

FIRST REGULAR SESSION

SENATE BILL NO. 143

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

1116S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 43.080, 168.133, 190.053, 190.098, 190.101, 190.109, 195.417, 197.135, 198.022, 210.109, 210.112, 210.135, 210.1012, 210.1505, 211.033, 211.072, 219.021, 221.044, 221.105, 221.400, 221.402, 221.405, 221.407, 221.410, 287.243, 292.606, 301.260, 307.175, 332.081, 386.572, 452.425, 455.010, 455.035, 455.513, 478.001, 490.692, 491.075, 491.641, 492.304, 509.520, 556.061, 558.041, 559.125, 565.240, 566.151, 567.030, 568.045, 575.150, 575.205, 579.060, 579.065, 579.068, 589.401, 589.414, 590.033, and 595.045, RSMo, and 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 ninety-six new sections relating to public safety, with penalty provisions, an emergency clause for certain sections and a contingent effective date for a certain section.

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

Section A. Sections 43.080, 168.133, 190.053, 190.098,
2 190.101, 190.109, 195.417, 197.135, 198.022, 210.109, 210.112,
3 210.135, 210.1012, 210.1505, 211.033, 211.072, 219.021,
4 221.044, 221.105, 221.400, 221.402, 221.405, 221.407, 221.410,
5 287.243, 292.606, 301.260, 307.175, 332.081, 386.572, 452.425,
6 455.010, 455.035, 455.513, 478.001, 490.692, 491.075, 491.641,
7 492.304, 509.520, 556.061, 558.041, 559.125, 565.240, 566.151,
8 567.030, 568.045, 575.150, 575.205, 579.060, 579.065, 579.068,
9 589.401, 589.414, 590.033, and 595.045, RSMo, and section
10 304.022 as enacted by house bill no. 1606, one hundred first

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

11 general assembly, second regular session, and section 304.022
12 as enacted by senate bill no. 26 merged with senate bills nos.
13 53 & 60, one hundred first general assembly, first regular
14 session, are repealed and ninety-six new sections enacted in
15 lieu thereof, to be known as sections 43.080, 168.133, 190.053,
16 190.076, 190.098, 190.101, 190.109, 190.112, 190.166, 195.417,
17 197.135, 198.022, 210.109, 210.112, 210.135, 210.1012,
18 210.1505, 211.033, 211.072, 217.451, 219.021, 221.044, 221.108,
19 221.400, 221.402, 221.405, 221.407, 221.410, 221.523, 287.243,
20 292.606, 301.260, 304.022, 307.175, 320.500, 320.502, 320.504,
21 320.506, 320.508, 320.510, 320.512, 320.514, 320.516, 320.518,
22 320.520, 320.522, 320.524, 320.526, 320.528, 332.081, 386.572,
23 452.425, 452.1100, 452.1102, 452.1104, 452.1106, 452.1108,
24 452.1110, 452.1112, 452.1114, 452.1118, 452.1120, 452.1122,
25 454.1050, 455.010, 455.035, 455.098, 455.513, 478.001, 490.692,
26 491.075, 491.641, 492.304, 509.520, 550.320, 556.061, 557.520,
27 558.041, 559.125, 565.240, 566.151, 567.030, 568.045, 569.088,
28 570.036, 575.150, 575.205, 579.060, 579.065, 579.068, 589.401,
29 589.414, 589.700, 590.033, 595.045, and 595.325, to read as
30 follows:

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.

168.133. 1. As used in this section, "screened
2 volunteer" shall mean any person who assists a school by
3 providing uncompensated service and who may periodically be
4 left alone with students. The school district **or charter**
5 **school** shall ensure that a criminal background check is
6 conducted for all screened volunteers, who shall complete
7 the criminal background check prior to being left alone with
8 a student. [Screened volunteers include, but are not
9 limited to, persons who regularly assist in the office or
10 library, mentor or tutor students, coach or supervise a
11 school-sponsored activity before or after school, or
12 chaperone students on an overnight trip.] Screened
13 volunteers may only access student education records when
14 necessary to assist the district and while supervised by
15 staff members. Volunteers that are not screened shall not
16 be left alone with a student or have access to student
17 records.

18 2. (1) The school district **or charter school** shall
19 ensure that a criminal background check is conducted on any
20 person employed after January 1, 2005, authorized to have
21 contact with pupils and prior to the individual having
22 contact with any pupil. [Such persons include, but are not
23 limited to, administrators, teachers, aides,
24 paraprofessionals, assistants, secretaries, custodians,
25 cooks, screened volunteers, and nurses.]

26 (2) The school district **or charter school** shall also
27 ensure that a criminal background check is conducted for

28 school bus drivers **and drivers of other vehicles owned by**
29 **the school district or charter school or operated under**
30 **contract with a school district or charter school and used**
31 **for the purpose of transporting school children.** The school
32 district **or charter school** may allow such drivers to operate
33 buses pending the result of the criminal background check.
34 **[For bus drivers,]** The school district **or charter school**
35 shall be responsible for conducting the criminal background
36 check on drivers employed by the school district **or charter**
37 **school under section 43.540.**

38 (3) For drivers employed **or contracted** by a pupil
39 transportation company under contract with the school
40 district **or the governing board of a charter school,** the
41 criminal background check shall be conducted **by the pupil**
42 **transportation company** pursuant to section **[43.540] 43.539**
43 and conform to the requirements established in the National
44 Child Protection Act of 1993, as amended by the Volunteers
45 for Children Act.

