abduction; and

105           (3) Require the respondent to obtain education on the  
106 potentially harmful effects to the child from abduction.

107           5. To prevent imminent abduction of a child, a court  
108 may:

109           (1) Issue a warrant to take physical custody of the  
110 child;

111           (2) Direct the use of law enforcement to take any  
112 action reasonably necessary to locate the child, obtain  
113 return of the child, or enforce a custody determination  
114 under sections 452.1100 to 452.1122 or the law of this state  
115 other than sections 452.1100 to 452.1122; or

116           (3) Grant any other relief allowed under the law of  
117 this state other than sections 452.1100 to 452.1122.

118           6. The remedies provided in sections 452.1100 to  
119 452.1122 are cumulative and do not affect the availability  
120 of other remedies to prevent abduction.

452.1118. An abduction prevention order remains in  
2 effect until the earliest of:

3           (1) The time stated in the order;

4           (2) The emancipation of the child;

5           (3) The child's attaining eighteen years of age; or

6           (4) The time the order is modified, revoked, vacated,

7 or superseded by a court with jurisdiction under sections  
8 452.740, 452.745, and 452.750 and applicable law of this  
9 state.

452.1120. In applying and construing sections 452.1100  
2 to 452.1122, consideration shall be given to the need to



3 promote uniformity of the law with respect to its subject  
4 matter among states that enact it.

5 452.1122. Sections 452.1100 to 452.1122 modifies,  
6 limits, and supersedes the federal Electronic Signatures in  
7 Global and National Commerce Act, 15 U.S.C. Section 7001 et  
8 seq., but does not modify, limit, or supersede Section  
9 101(c) of the act, 15 U.S.C. Section 7001(c), or authorize  
10 electronic delivery of any of the notices described in  
11 Section 103(b) of that act, 15 U.S.C. Section 7003(b).

12 454.1050. 1. This section shall be known and may be  
13 cited as "Bentley and Mason's Law".

14 2. The court shall order a defendant convicted of the  
15 offense of driving while intoxicated to pay restitution for  
16 a child whose parent or guardian died as a result of such  
17 offense.

18 3. Notwithstanding any provision of law under chapter  
19 559 relating to restitution, and subject to subsection 4 of  
20 this section, the court shall determine a monthly amount to  
21 be paid for the support of the child until the child reaches  
22 eighteen years of age or has graduated from high school,  
23 whichever is later.

24 4. The defendant shall not be required to pay  
25 restitution under this section to an individual who is  
26 nineteen years of age or older.

27 5. The court shall order the defendant to pay  
28 restitution in an amount that is reasonable and necessary to  
29 support the child, considering all relevant factors,  
30 including:

31 (1) The financial needs and resources of the child;

32 (2) The financial needs and resources of the surviving  
33 parent or guardian or other current guardian of the child,  
34 including the state if the state is the guardian;

24           (3) The standard of living to which the child is  
25 accustomed;

26           (4) The physical and emotional condition of the child  
27 and the child's educational needs;

28           (5) The child's physical and legal custody  
29 arrangements;

30           (6) The reasonable work-related child care expenses of  
31 the surviving parent or guardian or other current guardian,  
32 if applicable; and

33           (7) The financial resources of the defendant.

34           6. The order of restitution under this section shall  
35 require restitution payments to be:

36           (1) Delivered in the manner described under subsection  
37 7 of this section, as appropriate; and

38           (2) Directed to the parent or guardian of the child or  
39 the state, as applicable.

40           7. The order of restitution under this section shall  
41 require the defendant to:

42           (1) Make restitution directly to the person or agency  
43 that will accept and forward restitution payments to the  
44 victim or other person eligible for restitution under this  
45 section; or

46           (2) Deliver the amount due as restitution to the  
47 division of probation or parole or to the department of  
48 corrections for transfer to the victim or person or state,  
49 as appropriate.

50           8. If a defendant ordered to pay restitution under  
51 this section is unable to make the required restitution  
52 payments because the defendant is confined or imprisoned in  
53 a correctional facility, the defendant shall begin payments  
54 no later than the first anniversary of the date of the  
55 defendant's release from the facility. The defendant may  
56 enter into a payment plan to address any arrearage that

57 exists on the date of the defendant's release. The  
58 defendant shall pay all arrearages regardless of whether the  
59 restitution payments were scheduled to terminate while the  
60 defendant was confined or imprisoned in the correctional  
61 facility.

62 9. The amount of restitution paid under this section  
63 shall be deducted from any civil judgment against the  
64 defendant.

65 10. A restitution order issued under this section may  
66 be enforced by the office of the attorney general, or by a  
67 person or a parent or guardian of the person named in the  
68 order to receive the restitution, in the same manner as a  
69 judgment in a civil action.

455.010. As used in this chapter, unless the context  
2 clearly indicates otherwise, the following terms shall mean:

3 (1) "Abuse", includes but is not limited to the  
4 occurrence of any of the following acts, attempts or threats  
5 against a person who may be protected pursuant to this  
6 chapter, except abuse shall not include abuse inflicted on a  
7 child by accidental means by an adult household member or  
8 discipline of a child, including spanking, in a reasonable  
9 manner:

10 (a) "Abusing a pet", purposely or knowingly causing,  
11 attempting to cause, or threatening to cause physical injury  
12 to a pet with the intent to control, punish, intimidate, or  
13 distress the petitioner;

14 (b) "Assault", purposely or knowingly placing or  
15 attempting to place another in fear of physical harm;

16 (c) "Battery", purposely or knowingly causing physical  
17 harm to another with or without a deadly weapon;

18 (d) "Coercion", compelling another by force or threat  
19 of force to engage in conduct from which the latter has a

20 right to abstain or to abstain from conduct in which the  
21 person has a right to engage;

22 (e) "Harassment", engaging in a purposeful or knowing  
23 course of conduct involving more than one incident that  
24 alarms or causes distress to an adult or child and serves no  
25 legitimate purpose. The course of conduct must be such as  
26 would cause a reasonable adult or child to suffer  
27 substantial emotional distress and must actually cause  
28 substantial emotional distress to the petitioner or child.  
29 Such conduct might include, but is not limited to:

30 a. Following another about in a public place or places;

31 b. Peering in the window or lingering outside the  
32 residence of another; but does not include constitutionally  
33 protected activity;

34 (f) "Sexual assault", causing or attempting to cause  
35 another to engage involuntarily in any sexual act by force,  
36 threat of force, duress, or without that person's consent;

37 (g) "Unlawful imprisonment", holding, confining,  
38 detaining or abducting another person against that person's  
39 will;

40 (2) "Adult", any person [seventeen] eighteen years of  
41 age or older or otherwise emancipated;

42 (3) "Child", any person under [seventeen] eighteen  
43 years of age unless otherwise emancipated;

44 (4) "Court", the circuit or associate circuit judge or  
45 a family court commissioner;

46 (5) "Domestic violence", abuse or stalking committed  
47 by a family or household member, as such terms are defined  
48 in this section;

49 (6) "Ex parte order of protection", an order of  
50 protection issued by the court before the respondent has  
51 received notice of the petition or an opportunity to be  
52 heard on it;

53           (7) "Family" or "household member", spouses, former  
54 spouses, any person related by blood or marriage, persons  
55 who are presently residing together or have resided together  
56 in the past, any person who is or has been in a continuing  
57 social relationship of a romantic or intimate nature with  
58 the victim, and anyone who has a child in common regardless  
59 of whether they have been married or have resided together  
60 at any time;

61           (8) "Full order of protection", an order of protection  
62 issued after a hearing on the record where the respondent  
63 has received notice of the proceedings and has had an  
64 opportunity to be heard;

65           (9) "Order of protection", either an ex parte order of  
66 protection or a full order of protection;

67           (10) "Pending", exists or for which a hearing date has  
68 been set;

69           (11) "Pet", a living creature maintained by a  
70 household member for companionship and not for commercial  
71 purposes;

72           (12) "Petitioner", a family or household member who  
73 has been a victim of domestic violence, or any person who  
74 has been the victim of stalking or sexual assault, or a  
75 person filing on behalf of a child pursuant to section  
76 455.503 who has filed a verified petition pursuant to the  
77 provisions of section 455.020 or section 455.505;

78           (13) "Respondent", the family or household member  
79 alleged to have committed an act of domestic violence, or  
80 person alleged to have committed an act of stalking or  
81 sexual assault, against whom a verified petition has been  
82 filed or a person served on behalf of a child pursuant to  
83 section 455.503;

84           (14) "Sexual assault", as defined under subdivision  
85 (1) of this section;

86 (15) "Stalking", is when any person purposely engages  
87 in an unwanted course of conduct that causes alarm to  
88 another person, or a person who resides together in the same  
89 household with the person seeking the order of protection  
90 when it is reasonable in that person's situation to have  
91 been alarmed by the conduct. As used in this subdivision:

92 (a) "Alarm", to cause fear of danger of physical harm;  
93 and

94 (b) "Course of conduct", two or more acts that serve  
95 no legitimate purpose including, but not limited to, acts in  
96 which the stalker directly, indirectly, or through a third  
97 party follows, monitors, observes, surveils, threatens, or  
98 communicates to a person by any action, method, or device.

455.035. 1. Upon the filing of a verified petition  
2 pursuant to sections 455.010 to 455.085 and for good cause  
3 shown in the petition, the court may immediately issue an ex  
4 parte order of protection. An immediate and present danger  
5 of domestic violence to the petitioner or the child on whose  
6 behalf the petition is filed shall constitute good cause for  
7 purposes of this section. An ex parte order of protection  
8 entered by the court shall take effect when entered and  
9 shall remain in effect until there is valid service of  
10 process and a hearing is held on the motion. The court  
11 shall deny the ex parte order and dismiss the petition if  
12 the petitioner is not authorized to seek relief pursuant to  
13 section 455.020.

14 2. Failure to serve an ex parte order of protection on  
15 the respondent shall not affect the validity or  
16 enforceability of such order. If the respondent is less  
17 than [seventeen] eighteen years of age, unless otherwise  
18 emancipated, service of process shall be made upon a  
19 custodial parent or guardian of the respondent, or upon a  
20 guardian ad litem appointed by the court, requiring that the

21 person appear and bring the respondent before the court at  
22 the time and place stated.

23 3. If an ex parte order is entered and the respondent  
24 is less than [seventeen] eighteen years of age, the court  
25 shall transfer the case to juvenile court for a hearing on a  
26 full order of protection. The court shall appoint a  
27 guardian ad litem for any such respondent not represented by  
28 a parent or guardian.

455.098. 1. Upon the request of the victim or the  
2 prosecuting or circuit attorney, a court shall have  
3 jurisdiction at the time of sentencing to enter a lifetime  
4 protection order restraining or enjoining the defendant from  
5 contacting the victim if the defendant has been found guilty  
6 of a dangerous felony, as defined in section 556.061. The  
7 protection order shall be effective immediately and shall be  
8 served on the defendant at the time of sentencing. An order  
9 issued pursuant to this section shall not expire and is  
10 valid for the defendant's lifetime unless:

11 (1) The defendant makes a showing to the court that  
12 the victim has died or the conviction has been dismissed,  
13 expunged, or overturned or the defendant has been pardoned;  
14 or

15 (2) The victim submits a written request to the court  
16 for an early expiration upon which the court may hold a  
17 hearing to terminate the order.

18 2. A copy of any order of protection granted pursuant  
19 to this section shall be issued to the victim and to the  
20 local law enforcement agency in the jurisdiction where the  
21 victim resides. The court shall provide all necessary  
22 information, including the defendant's relationship to the  
23 victim, for entry of the order of protection into the  
24 Missouri Uniform Law Enforcement System (MULES) and the  
25 National Crime Information Center (NCIC). Upon receiving

26 the order under this subsection, the sheriff shall make the  
27 entry into MULES within twenty-four hours. MULES shall  
28 forward the order information to NCIC, which will in turn  
29 make the order viewable within the National Instant Criminal  
30 Background Check System (NICS). The sheriff shall enter  
31 information contained in the order, including, but not  
32 limited to, any orders regarding child custody or visitation  
33 and all specifics as to times and dates of custody or  
34 visitation that are provided in the order. A notice of  
35 termination of any order of protection or any change in  
36 child custody or visitation within that order shall be  
37 issued to the local law enforcement agency for entry into  
38 MULES or any other comparable law enforcement system. The  
39 information contained in an order of protection may be  
40 entered into MULES or any other comparable law enforcement  
41 system using a direct automated data transfer from the court  
42 automated system to the law enforcement system.

455.513. 1. The court may immediately issue an ex parte order of protection upon the filing of a verified petition under sections 455.500 to 455.538, for good cause shown in the petition, and upon finding that:

(1) No prior order regarding custody involving the respondent and the child is pending or has been made; or

(2) The respondent is less than **[seventeen]** eighteen years of age.

9 An immediate and present danger of domestic violence,  
10 including danger to the child's pet, stalking, or sexual  
11 assault to a child shall constitute good cause for purposes  
12 of this section. An ex parte order of protection entered by  
13 the court shall be in effect until the time of the hearing.  
14 The court shall deny the ex parte order and dismiss the  
15 petition if the petitioner is not authorized to seek relief  
16 pursuant to section 455.505.



17           2. Upon the entry of the ex parte order of protection,  
18 the court shall enter its order appointing a guardian ad  
19 litem or court-appointed special advocate to represent the  
20 child victim.

21           3. If the allegations in the petition would give rise  
22 to jurisdiction under section 211.031, the court may direct  
23 the children's division to conduct an investigation and to  
24 provide appropriate services. The division shall submit a  
25 written investigative report to the court and to the  
26 juvenile officer within thirty days of being ordered to do  
27 so. The report shall be made available to the parties and  
28 the guardian ad litem or court-appointed special advocate.

29           4. If the allegations in the petition would give rise  
30 to jurisdiction under section 211.031 because the respondent  
31 is less than [seventeen] eighteen years of age, the court  
32 may issue an ex parte order and shall transfer the case to  
33 juvenile court for a hearing on a full order of protection.  
34 Service of process shall be made pursuant to section 455.035.

          478.001. 1. For purposes of sections 478.001 to  
2 478.009, the following terms shall mean:

3           (1) "Adult treatment court", a treatment court focused  
4 on addressing the substance use disorder or co-occurring  
5 disorder of defendants charged with a criminal offense;

6           (2) "Community-based substance use disorder treatment  
7 program", an agency certified by the department of mental  
8 health as a substance use disorder treatment provider;

9           (3) "Co-occurring disorder", the coexistence of both a  
10 substance use disorder and a mental health disorder;

11           (4) "DWI court", a treatment court focused on  
12 addressing the substance use disorder or co-occurring  
13 disorder of defendants who have pleaded guilty to or been  
14 found guilty of driving while intoxicated or driving with  
15 excessive blood alcohol content;

16 (5) "Family treatment court", a treatment court  
17 focused on addressing a substance use disorder or co-  
18 occurring disorder existing in families in the juvenile  
19 court, family court, or criminal court in which a parent or  
20 other household member has been determined to have a  
21 substance use disorder or co-occurring disorder that impacts  
22 the safety and well-being of the children in the family;

23 (6) "Juvenile treatment court", a treatment court  
24 focused on addressing the substance use disorder or co-  
25 occurring disorder of juveniles in the juvenile court;

26 (7) "Medication-assisted treatment", the use of  
27 pharmacological medications, in combination with counseling  
28 and behavioral therapies, to provide a whole-patient  
29 approach to the treatment of substance use disorders;

30 (8) "Mental health court", a treatment court focused  
31 on addressing the mental health disorder or co-occurring  
32 disorder of defendants charged with a criminal offense;

33 (9) "Mental health disorder", any organic, mental, or  
34 emotional impairment that has substantial adverse effects on  
35 a person's cognitive, volitional, or emotional function and  
36 that constitutes a substantial impairment in a person's  
37 ability to participate in activities of normal living;

38 [(9)] (10) "Risk and needs assessment", an actuarial  
39 tool, approved by the treatment courts coordinating  
40 commission and validated on a targeted population of drug-  
41 involved adult offenders, scientifically proven to determine  
42 a person's risk to recidivate and to identify criminal risk  
43 factors that, when properly addressed, can reduce that  
44 person's likelihood of committing future criminal behavior;

45 [(10)] (11) "Substance use disorder", the recurrent  
46 use of alcohol or drugs that causes clinically significant  
47 impairment, including health problems, disability, and

48 failure to meet major responsibilities at work, school, or  
49 home;

50 [(11)] (12) "Treatment court commissioner", a person  
51 appointed by a majority of the circuit and associate circuit  
52 judges in a circuit to preside as the judicial officer in  
53 the treatment court division;

54 [(12)] (13) "Treatment court division", a specialized,  
55 nonadversarial court division with jurisdiction over cases  
56 involving substance-involved offenders and making extensive  
57 use of comprehensive supervision, drug or alcohol testing,  
58 and treatment services. Treatment court divisions include,  
59 but are not limited to, the following specialized courts:  
60 adult treatment court, DWI court, family treatment court,  
61 juvenile treatment court, mental health court, veterans  
62 treatment court, or any combination thereof;

63 [(13)] (14) "Treatment court team", the following  
64 members who are assigned to the treatment court: the judge  
65 or treatment court commissioner, treatment court  
66 administrator or coordinator, prosecutor, public defender or  
67 member of the criminal defense bar, a representative from  
68 the division of probation and parole, a representative from  
69 law enforcement, substance use disorder or mental health  
70 disorder treatment providers, and any other person selected  
71 by the treatment court team;

72 [(14)] (15) "Veterans treatment court", a treatment  
73 court focused on substance use disorders, co-occurring  
74 disorders, or mental health disorders of defendants charged  
75 with a criminal offense who are military veterans or current  
76 military personnel.

77 2. A treatment court division shall be established,  
78 prior to August 28, 2021, by any circuit court pursuant to  
79 sections 478.001 to 478.009 to provide an alternative for  
80 the judicial system to dispose of cases which stem from, or

81 are otherwise impacted by, a substance use disorder or  
82 mental health disorder. The treatment court division may  
83 include, but not be limited to, cases assigned to an adult  
84 treatment court, DWI court, family treatment court, juvenile  
85 treatment court, mental health court, veterans treatment  
86 court, or any combination thereof. A treatment court shall  
87 combine judicial supervision, drug or alcohol testing, and  
88 treatment of participants. Except for good cause found by  
89 the court, a treatment court making a referral for substance  
90 use disorder or mental health disorder treatment, when such  
91 program will receive state or federal funds in connection  
92 with such referral, shall refer the person only to a program  
93 which is certified by the department of mental health,  
94 unless no appropriate certified treatment program is located  
95 within the same county as the treatment court. Upon  
96 successful completion of the treatment court program, the  
97 charges, petition, or penalty against a treatment court  
98 participant may be dismissed, reduced, or modified, unless  
99 otherwise stated. Any fees received by a court from a  
100 defendant as payment for substance or mental health  
101 treatment programs shall not be considered court costs,  
102 charges or fines.

103 3. An adult treatment court may be established by any  
104 circuit court [under sections 478.001 to 478.009] to provide  
105 an alternative for the judicial system to dispose of cases  
106 which stem from substance use.

107 4. [Under sections 478.001 to 478.009,] A DWI court  
108 may be established by any circuit court to provide an  
109 alternative for the judicial system to dispose of cases that  
110 stem from driving while intoxicated.

111 5. A family treatment court may be established by any  
112 circuit court. The juvenile division of the circuit court  
113 or the family court, if one is established under section

114 487.010, may refer one or more parents or other household  
115 members subject to its jurisdiction to the family treatment  
116 court if he or she has been determined to have a substance  
117 use disorder or co-occurring disorder that impacts the  
118 safety and well-being of the children in the family.

119 6. A juvenile treatment court may be established by  
120 the juvenile division of any circuit court. The juvenile  
121 division may refer a juvenile to the juvenile treatment  
122 court if the juvenile is determined to have committed acts  
123 that violate the criminal laws of the state or ordinances of  
124 a municipality or county and a substance use disorder or co-  
125 occurring disorder contributed to the commission of the  
126 offense.

127 7. The general assembly finds and declares that it is  
128 the public policy of this state to encourage and provide an  
129 alternative method for the disposal of cases for military  
130 veterans and current military personnel with substance use  
131 disorders, mental health disorders, or co-occurring  
132 disorders. In order to effectuate this public policy, a  
133 veterans treatment court may be established by any circuit  
134 court, or combination of circuit courts upon agreement of  
135 the presiding judges of such circuit courts, to provide an  
136 alternative for the judicial system to dispose of cases that  
137 stem from a substance use disorder, mental health disorder,  
138 or co-occurring disorder of military veterans or current  
139 military personnel. A veterans treatment court shall  
140 combine judicial supervision, drug or alcohol testing, and  
141 substance use and mental health disorder treatment to  
142 participants who have served or are currently serving the  
143 United States Armed Forces, including members of the  
144 Reserves or National Guard, with preference given to  
145 individuals who have combat service. For the purposes of  
146 this section, combat service shall be shown through military

147 service documentation that reflects service in a combat  
148 theater, receipt of combat service medals, or receipt of  
149 imminent danger or hostile fire pay or tax benefits. Except  
150 for good cause found by the court, a veterans treatment  
151 court shall make a referral for substance use or mental  
152 health disorder treatment, or a combination of substance use  
153 and mental health disorder treatment, through the Department  
154 of Defense health care, the Veterans Administration, or a  
155 community-based substance use disorder treatment program.  
156 Community-based programs utilized shall receive state or  
157 federal funds in connection with such referral and shall  
158 only refer the individual to a program certified by the  
159 department of mental health, unless no appropriate certified  
160 treatment program is located within the same circuit as the  
161 veterans treatment court.

162 8. A mental health court may be established by any  
163 circuit court to provide an alternative for the judicial  
164 system to dispose of cases that stem from a mental health  
165 disorder or co-occurring disorder.

490.692. 1. Any records or copies of records  
2 reproduced in the ordinary course of business by any  
3 photographic, photostatic, microfilm, microcard, miniature  
4 photographic, optical disk imaging, or other process which  
5 accurately reproduces or forms a durable medium for so  
6 reproducing the original that would be admissible under  
7 sections 490.660 to 490.690 shall be admissible as a  
8 business record, subject to other substantive or procedural  
9 objections, in any court in this state upon the affidavit of  
10 the person who would otherwise provide the prerequisites of  
11 sections 490.660 to 490.690, that the records attached to  
12 the affidavit were kept as required by section 490.680.

13 2. No party shall be permitted to offer such business  
14 records into evidence pursuant to this section unless all

15 other parties to the action have been served with copies of  
16 such records and such affidavit at least seven days prior to  
17 the day upon which trial of the cause commences.

18 3. The affidavit permitted by this section may be in  
19 form and content substantially as follows:

20 THE STATE OF \_\_\_\_\_

21 COUNTY OF \_\_\_\_\_

22 AFFIDAVIT

23 Before me, the undersigned authority, personally  
24 appeared \_\_\_\_\_, who, being by me duly sworn,  
25 deposed as follows:

26 My name is \_\_\_\_\_, I am of sound mind, capable of  
27 making this affidavit, and personally acquainted  
28 with the facts herein stated:

29 I am the custodian of the records of \_\_\_\_\_.  
30 Attached hereto are \_\_\_\_\_ pages of records from  
31 \_\_\_\_\_. These \_\_\_\_\_ pages of records are kept by  
32 \_\_\_\_\_ in the regular course of business, and it  
33 was the regular course of business of \_\_\_\_\_ for an  
34 employee or representative of \_\_\_\_\_ with knowledge  
35 of the act, event, condition, opinion, or diagnosis  
36 recorded to make the record or to transmit  
37 information thereof to be included in such record;  
38 and the record was made at or near the time of the  
39 act, event, condition, opinion or diagnosis. The  
40 records attached hereto are the original or exact  
41 duplicates of the original.

42 \_\_\_\_\_

43 Affiant

44 [In witness whereof I have hereunto subscribed my  
45 name and affixed my official seal this \_\_\_\_\_ day  
46 of \_\_\_\_\_, 20\_\_\_\_\_.

47 \_\_\_\_\_

\_\_\_\_\_

48 (Signed)

(Seal)

49           4. Notwithstanding any other provision of law to the  
50 contrary, an affidavit offered pursuant to this section  
51 shall not be deemed invalid for the reason that it utilizes  
52 an electronic signature or digital signature.

53           5. Notwithstanding any other provision of law to the  
54 contrary, an affidavit offered pursuant to this section  
55 shall not be deemed invalid for the reason that it does not  
56 include a notarization.

57           6. Notwithstanding any other provision of law to the  
58 contrary, an affidavit offered pursuant to this section  
59 shall be signed in a manner that, if falsely made, would  
60 subject the signer to criminal penalties pursuant to section  
61 575.040.

          491.075. 1. A statement made by a child under the age  
2 of **[fourteen]** eighteen, or a vulnerable person, relating to  
3 an offense under chapter 565, 566, 568 or 573, performed by  
4 another, not otherwise admissible by statute or court rule,  
5 is admissible in evidence in criminal proceedings in the  
6 courts of this state as substantive evidence to prove the  
7 truth of the matter asserted if:

8           (1) The court finds, in a hearing conducted outside  
9 the presence of the jury that the time, content and  
10 circumstances of the statement provide sufficient indicia of  
11 reliability; and

12           (2) (a) The child or vulnerable person testifies at  
13 the proceedings; or

14           (b) The child or vulnerable person is unavailable as a  
15 witness; or

16           (c) The child or vulnerable person is otherwise  
17 physically available as a witness but the court finds that  
18 the significant emotional or psychological trauma which  
19 would result from testifying in the personal presence of the



20 defendant makes the child or vulnerable person unavailable  
21 as a witness at the time of the criminal proceeding.

22 2. Notwithstanding subsection 1 of this section or any  
23 provision of law or rule of evidence requiring corroboration  
24 of statements, admissions or confessions of the defendant,  
25 and notwithstanding any prohibition of hearsay evidence, a  
26 statement by a child when under the age of [fourteen]  
27 eighteen, or a vulnerable person, who is alleged to be  
28 victim of an offense under chapter 565, 566, 568 or 573 is  
29 sufficient corroboration of a statement, admission or  
30 confession regardless of whether or not the child or  
31 vulnerable person is available to testify regarding the  
32 offense.

33 3. A statement may not be admitted under this section  
34 unless the prosecuting attorney makes known to the accused  
35 or the accused's counsel his or her intention to offer the  
36 statement and the particulars of the statement sufficiently  
37 in advance of the proceedings to provide the accused or the  
38 accused's counsel with a fair opportunity to prepare to meet  
39 the statement.

40 4. Nothing in this section shall be construed to limit  
41 the admissibility of statements, admissions or confessions  
42 otherwise admissible by law.

43 5. For the purposes of this section, "vulnerable  
44 person" shall mean a person who, as a result of an  
45 inadequately developed or impaired intelligence or a  
46 psychiatric disorder that materially affects ability to  
47 function, lacks the mental capacity to consent, or whose  
48 developmental level does not exceed that of an ordinary  
49 child of [fourteen] seventeen years of age.

491.641. 1. (1) There is hereby created in the state  
2 treasury the "Pretrial Witness Protection Services Fund",  
3 which shall consist of moneys collected under this section.

4 The state treasurer shall be custodian of the fund. In  
5 accordance with sections 30.170 and 30.180, the state  
6 treasurer may approve disbursements. The fund shall be a  
7 dedicated fund and money in the fund shall be used solely by  
8 the department of public safety for the purposes of witness  
9 protection services pursuant to this section.

10 (2) Notwithstanding the provisions of section 33.080  
11 to the contrary, any moneys remaining in the fund at the end  
12 of the biennium shall not revert to the credit of the  
13 general revenue fund.

14 (3) The state treasurer shall invest moneys in the  
15 fund in the same manner as other funds are invested. Any  
16 interest and moneys earned on such investments shall be  
17 credited to the fund.

18 2. Any law enforcement agency and any prosecuting or  
19 circuit attorney's office may provide for the security of  
20 witnesses, potential witnesses, and their immediate families  
21 in criminal proceedings instituted or investigations pending  
22 against a person alleged to have engaged in a violation of  
23 state law. Providing for witnesses may include provision of  
24 housing facilities and for the health, safety, and welfare  
25 of such witnesses and their immediate families, if testimony  
26 by such a witness might subject the witness or a member of  
27 his or her immediate family to danger of bodily injury, and  
28 may continue so long as such danger exists. Subject to  
29 appropriations from the general assembly for the purposes  
30 provided for in this section, funds may be appropriated from  
31 the pretrial witness protection services fund.

32 3. The department of public safety may authorize funds  
33 to be disbursed to law enforcement agencies and prosecuting  
34 or circuit attorney's offices for the purchase, rental, or  
35 modification of protected housing facilities for the purpose  
36 of this section. The law enforcement agency or prosecuting

37 or circuit attorney's office may contract with any  
38 department of federal or state government to obtain or to  
39 provide the facilities or services to carry out this section.

40 4. The department of public safety may authorize  
41 expenditures for law enforcement agencies and prosecuting or  
42 circuit attorney's offices to provide for the health,  
43 safety, and welfare of witnesses and victims, and the  
44 families of such witnesses and victims, whenever testimony  
45 from, or a willingness to testify by, such a witness or  
46 victim would place the life of such person, or a member of  
47 his or her family or household, in jeopardy. [A law  
48 enforcement agency shall submit an application to the  
49 department of public safety which shall include, but not  
50 necessarily be limited to:

51 (1) Statement of conditions which qualify persons for  
52 protection;

53 (2) Precise methods the originating agency will use to  
54 provide protection, including relocation of persons and  
55 reciprocal agreements with other law enforcement agencies;

56 (3) Statement of the projected costs over a specified  
57 period of time;

58 (4) If the requesting agency expects the person to  
59 provide evidence in any court of competent jurisdiction:

60 (a) Brief statement of the anticipated evidence;

61 (b) Certification of a reasonable belief in the  
62 person's competency to give evidence;

63 (c) Statement of facts supporting the law enforcement  
64 agency's belief in the accuracy of the evidence; and

65 (d) Any offer made in exchange for the person agreeing  
66 to give evidence.] Law enforcement agencies and prosecuting

67 or circuit attorney's offices seeking reimbursement shall  
68 submit an application to be approved by the department of  
69 public safety.

70           5. The application and any associated documents  
71 submitted in subsection 4 of this section shall be a closed  
72 record and not subject to disclosure under the provisions of  
73 chapter 610. Any information contained in the application[,  
74 or] and any other documents, which reveals or could reveal  
75 the location or address of the individual or individuals who  
76 qualify for services under this section shall be  
77 confidential and shall not be disclosed by any entity.

          492.304. 1. In addition to the admissibility of a  
2 statement under the provisions of section 492.303, the  
3 visual and aural recording of a verbal or nonverbal  
4 statement of a child when under the age of [fourteen  
5 eighteen who is alleged to be a victim of] or a vulnerable  
6 person, relating to an offense under the provisions of  
7 chapter 565, 566 [or], 568 or 573 if performed by another,  
8 is admissible into evidence if:

9           (1) No attorney for either party was present when the  
10 statement was made; except that, for any statement taken at  
11 a state-funded child assessment center as provided for in  
12 subsection 2 of section 210.001, an attorney representing  
13 the state of Missouri in a criminal investigation may, as a  
14 member of a multidisciplinary investigation team, observe  
15 the taking of such statement, but such attorney shall not be  
16 present in the room where the interview is being conducted;

17           (2) The recording is both visual and aural and is  
18 recorded on film or videotape or by other electronic means;

19           (3) The recording equipment was capable of making an  
20 accurate recording, the operator of the equipment was  
21 competent, and the recording is accurate and has not been  
22 altered;

23           (4) The statement was not made in response to  
24 questioning calculated to lead the child or vulnerable

25 person to make a particular statement or to act in a  
26 particular way;

27 (5) Every voice on the recording is identified;

28 (6) The person conducting the interview of the child  
29 or vulnerable person in the recording is present at the  
30 proceeding and available to testify or be cross-examined by  
31 either party; and

32 (7) The defendant or the attorney for the defendant is  
33 afforded an opportunity to view the recording before it is  
34 offered into evidence.

35 2. If the child or vulnerable person does not testify  
36 at the proceeding, the visual and aural recording of a  
37 verbal or nonverbal statement of the child or vulnerable  
38 person shall not be admissible under this section unless the  
39 recording qualifies for admission under section 491.075.

40 3. If the visual and aural recording of a verbal or  
41 nonverbal statement of a child or vulnerable person is  
42 admissible under this section and the child or vulnerable  
43 person testifies at the proceeding, it shall be admissible  
44 in addition to the testimony of the child or vulnerable  
45 person at the proceeding whether or not it repeats or  
46 duplicates the child's or vulnerable person's testimony.

47 4. As used in this section, a nonverbal statement  
48 shall be defined as any demonstration of the child or  
49 vulnerable person by his or her actions, facial expressions,  
50 demonstrations with a doll or other visual aid whether or  
51 not this demonstration is accompanied by words.

52 5. For the purposes of this section, "vulnerable  
53 person" shall mean a person who, as a result of an  
54 inadequately developed or impaired intelligence or a  
55 psychiatric disorder that materially affects the ability to  
56 function, lacks the mental capacity to consent, or whose

57 developmental level does not exceed that of an ordinary  
58 child of seventeen years of age.

537.1300. Sections 537.1300 to 537.1316 shall be known  
2 and may be cited as the "Uniform Civil Remedies for  
3 Unauthorized Disclosure of Intimate Images Act".

537.1302. As used in sections 537.1300 to 537.1316,  
2 the following terms mean:

3 (1) "Consent", affirmative, conscious, and voluntary  
4 authorization by an individual with legal capacity to give  
5 authorization;

6 (2) "Depicted individual", an individual whose body is  
7 shown in whole or in part in an intimate image;

8 (3) "Disclosure", transfer, publication, or  
9 distribution to another person. The term "disclose" has a  
10 corresponding meaning;

11 (4) "Identifiable", recognizable by a person other  
12 than the depicted individual:

13 (a) From an intimate image itself; or

14 (b) From an intimate image and identifying  
15 characteristic displayed in connection with the intimate  
16 image;

17 (5) "Identifying characteristic", information that may  
18 be used to identify a depicted individual;

19 (6) "Individual", a human being;

20 (7) "Intimate image", a photograph, film, video  
21 recording, or other similar medium that shows:

22 (a) The uncovered genitals, pubic area, anus, or  
23 female postpubescent nipple of a depicted individual; or

24 (b) A depicted individual engaging in or being  
25 subjected to sexual conduct;

26 (8) "Person", an individual, estate, business or  
27 nonprofit entity, public corporation, government or

28 governmental subdivision, agency, or instrumentality, or  
29 other legal entity;

30 (9) "Sexual conduct" includes:

31 (a) Masturbation;

32 (b) Genital, anal, or oral sex;

33 (c) Sexual penetration of, or with, an object;

34 (d) Bestiality; or

35 (e) The transfer of semen onto a depicted individual.

537.1304. 1. As used in this section, the following  
2 terms mean:

3 (1) "Harm", includes physical harm, economic harm, and  
4 emotional distress whether or not accompanied by physical or  
5 economic harm;

6 (2) "Private":

7 (a) Created or obtained under circumstances in which a  
8 depicted individual had a reasonable expectation of privacy;  
9 or

10 (b) Made accessible through stealing, bribery,  
11 extortion, fraud, false pretenses, or exceeding authorized  
12 access to an account, message, file, device, resource, or  
13 property.

14 2. Except as otherwise provided in 537.1306, a  
15 depicted individual who is identifiable and who suffers harm  
16 from a person's intentional disclosure or threatened  
17 disclosure of an intimate image that was private without the  
18 depicted individual's consent has a cause of action against  
19 the person if the person knew or acted with reckless  
20 disregard for whether:

21 (1) The depicted individual did not consent to the  
22 disclosure;

23 (2) The intimate image was private; and

24 (3) The depicted individual was identifiable.

25           3. The following conduct by a depicted individual does  
26 not establish by itself that the individual consented to the  
27 disclosure of the intimate image that is the subject of an  
28 action under sections 537.1300 to 537.1316 or that the  
29 individual lacked a reasonable expectation of privacy:

- 30           (1) Consent to creation of the image; or
- 31           (2) Previous consensual disclosure of the image.

32           4. A depicted individual who does not consent to the  
33 sexual conduct or uncovering of the part of the body  
34 depicted in an intimate image of the individual retains a  
35 reasonable expectation of privacy even if the image was  
36 created when the individual was in a public place.

537.1306. 1. As used in this section, the following  
2 terms mean:

- 3           (1) "Child", an unemancipated individual who is under  
4 eighteen years of age;
- 5           (2) "Parent", an individual recognized as a parent  
6 under law of this state other than in sections 537.1300 to  
7 537.1316.

8           2. A person is not liable under sections 537.1300 to  
9 537.1316 if the person proves that disclosure of, or a  
10 threat to disclose, an intimate image was:

- 11           (1) Made in good faith in:
  - 12           (a) Law enforcement;
  - 13           (b) A legal proceeding; or
  - 14           (c) Medical education or treatment;

15           (2) Made in good faith in the reporting or  
16 investigation of:

- 17           (a) Unlawful conduct; or
- 18           (b) Unsolicited and unwelcome conduct;
- 19           (3) Related to a matter of public concern or public  
20 interest; or



21           (4) Reasonably intended to assist the depicted  
22 individual.

23           3. Subject to subsection 4 of this section, a  
24 defendant who is a parent, legal guardian, or individual  
25 with legal custody of a child is not liable under sections  
26 537.1300 to 537.1316 for a disclosure or threatened  
27 disclosure of an intimate image of the child.

28           4. If a defendant asserts an exception to liability  
29 under subsection 3 of this section, the exception does not  
30 apply if the plaintiff proves the disclosure was:

31           (1) Prohibited by law other than in sections 537.1300  
32 to 537.1316; or

33           (2) Made for the purpose of sexual arousal, sexual  
34 gratification, humiliation, degradation, or monetary or  
35 commercial gain.

36           5. Disclosure of, or a threat to disclose, an intimate  
37 image is not a matter of public concern or public interest  
38 solely because the depicted individual is a public figure.

537.1308. In an action under sections 537.1300 to  
2 537.1316:

3           (1) A plaintiff may proceed using a pseudonym in place  
4 of the true name of the plaintiff;

5           (2) The court may exclude or redact from all pleadings  
6 and documents filed in the action other identifying  
7 characteristics of the plaintiff;

8           (3) A plaintiff to whom subdivision (1) or (2) of this  
9 section applies shall file with the court and serve on the  
10 defendant a confidential information form that includes the  
11 excluded or redacted plaintiff's name and other identifying  
12 characteristics; and

13           (4) The court may make further orders as necessary to  
14 protect the identity and privacy of a plaintiff.

537.1310. 1. In an action under sections 537.1300 to  
2 537.1316, a prevailing plaintiff may recover:

3 (1) The greater of:

4 (a) Economic and noneconomic damages proximately  
5 caused by the defendant's disclosure or threatened  
6 disclosure, including damages for emotional distress whether  
7 or not accompanied by other damages; or

8 (b) Statutory damages not to exceed ten thousand  
9 dollars against each defendant found liable under sections  
10 537.1300 to 537.1316 for all disclosures and threatened  
11 disclosures by the defendant of which the plaintiff knew or  
12 reasonably should have known when filing the action or which  
13 became known during the pendency of the action. In  
14 determining the amount of statutory damages under this  
15 paragraph, consideration shall be given to the age of the  
16 parties at the time of the disclosure or threatened  
17 disclosure, the number of disclosures or threatened  
18 disclosures made by the defendant, the breadth of  
19 distribution of the image by the defendant, and other  
20 exacerbating or mitigating factors;

21 (2) An amount equal to any monetary gain made by the  
22 defendant from disclosure of the intimate image; and

23 (3) Punitive damages as allowed under law of this  
24 state other than under sections 537.1300 to 537.1316.

25 2. In an action under sections 537.1300 to 537.1316,  
26 the court may award a prevailing plaintiff:

27 (1) Reasonable attorney's fees and costs; and

28 (2) Additional relief, including injunctive relief.

29 3. Sections 537.1300 to 537.1316 do not affect a right  
30 or remedy available under law of this state other than under  
31 sections 537.1300 to 537.1316.

537.1312. 1. An action under subsection 2 of section  
2 537.1304 for:

3           (1) An unauthorized disclosure shall not be brought  
4 later than four years from the date the disclosure was  
5 discovered or should have been discovered with the exercise  
6 of reasonable diligence; and

7           (2) A threat to disclose shall not be brought later  
8 than four years from the date of the threat to disclose.

9           2. Except as otherwise provided in subsection 3 of  
10 this section, this section is subject to the tolling  
11 statutes of this state.

12           3. In an action under subsection 2 of section 537.1304  
13 by a depicted individual who was a minor on the date of the  
14 disclosure or threat to disclose, the time specified in  
15 subsection 1 of this section does not begin to run until the  
16 depicted individual attains the age of majority.

537.1314. Sections 537.1300 to 537.1316 shall be  
2 construed to be consistent with the Communications Decency  
3 Act of 1996, 47 U.S.C. Section 230.

537.1316. In applying and construing sections 537.1300  
2 to 537.1316, consideration shall be given to the need to  
3 promote uniformity of the law with respect to its subject  
4 matter among states that enact it.

          547.031. 1. A prosecuting or circuit attorney, in the  
2 jurisdiction in which [a person was convicted of an offense]  
3 charges were filed, may file a motion to vacate or set aside  
4 the judgment at any time if he or she has information that  
5 the convicted person may be innocent or may have been  
6 erroneously convicted. The circuit court in which [the  
7 person was convicted] charges were filed shall have  
8 jurisdiction and authority to consider, hear, and decide the  
9 motion.

10           2. Upon the filing of a motion to vacate or set aside  
11 the judgment, the court shall order a hearing and shall  
12 issue findings of fact and conclusions of law on all issues

13 presented. The attorney general shall be given notice of  
14 hearing of such a motion by the circuit clerk and shall be  
15 permitted to appear, question witnesses, and make arguments  
16 in a hearing of such a motion.

17 3. The court shall grant the motion of the prosecuting  
18 or circuit attorney to vacate or set aside the judgment  
19 where the court finds that there is clear and convincing  
20 evidence of actual innocence or constitutional error at the  
21 original trial or plea that undermines the confidence in the  
22 judgment. In considering the motion, the court shall take  
23 into consideration the evidence presented at the original  
24 trial or plea; the evidence presented at any direct appeal  
25 or post-conviction proceedings, including state or federal  
26 habeas actions; and the information and evidence presented  
27 at the hearing on the motion.

28 4. The prosecuting attorney or circuit attorney shall  
29 have the authority and right to file and maintain an appeal  
30 of the denial or disposal of such a motion. The attorney  
31 general may file a motion to intervene and, in addition to  
32 such motion, file a motion to dismiss the motion to vacate  
33 or to set aside the judgment in any appeal filed by the  
34 prosecuting or circuit attorney.

2 547.500. 1. The Missouri office of prosecution  
3 services may establish a conviction review unit to  
4 investigate claims of actual innocence of any defendant  
5 including those who plead guilty.

6 2. The Missouri office of prosecution services shall  
7 have the power to promulgate rules and regulations to  
8 receive and investigate claims of actual innocence.

9 3. The Missouri office of prosecution services shall  
10 create an application process that at a minimum shall  
include that:

11           (1) Any application for review of a claim of actual  
12 innocence shall not have any excessive fees and fees shall  
13 be waived in cases of indigence;

14           (2) No application shall be accepted if there is any  
15 pending motion, writ, appeal, or other matter pending  
16 regarding the defendant's conviction, except for any motion  
17 to vacate or set aside the judgment pursuant to section  
18 547.031. Any application filed shall be considered a  
19 pleading under the Missouri rules of civil procedure and all  
20 attorneys shall comply with supreme court rule 55.03 when  
21 signing the application and the application shall be sworn  
22 and signed under penalty of perjury by the applicant. Any  
23 witness statements attached shall be sworn and signed under  
24 penalty of perjury; and

25           (3) Any review and investigation shall be based on  
26 newly discovered and reliable evidence of actual innocence  
27 not presented at a trial. Such newly discovered and  
28 reliable evidence shall establish by clear and convincing  
29 evidence the actual innocence of the defendant.

30           4. The conviction review unit shall consist of two  
31 attorneys, hired by the executive director of the Missouri  
32 office of prosecution services, who have extensive  
33 experience prosecuting and defending criminal matters, an  
34 investigator, a paralegal, and such administrative staff as  
35 is needed to efficiently and effectively process all  
36 applications and claims. The executive director of the  
37 Missouri office of prosecution services shall coordinate the  
38 activities and budget of the conviction review unit and act  
39 as an ex officio member of the unit.

40           5. Once the review is complete, the conviction review  
41 unit shall present its findings and recommendations to:

42           (1) The office of the prosecuting attorney or circuit  
43 attorney who prosecuted the defendant's case; the attorney

44 general's office if it prosecuted the case, or the special  
45 prosecutor who prosecuted the case; or

46 (2) If the review was requested by a prosecuting  
47 attorney's office, the circuit attorney's office, attorney  
48 general, or special prosecutor, the findings and  
49 recommendation shall be presented to the office which  
50 requested the review.

51 6. The circuit attorney, prosecuting attorney of any  
52 county, special prosecutor, attorney general's office if it  
53 prosecuted the case, Missouri office of prosecution  
54 services, or other prosecutor who prosecuted the case is not  
55 required to accept or follow the findings and  
56 recommendations of the conviction review unit.

57 7. (1) The application, investigation, reports,  
58 interviews, findings, and recommendations, and any  
59 documents, written, electronic or otherwise, received or  
60 generated by the conviction review unit are closed records.

61 (2) The conviction review unit's findings and  
62 recommendations submitted to the prosecuting attorney,  
63 circuit attorney, the attorney general's office if it  
64 prosecuted the case, or the special prosecutor who  
65 prosecuted the case, shall become open records after the  
66 receiving entity of the submission makes a decision not to  
67 pursue a motion under section 547.031 or, if such a motion  
68 is filed, after the finality of all proceedings under  
69 section 547.031, including appeals authorized therein.

70 8. Nothing in this section shall be construed to  
71 prevent a prosecuting attorney or circuit attorney from  
72 filing a motion under section 547.031 before the review  
73 under this section is complete.

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

3           (1) "Department", the department of corrections of the  
4 state of Missouri;

5           (2) "Jail reimbursement", a daily per diem paid by the  
6 state for the reimbursement of time spent in custody.

7           2. Notwithstanding any other provision of law to the  
8 contrary, whenever any person is sentenced to a term of  
9 imprisonment in a correctional center, the department shall  
10 reimburse the county or city not within a county for the  
11 days the person spent in custody at a per diem cost, subject  
12 to appropriation, but not to exceed thirty-seven dollars and  
13 fifty cents per day per offender. The jail reimbursement  
14 shall be subject to review and approval of the department.  
15 The state shall pay the costs when:

16           (1) A person is sentenced to a term of imprisonment as  
17 authorized by chapter 558;

18           (2) A person is sentenced pursuant to section 559.115;

19           (3) A person has his or her probation or parole  
20 revoked because the offender has, or allegedly has, violated  
21 any condition of the offender's probation or parole, and  
22 such probation or parole is a consequence of a violation of  
23 the law, or the offender is a fugitive from the state or  
24 otherwise held at the request of the department regardless  
25 of whether or not a warrant has been issued; or

26           (4) A person has a period of detention imposed  
27 pursuant to section 559.026.

28           3. When the final determination of any criminal  
29 prosecution shall be such as to render the state liable for  
30 costs under existing laws, it shall be the duty of the  
31 sheriff to certify to the clerk of the county or the chief  
32 executive officer of the city not within a county the total  
33 number of days any offender who was a party in such case  
34 remained in the jail. It shall then be the duty of the  
35 county clerk or the chief executive officer of the city not

36 within the county to submit the total number of days spent  
37 in custody to the department. The county clerk or chief  
38 executive officer of the city not within the county may  
39 submit claims to the department, no later than two years  
40 from the date the claim became eligible for reimbursement.

41 4. The department shall determine if the expenses are  
42 eligible pursuant to the provisions of this chapter and  
43 remit any payment to the county or city not within a county  
44 when the expenses are determined to be eligible. The  
45 department shall establish, by rule, the process for  
46 submission of claims. Any rule or portion of a rule, as  
47 that term is defined in section 536.010, that is created  
48 under the authority delegated in this section shall become  
49 effective only if it complies with and is subject to all of  
50 the provisions of chapter 536 and, if applicable, section  
51 536.028. This section and chapter 536 are nonseverable and  
52 if any of the powers vested with the general assembly  
53 pursuant to chapter 536 to review, to delay the effective  
54 date, or to disapprove and annul a rule are subsequently  
55 held unconstitutional, then the grant of rulemaking  
56 authority and any rule proposed or adopted after August 28,  
57 2024, shall be invalid and void.

556.021. 1. An infraction does not constitute a  
2 criminal offense and conviction of an infraction shall not  
3 give rise to any disability or legal disadvantage based on  
4 conviction of a criminal offense.

5 2. Except as otherwise provided by law, the procedure  
6 for infractions shall be the same as for a misdemeanor.

7 3. If a person fails to appear in court either solely  
8 for an infraction or for an infraction which is committed in  
9 the same course of conduct as a criminal offense for which  
10 the person is charged, or if a person fails to respond to  
11 notice of an infraction from the central violations bureau



12 established in section 476.385, the court may issue a  
13 default judgment for court costs and fines for the  
14 infraction which shall be enforced in the same manner as  
15 other default judgments, including enforcement under  
16 sections 488.5028 and 488.5030, unless the court determines  
17 that good cause or excusable neglect exists for the person's  
18 failure to appear for the infraction. The notice of entry  
19 of default judgment and the amount of fines and costs  
20 imposed shall be sent to the person by first class mail.  
21 The default judgment may be set aside for good cause if the  
22 person files a motion to set aside the judgment within six  
23 months of the date the notice of entry of default judgment  
24 is mailed.

25 4. Notwithstanding subsection 3 of this section or any  
26 provisions of law to the contrary, a court may issue a  
27 warrant for failure to appear for any violation [which] that  
28 is classified or charged as an infraction; except that, a  
29 court shall not issue a warrant for failure to appear for  
30 any violation that is classified or charged as an infraction  
31 under chapter 307.

32 5. Judgment against the defendant for an infraction  
33 shall be in the amount of the fine authorized by law and the  
34 court costs for the offense.

556.061. In this code, unless the context requires a  
2 different definition, the following terms shall mean:

3 (1) "Access", to instruct, communicate with, store  
4 data in, retrieve or extract data from, or otherwise make  
5 any use of any resources of, a computer, computer system, or  
6 computer network;

7 (2) "Affirmative defense":

8 (a) The defense referred to is not submitted to the  
9 trier of fact unless supported by evidence; and

10           (b) If the defense is submitted to the trier of fact  
11 the defendant has the burden of persuasion that the defense  
12 is more probably true than not;

13           (3) "Burden of injecting the issue":

14           (a) The issue referred to is not submitted to the  
15 trier of fact unless supported by evidence; and

16           (b) If the issue is submitted to the trier of fact any  
17 reasonable doubt on the issue requires a finding for the  
18 defendant on that issue;

19           (4) "Commercial film and photographic print  
20 processor", any person who develops exposed photographic  
21 film into negatives, slides or prints, or who makes prints  
22 from negatives or slides, for compensation. The term  
23 commercial film and photographic print processor shall  
24 include all employees of such persons but shall not include  
25 a person who develops film or makes prints for a public  
26 agency;

27           (5) "Computer", the box that houses the central  
28 processing unit (CPU), along with any internal storage  
29 devices, such as internal hard drives, and internal  
30 communication devices, such as internal modems capable of  
31 sending or receiving electronic mail or fax cards, along  
32 with any other hardware stored or housed internally. Thus,  
33 computer refers to hardware, software and data contained in  
34 the main unit. Printers, external modems attached by cable  
35 to the main unit, monitors, and other external attachments  
36 will be referred to collectively as peripherals and  
37 discussed individually when appropriate. When the computer  
38 and all peripherals are referred to as a package, the term  
39 "computer system" is used. Information refers to all the  
40 information on a computer system including both software  
41 applications and data;

42           (6) "Computer equipment", computers, terminals, data  
43 storage devices, and all other computer hardware associated  
44 with a computer system or network;

45           (7) "Computer hardware", all equipment which can  
46 collect, analyze, create, display, convert, store, conceal  
47 or transmit electronic, magnetic, optical or similar  
48 computer impulses or data. Hardware includes, but is not  
49 limited to, any data processing devices, such as central  
50 processing units, memory typewriters and self-contained  
51 laptop or notebook computers; internal and peripheral  
52 storage devices, transistor-like binary devices and other  
53 memory storage devices, such as floppy disks, removable  
54 disks, compact disks, digital video disks, magnetic tape,  
55 hard drive, optical disks and digital memory; local area  
56 networks, such as two or more computers connected together  
57 to a central computer server via cable or modem; peripheral  
58 input or output devices, such as keyboards, printers,  
59 scanners, plotters, video display monitors and optical  
60 readers; and related communication devices, such as modems,  
61 cables and connections, recording equipment, RAM or ROM  
62 units, acoustic couplers, automatic dialers, speed dialers,  
63 programmable telephone dialing or signaling devices and  
64 electronic tone-generating devices; as well as any devices,  
65 mechanisms or parts that can be used to restrict access to  
66 computer hardware, such as physical keys and locks;

67           (8) "Computer network", two or more interconnected  
68 computers or computer systems;

69           (9) "Computer program", a set of instructions,  
70 statements, or related data that directs or is intended to  
71 direct a computer to perform certain functions;

72           (10) "Computer software", digital information which  
73 can be interpreted by a computer and any of its related  
74 components to direct the way they work. Software is stored

75 in electronic, magnetic, optical or other digital form. The  
76 term commonly includes programs to run operating systems and  
77 applications, such as word processing, graphic, or  
78 spreadsheet programs, utilities, compilers, interpreters and  
79 communications programs;

80 (11) "Computer-related documentation", written,  
81 recorded, printed or electronically stored material which  
82 explains or illustrates how to configure or use computer  
83 hardware, software or other related items;

84 (12) "Computer system", a set of related, connected or  
85 unconnected, computer equipment, data, or software;

86 (13) "Confinement":

87 (a) A person is in confinement when such person is  
88 held in a place of confinement pursuant to arrest or order  
89 of a court, and remains in confinement until:

90 a. A court orders the person's release; or

91 b. The person is released on bail, bond, or  
92 recognizance, personal or otherwise; or

93 c. A public servant having the legal power and duty to  
94 confine the person authorizes his release without guard and  
95 without condition that he return to confinement;

96 (b) A person is not in confinement if:

97 a. The person is on probation or parole, temporary or  
98 otherwise; or

99 b. The person is under sentence to serve a term of  
100 confinement which is not continuous, or is serving a  
101 sentence under a work-release program, and in either such  
102 case is not being held in a place of confinement or is not  
103 being held under guard by a person having the legal power  
104 and duty to transport the person to or from a place of  
105 confinement;

106 (14) "Consent": consent or lack of consent may be  
107 expressed or implied. Assent does not constitute consent if:

108           (a) It is given by a person who lacks the mental  
109 capacity to authorize the conduct charged to constitute the  
110 offense and such mental incapacity is manifest or known to  
111 the actor; or

112           (b) It is given by a person who by reason of youth,  
113 mental disease or defect, intoxication, a drug-induced  
114 state, or any other reason is manifestly unable or known by  
115 the actor to be unable to make a reasonable judgment as to  
116 the nature or harmfulness of the conduct charged to  
117 constitute the offense; or

118           (c) It is induced by force, duress or deception;

119           (15) "Controlled substance", a drug, substance, or  
120 immediate precursor in schedules I through V as defined in  
121 chapter 195;

122           (16) "Criminal negligence", failure to be aware of a  
123 substantial and unjustifiable risk that circumstances exist  
124 or a result will follow, and such failure constitutes a  
125 gross deviation from the standard of care which a reasonable  
126 person would exercise in the situation;

127           (17) "Custody", a person is in custody when he or she  
128 has been arrested but has not been delivered to a place of  
129 confinement;

130           (18) "Damage", when used in relation to a computer  
131 system or network, means any alteration, deletion, or  
132 destruction of any part of the computer system or network;

133           (19) "Dangerous felony", the felonies of arson in the  
134 first degree, assault in the first degree, attempted rape in  
135 the first degree if physical injury results, attempted  
136 forcible rape if physical injury results, attempted sodomy  
137 in the first degree if physical injury results, attempted  
138 forcible sodomy if physical injury results, rape in the  
139 first degree, forcible rape, sodomy in the first degree,  
140 forcible sodomy, assault in the second degree if the victim

141 of such assault is a special victim as defined in  
142 subdivision (14) of section 565.002, kidnapping in the first  
143 degree, kidnapping, murder in the second degree, assault of  
144 a law enforcement officer in the first degree, domestic  
145 assault in the first degree, elder abuse in the first  
146 degree, robbery in the first degree, armed criminal action,  
147 conspiracy to commit an offense when the offense is a  
148 dangerous felony, vehicle hijacking when punished as a class  
149 A felony, statutory rape in the first degree when the victim  
150 is a child less than twelve years of age at the time of the  
151 commission of the act giving rise to the offense, statutory  
152 sodomy in the first degree when the victim is a child less  
153 than twelve years of age at the time of the commission of  
154 the act giving rise to the offense, child molestation in the  
155 first or second degree, abuse of a child if the child dies  
156 as a result of injuries sustained from conduct chargeable  
157 under section 568.060, child kidnapping, parental kidnapping  
158 committed by detaining or concealing the whereabouts of the  
159 child for not less than one hundred twenty days under  
160 section 565.153, endangering the welfare of a child in the  
161 first degree, and an "intoxication-related traffic offense"  
162 or "intoxication-related boating offense" if the person is  
163 found to be a "habitual offender" or "habitual boating  
164 offender" as such terms are defined in section 577.001;

165 (20) "Dangerous instrument", any instrument, article  
166 or substance, which, under the circumstances in which it is  
167 used, is readily capable of causing death or other serious  
168 physical injury;

169 (21) "Data", a representation of information, facts,  
170 knowledge, concepts, or instructions prepared in a  
171 formalized or other manner and intended for use in a  
172 computer or computer network. Data may be in any form  
173 including, but not limited to, printouts, microfiche,

174 magnetic storage media, punched cards and as may be stored  
175 in the memory of a computer;

176 (22) "Deadly weapon", any firearm, loaded or unloaded,  
177 or any weapon from which a shot, readily capable of  
178 producing death or serious physical injury, may be  
179 discharged, or a switchblade knife, dagger, billy club,  
180 blackjack or metal knuckles;

181 (23) "Digital camera", a camera that records images in  
182 a format which enables the images to be downloaded into a  
183 computer;

184 (24) "Disability", a mental, physical, or  
185 developmental impairment that substantially limits one or  
186 more major life activities or the ability to provide  
187 adequately for one's care or protection, whether the  
188 impairment is congenital or acquired by accident, injury or  
189 disease, where such impairment is verified by medical  
190 findings;

191 (25) "Elderly person", a person sixty years of age or  
192 older;

193 (26) "Felony", an offense so designated or an offense  
194 for which persons found guilty thereof may be sentenced to  
195 death or imprisonment for a term of more than one year;

196 (27) "Forcible compulsion" either:

197 (a) Physical force that overcomes reasonable  
198 resistance; or

199 (b) A threat, express or implied, that places a person  
200 in reasonable fear of death, serious physical injury or  
201 kidnapping of such person or another person;

202 (28) "Incapacitated", a temporary or permanent  
203 physical or mental condition in which a person is  
204 unconscious, unable to appraise the nature of his or her  
205 conduct, or unable to communicate unwillingness to an act;

206           (29) "Infraction", a violation defined by this code or  
207 by any other statute of this state if it is so designated or  
208 if no sentence other than a fine, or fine and forfeiture or  
209 other civil penalty, is authorized upon conviction;

210           (30) "Inhabitable structure", a vehicle, vessel or  
211 structure:

212           (a) Where any person lives or carries on business or  
213 other calling; or

214           (b) Where people assemble for purposes of business,  
215 government, education, religion, entertainment, or public  
216 transportation; or

217           (c) Which is used for overnight accommodation of  
218 persons.

219 Any such vehicle, vessel, or structure is inhabitable  
220 regardless of whether a person is actually present. If a  
221 building or structure is divided into separately occupied  
222 units, any unit not occupied by the actor is an inhabitable  
223 structure of another;

224           (31) "Knowingly", when used with respect to:

225           (a) Conduct or attendant circumstances, means a person  
226 is aware of the nature of his or her conduct or that those  
227 circumstances exist; or

228           (b) A result of conduct, means a person is aware that  
229 his or her conduct is practically certain to cause that  
230 result;

231           (32) "Law enforcement officer", any public servant  
232 having both the power and duty to make arrests for  
233 violations of the laws of this state, and federal law  
234 enforcement officers authorized to carry firearms and to  
235 make arrests for violations of the laws of the United States;

236           (33) "Misdemeanor", an offense so designated or an  
237 offense for which persons found guilty thereof may be



238 sentenced to imprisonment for a term of which the maximum is  
239 one year or less;

240 (34) "Of another", property that any entity, including  
241 but not limited to any natural person, corporation, limited  
242 liability company, partnership, association, governmental  
243 subdivision or instrumentality, other than the actor, has a  
244 possessory or proprietary interest therein, except that  
245 property shall not be deemed property of another who has  
246 only a security interest therein, even if legal title is in  
247 the creditor pursuant to a conditional sales contract or  
248 other security arrangement;

249 (35) "Offense", any felony or misdemeanor;

250 (36) "Physical injury", slight impairment of any  
251 function of the body or temporary loss of use of any part of  
252 the body;

253 (37) "Place of confinement", any building or facility  
254 and the grounds thereof wherein a court is legally  
255 authorized to order that a person charged with or convicted  
256 of a crime be held;

257 (38) "Possess" or "possessed", having actual or  
258 constructive possession of an object with knowledge of its  
259 presence. A person has actual possession if such person has  
260 the object on his or her person or within easy reach and  
261 convenient control. A person has constructive possession if  
262 such person has the power and the intention at a given time  
263 to exercise dominion or control over the object either  
264 directly or through another person or persons. Possession  
265 may also be sole or joint. If one person alone has  
266 possession of an object, possession is sole. If two or more  
267 persons share possession of an object, possession is joint;

268 (39) "Property", anything of value, whether real or  
269 personal, tangible or intangible, in possession or in action;

270           (40) "Public servant", any person employed in any way  
271 by a government of this state who is compensated by the  
272 government by reason of such person's employment, any person  
273 appointed to a position with any government of this state,  
274 or any person elected to a position with any government of  
275 this state. It includes, but is not limited to,  
276 legislators, jurors, members of the judiciary and law  
277 enforcement officers. It does not include witnesses;

278           (41) "Purposely", when used with respect to a person's  
279 conduct or to a result thereof, means when it is his or her  
280 conscious object to engage in that conduct or to cause that  
281 result;

282           (42) "Recklessly", consciously disregarding a  
283 substantial and unjustifiable risk that circumstances exist  
284 or that a result will follow, and such disregard constitutes  
285 a gross deviation from the standard of care which a  
286 reasonable person would exercise in the situation;

287           (43) "Serious emotional injury", an injury that  
288 creates a substantial risk of temporary or permanent medical  
289 or psychological damage, manifested by impairment of a  
290 behavioral, cognitive or physical condition. Serious  
291 emotional injury shall be established by testimony of  
292 qualified experts upon the reasonable expectation of  
293 probable harm to a reasonable degree of medical or  
294 psychological certainty;

295           (44) "Serious physical injury", physical injury that  
296 creates a substantial risk of death or that causes serious  
297 disfigurement or protracted loss or impairment of the  
298 function of any part of the body;

299           (45) "Services", when used in relation to a computer  
300 system or network, means use of a computer, computer system,  
301 or computer network and includes, but is not limited to,

302 computer time, data processing, and storage or retrieval  
303 functions;

304 (46) "Sexual orientation", male or female  
305 heterosexuality, homosexuality or bisexuality by  
306 inclination, practice, identity or expression, or having a  
307 self-image or identity not traditionally associated with  
308 one's gender;

309 (47) "Vehicle", a self-propelled mechanical device  
310 designed to carry a person or persons, excluding vessels or  
311 aircraft;

312 (48) "Vessel", any boat or craft propelled by a motor  
313 or by machinery, whether or not such motor or machinery is a  
314 principal source of propulsion used or capable of being used  
315 as a means of transportation on water, or any boat or craft  
316 more than twelve feet in length which is powered by sail  
317 alone or by a combination of sail and machinery, and used or  
318 capable of being used as a means of transportation on water,  
319 but not any boat or craft having, as the only means of  
320 propulsion, a paddle or oars;

321 (49) "Voluntary act":

322 (a) A bodily movement performed while conscious as a  
323 result of effort or determination. Possession is a  
324 voluntary act if the possessor knowingly procures or  
325 receives the thing possessed, or having acquired control of  
326 it was aware of his or her control for a sufficient time to  
327 have enabled him or her to dispose of it or terminate his or  
328 her control; or

329 (b) An omission to perform an act of which the actor  
330 is physically capable. A person is not guilty of an offense  
331 based solely upon an omission to perform an act unless the  
332 law defining the offense expressly so provides, or a duty to  
333 perform the omitted act is otherwise imposed by law;

334 (50) "Vulnerable person", any person in the custody,  
335 care, or control of the department of mental health who is  
336 receiving services from an operated, funded, licensed, or  
337 certified program.

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

3 (1) "Failed start", any attempt to start the vehicle  
4 with a breath alcohol concentration exceeding twenty-five  
5 thousandths of one percent by weight of alcohol in such  
6 person's breath, unless a subsequent retest performed within  
7 ten minutes registers a breath alcohol concentration not  
8 exceeding twenty-five thousandths of one percent by weight  
9 of alcohol in such person's breath;

10 (2) "Running retest", failure to take a breath test  
11 performed by the driver upon a certified ignition interlock  
12 device at random intervals after the initial engine startup  
13 breath test and while the vehicle's motor is running or  
14 failure to take a breath retest with a breath alcohol  
15 concentration not exceeding twenty-five thousandths of one  
16 percent by weight of alcohol in such person's breath;

17 (3) "Vehicle", any mechanical device on wheels,  
18 designed primarily for use, or used, on highways.

19 2. In any criminal case involving an intoxicated-  
20 related traffic offense, the defendant may request to divert  
21 the criminal case to a driving while intoxicated (DWI)  
22 diversion program described in this section by submitting a  
23 request to the prosecuting or circuit attorney and sending a  
24 copy of such request to the department of revenue within  
25 fifteen days of his or her arrest. The prosecuting or  
26 circuit attorney may divert the criminal case to this DWI  
27 diversion program by filing a motion with the court to stay  
28 the criminal proceeding, if the defendant meets the

29 following criteria for eligibility into the DWI diversion  
30 program:

31 (1) The defendant has not previously pled guilty to or  
32 been convicted of an intoxicated-related traffic offense in  
33 violation of sections 577.010, 577.012, 577.013, 577.014,  
34 577.015, or 577.016;

35 (2) The defendant is not currently enrolled in, and  
36 has not in the previous five years completed, a diversion  
37 program pursuant to this section;

38 (3) The defendant does not hold a commercial driver's  
39 license;

40 (4) The offense did not occur while operating a  
41 commercial vehicle;

42 (5) The offense did not result in the injury or death  
43 of another person; and

44 (6) The defendant did not refuse to submit to any test  
45 allowed pursuant to section 577.020.

46 3. Upon a motion filed by the prosecuting or circuit  
47 attorney, the court may continue a diverted case involving  
48 an intoxicated-related traffic offense if the prosecuting or  
49 circuit attorney deems appropriate based on the specific  
50 situation of the defendant. The case shall be diverted for  
51 a period not to exceed twenty-four months and order the  
52 defendant to comply with terms, conditions, or requirements.

53 4. The DWI diversion plan shall be for a specified  
54 period and be in writing. The prosecuting or circuit  
55 attorney has the sole authority to develop diversionary  
56 program requirements, but may require installation of an  
57 ignition interlock device for a period of not less than one  
58 year, require the defendant to participate in a victim  
59 impact panel sponsored by a nonprofit organization, and  
60 require other terms deemed necessary by the court.

61           5. If the court continues the criminal case to divert  
62 the defendant to this DWI diversion program, a copy of such  
63 order shall be sent to the department of revenue and, upon  
64 receipt, the department shall continue any proceeding to  
65 suspend or revoke a license pursuant to chapter 302 for a  
66 period not to exceed twenty-four months. After the  
67 defendant successfully completes the requirements of the DWI  
68 diversion program, the department shall dismiss any  
69 proceeding against the defendant.

70           6. The court shall notify the defendant that he or she  
71 is required to install a functioning, certified ignition  
72 interlock device on any vehicle that the person operates and  
73 the person is prohibited from operating a motor vehicle  
74 unless that vehicle is equipped with a functioning,  
75 certified ignition interlock device pursuant to this  
76 section. These requirements shall be in addition to any  
77 other provisions of this chapter or chapter 302 requiring  
78 installation and maintenance of an ignition interlock  
79 device. Any person required to use an ignition interlock  
80 device shall comply with such requirement subject to the  
81 penalties provided by section 577.599.

82           7. The department of revenue shall inform the  
83 defendant of the requirements of this section, including the  
84 term for which the person is required to have a certified  
85 ignition interlock device installed and shall notify the  
86 person that installation of a functioning, certified  
87 ignition interlock device on a vehicle does not allow the  
88 person to drive without a valid driver's license. The  
89 department shall record the mandatory use of the device for  
90 the term required and the time when the device is required  
91 to be installed pursuant to the court order. A person who  
92 is notified by the department shall do all of the following:

93           (1) Arrange for each vehicle operated by the person to  
94 be equipped with a functioning, certified ignition interlock  
95 device by a certified ignition interlock device provider as  
96 determined by the department of transportation; and

97           (2) Arrange for each vehicle with a functioning,  
98 certified ignition interlock device to be serviced by the  
99 installer at least once every thirty days for the installer  
100 to recalibrate and monitor the operation of the device.

101           8. The certified ignition interlock device provider  
102 shall notify the department:

103           (1) If the device is removed or indicates that the  
104 person has attempted to remove, bypass by a running retest,  
105 or tamper with the device;

106           (2) If the person fails three or more times to comply  
107 with any requirement for the maintenance or calibration of  
108 the ignition interlock device; or

109           (3) If the device registers a failed start.

110 If a person has any failed start that occurs within the last  
111 ninety days of the required period of installation of the  
112 ignition interlock device, the term may be extended for a  
113 period of up to ninety days.

114           9. After the completion of the DWI diversion program  
115 and if the defendant has complied with all the imposed terms  
116 and conditions, the court shall dismiss the criminal case  
117 against the defendant, record the dismissal, and transmit  
118 the record to the central repository upon dismissal. Any  
119 court automation system, including any pilot project, that  
120 provides public access to electronic record on the internet  
121 shall redact any personal identifying information of the  
122 defendant, including name, address, and year of birth. Such  
123 information shall be provided in a confidential filing sheet  
124 contemporaneously filed with the court or entered by the

125 court, which shall not be subject to public inspection or  
126 availability.

127 10. In the event of non-compliance by the defendant  
128 with the terms and conditions of the DWI diversion program,  
129 the prosecuting or circuit attorney may file a motion to  
130 terminate the defendant from the diversion program and may  
131 recommend the prosecution of the underlying case. Upon the  
132 filing of such motion, after notice to the defendant, the  
133 court shall hold a hearing to determine by preponderance of  
134 the evidence whether the defendant has failed to comply with  
135 the terms and conditions of the diversion program. If the  
136 court finds that the defendant has not complied with the  
137 terms and conditions of the diversion program, the court may  
138 end the diversion program and set the case on the next  
139 available criminal docket.

140 11. Any defendant who is found guilty of any  
141 intoxicated-related traffic offense and who has previously  
142 utilized the DWI diversion program pursuant to this section  
143 shall be considered a prior offender as defined in section  
144 577.001, provided that the prior offense occurred within  
145 five years of the intoxicated-related offense for which the  
146 person is charged, as provided in subsection 20 of section  
147 577.001.

148 12. For the limited purpose of determining whether a  
149 defendant is a chronic, habitual, persistent, or prior  
150 offender under section 577.001, a criminal case diverted to  
151 a DWI diversion program and successfully completed by a  
152 defendant shall be counted as one intoxication-related  
153 traffic offense.

154 13. A certified ignition interlock device provider  
155 shall adopt a discounted fee schedule that provides for the  
156 payment of the costs of the certified ignition interlock  
157 device by offenders with an income at or below one hundred



158 and fifty percent of the federal poverty level. A person  
159 with an income at or below one hundred and fifty percent of  
160 the federal poverty level who provides income verification  
161 shall be responsible for ten percent of the cost of the  
162 ignition interlock device and any additional costs accrued  
163 by the person for noncompliance with program requirements  
164 are not subject to discounted rates and are the sole  
165 responsibility of the person. The certified ignition  
166 interlock provider shall verify the offender's income to  
167 determine the cost of the ignition interlock device by  
168 verifying from the offender the previous year's federal  
169 income tax return, the previous three months of weekly or  
170 monthly income statements, or a court order declaring the  
171 person with an income at or below one hundred and fifty  
172 percent of the federal poverty level.

173 14. Nothing in this section shall prohibit a  
174 prosecuting or circuit attorney from diverting a criminal  
175 case pursuant to section 557.014 in any criminal case  
176 involving an intoxicated-related traffic offense.

558.016. 1. The court may sentence a person who has  
2 been found guilty of an offense to a term of imprisonment as  
3 authorized by section 558.011 or to a term of imprisonment  
4 authorized by a statute governing the offense if it finds  
5 the defendant is a prior offender or a persistent  
6 misdemeanor offender. The court may sentence a person to an  
7 extended term of imprisonment if:

8 (1) The defendant is a persistent offender or a  
9 dangerous offender, and the person is sentenced under  
10 subsection 7 of this section;

11 (2) The statute under which the person was found  
12 guilty contains a sentencing enhancement provision that is  
13 based on a prior finding of guilt or a finding of prior

14 criminal conduct and the person is sentenced according to  
15 the statute; or

16 (3) A more specific sentencing enhancement provision  
17 applies that is based on a prior finding of guilt or a  
18 finding of prior criminal conduct.

19 2. A "prior offender" is one who has been found guilty  
20 of one felony.

21 3. A "persistent offender" is one who has been found  
22 guilty of two or more felonies committed at different times  
23 or one who has been previously found guilty of a dangerous  
24 felony as defined in subdivision (19) of section 556.061.

25 4. A "dangerous offender" is one who:

26 (1) Is being sentenced for a felony during the  
27 commission of which he knowingly murdered or endangered or  
28 threatened the life of another person or knowingly inflicted  
29 or attempted or threatened to inflict serious physical  
30 injury on another person; and

31 (2) Has been found guilty of a class A or B felony or  
32 a dangerous felony.

33 5. A "persistent misdemeanor offender" is one who has  
34 been found guilty of two or more offenses, committed at  
35 different times that are classified as A or B misdemeanors  
36 under the laws of this state.

37 6. The findings of guilt shall be prior to the date of  
38 commission of the present offense.

39 7. The court shall sentence a person, who has been  
40 found to be a persistent offender or a dangerous offender,  
41 and is found guilty of a class B, C, D, or E felony to the  
42 authorized term of imprisonment for the offense that is one  
43 class higher than the offense for which the person is found  
44 guilty.

558.019. 1. This section shall not be construed to  
2 affect the powers of the governor under Article IV, Section

3 7, of the Missouri Constitution. This statute shall not  
4 affect those provisions of section 565.020[,], or section  
5 566.125, [or section 571.015,] which set minimum terms of  
6 sentences, or the provisions of section 559.115, relating to  
7 probation.

8 2. The provisions of subsections 2 to 5 of this  
9 section shall only be applicable to the offenses contained  
10 in sections 565.021, 565.023, 565.024, 565.027, 565.050,  
11 565.052, 565.054, 565.072, 565.073, 565.074, 565.090,  
12 565.110, 565.115, 565.120, 565.153, 565.156, 565.225,  
13 565.300, 566.030, 566.031, 566.032, 566.034, 566.060,  
14 566.061, 566.062, 566.064, 566.067, 566.068, 566.069,  
15 566.071, 566.083, 566.086, 566.100, 566.101, 566.103,  
16 566.111, 566.115, 566.145, 566.151, 566.153, 566.203,  
17 566.206, 566.209, 566.210, 566.211, 566.215, 568.030,  
18 568.045, 568.060, 568.065, 568.175, 569.040, 569.160,  
19 570.023, 570.025, 570.030 when punished as a class A, B, or  
20 C felony, 570.145 when punished as a class A or B felony,  
21 570.223 when punished as a class B or C felony, 571.020,  
22 571.030, 571.070, 573.023, 573.025, 573.035, 573.037,  
23 573.200, 573.205, 574.070, 574.080, 574.115, 575.030,  
24 575.150, 575.153, 575.155, 575.157, 575.200 when punished as  
25 a class A felony, 575.210, 575.230 when punished as a class  
26 B felony, 575.240 when punished as a class B felony,  
27 576.070, 576.080, 577.010, 577.013, 577.078, 577.703,  
28 577.706, 579.065, and 579.068 when punished as a class A or  
29 B felony. For the purposes of this section, "prison  
30 commitment" means and is the receipt by the department of  
31 corrections of an offender after sentencing. For purposes  
32 of this section, prior prison commitments to the department  
33 of corrections shall not include an offender's first  
34 incarceration prior to release on probation under section  
35 217.362 or 559.115. Other provisions of the law to the

36 contrary notwithstanding, any offender who has been found  
37 guilty of a felony other than a dangerous felony as defined  
38 in section 556.061 and is committed to the department of  
39 corrections shall be required to serve the following minimum  
40 prison terms:

41 (1) If the offender has one previous prison commitment  
42 to the department of corrections for a felony offense, the  
43 minimum prison term which the offender must serve shall be  
44 forty percent of his or her sentence or until the offender  
45 attains seventy years of age, and has served at least thirty  
46 percent of the sentence imposed, whichever occurs first;

47 (2) If the offender has two previous prison  
48 commitments to the department of corrections for felonies  
49 unrelated to the present offense, the minimum prison term  
50 which the offender must serve shall be fifty percent of his  
51 or her sentence or until the offender attains seventy years  
52 of age, and has served at least forty percent of the  
53 sentence imposed, whichever occurs first;

54 (3) If the offender has three or more previous prison  
55 commitments to the department of corrections for felonies  
56 unrelated to the present offense, the minimum prison term  
57 which the offender must serve shall be eighty percent of his  
58 or her sentence or until the offender attains seventy years  
59 of age, and has served at least forty percent of the  
60 sentence imposed, whichever occurs first.

61 3. Other provisions of the law to the contrary  
62 notwithstanding, any offender who has been found guilty of a  
63 dangerous felony as defined in section 556.061 and is  
64 committed to the department of corrections shall be required  
65 to serve a minimum prison term of eighty-five percent of the  
66 sentence imposed by the court or until the offender attains  
67 seventy years of age, and has served at least forty percent  
68 of the sentence imposed, whichever occurs first.

69           4. For the purpose of determining the minimum prison  
70 term to be served, the following calculations shall apply:

71           (1) A sentence of life shall be calculated to be  
72 thirty years;

73           (2) Any sentence either alone or in the aggregate with  
74 other consecutive sentences for offenses committed at or  
75 near the same time which is over seventy-five years shall be  
76 calculated to be seventy-five years.

77           5. For purposes of this section, the term "minimum  
78 prison term" shall mean time required to be served by the  
79 offender before he or she is eligible for parole,  
80 conditional release or other early release by the department  
81 of corrections.

82           6. An offender who was convicted of, or pled guilty  
83 to, a felony offense other than those offenses listed in  
84 subsection 2 of this section prior to August 28, 2019, shall  
85 no longer be subject to the minimum prison term provisions  
86 under subsection 2 of this section, and shall be eligible  
87 for parole, conditional release, or other early release by  
88 the department of corrections according to the rules and  
89 regulations of the department.

90           7. (1) A sentencing advisory commission is hereby  
91 created to consist of eleven members. One member shall be  
92 appointed by the speaker of the house. One member shall be  
93 appointed by the president pro tem of the senate. One  
94 member shall be the director of the department of  
95 corrections. Six members shall be appointed by and serve at  
96 the pleasure of the governor from among the following: the  
97 public defender commission; private citizens; a private  
98 member of the Missouri Bar; the board of probation and  
99 parole; and a prosecutor. Two members shall be appointed by  
100 the supreme court, one from a metropolitan area and one from  
101 a rural area. All members shall be appointed to a four-year

102 term. All members of the sentencing commission appointed  
103 prior to August 28, 1994, shall continue to serve on the  
104 sentencing advisory commission at the pleasure of the  
105 governor.

106 (2) The commission shall study sentencing practices in  
107 the circuit courts throughout the state for the purpose of  
108 determining whether and to what extent disparities exist  
109 among the various circuit courts with respect to the length  
110 of sentences imposed and the use of probation for offenders  
111 convicted of the same or similar offenses and with similar  
112 criminal histories. The commission shall also study and  
113 examine whether and to what extent sentencing disparity  
114 among economic and social classes exists in relation to the  
115 sentence of death and if so, the reasons therefor, if  
116 sentences are comparable to other states, if the length of  
117 the sentence is appropriate, and the rate of rehabilitation  
118 based on sentence. It shall compile statistics, examine  
119 cases, draw conclusions, and perform other duties relevant  
120 to the research and investigation of disparities in death  
121 penalty sentencing among economic and social classes.

122 (3) The commission shall study alternative sentences,  
123 prison work programs, work release, home-based  
124 incarceration, probation and parole options, and any other  
125 programs and report the feasibility of these options in  
126 Missouri.

127 (4) The governor shall select a chairperson who shall  
128 call meetings of the commission as required or permitted  
129 pursuant to the purpose of the sentencing commission.

130 (5) The members of the commission shall not receive  
131 compensation for their duties on the commission, but shall  
132 be reimbursed for actual and necessary expenses incurred in  
133 the performance of these duties and for which they are not  
134 reimbursed by reason of their other paid positions.

135           (6) The circuit and associate circuit courts of this  
136 state, the office of the state courts administrator, the  
137 department of public safety, and the department of  
138 corrections shall cooperate with the commission by providing  
139 information or access to information needed by the  
140 commission. The office of the state courts administrator  
141 will provide needed staffing resources.

142           8. Courts shall retain discretion to lower or exceed  
143 the sentence recommended by the commission as otherwise  
144 allowable by law, and to order restorative justice methods,  
145 when applicable.

146           9. If the imposition or execution of a sentence is  
147 suspended, the court may order any or all of the following  
148 restorative justice methods, or any other method that the  
149 court finds just or appropriate:

150           (1) Restitution to any victim or a statutorily created  
151 fund for costs incurred as a result of the offender's  
152 actions;

153           (2) Offender treatment programs;

154           (3) Mandatory community service;

155           (4) Work release programs in local facilities; and

156           (5) Community-based residential and nonresidential  
157 programs.

158           10. Pursuant to subdivision (1) of subsection 9 of  
159 this section, the court may order the assessment and payment  
160 of a designated amount of restitution to a county law  
161 enforcement restitution fund established by the county  
162 commission pursuant to section 50.565. Such contribution  
163 shall not exceed three hundred dollars for any charged  
164 offense. Any restitution moneys deposited into the county  
165 law enforcement restitution fund pursuant to this section  
166 shall only be expended pursuant to the provisions of section  
167 50.565.

168           11. A judge may order payment to a restitution fund  
169 only if such fund had been created by ordinance or  
170 resolution of a county of the state of Missouri prior to  
171 sentencing. A judge shall not have any direct supervisory  
172 authority or administrative control over any fund to which  
173 the judge is ordering a person to make payment.

174           12. A person who fails to make a payment to a county  
175 law enforcement restitution fund may not have his or her  
176 probation revoked solely for failing to make such payment  
177 unless the judge, after evidentiary hearing, makes a finding  
178 supported by a preponderance of the evidence that the person  
179 either willfully refused to make the payment or that the  
180 person willfully, intentionally, and purposefully failed to  
181 make sufficient bona fide efforts to acquire the resources  
182 to pay.

183           13. Nothing in this section shall be construed to  
184 allow the sentencing advisory commission to issue  
185 recommended sentences in specific cases pending in the  
186 courts of this state.

559.125. 1. The clerk of the court shall keep in a  
2 permanent file all applications for probation or parole by  
3 the court, and shall keep in such manner as may be  
4 prescribed by the court complete and full records of all  
5 presentence investigations requested, probations or paroles  
6 granted, revoked or terminated and all discharges from  
7 probations or paroles. All court orders relating to any  
8 presentence investigation requested and probation or parole  
9 granted under the provisions of this chapter and sections  
10 558.011 and 558.026 shall be kept in a like manner, and, if  
11 the defendant subject to any such order is subject to an  
12 investigation or is under the supervision of the division of  
13 probation and parole, a copy of the order shall be sent to  
14 the division of probation and parole. In any county where a



15 parole board ceases to exist, the clerk of the court shall  
16 preserve the records of that parole board.

17 2. [Information and data obtained by a probation or  
18 parole officer shall be privileged information and shall not  
19 be receivable in any court] Except in criminal proceedings,  
20 information and data obtained by a probation or parole  
21 officer is privileged information not receivable in any  
22 court unless for lawful criminal matters. Such information  
23 shall not be disclosed directly or indirectly to anyone  
24 other than the members of a parole board and the judge  
25 entitled to receive reports, except the court, the division  
26 of probation and parole, or the parole board may in its  
27 discretion permit the inspection of the report, or parts of  
28 such report, by the defendant, or offender or his or her  
29 attorney, or other person having a proper interest therein.

30 3. The provisions of subsection 2 of this section  
31 notwithstanding, the presentence investigation report shall  
32 be made available to the state and all information and data  
33 obtained in connection with preparation of the presentence  
34 investigation report may be made available to the state at  
35 the discretion of the court upon a showing that the receipt  
36 of the information and data is in the best interest of the  
37 state.

565.240. 1. A person commits the offense of unlawful  
2 posting of certain information over the internet if:

3 (1) He or she knowingly posts the name, home address,  
4 Social Security number, telephone number, or any other  
5 personally identifiable information of any person on the  
6 internet intending to cause great bodily harm or death, or  
7 threatening to cause great bodily harm or death to such  
8 person; or

9 (2) He or she knowingly posts the Social Security  
10 number of any person on the internet intending to intimidate

11 or harass such person or obtain financial gain from such  
12 person.

13 2. The offense of unlawful posting of certain  
14 information over the internet under subdivision (1) of  
15 subsection 1 of this section is a class ~~C misdemeanor~~ E  
16 felony, unless the person knowingly posts on the internet  
17 the name, home address, Social Security number, telephone  
18 number, or any other personally identifiable information of  
19 any law enforcement officer, corrections officer, parole  
20 officer, judge, commissioner, or prosecuting attorney, or of  
21 any immediate family member of such law enforcement officer,  
22 corrections officer, parole officer, judge, commissioner, or  
23 prosecuting attorney, intending to cause great bodily harm  
24 or death, or threatening to cause great bodily harm or  
25 death, in which case it is a class ~~E~~ D felony, and if such  
26 intention or threat results in bodily harm or death to such  
27 person or immediate family member, the offense of unlawful  
28 posting of certain information over the internet is a class  
29 ~~D~~ C felony.

30 3. The offense of unlawful posting of certain  
31 information over the internet under subdivision (2) of  
32 subsection 1 of this section is a class E felony.

565.258. 1. There is hereby created the "Stop  
2 Cyberstalking and Harassment Task Force" to consist of the  
3 following members:

4 (1) The following four members of the general assembly:

5 (a) Two members of the senate, with one member to be  
6 appointed by the president pro tempore of the senate and one  
7 member to be appointed by the minority floor leader; and

8 (b) Two members of the house of representatives, with  
9 one member to be appointed by the speaker of the house of  
10 representatives and one member to be appointed by the  
11 minority floor leader;

- 12           (2) The director of the department of public safety or  
13 his or her designee;
- 14           (3) A representative of the Missouri highway patrol  
15 appointed by the superintendent of the Missouri highway  
16 patrol;
- 17           (4) A representative of the Missouri Association of  
18 Prosecuting Attorneys appointed by the president of the  
19 Missouri Association of Prosecuting Attorneys;
- 20           (5) One or more law enforcement officers with  
21 experience relating to cyberstalking and harassment  
22 appointed by the governor;
- 23           (6) One or more representatives from a regional cyber  
24 crime task force appointed by the governor;
- 25           (7) A person with experience in training law  
26 enforcement on issues of cyberstalking and harassment  
27 appointed by the governor;
- 28           (8) A representative of a statewide coalition against  
29 domestic and sexual violence appointed by the governor;
- 30           (9) A representative of the Missouri safe at home  
31 program appointed by the secretary of state;
- 32           (10) A representative of the judicial branch appointed  
33 by the chief justice of the Missouri supreme court;
- 34           (11) A mental health service provider with experience  
35 serving victims or perpetrators of crime appointed by the  
36 director of the department of mental health;
- 37           (12) One representative from elementary and secondary  
38 education services with experience educating people about  
39 cyberstalking and harassment appointed by the director of  
40 the department of elementary and secondary education;
- 41           (13) One representative from higher education services  
42 with experience educating people about cyberstalking and  
43 harassment appointed by the director of higher education and  
44 workforce development; and

45 (14) One representative with experience in  
46 cybersecurity and technology appointed by the director of  
47 the office of administration.

48 2. The task force shall appoint a chairperson who is  
49 elected by a majority vote of the members of the task  
50 force. The task force shall have an initial meeting before  
51 October 1, 2024. The members of the task force shall serve  
52 without compensation, but shall be entitled to necessary and  
53 actual expenses incurred in attending meetings of the task  
54 force.

55 3. The task force shall collect feedback from  
56 stakeholders, which may include, but shall not be limited  
57 to, victims, law enforcement, victim advocates, and digital  
58 evidence and forensics experts, to inform development of  
59 best practices regarding:

60 (1) The treatment of victims of cyberstalking or  
61 harassment; and

62 (2) Actions to stop cyberstalking and harassment when  
63 it occurs.

64 4. The task force shall study and make  
65 recommendations, including, but not limited to:

66 (1) Whether a need exists for further training for law  
67 enforcement relating to cyberstalking and harassment, and if  
68 such a need does exist, recommendations on how to best fill  
69 the need, whether legislatively or otherwise;

70 (2) Whether a need exists for increased coordination  
71 among police departments to address instances of  
72 cyberstalking or harassment, and if such a need does exist,  
73 recommendations on how to best fill the need, whether  
74 legislatively or otherwise;

75 (3) Resources and tools law enforcement may need to  
76 identify patterns and collect evidence in cases of  
77 cyberstalking or harassment;

78           (4) Whether a need exists for strengthening the rights  
79 afforded to victims of cyberstalking or harassment in  
80 Missouri law, and if such a need does exist, recommendations  
81 on how to best fill the need;

82           (5) Educational and any other resources deemed  
83 necessary by the taskforce to educate and inform victims and  
84 the public on ways to protect themselves from cyberstalking  
85 and harassment;

86           (6) Whether a need exists for increased victim  
87 services and training for victim advocates relating to  
88 cyberstalking and harassment, and if such a need does exist,  
89 recommendations on how to best fill the need, whether  
90 legislatively or otherwise.

91           5. The department of public safety shall provide  
92 administrative support to the task force.

93           6. On or before December thirty-first of each year,  
94 the task force shall submit a report on its findings to the  
95 governor and the general assembly.

96           7. The task force shall expire on December 31, 2026,  
97 unless extended until December 31, 2028, as determined  
98 necessary by the department of public safety.

          566.151. 1. A person twenty-one years of age or older  
2 commits the offense of enticement of a child if he or she  
3 persuades, solicits, coaxes, entices, or lures whether by  
4 words, actions or through communication via the internet or  
5 any electronic communication, any person who is less than  
6 ~~[fifteen]~~ seventeen years of age for the purpose of engaging  
7 in sexual conduct.

8           2. It is not a defense to a prosecution for a  
9 violation of this section that the other person was a peace  
10 officer masquerading as a minor.

11           3. Enticement of a child or an attempt to commit  
12 enticement of a child is a felony for which the authorized

13 term of imprisonment shall be not less than five years and  
14 not more than thirty years. No person convicted under this  
15 section shall be eligible for parole, probation, conditional  
16 release, or suspended imposition or execution of sentence  
17 for a period of five calendar years.

567.030. 1. A person commits the offense of  
2 patronizing prostitution if he or she:

3 (1) Pursuant to a prior understanding, gives something  
4 of value to another person as compensation for having  
5 engaged in sexual conduct with any person; or

6 (2) Gives or agrees to give something of value to  
7 another person with the understanding that such person or  
8 another person will engage in sexual conduct with any  
9 person; or

10 (3) Solicits or requests another person to engage in  
11 sexual conduct with any person in return for something of  
12 value.

13 2. It shall not be a defense that the person believed  
14 that the individual he or she patronized for prostitution  
15 was eighteen years of age or older.

16 3. The offense of patronizing prostitution is a class  
17 B misdemeanor, unless the individual who the person  
18 patronizes is less than eighteen years of age but older than  
19 ~~fourteen~~ fifteen years of age, in which case patronizing  
20 prostitution is a class E felony.

21 4. The offense of patronizing prostitution is a class  
22 ~~D~~ B felony if the individual who the person patronizes is  
23 ~~fourteen~~ fifteen years of age or younger. Nothing in this  
24 section shall preclude the prosecution of an individual for  
25 the offenses of:

26 (1) Statutory rape in the first degree pursuant to  
27 section 566.032;

28 (2) Statutory rape in the second degree pursuant to  
29 section 566.034;

30 (3) Statutory sodomy in the first degree pursuant to  
31 section 566.062; or

32 (4) Statutory sodomy in the second degree pursuant to  
33 section 566.064.

568.045. 1. A person commits the offense of  
2 endangering the welfare of a child in the first degree if he  
3 or she:

4 (1) Knowingly acts in a manner that creates a  
5 substantial risk to the life, body, or health of a child  
6 less than seventeen years of age; or

7 (2) Knowingly engages in sexual conduct with a person  
8 under the age of seventeen years over whom the person is a  
9 parent, guardian, or otherwise charged with the care and  
10 custody;

11 (3) Knowingly encourages, aids or causes a child less  
12 than seventeen years of age to engage in any conduct which  
13 violates the provisions of chapter 571 or 579;

14 (4) In the presence of a child less than seventeen  
15 years of age or in a residence where a child less than  
16 seventeen years of age resides, unlawfully manufactures[,]  
17 or attempts to manufacture compounds, possesses, produces,  
18 prepares, sells, transports, tests or analyzes any of the  
19 following: fentanyl, carfentanil, amphetamine [or],  
20 methamphetamine, or any of [their] its analogues.

21 2. The offense of endangering the welfare of a child  
22 in the first degree is a class D felony unless the offense:

23 (1) Is committed as part of an act or series of acts  
24 performed by two or more persons as part of an established  
25 or prescribed pattern of activity, or where physical injury  
26 to the child results, or the offense is a second or

27 subsequent offense under this section, in which case the  
28 offense is a class C felony;

29 (2) Involves fentanyl or carfentanil or any of their  
30 analogues, in which case:

31 (a) The offense is a felony which shall be punished by  
32 a term of imprisonment of not less than five years and not  
33 more than ten years;

34 (b) No court shall suspend the imposition or execution  
35 of sentence of a person who pleads guilty to or is found  
36 guilty of an offense under this subdivision;

37 (c) No court shall sentence such person to pay a fine  
38 in lieu of a term of imprisonment; and

39 (d) A person sentenced under this subdivision shall  
40 not be eligible for conditional release or parole until he  
41 or she has served at least five years of imprisonment;

42 (3) Results in serious physical injury to the child,  
43 in which case the offense is a class B felony; or

44 [(3)] (4) Results in the death of a child, in which  
45 case the offense is a class A felony.

569.158. 1. A person commits the offense of trespass  
2 of a retail establishment or other public place if he or  
3 she, while alone or with any other person or persons, enters  
4 a retail establishment or similar public place or assists a  
5 person who enters a retail establishment or similar public  
6 place with the primary purpose of:

7 (1) Engaging in tumultuous or violent conduct causing  
8 damage to property;

9 (2) Disrupting lawful commerce in such retail  
10 establishment or similar public place; or

11 (3) Creating the danger of serious bodily injury to  
12 persons.

13 2. The offense of trespass of a retail establishment  
14 or other public place is a class B misdemeanor unless



15 committed as part of an organized campaign; then the  
16 organized campaign shall pay a fine not to exceed five  
17 thousand dollars.

2 570.036. 1. A person commits the offense of organized  
3 retail theft if he or she, while alone or with any other  
4 person or persons, commits a series of thefts of retail  
5 merchandise against one or more persons either on the  
6 premises of a merchant or through the use of an internet or  
7 network site in this state with the intent to:

8 (1) Return the merchandise to the merchant for value;  
9 or

10 (2) Resell, trade, or barter the merchandise for value  
11 in any manner including, but not limited to, through the use  
12 of an internet or network site.

13 2. The offense of organized retail theft is a class C  
14 felony if the aggregated value of the property or services  
15 involved in all thefts committed in this state during a  
16 period of one hundred twenty days is no less than one  
17 thousand five hundred dollars and no more than ten thousand  
18 dollars.

19 3. The offense of organized retail theft is a class B  
20 felony if the aggregated value of the property or services  
21 involved in all thefts committed in this state during a  
22 period of one hundred twenty days is more than ten thousand  
23 dollars.

24 4. In addition to any other penalty, the court shall  
25 order a person who violates this section to pay restitution.

26 5. For the purposes of this section, in determining  
27 the aggregated value of the property or services involved in  
28 all thefts committed in this state during a period of one  
hundred twenty days:

29           (1) The amount involved in a single theft shall be  
30 deemed to be the highest value, by any reasonable standard,  
31 of the property or services that are obtained; and

32           (2) The amounts involved in all thefts committed by  
33 all participants in the organized retail theft shall be  
34 aggregated.

35           6. In any prosecution for a violation of this section,  
36 the violation shall be deemed to have been committed and may  
37 be prosecuted in any jurisdiction in this state in which any  
38 theft committed by any participant in the organized retail  
39 theft was committed regardless of whether the defendant was  
40 ever physically present in such jurisdiction.

          571.015. 1. Any person who commits any felony under  
2 the laws of this state by, with, or through the use,  
3 assistance, or aid of a dangerous instrument or deadly  
4 weapon is also guilty of the offense of armed criminal  
5 action. The offense of armed criminal action shall be an  
6 unclassified felony and, upon conviction, shall be punished  
7 by imprisonment by the department of corrections for a term  
8 of not less than three years and not to exceed fifteen  
9 years, unless the person is unlawfully possessing a firearm,  
10 in which case the term of imprisonment shall be for a term  
11 of not less than five years. The punishment imposed  
12 pursuant to this subsection shall be in addition to and  
13 consecutive to any punishment provided by law for the crime  
14 committed by, with, or through the use, assistance, or aid  
15 of a dangerous instrument or deadly weapon. No person  
16 convicted under this subsection shall be eligible for  
17 parole, probation, conditional release, or suspended  
18 imposition or execution of sentence for a period of three  
19 calendar years.

20           2. Any person convicted of a second offense of armed  
21 criminal action under subsection 1 of this section shall be

22 punished by imprisonment by the department of corrections  
23 for a term of not less than five years and not to exceed  
24 thirty years, unless the person is unlawfully possessing a  
25 firearm, in which case the term of imprisonment shall be for  
26 a term not less than fifteen years. The punishment imposed  
27 pursuant to this subsection shall be in addition to and  
28 consecutive to any punishment provided by law for the crime  
29 committed by, with, or through the use, assistance, or aid  
30 of a dangerous instrument or deadly weapon. No person  
31 convicted under this subsection shall be eligible for  
32 parole, probation, conditional release, or suspended  
33 imposition or execution of sentence for a period of five  
34 calendar years.

35 3. Any person convicted of a third or subsequent  
36 offense of armed criminal action under subsection 1 of this  
37 section shall be punished by imprisonment by the department  
38 of corrections for a term of not less than ten years, unless  
39 the person is unlawfully possessing a firearm, in which case  
40 the term of imprisonment shall be no less than fifteen  
41 years. The punishment imposed pursuant to this subsection  
42 shall be in addition to and consecutive to any punishment  
43 provided by law for the crime committed by, with, or through  
44 the use, assistance, or aid of a dangerous instrument or  
45 deadly weapon. No person convicted under this subsection  
46 shall be eligible for parole, probation, conditional  
47 release, or suspended imposition or execution of sentence  
48 for a period of ten calendar years.

2 571.031. 1. This section shall be known and may be  
cited as "Blair's Law".

3 2. A person commits the offense of unlawful discharge  
4 of a firearm if he or she recklessly discharges a firearm  
5 within or into the limits of any municipality.

6           3. This section shall not apply if the firearm is  
7 discharged:

8           (1) As allowed by a defense of justification under  
9 chapter 563;

10           (2) On a shooting range that is:

11           (a) Indoor;

12           (b) Owned or operated by the state or any political  
13 subdivision;

14           (c) A commercial shooting range, including any range  
15 used by paying members; and

16           (d) Supervised by any person eighteen years of age or  
17 older;

18           (3) To lawfully take wildlife during an open season  
19 established by the department of conservation. Nothing in  
20 this subdivision shall prevent a municipality from adopting  
21 an ordinance restricting the discharge of a firearm within  
22 one-quarter mile of an occupied structure;

23           (4) For the control of nuisance wildlife as permitted  
24 by the department of conservation or the United States Fish  
25 and Wildlife Service;

26           (5) By special permit of the chief of police of the  
27 municipality;

28           (6) As required by an animal control officer in the  
29 performance of his or her duties;

30           (7) Using blanks;

31           (8) More than one mile from any occupied structure;

32           (9) In self-defense or defense of another person  
33 against an imminent or ongoing animal attack unless the self-  
34 defense or defense of another person is a gross deviation  
35 from the standard of care which a reasonable person would  
36 exercise in the situation to protect oneself or the other  
37 person from such animal attack and such person shall not  
38 have a duty to retreat;

39           (10) In defense of a domestic animal against an  
40 imminent or ongoing animal attack, unless the defense of the  
41 domestic animal is a gross deviation from the standard of  
42 care which a reasonable person would exercise in the  
43 situation to protect a domestic animal from attack; or

44           (11) By law enforcement personnel, as defined in  
45 section 590.1040, or a member of the United States Armed  
46 Forces if acting in an official capacity.

47           4. A person who commits the offense of unlawful  
48 discharge of a firearm shall be guilty of:

- 49           (1) For a first offense, a class A misdemeanor;  
50           (2) For a second offense, a class E felony; and  
51           (3) For a third or subsequent offense, a class D  
52 felony.

          571.070. 1. A person commits the offense of unlawful  
2 possession of a firearm if such person knowingly has any  
3 firearm in his or her possession and:

4           (1) Such person has been convicted of a felony under  
5 the laws of this state, or of a crime under the laws of any  
6 state or of the United States which, if committed within  
7 this state, would be a felony; or

8           (2) Such person is a fugitive from justice, is  
9 habitually in an intoxicated or drugged condition, or is  
10 currently adjudged mentally incompetent.

11           2. Unlawful possession of a firearm is a class **[D]** C  
12 felony, unless a person has been convicted of a dangerous  
13 felony as defined in section 556.061 or the person has a  
14 prior conviction for unlawful possession of a firearm, in  
15 which case it is a class **[C]** B felony.

16           3. The provisions of subdivision (1) of subsection 1  
17 of this section shall not apply to the possession of an  
18 antique firearm.

575.010. The following definitions shall apply to this  
chapter and chapter 576:

(1) "Affidavit" means any written statement which is authorized or required by law to be made under oath, and which is sworn to before a person authorized to administer oaths;

(2) "Government" means any branch or agency of the government of this state or of any political subdivision thereof;

(3) "Highway" means any public road or thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(4) "Judicial proceeding" means any official proceeding in court, or any proceeding authorized by or held under the supervision of a court;

(5) "Juror" means a grand or petit juror, including a person who has been drawn or summoned to attend as a prospective juror;

(6) "Jury" means a grand or petit jury, including any panel which has been drawn or summoned to attend as prospective jurors;

(7) "Law enforcement animal" means a dog, horse, or other animal used in law enforcement or a correctional facility, or by a municipal police department, fire department, search and rescue unit or agency, whether the animal is on duty or not on duty. The term shall include, but not be limited to, accelerant detection dogs, bomb detection dogs, narcotic detection dogs, search and rescue dogs, and tracking animals;

(8) "Official proceeding" means any cause, matter, or proceeding where the laws of this state require that evidence considered therein be under oath or affirmation;

34 [(8) "Police animal" means a dog, horse or other  
35 animal used in law enforcement or a correctional facility,  
36 or by a municipal police department, fire department, search  
37 and rescue unit or agency, whether the animal is on duty or  
38 not on duty. The term shall include, but not be limited to,  
39 accelerant detection dogs, bomb detection dogs, narcotic  
40 detection dogs, search and rescue dogs and tracking animals;]

41 (9) "Public record" means any document which a public  
42 servant is required by law to keep;

43 (10) "Testimony" means any oral statement under oath  
44 or affirmation;

45 (11) "Victim" means any natural person against whom  
46 any crime is deemed to have been perpetrated or attempted;

47 (12) "Witness" means any natural person:

48 (a) Having knowledge of the existence or nonexistence  
49 of facts relating to any crime; or

50 (b) Whose declaration under oath is received as  
51 evidence for any purpose; or

52 (c) Who has reported any crime to any peace officer or  
53 prosecutor; or

54 (d) Who has been served with a subpoena issued under  
55 the authority of any court of this state.

575.150. 1. A person commits the offense of resisting  
2 [or], interfering with, escaping, or attempting to escape  
3 from arrest, detention, [or] stop, or custody if he or she  
4 knows or reasonably should know that a law enforcement  
5 officer is making an arrest or attempting to lawfully detain  
6 or stop an individual or vehicle, and for the purpose of  
7 preventing the officer from effecting the arrest, stop, or  
8 detention or maintaining custody after such stop, detention,  
9 or arrest, he or she:

10 (1) Resists the arrest, stop or detention of such  
11 person by using or threatening the use of violence or  
12 physical force or by fleeing from such officer; [or]

13 (2) Interferes with the arrest, stop or detention of  
14 another person by using or threatening the use of violence,  
15 physical force or physical interference; or

16 (3) While being held in custody after a stop,  
17 detention, or arrest has been made, escapes or attempts to  
18 escape from such custody.

19 2. This section applies to:

20 (1) Arrests, stops, or detentions, with or without  
21 warrants;

22 (2) Arrests, stops, [or] detentions, or custodies for  
23 any offense, infraction, or ordinance violation; and

24 (3) Arrests for warrants issued by a court or a  
25 probation and parole officer.

26 3. A person is presumed to be fleeing a vehicle stop  
27 if he or she continues to operate a motor vehicle after he  
28 or she has seen or should have seen clearly visible  
29 emergency lights or has heard or should have heard an  
30 audible signal emanating from the law enforcement vehicle  
31 pursuing him or her. Nothing in this section shall be  
32 construed to require the state to prove in a prosecution  
33 against a defendant that the defendant knew why he or she  
34 was being stopped, detained, or arrested.

35 4. It is no defense to a prosecution pursuant to  
36 subsection 1 of this section that the law enforcement  
37 officer was acting unlawfully in making the arrest.  
38 However, nothing in this section shall be construed to bar  
39 civil suits for unlawful arrest.

40 5. The offense of resisting [or], interfering with  
41 [an], or escaping or attempting to escape from a stop,  
42 detention, or arrest or from custody after such stop,



43 detention, or arrest is a class [E felony for an arrest for  
44 a:

45 (1) Felony;

46 (2) Warrant issued for failure to appear on a felony  
47 case; or

48 (3) Warrant issued for a probation violation on a  
49 felony case.

50 The offense of resisting an arrest, detention or stop  
51 in violation of subdivision (1) or (2) of subsection 1 of  
52 this section is a class] A misdemeanor, unless [the person  
53 fleeing creates a substantial risk of serious physical  
54 injury or death to any person, in which case it is a class E  
55 felony]:

56 (1) The stop, detention, arrest, or custody was for a  
57 felony;

58 (2) The stop, detention, arrest, or custody was for a  
59 warrant issued for failure to appear on a felony case;

60 (3) The stop, detention, arrest, or custody was for a  
61 warrant issued for a probation violation on a felony case; or

62 (4) The escape or attempt to escape while in custody  
63 or under arrest was for a felony,

64 in which case it is a class E felony; except that, if such  
65 escape or attempted escape is committed by means of a deadly  
66 weapon or dangerous instrument or by holding any person  
67 hostage it is a class A felony.

2 575.151. 1. This section shall be known and may be  
3 cited as "Valentine's Law".

4 2. A person commits the offense of aggravated fleeing  
5 a stop or detention of a motor vehicle if he or she knows or  
6 reasonably should know that a law enforcement officer is  
7 attempting to detain or stop a motor vehicle, and for the  
8 purpose of preventing the officer from effecting the stop or  
9 detention, he or she flees and:

9           (1) Such person operates a motor vehicle at a high  
10 speed or in any manner which creates a substantial risk of  
11 serious physical injury or death to any person;

12           (2) As a result of such flight causes physical injury  
13 to another person; or

14           (3) As a result of such flight causes death to another  
15 person.

16           3. A person is presumed to be fleeing a vehicle stop  
17 or detention if he or she continues to operate a motor  
18 vehicle after he or she has seen or reasonably should have  
19 seen clearly visible emergency lights or has heard or  
20 reasonably should have heard an audible signal emanating  
21 from the law enforcement vehicle pursuing him or her.

22           4. It is no defense to a prosecution pursuant to  
23 subsection 2 of this section that the law enforcement  
24 officer was acting unlawfully in making the arrest.  
25 However, nothing in this section shall be construed to bar  
26 civil suits for unlawful arrest. A person need not know the  
27 basis for the arrest, detention, or stop, only that the  
28 person was being stopped or detained.

29           5. The offense of aggravated fleeing a stop or  
30 detention in violation of subdivision (1) of subsection 2 of  
31 this section shall be a class D felony, without eligibility  
32 for probation, parole, or conditional release until the  
33 defendant has served no less than one year of such sentence.

34           The offense of aggravated fleeing a stop or detention in  
35 violation of subdivision (2) of subsection 2 of this section  
36 shall be a class B felony. The offense of aggravated  
37 fleeing a stop or detention in violation of subdivision (3)  
38 of subsection 2 of this section shall be a class A felony.

575.205. 1. A person commits the offense of tampering  
2 with electronic monitoring equipment if he or she  
3 intentionally removes, alters, tampers with, damages, [or]

4 destroys, fails to charge, or otherwise disables electronic  
5 monitoring equipment which a court, the division of  
6 probation and parole or the parole board has required such  
7 person to wear.

8 2. This section does not apply to the owner of the  
9 equipment or an agent of the owner who is performing  
10 ordinary maintenance or repairs on the equipment.

11 3. The offense of tampering with electronic monitoring  
12 equipment is a class D felony.

13 4. The offense of tampering with electronic monitoring  
14 equipment if a person fails to charge or otherwise disables  
15 electronic monitoring equipment is a class E felony, unless  
16 the offense for which the person was placed on electronic  
17 monitoring was a misdemeanor, in which case it is a class A  
18 misdemeanor.

575.353. 1. This section shall be known and may be  
2 cited as "Max's Law".

3 2. A person commits the offense of assault on a  
4 **[police]** law enforcement animal if he or she knowingly  
5 attempts to kill or disable or knowingly causes or attempts  
6 to cause serious physical injury to a **[police]** law  
7 enforcement animal when that animal is involved in law  
8 enforcement investigation, apprehension, tracking, or  
9 search, or the animal is in the custody of or under the  
10 control of a law enforcement officer, department of  
11 corrections officer, municipal police department, fire  
12 department or a rescue unit or agency.

13 **[2.]** 3. The offense of assault on a **[police]** law  
14 enforcement animal is a **[class C misdemeanor, unless]:**

15 (1) Class A misdemeanor if the law enforcement animal  
16 is not injured to the point of requiring veterinary care or  
17 treatment;

18           (2) Class E felony if the law enforcement animal is  
19 seriously injured to the point of requiring veterinary care  
20 or treatment; and

21           (3) Class D felony if the assault results in the death  
22 of such animal [or disables such animal to the extent it is  
23 unable to be utilized as a police animal, in which case it  
24 is a class E felony].

          578.007. The provisions of section 574.130[, ] and  
2 sections 578.005 to 578.023 shall not apply to:

3           (1) Care or treatment performed by a licensed  
4 veterinarian within the provisions of chapter 340;

5           (2) Bona fide scientific experiments;

6           (3) Hunting, fishing, or trapping as allowed by  
7 chapter 252, including all practices and privileges as  
8 allowed under the Missouri Wildlife Code;

9           (4) Facilities and publicly funded zoological parks  
10 currently in compliance with the federal "Animal Welfare  
11 Act" as amended;

12           (5) Rodeo practices currently accepted by the  
13 Professional Rodeo Cowboy's Association;

14           (6) The killing of an animal by the owner thereof, the  
15 agent of such owner, or by a veterinarian at the request of  
16 the owner thereof;

17           (7) The lawful, humane killing of an animal by an  
18 animal control officer, the operator of an animal shelter, a  
19 veterinarian, or law enforcement or health official;

20           (8) With respect to farm animals, normal or accepted  
21 practices of animal husbandry;

22           (9) The killing of an animal by any person at any time  
23 if such animal is outside of the owned or rented property of  
24 the owner or custodian of such animal and the animal is  
25 injuring any person or farm animal, but this exemption shall

26 not include [police or guard dogs] the killing or injuring  
27 of a law enforcement animal while working;

28 (10) The killing of house or garden pests; or

29 (11) Field trials, training and hunting practices as  
30 accepted by the Professional Houndsmen of Missouri.

578.022. Any dog that is owned, or the service of  
2 which is employed, by a law enforcement agency and that  
3 bites or injures another animal or human in the course of  
4 their official duties is exempt from the provisions of  
5 sections 273.033 [and], 273.036 [and section], 578.012, and  
6 578.024.

579.021. 1. A person commits the offense of delivery  
2 of a controlled substance causing serious physical injury,  
3 as defined in section 556.061, if a person delivers or  
4 distributes a controlled substance under section 579.020  
5 knowing such substance is mixed with another controlled  
6 substance and serious physical injury results from the use  
7 of such controlled substance.

8 2. It shall not be a defense that the user contributed  
9 to the user's own serious physical injury by using the  
10 controlled substance or consenting to the administration of  
11 the controlled substance by another.

12 3. The offense of delivery of a controlled substance  
13 causing serious physical injury is a class C felony.

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

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

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

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

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

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

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

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

17           (3) **[More than eight grams of a mixture or substance**  
18 **described in subdivision (2) of this subsection which**  
19 **contains cocaine base;**

20           **(4)]** More than five hundred milligrams of a mixture or  
21 substance containing a detectable amount of lysergic acid  
22 diethylamide (LSD);

23 [(5)] (4) More than thirty grams of a mixture or  
24 substance containing a detectable amount of phencyclidine  
25 (PCP);

26 [(6)] (5) More than four grams of phencyclidine;

27 [(7)] (6) More than thirty kilograms of a mixture or  
28 substance containing marijuana;

29 [(8)] (7) More than thirty grams of any material,  
30 compound, mixture, or preparation containing any quantity of  
31 the following substances having a stimulant effect on the  
32 central nervous system: amphetamine, its salts, optical  
33 isomers and salts of its optical isomers; methamphetamine,  
34 its salts, optical isomers and salts of its optical isomers;  
35 phenmetrazine and its salts; or methylphenidate;

36 [(9)] (8) More than thirty grams of any material,  
37 compound, mixture, or preparation which contains any  
38 quantity of 3,4-methylenedioxymethamphetamine;

39 [(10)] (9) One gram or more of flunitrazepam for the  
40 first offense;

41 [(11)] (10) Any amount of gamma-hydroxybutyric acid  
42 for the first offense; [or

43 (12)] (11) More than [ten] three milligrams of  
44 fentanyl [or carfentanil], or any derivative thereof, [or  
45 any combination thereof,] or any compound, mixture, or  
46 substance containing a detectable amount of fentanyl [or  
47 carfentanil], or [their] its optical isomers or analogues; or

48 (12) Any amount of carfentanil.

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

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

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

55           (2) Four hundred fifty grams or more of a mixture or  
56 substance containing a detectable amount of coca leaves,  
57 except coca leaves and extracts of coca leaves from which  
58 cocaine, ecgonine, and derivatives of ecgonine or their  
59 salts have been removed; cocaine salts and their optical and  
60 geometric isomers, and salts of isomers; ecgonine, its  
61 derivatives, their salts, isomers, and salts of isomers; or  
62 any compound, mixture, or preparation which contains any  
63 quantity of any of the foregoing substances; or

64           (3) [Twenty-four grams or more of a mixture or  
65 substance described in subdivision (2) of this subsection  
66 which contains cocaine base; or

67           (4)] One gram or more of a mixture or substance  
68 containing a detectable amount of lysergic acid diethylamide  
69 (LSD); or

70           [(5)] (4) Ninety grams or more of a mixture or  
71 substance containing a detectable amount of phencyclidine  
72 (PCP); or

73           [(6)] (5) Twelve grams or more of phencyclidine; or

74           [(7)] (6) One hundred kilograms or more of a mixture  
75 or substance containing marijuana; or

76           [(8)] (7) Ninety grams or more of any material,  
77 compound, mixture, or preparation containing any quantity of  
78 the following substances having a stimulant effect on the  
79 central nervous system: amphetamine, its salts, optical  
80 isomers and salts of its optical isomers; methamphetamine,  
81 its salts, optical isomers and salts of its optical isomers;  
82 phenmetrazine and its salts; or methylphenidate; or

83           [(9)] (8) More than thirty grams of any material,  
84 compound, mixture, or preparation containing any quantity of  
85 the following substances having a stimulant effect on the  
86 central nervous system: amphetamine, its salts, optical  
87 isomers, and salts of its optical isomers; methamphetamine,



88 its salts, optical isomers, and salts of its optical  
89 isomers; phenmetrazine and its salts; or methylphenidate,  
90 and the location of the offense was within two thousand feet  
91 of real property comprising a public or private elementary,  
92 vocational, or secondary school, college, community college,  
93 university, or any school bus, in or on the real property  
94 comprising public housing or any other governmental assisted  
95 housing, or within a motor vehicle, or in any structure or  
96 building which contains rooms furnished for the  
97 accommodation or lodging of guests, and kept, used,  
98 maintained, advertised, or held out to the public as a place  
99 where sleeping accommodations are sought for pay or  
100 compensation to transient guests or permanent guests; or

101 [(10)] (9) Ninety grams or more of any material,  
102 compound, mixture or preparation which contains any quantity  
103 of 3,4-methylenedioxymethamphetamine; or

104 [(11)] (10) More than thirty grams of any material,  
105 compound, mixture, or preparation which contains any  
106 quantity of 3,4-methylenedioxymethamphetamine and the  
107 location of the offense was within two thousand feet of real  
108 property comprising a public or private elementary,  
109 vocational, or secondary school, college, community college,  
110 university, or any school bus, in or on the real property  
111 comprising public housing or any other governmental assisted  
112 housing, within a motor vehicle, or in any structure or  
113 building which contains rooms furnished for the  
114 accommodation or lodging of guests, and kept, used,  
115 maintained, advertised, or held out to the public as a place  
116 where sleeping accommodations are sought for pay or  
117 compensation to transient guests or permanent guests; or

118 [(12)] (11) One gram or more of flunitrazepam for a  
119 second or subsequent offense; or

120            [(13)] (12) Any amount of gamma-hydroxybutyric acid  
121 for a second or subsequent offense; or

122            [(14) Twenty] (13) Fourteen milligrams or more of  
123 fentanyl [or carfentanil], or any derivative thereof, [or  
124 any combination thereof,] or any compound, mixture, or  
125 substance containing a detectable amount of fentanyl [or  
126 carfentanil], or [their] its optical isomers or analogues; or

127            (14) More than five hundredths of a milligram of  
128 carfentanil.

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

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

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

17            (3) [More than eight grams of a mixture or substance  
18 described in subdivision (2) of this subsection which  
19 contains cocaine base;

20            [(4)] More than five hundred milligrams of a mixture or  
21 substance containing a detectable amount of lysergic acid  
22 diethylamide (LSD);

23            [(5)] (4) More than thirty grams of a mixture or  
24 substance containing a detectable amount of phencyclidine  
25 (PCP);

26            [(6)] (5) More than four grams of phencyclidine;

27            [(7)] (6) More than thirty kilograms of a mixture or  
28 substance containing marijuana;

29            [(8)] (7) More than thirty grams of any material,  
30 compound, mixture, or preparation containing any quantity of  
31 the following substances having a stimulant effect on the  
32 central nervous system: amphetamine, its salts, optical  
33 isomers and salts of its optical isomers; methamphetamine,  
34 its salts, optical isomers and salts of its optical isomers;  
35 phenmetrazine and its salts; or methylphenidate;

36            [(9)] (8) More than thirty grams of any material,  
37 compound, mixture, or preparation which contains any  
38 quantity of 3,4-methylenedioxymethamphetamine; [or

39            (10)] (9) More than [ten] three milligrams of fentanyl  
40 [or carfentanil], or any derivative thereof, [or any  
41 combination thereof,] or any compound, mixture, or substance  
42 containing a detectable amount of fentanyl [or carfentanil],  
43 or [their] its optical isomers or analogues; or

44            (10) Any amount of carfentanil.

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

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

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

51            (2) Four hundred fifty grams or more of a mixture or  
52 substance containing a detectable amount of coca leaves,  
53 except coca leaves and extracts of coca leaves from which  
54 cocaine, ecgonine, and derivatives of ecgonine or their  
55 salts have been removed; cocaine salts and their optical and

56 geometric isomers, and salts of isomers; ecgonine, its  
57 derivatives, their salts, isomers, and salts of isomers; or  
58 any compound, mixture, or preparation which contains any  
59 quantity of any of the foregoing substances; or

60 (3) [Twenty-four grams or more of a mixture or  
61 substance described in subdivision (2) of this subsection  
62 which contains cocaine base; or

63 [(4)] One gram or more of a mixture or substance  
64 containing a detectable amount of lysergic acid diethylamide  
65 (LSD); or

66 [(5)] (4) Ninety grams or more of a mixture or  
67 substance containing a detectable amount of phencyclidine  
68 (PCP); or

69 [(6)] (5) Twelve grams or more of phencyclidine; or

70 [(7)] (6) One hundred kilograms or more of a mixture  
71 or substance containing marijuana; or

72 [(8)] (7) More than five hundred marijuana plants; or

73 [(9)] (8) Ninety grams or more but less than four  
74 hundred fifty grams of any material, compound, mixture, or  
75 preparation containing any quantity of the following  
76 substances having a stimulant effect on the central nervous  
77 system: amphetamine, its salts, optical isomers and salts  
78 of its optical isomers; methamphetamine, its salts, optical  
79 isomers and salts of its optical isomers; phenmetrazine and  
80 its salts; or methylphenidate; or

81 [(10)] (9) Ninety grams or more but less than four  
82 hundred fifty grams of any material, compound, mixture, or  
83 preparation which contains any quantity of 3,4-  
84 methylenedioxymethamphetamine; or

85 [(11) Twenty] (10) Fourteen milligrams or more of  
86 fentanyl [or carfentanil], or any derivative thereof, [or  
87 any combination thereof,] or any compound, mixture, or

88 substance containing a detectable amount of fentanyl [or  
89 carfentanil], or [their] its optical isomers or analogues; or  
90 (11) More than five hundredths milligram of  
91 carfentanil.

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

96 (1) Any quantity of the following substances having a  
97 stimulant effect on the central nervous system:  
98 amphetamine, its salts, optical isomers and salts of its  
99 optical isomers; methamphetamine, its salts, isomers and  
100 salts of its isomers; phenmetrazine and its salts; or  
101 methylphenidate; or

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

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

589.401. 1. A person on the sexual offender registry  
2 may file a petition in the division of the circuit court in  
3 the county or city not within a county in which the offense  
4 requiring registration was committed to have his or her name  
5 removed from the sexual offender registry.

6 2. A person who is required to register in this state  
7 because of an offense that was adjudicated in another  
8 jurisdiction shall file his or her petition for removal  
9 according to the laws of the state, territory, tribal, or  
10 military jurisdiction, the District of Columbia, or foreign  
11 country in which his or her offense was adjudicated. Upon  
12 the grant of the petition for removal in the jurisdiction  
13 where the offense was adjudicated, such judgment may be  
14 registered in this state by sending the information required

15 under subsection 5 of this section as well as one  
16 authenticated copy of the order granting removal from the  
17 sexual offender registry in the jurisdiction where the  
18 offense was adjudicated to the court in the county or city  
19 not within a county in which the offender is required to  
20 register. On receipt of a request for registration removal,  
21 the registering court shall cause the order to be filed as a  
22 foreign judgment, together with one copy of the documents  
23 and information, regardless of their form. The petitioner  
24 shall be responsible for costs associated with filing the  
25 petition.

26 3. A person required to register:

27 (1) As a tier III offender;

28 (2) Under subdivision (7) of subsection 1 of section  
29 589.400; or

30 (3) As a result of an offense that is sexual in nature  
31 committed against a minor or against an incapacitated person  
32 as defined under section 475.010

33 shall not file a petition under this section unless the  
34 requirement to register results from a juvenile adjudication.

35 4. The petition shall be dismissed without prejudice  
36 if the following time periods have not elapsed since the  
37 date the person was required to register for his or her most  
38 recent offense under sections 589.400 to 589.425:

39 (1) For a tier I offense, ten years;

40 (2) For a tier II offense, twenty-five years; or

41 (3) For a tier III offense adjudicated delinquent,  
42 twenty-five years.

43 5. The petition shall be dismissed without prejudice  
44 if it fails to include any of the following:

45 (1) The petitioner's:

46 (a) Full name, including any alias used by the  
47 individual;

- 48 (b) Sex;
- 49 (c) Race;
- 50 (d) Date of birth;
- 51 (e) Last four digits of the Social Security number;
- 52 (f) Address; and
- 53 (g) Place of employment, school, or volunteer status;
- 54 (2) The offense and tier of the offense that required
- 55 the petitioner to register;
- 56 (3) The date the petitioner was adjudicated for the
- 57 offense;
- 58 (4) The date the petitioner was required to register;
- 59 (5) The case number and court, including the county or
- 60 city not within a county, that entered the original order
- 61 for the adjudicated sex offense;
- 62 (6) Petitioner's fingerprints on an applicant
- 63 fingerprint card;
- 64 (7) If the petitioner was pardoned or an offense
- 65 requiring registration was reversed, vacated, or set aside,
- 66 an authenticated copy of the order; and
- 67 (8) If the petitioner is currently registered under
- 68 applicable law and has not been adjudicated for failure to
- 69 register in any jurisdiction and does not have any charges
- 70 pending for failure to register.

71 6. The petition shall name as respondents the Missouri

72 state highway patrol and the chief law enforcement official

73 in the county or city not within a county in which the

74 petition is filed.

75 7. All proceedings under this section shall be

76 governed under the Missouri supreme court rules of civil

77 procedure.

78 8. The person seeking removal or exemption from the

79 registry shall provide the prosecuting attorney in the

80 circuit court in which the petition is filed with notice of

81 the petition. The prosecuting attorney may present evidence  
82 in opposition to the requested relief or may otherwise  
83 demonstrate the reasons why the petition should be denied.  
84 Failure of the person seeking removal or exemption from the  
85 registry to notify the prosecuting attorney of the petition  
86 shall result in an automatic denial of such person's  
87 petition.

88 9. The prosecuting attorney in the circuit court in  
89 which the petition is filed shall have access to all  
90 applicable records concerning the petitioner including, but  
91 not limited to, criminal history records, mental health  
92 records, juvenile records, and records of the department of  
93 corrections or probation and parole.

94 10. The prosecuting attorney shall make reasonable  
95 efforts to notify the victim of the crime for which the  
96 person was required to register of the petition and the  
97 dates and times of any hearings or other proceedings in  
98 connection with such petition.

99 11. The court shall not enter an order directing the  
100 removal of the petitioner's name from the sexual offender  
101 registry unless it finds the petitioner:

102 (1) Has not been adjudicated or does not have charges  
103 pending for any additional nonsexual offense for which  
104 imprisonment for more than one year may be imposed since the  
105 date the offender was required to register for his or her  
106 current tier level;

107 (2) Has not been adjudicated or does not have charges  
108 pending for any additional sex offense that would require  
109 registration under sections 589.400 to 589.425 since the  
110 date the offender was required to register for his or her  
111 current tier level, even if the offense was punishable by  
112 less than one year imprisonment;



113 (3) Has successfully completed any required periods of  
114 supervised release, probation, or parole without revocation  
115 since the date the offender was required to register for his  
116 or her current tier level;

117 (4) Has successfully completed an appropriate sex  
118 offender treatment program as approved by a court of  
119 competent jurisdiction or the Missouri department of  
120 corrections; and

121 (5) Is not a current or potential threat to public  
122 safety.

123 12. In order to meet the criteria required by  
124 subdivisions (1) and (2) of subsection 11 of this section,  
125 the fingerprints filed in the case shall be examined by the  
126 Missouri state highway patrol. The petitioner shall be  
127 responsible for all costs associated with the fingerprint-  
128 based criminal history check of both state and federal files  
129 under section 43.530.

130 13. If the petition is denied due to an adjudication  
131 in violation of subdivision (1) or (2) of subsection 11 of  
132 this section, the petitioner shall not file a new petition  
133 under this section until:

134 (1) Fifteen years have passed from the date of the  
135 adjudication resulting in the denial of relief if the  
136 petitioner is classified as a tier I offender;

137 (2) Twenty-five years have passed from the date of  
138 adjudication resulting in the denial of relief if the  
139 petitioner is classified as a tier II offender; or

140 (3) Twenty-five years have passed from the date of the  
141 adjudication resulting in the denial of relief if the  
142 petitioner is classified as a tier III offender on the basis  
143 of a juvenile adjudication.

144 14. If the petition is denied due to the petitioner  
145 having charges pending in violation of subdivision (1) or

146 (2) of subsection 11 of this section, the petitioner shall  
147 not file a new petition under this section until:

148 (1) The pending charges resulting in the denial of  
149 relief have been finally disposed of in a manner other than  
150 adjudication; or

151 (2) If the pending charges result in an adjudication,  
152 the necessary time period has elapsed under subsection 13 of  
153 this section.

154 15. If the petition is denied for reasons other than  
155 those outlined in subsection 11 of this section, no  
156 successive petition requesting such relief shall be filed  
157 for at least five years from the date the judgment denying  
158 relief is entered.

159 16. If the court finds the petitioner is entitled to  
160 have his or her name removed from the sexual offender  
161 registry, the court shall enter judgment directing the  
162 removal of the name. A copy of the judgment shall be  
163 provided to the respondents named in the petition.

164 17. Any person subject to the judgment requiring his  
165 or her name to be removed from the sexual offender registry  
166 is not required to register under sections 589.400 to  
167 589.425 unless such person is required to register for an  
168 offense that was different from that listed on the judgment  
169 of removal.

170 18. The court shall not deny the petition unless the  
171 petition failed to comply with the provisions of sections  
172 589.400 to 589.425 or the prosecuting attorney provided  
173 evidence demonstrating the petition should be denied.

589.414. 1. Any person required by sections 589.400  
2 to 589.425 to register shall, within three business days,  
3 appear in person to the chief law enforcement officer of the  
4 county or city not within a county if there is a change to  
5 any of the following information:

- 6 (1) Name;
- 7 (2) Residence;
- 8 (3) Employment, including status as a volunteer or  
9 intern;
- 10 (4) Student status; or
- 11 (5) A termination to any of the items listed in this  
12 subsection.

13 2. Any person required to register under sections  
14 589.400 to 589.425 shall, within three business days, notify  
15 the chief law enforcement official of the county or city not  
16 within a county of any changes to the following information:

- 17 (1) Vehicle information;
- 18 (2) Temporary lodging information;
- 19 (3) Temporary residence information;
- 20 (4) Email addresses, instant messaging addresses, and  
21 any other designations used in internet communications,  
22 postings, or telephone communications; or
- 23 (5) Telephone or other cellular number, including any  
24 new forms of electronic communication.

25 3. The chief law enforcement official in the county or  
26 city not within a county shall immediately forward the  
27 registration changes described under subsections 1 and 2 of  
28 this section to the Missouri state highway patrol within  
29 three business days.

30 4. If any person required by sections 589.400 to  
31 589.425 to register changes such person's residence or  
32 address to a different county or city not within a county,  
33 the person shall appear in person and shall inform both the  
34 chief law enforcement official with whom the person last  
35 registered and the chief law enforcement official of the  
36 county or city not within a county having jurisdiction over  
37 the new residence or address in writing within three  
38 business days of such new address and phone number, if the

39 phone number is also changed. If any person required by  
40 sections 589.400 to 589.425 to register changes his or her  
41 state, territory, the District of Columbia, or foreign  
42 country, or federal, tribal, or military jurisdiction of  
43 residence, the person shall appear in person and shall  
44 inform both the chief law enforcement official with whom the  
45 person was last registered and the chief law enforcement  
46 official of the area in the new state, territory, the  
47 District of Columbia, or foreign country, or federal,  
48 tribal, or military jurisdiction having jurisdiction over  
49 the new residence or address within three business days of  
50 such new address. Whenever a registrant changes residence,  
51 the chief law enforcement official of the county or city not  
52 within a county where the person was previously registered  
53 shall inform the Missouri state highway patrol of the change  
54 within three business days. When the registrant is changing  
55 the residence to a new state, territory, the District of  
56 Columbia, or foreign country, or federal, tribal, or  
57 military jurisdiction, the Missouri state highway patrol  
58 shall inform the responsible official in the new state,  
59 territory, the District of Columbia, or foreign country, or  
60 federal, tribal, or military jurisdiction of residence  
61 within three business days.

62 5. Tier I sexual offenders, in addition to the  
63 requirements of subsections 1 to 4 of this section, shall  
64 report in person to the chief law enforcement official  
65 annually in the month of their birth to verify the  
66 information contained in their statement made pursuant to  
67 section 589.407. Tier I sexual offenders include:

68 (1) Any offender who has been adjudicated for the  
69 offense of:

70 (a) Sexual abuse in the first degree under section  
71 566.100 if the victim is eighteen years of age or older;

72 (b) [Sexual misconduct involving a child under section  
73 566.083 if it is a first offense and the punishment is less  
74 than one year;

75 (c) Sexual abuse in the second degree under section  
76 566.101 if the punishment is less than a year;

77 [(d)] (c) Kidnapping in the second degree under  
78 section 565.120 with sexual motivation;

79 [(e)] (d) Kidnapping in the third degree under section  
80 565.130;

81 [(f)] (e) Sexual conduct with a nursing facility  
82 resident or vulnerable person in the first degree under  
83 section 566.115 if the punishment is less than one year;

84 [(g)] (f) Sexual conduct under section 566.116 with a  
85 nursing facility resident or vulnerable person;

86 [(h)] (g) Sexual [contact with a prisoner or offender]  
87 conduct in the course of public duty under section 566.145  
88 if the victim is eighteen years of age or older;

89 [(i)] (h) Sex with an animal under section 566.111;

90 [(j)] (i) Trafficking for the purpose of sexual  
91 exploitation under section 566.209 if the victim is eighteen  
92 years of age or older;

93 [(k)] (j) Possession of child pornography under  
94 section 573.037;

95 [(l)] (k) Sexual misconduct in the first degree under  
96 section 566.093;

97 [(m)] (l) Sexual misconduct in the second degree under  
98 section 566.095;

99 [(n) Child molestation in the second degree under  
100 section 566.068 as it existed prior to January 1, 2017, if  
101 the punishment is less than one year;] or

102 [(o)] (m) Invasion of privacy under section 565.252 if  
103 the victim is less than eighteen years of age;

104 (2) Any offender who is or has been adjudicated in any  
105 other state, territory, the District of Columbia, or foreign  
106 country, or under federal, tribal, or military jurisdiction  
107 of an offense of a sexual nature or with a sexual element  
108 that is comparable to the tier I sexual offenses listed in  
109 this subsection or, if not comparable to those in this  
110 subsection, comparable to those described as tier I offenses  
111 under the Sex Offender Registration and Notification Act,  
112 Title I of the Adam Walsh Child Protection and Safety Act of  
113 2006, Pub. L. 109-248.

114 6. Tier II sexual offenders, in addition to the  
115 requirements of subsections 1 to 4 of this section, shall  
116 report semiannually in person in the month of their birth  
117 and six months thereafter to the chief law enforcement  
118 official to verify the information contained in their  
119 statement made pursuant to section 589.407. Tier II sexual  
120 offenders include:

121 (1) Any offender who has been adjudicated for the  
122 offense of [:

123 (a) Statutory sodomy in the second degree under  
124 section 566.064 if the victim is sixteen to seventeen years  
125 of age;

126 (b) Child molestation in the third degree under  
127 section 566.069 if the victim is between thirteen and  
128 fourteen years of age;

129 (c) Sexual contact with a student under section  
130 566.086 if the victim is thirteen to seventeen years of age;

131 (d) Enticement of a child under section 566.151;

132 (e) Abuse of a child under section 568.060 if the  
133 offense is of a sexual nature and the victim is thirteen to  
134 seventeen years of age;

135 (f) Sexual exploitation of a minor under section  
136 573.023;

137 (g) Promoting child pornography in the first degree  
138 under section 573.025;

139 (h) Promoting child pornography in the second degree  
140 under section 573.035;

141 (i)] patronizing prostitution under section 567.030;

142 [(j) Sexual contact with a prisoner or offender under  
143 section 566.145 if the victim is thirteen to seventeen years  
144 of age;

145 (k) Child molestation in the fourth degree under  
146 section 566.071 if the victim is thirteen to seventeen years  
147 of age;

148 (l) Sexual misconduct involving a child under section  
149 566.083 if it is a first offense and the penalty is a term  
150 of imprisonment of more than a year; or

151 (m) Age misrepresentation with intent to solicit a  
152 minor under section 566.153;]

153 (2) Any person who is adjudicated of an offense  
154 comparable to a tier I offense listed in this section or  
155 failure to register offense under section 589.425 or  
156 comparable out-of-state failure to register offense and who  
157 is already required to register as a tier I offender due to  
158 having been adjudicated of a tier I offense on a previous  
159 occasion; or

160 (3) Any person who is or has been adjudicated in any  
161 other state, territory, the District of Columbia, or foreign  
162 country, or under federal, tribal, or military jurisdiction  
163 for an offense of a sexual nature or with a sexual element  
164 that is comparable to the tier II sexual offenses listed in  
165 this subsection or, if not comparable to those in this  
166 subsection, comparable to those described as tier II  
167 offenses under the Sex Offender Registration and  
168 Notification Act, Title I of the Adam Walsh Child Protection  
169 and Safety Act of 2006, Pub. L. 109-248.

170           7. Tier III sexual offenders, in addition to the  
171 requirements of subsections 1 to 4 of this section, shall  
172 report in person to the chief law enforcement official every  
173 ninety days to verify the information contained in their  
174 statement made under section 589.407. Tier III sexual  
175 offenders include:

176           (1) Any offender registered as a predatory sexual  
177 offender [as defined in section 566.123] or a persistent  
178 sexual offender as defined in section [566.124] 566.125;

179           (2) Any offender who has been adjudicated for the  
180 crime of:

181           (a) Rape in the first degree under section 566.030;

182           (b) Statutory rape in the first degree under section  
183 566.032;

184           (c) Rape in the second degree under section 566.031;

185           (d) Endangering the welfare of a child in the first  
186 degree under section 568.045 if the offense is sexual in  
187 nature;

188           (e) Sodomy in the first degree under section 566.060;

189           (f) Statutory sodomy under section 566.062;

190           (g) Statutory sodomy under section 566.064 if the  
191 victim is under sixteen years of age;

192           (h) Sodomy in the second degree under section 566.061;

193           (i) Sexual misconduct involving a child under section  
194 566.083 [if the offense is a second or subsequent offense];

195           (j) Sexual abuse in the first degree under section  
196 566.100 if the victim is under thirteen years of age;

197           (k) Age misrepresentation with intent to solicit a  
198 minor under section 566.153;

199           (l) Enticement of a child under section 566.151;

200           (m) Kidnapping in the first degree under section  
201 565.110 if the victim is under eighteen years of age,  
202 excluding kidnapping by a parent or guardian;



203            [(l)] (n) Child kidnapping under section 565.115 with  
204 sexual motivation;

205            [(m)] (o) Sexual conduct with a nursing facility  
206 resident or vulnerable person in the first degree under  
207 section 566.115 if the punishment is greater than a year;

208            [(n)] (p) Incest under section 568.020;

209            [(o)] (q) Endangering the welfare of a child in the  
210 first degree under section 568.045 with sexual intercourse  
211 or deviate sexual intercourse with a victim under eighteen  
212 years of age;

213            [(p)] (r) Child molestation in the first degree under  
214 section 566.067;

215            [(q)] (s) Child molestation in the second degree under  
216 section 566.068 or child molestation in the second degree  
217 under section 566.068 as it existed prior to January 1,  
218 2017, if the punishment is less than one year;

219            [(r)] (t) Child molestation in the third degree under  
220 section 566.069 if the victim is under [thirteen] fourteen  
221 years of age;

222            [(s)] (u) Promoting prostitution in the first degree  
223 under section 567.050 if the victim is under eighteen years  
224 of age;

225            [(t)] (v) Promoting prostitution in the second degree  
226 under section 567.060 if the victim is under eighteen years  
227 of age;

228            [(u)] (w) Promoting prostitution in the third degree  
229 under section 567.070 if the victim is under eighteen years  
230 of age;

231            [(v)] (x) Promoting travel for prostitution under  
232 section 567.085 if the victim is under eighteen years of age;

233            [(w)] (y) Trafficking for the purpose of sexual  
234 exploitation under section 566.209 if the victim is under  
235 eighteen years of age;

236            [(x)] (z) Sexual trafficking of a child in the first  
237 degree under section 566.210;

238            [(y)] (aa) Sexual trafficking of a child in the second  
239 degree under section 566.211;

240            [(z)] (bb) Genital mutilation of a female child under  
241 section 568.065;

242            [(aa)] (cc) Statutory rape in the second degree under  
243 section 566.034;

244            [(bb)] (dd) Child molestation in the fourth degree  
245 under section 566.071 if the victim is under [thirteen]  
246 seventeen years of age;

247            [(cc)] (ee) Sexual abuse in the second degree under  
248 section 566.101 if the penalty is a term of imprisonment of  
249 more than a year;

250            [(dd)] (ff) Patronizing prostitution under section  
251 567.030 if the offender is a persistent offender or if the  
252 victim is under eighteen years of age;

253            [(ee)] (gg) Abuse of a child under section 568.060 if  
254 the offense is of a sexual nature and the victim is under  
255 [thirteen] eighteen years of age;

256            [(ff)] (hh) Sexual [contact with a prisoner or  
257 offender] conduct in the course of public duty under section  
258 566.145 if the victim is under [thirteen] eighteen years of  
259 age;

260            [(gg) Sexual intercourse with a prisoner or offender  
261 under section 566.145;

262            [(hh)] (ii) Sexual contact with a student under section  
263 566.086 if the victim is under [thirteen] eighteen years of  
264 age;

265            (jj) Sexual exploitation of a minor under section  
266 573.023;

267            (kk) Promoting child pornography in the first degree  
268 under section 573.025;

269           (ll) Promoting child pornography in the second degree  
270 under section 573.035;

271           [(ii)] (mm) Use of a child in a sexual performance  
272 under section 573.200; or

273           [(jj)] (nn) Promoting a sexual performance by a child  
274 under section 573.205;

275           (3) Any offender who is adjudicated for a crime  
276 comparable to a tier I or tier II offense listed in this  
277 section or failure to register offense under section  
278 589.425, or other comparable out-of-state failure to  
279 register offense, who has been or is already required to  
280 register as a tier II offender because of having been  
281 adjudicated for a tier II offense, two tier I offenses, or  
282 combination of a tier I offense and failure to register  
283 offense, on a previous occasion;

284           (4) Any offender who is adjudicated in any other  
285 state, territory, the District of Columbia, or foreign  
286 country, or under federal, tribal, or military jurisdiction  
287 for an offense of a sexual nature or with a sexual element  
288 that is comparable to a tier III offense listed in this  
289 section or a tier III offense under the Sex Offender  
290 Registration and Notification Act, Title I of the Adam Walsh  
291 Child Protection and Safety Act of 2006, Pub. L. 109-248; or

292           (5) Any offender who is adjudicated in Missouri for  
293 any offense of a sexual nature requiring registration under  
294 sections 589.400 to 589.425 that is not classified as a tier  
295 I or tier II offense in this section.

296           8. In addition to the requirements of subsections 1 to  
297 7 of this section, all Missouri registrants who work,  
298 including as a volunteer or unpaid intern, or attend any  
299 school whether public or private, including any secondary  
300 school, trade school, professional school, or institution of  
301 higher education, on a full-time or part-time basis or have

302 a temporary residence in this state shall be required to  
303 report in person to the chief law enforcement officer in the  
304 area of the state where they work, including as a volunteer  
305 or unpaid intern, or attend any school or training and  
306 register in that state. "Part-time" in this subsection  
307 means for more than seven days in any twelve-month period.

308 9. If a person who is required to register as a sexual  
309 offender under sections 589.400 to 589.425 changes or  
310 obtains a new online identifier as defined in section  
311 43.651, the person shall report such information in the same  
312 manner as a change of residence before using such online  
313 identifier.

589.700. 1. In addition to any fine imposed for a  
2 violation of section 566.203, 566.206, 566.209, 566.210,  
3 566.211, or 566.215, the court shall enter a judgment of  
4 restitution in the amount specified in this subsection in  
5 favor of the state of Missouri, payable to the human  
6 trafficking and sexual exploitation fund established under  
7 this section, upon a plea of guilty or a finding of guilt  
8 for a violation of section 566.203, 566.206, 566.209,  
9 566.210, 566.211, or 566.215. The judgment of restitution  
10 shall be in the amount of:

11 (1) Ten thousand dollars per each identified victim of  
12 the offense or offenses for which restitution is required  
13 under this subsection; and

14 (2) Two thousand five hundred dollars for each county  
15 in which such offense or offenses occurred.

16 2. There is hereby created in the state treasury the  
17 "Human Trafficking and Sexual Exploitation Fund", which  
18 shall consist of proceeds from the human trafficking  
19 restitution collected for violations of sections 566.203,  
20 566.206, 566.209, 566.210, 566.211, and 566.215. The state  
21 treasurer shall be custodian of the fund. In accordance

22 with sections 30.170 and 30.180, the state treasurer may  
23 approve disbursements. The fund shall be a dedicated fund  
24 and, upon appropriation, moneys in this fund shall be  
25 distributed to the county or counties where the human  
26 trafficking offense or offenses occurred. Upon receipt of  
27 moneys from the fund, a county shall allocate the  
28 disbursement as follows:

29 (1) Ten thousand dollars per each identified victim of  
30 the offense or offenses that occurred in the county toward  
31 local rehabilitation services for victims of human  
32 trafficking including, but not limited to, mental health and  
33 substance abuse counseling; general education, including  
34 parenting skills; housing relief; vocational training; and  
35 employment counseling; and

36 (2) Two thousand five hundred dollars toward local  
37 efforts to prevent human trafficking including, but not  
38 limited to, education programs for persons convicted of  
39 human trafficking offenses and increasing the number of  
40 local law enforcement members charged with enforcing human  
41 trafficking laws.

42 3. Notwithstanding the provisions of section 33.080 to  
43 the contrary, any moneys remaining in the fund at the end of  
44 the biennium shall not revert to the credit of the general  
45 revenue fund.

46 4. The state treasurer shall invest moneys in the fund  
47 in the same manner as other funds are invested. Any  
48 interest and moneys earned on such investments shall be  
49 credited to the fund.

590.033. 1. The POST commission shall establish  
2 minimum standards for a chief of police training course  
3 which shall include at least forty hours of training. All  
4 police chiefs appointed after August 28, 2023, shall attend  
5 a chief of police training course certified by the POST

6 commission not later than [six] twelve months after the  
7 person's appointment as a chief of police.

8 2. A chief of police may request an exemption from the  
9 training in subsection 1 of this section by submitting to  
10 the POST commission proof of completion of the Federal  
11 Bureau of Investigation's national academy course or any  
12 other equivalent training course within the previous ten  
13 years or at least five years of experience as a police chief  
14 in a Missouri law enforcement agency.

15 3. Any law enforcement agency who has a chief of  
16 police appointed after August 28, 2023, who fails to  
17 complete a chief of police training course within [six]  
18 twelve months of appointment shall be precluded from  
19 receiving any POST commission training funds, state grant  
20 funds, or federal grant funds until the police chief has  
21 completed the training course.

22 4. While attending a chief of police training course,  
23 the chief of police shall receive compensation in the same  
24 manner and amount as if carrying out the powers and duties  
25 of the chief of police. The cost of the chief of police  
26 training course may be paid by moneys from the peace officer  
27 standards and training commission fund created in section  
28 590.178.

590.050. 1. (1) The POST commission shall establish  
2 requirements for the continuing education of all peace  
3 officers.

4 (2) Each peace officer shall be required to receive  
5 two hours of sex and human trafficking training consistent  
6 with the guidelines established in section 27.170 within the  
7 law enforcement continuing education one-year reporting  
8 period. The provisions of this subdivision shall become  
9 effective on January 1, 2025, and shall expire on December  
10 31, 2029.

11           (3) Peace officers who make traffic stops shall be  
12 required to receive [three hours] one hour of training  
13 within the law enforcement continuing education [three-year]  
14 one-year reporting period concerning the prohibition against  
15 racial profiling and such training shall promote  
16 understanding and respect for racial and cultural  
17 differences and the use of effective, noncombative methods  
18 for carrying out law enforcement duties in a racially and  
19 culturally diverse environment.

20           2. The director shall license continuing education  
21 providers and may probate, suspend and revoke such licenses  
22 upon written notice stating the reasons for such action.  
23 Any person aggrieved by a decision of the director pursuant  
24 to this subsection may appeal as provided in chapter 536.

25           3. The costs of continuing law enforcement education  
26 shall be reimbursed in part by moneys from the peace officer  
27 standards and training commission fund created in section  
28 590.178, subject to availability of funds, except that no  
29 such funds shall be used for the training of any person not  
30 actively commissioned or employed by a county or municipal  
31 law enforcement agency.

32           4. The director may engage in any activity intended to  
33 further the professionalism of peace officers through  
34 training and education, including the provision of  
35 specialized training through the department of public safety.

590.192. 1. There is hereby established the "Critical  
2 Incident Stress Management Program" within the department of  
3 public safety. The program shall provide services for peace  
4 officers and first responders to assist in coping with  
5 stress and potential psychological trauma resulting from a  
6 response to a critical incident or emotionally difficult  
7 event. Such services may include consultation, risk  
8 assessment, education, intervention, and other crisis

9 intervention services provided by the department to peace  
10 officers and first responders affected by a critical  
11 incident. For purposes of this section, a "critical  
12 incident" shall mean any event outside the usual realm of  
13 human experience that is markedly distressing or evokes  
14 reactions of intense fear, helplessness, or horror and  
15 involves the perceived threat to a person's physical  
16 integrity or the physical integrity of someone else. For  
17 purposes of this section, the term "first responder" shall  
18 have the same meaning as "first responder" in section  
19 190.1010 and "telecommunicator first responder" in section  
20 650.320.

21 2. All peace officers and first responders shall be  
22 required to meet with a program service provider once every  
23 three to five years for a mental health check-in. The  
24 program service provider shall send a notification to the  
25 peace officer's commanding officer or first responder's  
26 director or supervisor that he or she completed such check-  
27 in.

28 3. Any information disclosed by a peace officer or  
29 first responder shall be privileged and shall not be used as  
30 evidence in criminal, administrative, or civil proceedings  
31 against the peace officer or first responder unless:

32 (1) A program representative reasonably believes the  
33 disclosure is necessary to prevent harm to a person who  
34 received services or to prevent harm to another person;

35 (2) The person who received the services provides  
36 written consent to the disclosure; or

37 (3) The person receiving services discloses  
38 information that is required to be reported under mandatory  
39 reporting laws.

40 4. (1) There is hereby created in the state treasury  
41 the "988 Public Safety Fund", which shall consist of moneys



42 appropriated by the general assembly. The state treasurer  
43 shall be custodian of the fund. In accordance with sections  
44 30.170 and 30.180, the state treasurer may approve  
45 disbursements. The fund shall be a dedicated fund and  
46 moneys in the fund shall be used solely by the department of  
47 public safety for the purposes of providing services for  
48 peace officers and first responders to assist in coping with  
49 stress and potential psychological trauma resulting from a  
50 response to a critical incident or emotionally difficult  
51 event pursuant to subsection 1 of this section. Such  
52 services may include consultation, risk assessment,  
53 education, intervention, and other crisis intervention  
54 services provided by the department to peace officers or  
55 first responders affected by a critical incident. The  
56 director of public safety may prescribe rules and  
57 regulations necessary to carry out the provisions of this  
58 section. Any rule or portion of a rule, as that term is  
59 defined in section 536.010, that is created under the  
60 authority delegated in this section shall become effective  
61 only if it complies with and is subject to all of the  
62 provisions of chapter 536 and, if applicable, section  
63 536.028. This section and chapter 536 are nonseverable and  
64 if any of the powers vested with the general assembly  
65 pursuant to chapter 536 to review, to delay the effective  
66 date, or to disapprove and annul a rule are subsequently  
67 held unconstitutional, then the grant of rulemaking  
68 authority and any rule proposed or adopted after August 28,  
69 2021, shall be invalid and void.

70 (2) Notwithstanding the provisions of section 33.080  
71 to the contrary, any moneys remaining in the fund at the end  
72 of the biennium shall not revert to the credit of the  
73 general revenue fund.

74 (3) The state treasurer shall invest moneys in the  
75 fund in the same manner as other funds are invested. Any  
76 interest and moneys earned on such investments shall be  
77 credited to the fund.

590.653. 1. Each city, county, and city not within a  
2 county may establish a civilian review board, division of  
3 civilian oversight, or any other entity that provides  
4 civilian review or oversight of police agencies, or may use  
5 an existing civilian review board [which] or division of  
6 civilian oversight or other named entity that has been  
7 appointed by the local governing body, with the authority to  
8 investigate allegations of misconduct by local law  
9 enforcement officers towards members of the public. The  
10 members shall not receive compensation but shall receive  
11 reimbursement from the local governing body for all  
12 reasonable and necessary expenses.

2. The board, division, or any other such entity shall  
14 have [the] its power [to receive, investigate, make] solely  
15 limited to receiving, investigating, making findings and  
16 [recommend] recommending disciplinary action upon complaints  
17 by members of the public against members of the police  
18 department that allege misconduct involving excessive use of  
19 force, abuse of authority, discourtesy, or use of offensive  
20 language, including, but not limited to, slurs relating to  
21 race, ethnicity, religion, gender, sexual orientation and  
22 disability. The findings and recommendations of the board,  
23 division, or other entity, and the basis therefor, shall be  
24 submitted to the chief law enforcement official. No finding  
25 or recommendation shall be based solely upon an unsworn  
26 complaint or statement, nor shall prior unsubstantiated,  
27 unfounded or withdrawn complaints be the basis for any such  
28 findings or recommendations. Only the powers specifically  
29 granted herein are authorized, and any and all authority

30 granted to future or existing boards, divisions, or entities  
31 outside the scope of the powers listed herein are expressly  
32 preempted and void as a matter of law.

595.045. 1. There is established in the state  
2 treasury the "Crime Victims' Compensation Fund". A  
3 surcharge of seven dollars and fifty cents shall be assessed  
4 as costs in each court proceeding filed in any court in the  
5 state in all criminal cases including violations of any  
6 county ordinance or any violation of criminal or traffic  
7 laws of the state, including an infraction and violation of  
8 a municipal ordinance; except that no such fee shall be  
9 collected in any proceeding in any court when the proceeding  
10 or the defendant has been dismissed by the court or when  
11 costs are to be paid by the state, county, or municipality.  
12 A surcharge of seven dollars and fifty cents shall be  
13 assessed as costs in a juvenile court proceeding in which a  
14 child is found by the court to come within the applicable  
15 provisions of subdivision (3) of subsection 1 of section  
16 211.031.

17 2. Notwithstanding any other provision of law to the  
18 contrary, the moneys collected by clerks of the courts  
19 pursuant to the provisions of subsection 1 of this section  
20 shall be collected and disbursed in accordance with sections  
21 488.010 to 488.020 and shall be payable to the director of  
22 the department of revenue.

23 3. The director of revenue shall deposit annually the  
24 amount of two hundred fifty thousand dollars to the state  
25 forensic laboratory account administered by the department  
26 of public safety to provide financial assistance to defray  
27 expenses of crime laboratories if such analytical  
28 laboratories are registered with the federal Drug  
29 Enforcement Agency or the Missouri department of health and  
30 senior services. Subject to appropriations made therefor,

31 such funds shall be distributed by the department of public  
32 safety to the crime laboratories serving the courts of this  
33 state making analysis of a controlled substance or analysis  
34 of blood, breath or urine in relation to a court proceeding.

35 4. The remaining funds collected under subsection 1 of  
36 this section shall be denoted to the payment of an annual  
37 appropriation for the administrative and operational costs  
38 of the office for victims of crime and, if a statewide  
39 automated crime victim notification system is established  
40 pursuant to section 650.310, to the monthly payment of  
41 expenditures actually incurred in the operation of such  
42 system. Additional remaining funds shall be subject to the  
43 following provisions:

44 (1) On the first of every month, the director of  
45 revenue or the director's designee shall determine the  
46 balance of the funds in the crime victims' compensation fund  
47 available to satisfy the amount of compensation payable  
48 pursuant to sections 595.010 to 595.075, excluding sections  
49 595.050 and 595.055;

50 (2) Beginning on September 1, 2004, and on the first  
51 of each month, the director of revenue or the director's  
52 designee shall deposit fifty percent of the balance of funds  
53 available to the credit of the crime victims' compensation  
54 fund and fifty percent to the services to victims' fund  
55 established in section 595.100.

56 5. The director of revenue or such director's designee  
57 shall at least monthly report the moneys paid pursuant to  
58 this section into the crime victims' compensation fund and  
59 the services to victims fund to the department of public  
60 safety.

61 6. The moneys collected by clerks of municipal courts  
62 pursuant to subsection 1 of this section shall be collected  
63 and disbursed as provided by sections 488.010 to 488.020.

64 Five percent of such moneys shall be payable to the city  
65 treasury of the city from which such funds were collected.  
66 The remaining ninety-five percent of such moneys shall be  
67 payable to the director of revenue. The funds received by  
68 the director of revenue pursuant to this subsection shall be  
69 distributed as follows:

70 (1) On the first of every month, the director of  
71 revenue or the director's designee shall determine the  
72 balance of the funds in the crime victims' compensation fund  
73 available to satisfy the amount of compensation payable  
74 pursuant to sections 595.010 to 595.075, excluding sections  
75 595.050 and 595.055;

76 (2) Beginning on September 1, 2004, and on the first  
77 of each month the director of revenue or the director's  
78 designee shall deposit fifty percent of the balance of funds  
79 available to the credit of the crime victims' compensation  
80 fund and fifty percent to the services to victims' fund  
81 established in section 595.100.

82 7. These funds shall be subject to a biennial audit by  
83 the Missouri state auditor. Such audit shall include all  
84 records associated with crime victims' compensation funds  
85 collected, held or disbursed by any state agency.

86 8. In addition to the moneys collected pursuant to  
87 subsection 1 of this section, the court shall enter a  
88 judgment in favor of the state of Missouri, payable to the  
89 crime victims' compensation fund, of sixty-eight dollars  
90 upon a plea of guilty or a finding of guilt for a class A or  
91 B felony; forty-six dollars upon a plea of guilty or finding  
92 of guilt for a class C [or], D, or E felony; and ten dollars  
93 upon a plea of guilty or a finding of guilt for any  
94 misdemeanor under Missouri law except for those in chapter  
95 252 relating to fish and game, chapter 302 relating to  
96 drivers' and commercial drivers' license, chapter 303

97 relating to motor vehicle financial responsibility, chapter  
98 304 relating to traffic regulations, chapter 306 relating to  
99 watercraft regulation and licensing, and chapter 307  
100 relating to vehicle equipment regulations. Any clerk of the  
101 court receiving moneys pursuant to such judgments shall  
102 collect and disburse such crime victims' compensation  
103 judgments in the manner provided by sections 488.010 to  
104 488.020. Such funds shall be payable to the state treasury  
105 and deposited to the credit of the crime victims'  
106 compensation fund.

107 9. The clerk of the court processing such funds shall  
108 maintain records of all dispositions described in subsection  
109 1 of this section and all dispositions where a judgment has  
110 been entered against a defendant in favor of the state of  
111 Missouri in accordance with this section; all payments made  
112 on judgments for alcohol-related traffic offenses; and any  
113 judgment or portion of a judgment entered but not  
114 collected. These records shall be subject to audit by the  
115 state auditor. The clerk of each court transmitting such  
116 funds shall report separately the amount of dollars  
117 collected on judgments entered for alcohol-related traffic  
118 offenses from other crime victims' compensation collections  
119 or services to victims collections.

120 10. The department of revenue shall maintain records  
121 of funds transmitted to the crime victims' compensation fund  
122 by each reporting court and collections pursuant to  
123 subsection 16 of this section and shall maintain separate  
124 records of collection for alcohol-related offenses.

125 11. The state courts administrator shall include in  
126 the annual report required by section 476.350 the circuit  
127 court caseloads and the number of crime victims'  
128 compensation judgments entered.

129           12. All awards made to injured victims under sections  
130 595.010 to 595.105 and all appropriations for administration  
131 of sections 595.010 to 595.105, except sections 595.050 and  
132 595.055, shall be made from the crime victims' compensation  
133 fund. Any unexpended balance remaining in the crime  
134 victims' compensation fund at the end of each biennium shall  
135 not be subject to the provision of section 33.080 requiring  
136 the transfer of such unexpended balance to the ordinary  
137 revenue fund of the state, but shall remain in the crime  
138 victims' compensation fund. In the event that there are  
139 insufficient funds in the crime victims' compensation fund  
140 to pay all claims in full, all claims shall be paid on a pro  
141 rata basis. If there are no funds in the crime victims'  
142 compensation fund, then no claim shall be paid until funds  
143 have again accumulated in the crime victims' compensation  
144 fund. When sufficient funds become available from the fund,  
145 awards which have not been paid shall be paid in  
146 chronological order with the oldest paid first. In the  
147 event an award was to be paid in installments and some  
148 remaining installments have not been paid due to a lack of  
149 funds, then when funds do become available that award shall  
150 be paid in full. All such awards on which installments  
151 remain due shall be paid in full in chronological order  
152 before any other postdated award shall be paid. Any award  
153 pursuant to this subsection is specifically not a claim  
154 against the state, if it cannot be paid due to a lack of  
155 funds in the crime victims' compensation fund.

156           13. When judgment is entered against a defendant as  
157 provided in this section and such sum, or any part thereof,  
158 remains unpaid, there shall be withheld from any  
159 disbursement, payment, benefit, compensation, salary, or  
160 other transfer of money from the state of Missouri to such  
161 defendant an amount equal to the unpaid amount of such

162 judgment. Such amount shall be paid forthwith to the crime  
163 victims' compensation fund and satisfaction of such judgment  
164 shall be entered on the court record. Under no  
165 circumstances shall the general revenue fund be used to  
166 reimburse court costs or pay for such judgment. The  
167 director of the department of corrections shall have the  
168 authority to pay into the crime victims' compensation fund  
169 from an offender's compensation or account the amount owed  
170 by the offender to the crime victims' compensation fund,  
171 provided that the offender has failed to pay the amount owed  
172 to the fund prior to entering a correctional facility of the  
173 department of corrections.

174 14. All interest earned as a result of investing funds  
175 in the crime victims' compensation fund shall be paid into  
176 the crime victims' compensation fund and not into the  
177 general revenue of this state.

178 15. Any person who knowingly makes a fraudulent claim  
179 or false statement in connection with any claim hereunder is  
180 guilty of a class A misdemeanor.

181 16. The department may receive gifts and contributions  
182 for the benefit of crime victims. Such gifts and  
183 contributions shall be credited to the crime victims'  
184 compensation fund as used solely for compensating victims  
185 under the provisions of sections 595.010 to 595.075.

2 595.325. 1. There is hereby created the "Missing and  
3 Murdered African American Women and Girls Task Force" to  
4 consist of the following members:

5 (1) The following four members of the general assembly:

6 (a) Two members of the senate, with one member to be  
7 appointed by the president pro tempore of the senate and one  
8 member to be appointed by the minority floor leader of the  
senate; and



9           (b) Two members of the house of representatives, with  
10 one member to be appointed by the speaker of the house of  
11 representatives and one member to be appointed by the  
12 minority floor leader of the house of representatives;  
13           (2) The director of the department of public safety or  
14 his or her designee;  
15           (3) Two representatives appointed by the director of  
16 the department of public safety from among the following:  
17           (a) A member from the Missouri Police Chiefs  
18 Association;  
19           (b) A member from the Missouri Sheriffs Association; or  
20           (c) The superintendent of the Missouri highway patrol  
21 or his or her designee;  
22           (4) One or more representatives appointed by the  
23 director of public safety from among the following:  
24           (a) The attorney general or his or her designee;  
25           (b) The director of the Missouri office of prosecution  
26 services;  
27           (c) The president of the Missouri prosecutors  
28 association;  
29           (d) A judge or attorney working in a juvenile court; or  
30           (e) An attorney working in the United States  
31 Attorney's Office;  
32           (5) A county coroner or a representative from a  
33 statewide coroner's association;  
34           (6) Three or more representatives appointed by the  
35 director of public safety from among the following:  
36           (a) A statewide or local organization that provides  
37 legal services to African American women and girls;  
38           (b) A statewide or local organization that provides  
39 advocacy or counseling for African American women and girls  
40 who have been victims of violence;

41 (c) A statewide or local organization that provides  
42 services to African American women and girls; or

43 (d) An African American woman who is a survivor of  
44 gender violence.

45 2. The task force shall appoint a chairperson who is  
46 elected by a majority vote of the members of the task  
47 force. The task force shall have an initial meeting before  
48 October 1, 2024. The members of the task force shall serve  
49 without compensation, but shall be entitled to necessary and  
50 actual expenses incurred in attending meetings of the task  
51 force.

52 3. The task force shall examine and report on the  
53 following:

54 (1) The systemic causes behind violence that African  
55 American women and girls experience, including patterns and  
56 underlying factors that explain why disproportionately high  
57 levels of violence occur against African American women and  
58 girls, including underlying historical, social, economic,  
59 institutional, and cultural factors which may contribute to  
60 the violence;

61 (2) Appropriate methods for tracking and collecting  
62 data on violence against African American women and girls,  
63 including data on missing and murdered African American  
64 women and girls;

65 (3) Policies and institutions such as policing, child  
66 welfare, coroner practices, and other governmental practices  
67 that impact violence against African American women and  
68 girls and the investigation and prosecution of crimes of  
69 gender violence against African American women and girls;

70 (4) Measures necessary to address and reduce violence  
71 against African American women and girls; and

72           (5) Measures to help victims, victims' families, and  
73 victims' communities prevent and heal from violence that  
74 occurs against African American women and girls.

75           4. The department of public safety shall provide  
76 administrative support to the task force.

77           5. On or before December thirty-first of each year,  
78 the task force shall submit a report on its findings to the  
79 governor and the general assembly.

80           6. The task force shall expire on December 31, 2026,  
81 unless extended until December 31, 2028, as determined  
82 necessary by the department of public safety.

600.042. 1. The director shall:

2           (1) Direct and supervise the work of the deputy  
3 directors and other state public defender office personnel  
4 appointed pursuant to this chapter; and he or she and the  
5 deputy director or directors may participate in the trial  
6 and appeal of criminal actions at the request of the  
7 defender;

8           (2) Submit to the commission, between August fifteenth  
9 and September fifteenth of each year, a report which shall  
10 include all pertinent data on the operation of the state  
11 public defender system, the costs, projected needs, and  
12 recommendations for statutory changes. Prior to October  
13 fifteenth of each year, the commission shall submit such  
14 report along with such recommendations, comments,  
15 conclusions, or other pertinent information it chooses to  
16 make to the chief justice, the governor, and the general  
17 assembly. Such reports shall be a public record, shall be  
18 maintained in the office of the state public defender, and  
19 shall be otherwise distributed as the commission shall  
20 direct;

21           (3) With the approval of the commission, establish  
22 such divisions, facilities and offices and select such

23 professional, technical and other personnel, including  
24 investigators, as he deems reasonably necessary for the  
25 efficient operation and discharge of the duties of the state  
26 public defender system under this chapter;

27 (4) Administer and coordinate the operations of  
28 defender services and be responsible for the overall  
29 supervision of all personnel, offices, divisions and  
30 facilities of the state public defender system, except that  
31 the director shall have no authority to direct or control  
32 the legal defense provided by a defender to any person  
33 served by the state public defender system;

34 (5) Develop programs and administer activities to  
35 achieve the purposes of this chapter;

36 (6) Keep and maintain proper financial records with  
37 respect to the provision of all public defender services for  
38 use in the calculating of direct and indirect costs of any  
39 or all aspects of the operation of the state public defender  
40 system;

41 (7) Supervise the training of all public defenders and  
42 other personnel and establish such training courses as shall  
43 be appropriate;

44 (8) With approval of the commission, promulgate  
45 necessary rules, regulations and instructions consistent  
46 with this chapter defining the organization of the state  
47 public defender system and the responsibilities of division  
48 directors, district defenders, deputy district defenders,  
49 assistant public defenders and other personnel;

50 (9) With the approval of the commission, apply for and  
51 accept on behalf of the public defender system any funds  
52 which may be offered or which may become available from  
53 government grants, private gifts, donations or bequests or  
54 from any other source. Such moneys shall be deposited in

55 the [state general revenue] public defender - federal and  
56 other fund;

57 (10) Contract for legal services with private  
58 attorneys on a case-by-case basis and with assigned counsel  
59 as the commission deems necessary considering the needs of  
60 the area, for fees approved and established by the  
61 commission;

62 (11) With the approval and on behalf of the  
63 commission, contract with private attorneys for the  
64 collection and enforcement of liens and other judgments owed  
65 to the state for services rendered by the state public  
66 defender system.

67 2. No rule or portion of a rule promulgated under the  
68 authority of this chapter shall become effective unless it  
69 has been promulgated pursuant to the provisions of section  
70 536.024.

71 3. The director and defenders shall, within guidelines  
72 as established by the commission and as set forth in  
73 subsection 4 of this section, accept requests for legal  
74 services from eligible persons entitled to counsel under  
75 this chapter or otherwise so entitled under the constitution  
76 or laws of the United States or of the state of Missouri and  
77 provide such persons with legal services when, in the  
78 discretion of the director or the defenders, such provision  
79 of legal services is appropriate.

80 4. The director and defenders shall provide legal  
81 services to an eligible person:

82 (1) Who is detained or charged with a felony,  
83 including appeals from a conviction in such a case;

84 (2) Who is detained or charged with a misdemeanor  
85 which will probably result in confinement in the county jail  
86 upon conviction, including appeals from a conviction in such

87 a case, unless the prosecuting or circuit attorney has  
88 waived a jail sentence;

89 (3) Who is charged with a violation of probation when  
90 it has been determined by a judge that the appointment of  
91 counsel is necessary to protect the person's due process  
92 rights under section 559.036;

93 (4) Who has been taken into custody pursuant to  
94 section 632.489, including appeals from a determination that  
95 the person is a sexually violent predator and petitions for  
96 release, notwithstanding any provisions of law to the  
97 contrary;

98 (5) For whom the federal constitution or the state  
99 constitution requires the appointment of counsel; and

100 (6) Who is charged in a case in which he or she faces  
101 a loss or deprivation of liberty, and in which the federal  
102 or the state constitution or any law of this state requires  
103 the appointment of counsel; however, the director and the  
104 defenders shall not be required to provide legal services to  
105 persons charged with violations of county or municipal  
106 ordinances, or misdemeanor offenses except as provided in  
107 this section.

108 5. The director may:

109 (1) Delegate the legal representation of an eligible  
110 person to any member of the state bar of Missouri;

111 (2) Designate persons as representatives of the  
112 director for the purpose of making indigency determinations  
113 and assigning counsel.

114 6. There is hereby created within the state treasury  
115 the "Public Defender - Federal and Other Fund", which shall  
116 be funded annually by appropriation and which shall contain  
117 moneys received from any other funds from government grants,  
118 private gifts, donations, bequests, or any other source, to  
119 be used for the purpose of funding local offices of the

120 office of the state public defender. The state treasurer  
121 shall be the custodian of the fund and shall approve  
122 disbursements from the fund upon the request of the director  
123 of the office of state public defender. Any interest or  
124 other earnings with respect to amounts transferred to the  
125 fund shall be credited to the fund. Notwithstanding the  
126 provisions of section 33.080 to the contrary, any unexpended  
127 balances in the fund at the end of any fiscal year shall not  
128 be transferred to the general revenue fund or any other fund.

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

3 (1) "Court", any Missouri municipal, associate  
4 circuit, or circuit court;

5 (2) "Crime", any offense, violation, or infraction of  
6 Missouri state, county, municipal, or administrative law;

7 (3) "Prosecutor" or "prosecuting attorney", the  
8 prosecuting attorney, circuit attorney, or municipal  
9 prosecuting attorney.

10 2. Notwithstanding any other provision of law and  
11 subject to the provisions of this section, any person may  
12 apply to any court in which such person was charged or found  
13 guilty of any [offenses, violations, or infractions] crimes  
14 for an order to expunge records of such arrest, plea, trial,  
15 or conviction.

16 (1) Subject to the limitations of subsection [12] 13  
17 of this section, a person may apply to have one or more  
18 [offenses, violations, or infractions] crimes expunged if  
19 each such [offense, violation, or infraction] crime occurred  
20 within the state of Missouri and was prosecuted under the  
21 jurisdiction of a Missouri [municipal, associate circuit, or  
22 circuit] court, so long as such person lists all the  
23 [offenses, violations, and infractions] crimes he or she is  
24 seeking to have expunged in the petition and so long as all

25 such [offenses, violations, and infractions] crimes are not  
26 excluded under subsection [2] 3 of this section.

27 (2) If the [offenses, violations, or infractions were  
28 charged as counts in the same indictment or information or]  
29 crimes sought to be expunged were committed as part of the  
30 same course of criminal conduct, the person may include all  
31 [the] such related [offenses, violations, and infractions]  
32 crimes in the petition, regardless of the limits of  
33 subsection [12] 13 of this section, and [the petition] those  
34 related crimes shall only count as [a petition for  
35 expungement of] the highest level [violation or offense  
36 contained in the petition] for the purpose of determining  
37 current and future eligibility for expungement.

38 [2.] 3. The following [offenses, violations, and  
39 infractions] crimes shall not be eligible for expungement  
40 under this section:

- 41 (1) Any class A felony offense;
- 42 (2) Any dangerous felony as that term is defined in  
43 section 556.061;
- 44 (3) Any offense that requires registration as a sex  
45 offender;
- 46 (4) Any felony offense where death is an element of  
47 the offense;
- 48 (5) Any felony offense of assault; misdemeanor or  
49 felony offense of domestic assault; or felony offense of  
50 kidnapping;
- 51 (6) Any offense listed, [or] previously listed, or is  
52 a successor to an offense in chapter 566 or section 105.454,  
53 105.478, 115.631, 130.028, 188.030, 188.080, 191.677,  
54 194.425, [217.360,] 217.385, 334.245, 375.991, 389.653,  
55 455.085, 455.538, 557.035, [565.084, 565.085, 565.086,  
56 565.095,] 565.120, 565.130, 565.156, [565.200, 565.214,]  
57 566.093, 566.111, 566.115, 566.116, 568.020, 568.030,



58 568.032, 568.045, 568.060, 568.065, [568.080, 568.090,]  
59 568.175, [569.030, 569.035,] 569.040, 569.050, 569.055,  
60 569.060, 569.065, 569.067, 569.072, 569.160, 570.025,  
61 570.090, 570.180, 570.223, 570.224, 570.310, 571.020,  
62 571.060, 571.063, 571.070, 571.072, 571.150, 573.200,  
63 573.205, 574.070, 574.105, 574.115, 574.120, 574.130,  
64 574.140, 575.040, 575.095, 575.153, 575.155, 575.157,  
65 575.159, 575.195, 575.200, 575.210, 575.220, 575.230,  
66 575.240, [575.350,] 575.353, 577.078, 577.703, 577.706,  
67 [578.008, 578.305, 578.310,] or 632.520;  
68 (7) Any offense eligible for expungement under section  
69 [577.054 or] 610.130;  
70 (8) Any intoxication-related traffic or boating  
71 offense as defined in section 577.001, or any offense of  
72 operating an aircraft with an excessive blood alcohol  
73 content or while in an intoxicated condition;  
74 (9) Any ordinance violation that is the substantial  
75 equivalent of any offense that is not eligible for  
76 expungement under this section;  
77 (10) Any violation of any state law or county or  
78 municipal ordinance regulating the operation of motor  
79 vehicles when committed by an individual who has been issued  
80 a commercial driver's license or is required to possess a  
81 commercial driver's license issued by this state or any  
82 other state; and  
83 (11) Any offense of section 571.030, except any  
84 offense under subdivision (1) of subsection 1 of section  
85 571.030 where the person was convicted or found guilty prior  
86 to January 1, 2017, or any offense under subdivision (4) of  
87 subsection 1 of section 571.030.  
88 [3.] 4. The petition shall name as defendants all law  
89 enforcement agencies, courts, prosecuting or circuit  
90 attorneys, [municipal prosecuting attorneys,] central state

91 repositories of criminal records, or others who the  
92 petitioner has reason to believe may possess the records  
93 subject to expungement for each of the [offenses,  
94 violations, and infractions] crimes listed in the petition.  
95 The court's order of expungement shall not affect any person  
96 or entity not named as a defendant in the action.

97 [4.] 5. The petition shall include the following  
98 information:

99 (1) The petitioner's:

100 (a) Full name;

101 (b) Sex;

102 (c) Race;

103 (d) Driver's license number, if applicable; and

104 (e) Current address;

105 (2) Each [offense, violation, or infraction] crime for  
106 which the petitioner is requesting expungement;

107 (3) The approximate date the petitioner was charged  
108 for each [offense, violation, or infraction] crime; and

109 (4) The name of the county where the petitioner was  
110 charged for each [offense, violation, or infraction] crime  
111 and if any of the [offenses, violations, or infractions]  
112 crimes occurred in a municipality, the name of the  
113 municipality for each [offense, violation, or infraction]  
114 crime; and

115 (5) The case number and name of the court for each  
116 [offense] crime.

117 [5.] 6. The clerk of the court shall give notice of  
118 the filing of the petition to the office of the prosecuting  
119 attorney[, circuit attorney, or municipal prosecuting  
120 attorney] that prosecuted the [offenses, violations, or  
121 infractions] crimes listed in the petition. If the  
122 prosecuting attorney[, circuit attorney, or municipal  
123 prosecuting attorney] objects to the petition for

124 expungement, he or she shall do so in writing within thirty  
125 days after receipt of service. Unless otherwise agreed upon  
126 by the parties, the court shall hold a hearing within sixty  
127 days after any written objection is filed, giving reasonable  
128 notice of the hearing to the petitioner. If no objection  
129 has been filed within thirty days after receipt of service,  
130 the court may set a hearing on the matter and shall give  
131 reasonable notice of the hearing to each entity named in the  
132 petition. At any hearing, the court may accept evidence and  
133 hear testimony on, and may consider, the following criteria  
134 for each of the [offenses, violations, or infractions]  
135 crimes listed in the petition for expungement:

136 (1) At the time the petition is filed, it has been at  
137 least three years if the offense is a felony, or at least  
138 one year if the offense is a misdemeanor, municipal  
139 [offense] violation, or infraction, from the date the  
140 petitioner completed any authorized disposition imposed  
141 under section 557.011 for each [offense, violation, or  
142 infraction] crime listed in the petition;

143 (2) At the time the petition is filed, the person has  
144 not been found guilty of any other misdemeanor or felony,  
145 not including violations of the traffic regulations provided  
146 under chapters 301, 302, 303, 304, and 307, during the time  
147 period specified for the underlying [offense, violation, or  
148 infraction] crime in subdivision (1) of this subsection;

149 (3) The person has satisfied all obligations relating  
150 to any such disposition, including the payment of any fines  
151 or restitution;

152 (4) The person does not have charges pending;

153 (5) The petitioner's habits and conduct demonstrate  
154 that the petitioner is not a threat to the public safety of  
155 the state; and

156 (6) The expungement is consistent with the public  
157 welfare and the interests of justice warrant the expungement.

158 A pleading by the petitioner that such petitioner meets the  
159 requirements of subdivisions (5) and (6) of this subsection  
160 shall create a rebuttable presumption that the expungement  
161 is warranted so long as the criteria contained in  
162 subdivisions (1) to (4) of this subsection are otherwise  
163 satisfied. The burden shall shift to the prosecuting  
164 attorney[, ] or circuit attorney[, or municipal prosecuting  
165 attorney] to rebut the presumption. A victim of [an  
166 offense, violation, or infraction] a crime listed in the  
167 petition shall have an opportunity to be heard at any  
168 hearing held under this section[, and the court may make a  
169 determination based solely on such victim's testimony]. A  
170 court may find that the continuing impact of the offense  
171 upon the victim rebuts the presumption that expungement is  
172 warranted.

173 [6.] 7. A petition to expunge records related to an  
174 arrest for an eligible [offense, violation, or infraction]  
175 crime may be made in accordance with the provisions of this  
176 section to a court of competent jurisdiction in the county  
177 where the petitioner was arrested no earlier than [three  
178 years] eighteen months from the date of arrest; provided  
179 that, during such time, the petitioner has not been charged  
180 and the petitioner has not been found guilty of any  
181 misdemeanor or felony offense.

182 [7.] 8. If the court determines that such person meets  
183 all the criteria set forth in subsection [5] 6 of this  
184 section for each of the [offenses, violations, or  
185 infractions] crimes listed in the petition for expungement,  
186 the court shall enter an order of expungement. In all cases  
187 under this section, the court shall issue an order of  
188 expungement or dismissal within six months of the filing of

189 the petition. A copy of the order of expungement shall be  
190 provided to the petitioner and each entity possessing  
191 records subject to the order, and, upon receipt of the  
192 order, each entity shall close any record in its possession  
193 relating to any [offense, violation, or infraction] crime  
194 listed in the petition, in the manner established by section  
195 610.120. The records and files maintained in any  
196 administrative or court proceeding in a municipal,  
197 associate, or circuit court for any [offense, infraction, or  
198 violation] crime ordered expunged under this section shall  
199 be confidential and only available to the parties or by  
200 order of the court for good cause shown. The central  
201 repository shall request the Federal Bureau of Investigation  
202 to expunge the records from its files.

203 [8.] 9. The order shall not limit any of the  
204 petitioner's rights that were restricted as a collateral  
205 consequence of such person's criminal record, and such  
206 rights shall be restored upon issuance of the order of  
207 expungement. Except as otherwise provided under this  
208 section, the effect of such order shall be to fully restore  
209 the civil rights of such person to the status he or she  
210 occupied prior to such arrests, pleas, trials, or  
211 convictions as if such events had never taken place. This  
212 includes fully restoring the civil rights of a person to the  
213 right to vote, the right to hold public office, and to serve  
214 as a juror. For purposes of 18 U.S.C. Section  
215 921(a) (33) (B) (ii), an order [or] of expungement granted  
216 pursuant to this section shall be considered a complete  
217 removal of all effects of the expunged conviction. Except  
218 as otherwise provided under this section, the effect of such  
219 order shall be to restore such person to the status he or  
220 she occupied prior to such arrests, pleas, trials, or  
221 convictions as if such events had never taken place. No

222 person as to whom such order has been entered shall be held  
223 thereafter under any provision of law to be guilty of  
224 perjury or otherwise giving a false statement by reason of  
225 his or her failure to recite or acknowledge such arrests,  
226 pleas, trials, convictions, or expungement in response to an  
227 inquiry made of him or her and no such inquiry shall be made  
228 for information relating to an expungement, except the  
229 petitioner shall disclose the expunged [offense, violation,  
230 or infraction] crime to any court when asked or upon being  
231 charged with any subsequent [offense, violation, or  
232 infraction] crime. The expunged [offense, violation, or  
233 infraction] crime may be considered a prior offense in  
234 determining a sentence to be imposed for any subsequent  
235 offense that the person is found guilty of committing.

236 [9.] 10. Notwithstanding the provisions of subsection  
237 [8] 9 of this section to the contrary, a person granted an  
238 expungement shall disclose any expunged [offense, violation,  
239 or infraction] crime when the disclosure of such information  
240 is necessary to complete any application for:

241 (1) A license, certificate, or permit issued by this  
242 state to practice such individual's profession;

243 (2) Any license issued under chapter 313 or permit  
244 issued under chapter 571;

245 (3) Paid or unpaid employment with an entity licensed  
246 under chapter 313, any state-operated lottery, or any  
247 emergency services provider, including any law enforcement  
248 agency;

249 (4) Employment with any federally insured bank or  
250 savings institution or credit union or an affiliate of such  
251 institution or credit union for the purposes of compliance  
252 with 12 U.S.C. Section 1829 and 12 U.S.C. Section 1785;

253 (5) Employment with any entity engaged in the business  
254 of insurance or any insurer for the purpose of complying

255 with 18 U.S.C. Section 1033, 18 U.S.C. Section 1034, or  
256 other similar law which requires an employer engaged in the  
257 business of insurance to exclude applicants with certain  
258 criminal convictions from employment; or

259 (6) Employment with any employer that is required to  
260 exclude applicants with certain criminal convictions from  
261 employment due to federal or state law, including  
262 corresponding rules and regulations.

263 An employer shall notify an applicant of the requirements  
264 under subdivisions (4) to (6) of this subsection.

265 Notwithstanding any provision of law to the contrary, an  
266 expunged [offense, violation, or infraction] crime shall not  
267 be grounds for automatic disqualification of an applicant,  
268 but may be a factor for denying employment, or a  
269 professional license, certificate, or permit; except that,  
270 [an offense, violation, or infraction] a crime expunged  
271 under the provisions of this section may be grounds for  
272 automatic disqualification if the application is for  
273 employment under subdivisions (4) to (6) of this subsection.

274 [10.] 11. A person who has been granted an expungement  
275 of records pertaining to a [misdemeanor or felony offense,  
276 an ordinance violation, or an infraction] crime may answer  
277 "no" to an employer's inquiry into whether the person has  
278 ever been arrested, charged, or convicted of a crime if,  
279 after the granting of the expungement, the person has no  
280 public record of a [misdemeanor or felony offense, an  
281 ordinance violation, or an infraction] crime. The person,  
282 however, shall answer such an inquiry affirmatively and  
283 disclose his or her criminal convictions, including any  
284 offense [or violation] expunged under this section or  
285 similar law, if the employer is required to exclude  
286 applicants with certain criminal convictions from employment

287 due to federal or state law, including corresponding rules  
288 and regulations.

289 [11.] 12. If the court determines that the petitioner  
290 has not met the criteria for any of the [offenses,  
291 violations, or infractions] crimes listed in the petition  
292 for expungement or the petitioner has knowingly provided  
293 false information in the petition, the court shall enter an  
294 order dismissing the petition. Any person whose petition  
295 for expungement has been dismissed by the court for failure  
296 to meet the criteria set forth in subsection [5] 6 of this  
297 section may not refile another petition until a year has  
298 passed since the date of filing for the previous petition.

299 [12.] 13. A person may be granted more than one  
300 expungement under this section provided that during his or  
301 her lifetime, the total number of [offenses, violations, or  
302 infractions] crimes for which orders of expungement are  
303 granted to the person shall not exceed the following limits:

304 (1) Not more than [two] three misdemeanor offenses or  
305 ordinance violations that have an authorized term of  
306 imprisonment; and

307 (2) Not more than [one] two felony [offense] offenses.

308 A person may be granted expungement under this section for  
309 any number of infractions. [Nothing in this section shall  
310 prevent the court from maintaining records to ensure that an  
311 individual has not exceeded the limitations of this  
312 subsection.] Nothing in this section shall be construed to  
313 limit or impair in any way the subsequent use of any record  
314 expunged under this section of any arrests or findings of  
315 guilt by a law enforcement agency, criminal justice agency,  
316 prosecuting attorney[, ] or circuit attorney[, or municipal  
317 prosecuting attorney], including its use as a prior  
318 [offense, violation, or infraction] crime.



319           [13.] 14. The court shall make available a form for  
320 pro se petitioners seeking expungement, which shall include  
321 the following statement: "I declare under penalty of  
322 perjury that the statements made herein are true and correct  
323 to the best of my knowledge, information, and belief."

324           [14.] 15. Nothing in this section shall be construed  
325 to limit or restrict the availability of expungement to any  
326 person under any other law.

          [221.105. 1. The governing body of any  
2 county and of any city not within a county shall  
3 fix the amount to be expended for the cost of  
4 incarceration of prisoners confined in jails or  
5 medium security institutions. The per diem cost  
6 of incarceration of these prisoners chargeable  
7 by the law to the state shall be determined,  
8 subject to the review and approval of the  
9 department of corrections.

10           2. When the final determination of any  
11 criminal prosecution shall be such as to render  
12 the state liable for costs under existing laws,  
13 it shall be the duty of the sheriff to certify  
14 to the clerk of the circuit court or court of  
15 common pleas in which the case was determined  
16 the total number of days any prisoner who was a  
17 party in such case remained in the county jail.  
18 It shall be the duty of the county commission to  
19 supply the cost per diem for county prisons to  
20 the clerk of the circuit court on the first day  
21 of each year, and thereafter whenever the amount  
22 may be changed. It shall then be the duty of  
23 the clerk of the court in which the case was  
24 determined to include in the bill of cost  
25 against the state all fees which are properly  
26 chargeable to the state. In any city not within  
27 a county it shall be the duty of the  
28 superintendent of any facility boarding  
29 prisoners to certify to the chief executive  
30 officer of such city not within a county the  
31 total number of days any prisoner who was a  
32 party in such case remained in such facility.  
33 It shall be the duty of the superintendents of  
34 such facilities to supply the cost per diem to  
35 the chief executive officer on the first day of

36 each year, and thereafter whenever the amount  
37 may be changed. It shall be the duty of the  
38 chief executive officer to bill the state all  
39 fees for boarding such prisoners which are  
40 properly chargeable to the state. The chief  
41 executive may by notification to the department  
42 of corrections delegate such responsibility to  
43 another duly sworn official of such city not  
44 within a county. The clerk of the court of any  
45 city not within a county shall not include such  
46 fees in the bill of costs chargeable to the  
47 state. The department of corrections shall  
48 revise its criminal cost manual in accordance  
49 with this provision.

50 3. Except as provided under subsection 6  
51 of section 217.718, the actual costs chargeable  
52 to the state, including those incurred for a  
53 prisoner who is incarcerated in the county jail  
54 because the prisoner's parole or probation has  
55 been revoked or because the prisoner has, or  
56 allegedly has, violated any condition of the  
57 prisoner's parole or probation, and such parole  
58 or probation is a consequence of a violation of  
59 a state statute, or the prisoner is a fugitive  
60 from the Missouri department of corrections or  
61 otherwise held at the request of the Missouri  
62 department of corrections regardless of whether  
63 or not a warrant has been issued shall be the  
64 actual cost of incarceration not to exceed:

65 (1) Until July 1, 1996, seventeen dollars  
66 per day per prisoner;

67 (2) On and after July 1, 1996, twenty  
68 dollars per day per prisoner;

69 (3) On and after July 1, 1997, up to  
70 thirty-seven dollars and fifty cents per day per  
71 prisoner, subject to appropriations.

72 4. The presiding judge of a judicial  
73 circuit may propose expenses to be reimbursable  
74 by the state on behalf of one or more of the  
75 counties in that circuit. Proposed reimbursable  
76 expenses may include pretrial assessment and  
77 supervision strategies for defendants who are  
78 ultimately eligible for state incarceration. A  
79 county may not receive more than its share of  
80 the amount appropriated in the previous fiscal  
81 year, inclusive of expenses proposed by the

82       presiding judge. Any county shall convey such  
83       proposal to the department, and any such  
84       proposal presented by a presiding judge shall  
85       include the documented agreement with the  
86       proposal by the county governing body,  
87       prosecuting attorney, at least one associate  
88       circuit judge, and the officer of the county  
89       responsible for custody or incarceration of  
90       prisoners of the county represented in the  
91       proposal. Any county that declines to convey a  
92       proposal to the department, pursuant to the  
93       provisions of this subsection, shall receive its  
94       per diem cost of incarceration for all prisoners  
95       chargeable to the state in accordance with the  
96       provisions of subsections 1, 2, and 3 of this  
97       section.]

Section B. Because immediate action is necessary to  
2 further equip and enhance our criminal justice system to  
3 fight violent crime in Missouri and protect our citizens and  
4 residents due to the recent unprecedented wave of violent  
5 crime across our nation and state, the repeal and  
6 reenactment of sections 211.071, 217.345, 221.400, 221.402,  
7 221.405, 221.407, 221.410, and 568.045 and the enactment of  
8 section 211.600 of this act is deemed necessary for the  
9 immediate preservation of the public health, welfare, peace,  
10 and safety, and is hereby declared to be an emergency act  
11 within the meaning of the constitution, and the repeal and  
12 reenactment of sections 211.071, 217.345, 221.400, 221.402,  
13 221.405, 221.407, 221.410, and 568.045 and the enactment of  
14 section 211.600 of this act shall be in full force and  
15 effect upon its passage and approval.

Section C. The repeal and reenactment of section  
2 610.140 of this act shall become effective on January 1,  
3 2025.