46 (4) Personnel who have successfully undergone a
47 criminal background check and a check of the family care
48 safety registry as part of the professional license
49 application process under section 168.021 and who have
50 received clearance on the checks within one prior year of
51 employment shall be considered to have completed the
52 background check requirement.

53 (5) A criminal background check under this section
54 shall include a search of any information publicly available
55 in an electronic format through a public index or single
56 case display.

57 3. In order to facilitate the criminal history
58 background check, the applicant shall submit a set of
59 fingerprints collected pursuant to standards determined by

60 the Missouri highway patrol. The fingerprints shall be used
61 by the highway patrol to search the criminal history
62 repository and shall be forwarded to the Federal Bureau of
63 Investigation for searching the federal criminal history
64 files.

65 4. The applicant shall pay the fee for the state
66 criminal history record information pursuant to section
67 43.530 and sections 210.900 to 210.936 and pay the
68 appropriate fee determined by the Federal Bureau of
69 Investigation for the federal criminal history record when
70 he or she applies for a position authorized to have contact
71 with pupils pursuant to this section. The department shall
72 distribute the fees collected for the state and federal
73 criminal histories to the Missouri highway patrol.

74 5. The department of elementary and secondary
75 education shall facilitate an annual check of employed
76 persons holding current active certificates under section
77 168.021 against criminal history records in the central
78 repository under section 43.530, the sexual offender
79 registry under sections 589.400 to 589.426, and child abuse
80 central registry under sections 210.109 to 210.183. The
81 department of elementary and secondary education shall
82 facilitate procedures for school districts to submit
83 personnel information annually for persons employed by the
84 school districts who do not hold a current valid certificate
85 who are required by subsection 1 of this section to undergo
86 a criminal background check, sexual offender registry check,
87 and child abuse central registry check. The Missouri state
88 highway patrol shall provide ongoing electronic updates to
89 criminal history background checks of those persons
90 previously submitted, both those who have an active
91 certificate and those who do not have an active certificate,

92 by the department of elementary and secondary education.
93 This shall fulfill the annual check against the criminal
94 history records in the central repository under section
95 43.530.

96 6. The school district may adopt a policy to provide
97 for reimbursement of expenses incurred by an employee for
98 state and federal criminal history information pursuant to
99 section 43.530.

100 7. If, as a result of the criminal history background
101 check mandated by this section, it is determined that the
102 holder of a certificate issued pursuant to section 168.021
103 has pled guilty or nolo contendere to, or been found guilty
104 of a crime or offense listed in section 168.071, or a
105 similar crime or offense committed in another state, the
106 United States, or any other country, regardless of
107 imposition of sentence, such information shall be reported
108 to the department of elementary and secondary education.

109 8. Any school official making a report to the
110 department of elementary and secondary education in
111 conformity with this section shall not be subject to civil
112 liability for such action.

113 9. For any teacher who is employed by a school
114 district on a substitute or part-time basis within one year
115 of such teacher's retirement from a Missouri school, the
116 state of Missouri shall not require such teacher to be
117 subject to any additional background checks prior to having
118 contact with pupils. Nothing in this subsection shall be
119 construed as prohibiting or otherwise restricting a school
120 district from requiring additional background checks for
121 such teachers employed by the school district.

122 10. A criminal background check and fingerprint
123 collection conducted under subsections 1 to 3 of this

124 section shall be valid for at least a period of one year and
125 transferrable from one school district to another district.
126 A school district may, in its discretion, conduct a new
127 criminal background check and fingerprint collection under
128 subsections 1 to 3 **of this section** for a newly hired
129 employee at the district's expense. A teacher's change in
130 type of certification shall have no effect on the
131 transferability or validity of such records.

132 11. Nothing in this section shall be construed to
133 alter the standards for suspension, denial, or revocation of
134 a certificate issued pursuant to this chapter.

135 12. The state board of education may promulgate rules
136 for criminal history background checks made pursuant to this
137 section. Any rule or portion of a rule, as that term is
138 defined in section 536.010, that is created under the
139 authority delegated in this section shall become effective
140 only if it complies with and is subject to all of the
141 provisions of chapter 536 and, if applicable, section
142 536.028. This section and chapter 536 are nonseverable and
143 if any of the powers vested with the general assembly
144 pursuant to chapter 536 to review, to delay the effective
145 date, or to disapprove and annul a rule are subsequently
146 held unconstitutional, then the grant of rulemaking
147 authority and any rule proposed or adopted after January 1,
148 2005, shall be invalid and void.

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.

 190.098. 1. In order for a person to be eligible for
2 certification by the department as a community paramedic, an
3 individual shall:

- 4 (1) Be currently [certified] **licensed** as a paramedic;
- 5 (2) Successfully complete or have successfully
6 completed a community paramedic certification program from a
7 college, university, or educational institution that has
8 been approved by the department or accredited by a national
9 accreditation organization approved by the department; and
- 10 (3) Complete an application form approved by the
11 department.

12 2. [A community paramedic shall practice in accordance
13 with protocols and supervisory standards established by the
14 medical director. A community paramedic shall provide
15 services of a health care plan if the plan has been
16 developed by the patient's physician or by an advanced
17 practice registered nurse through a collaborative practice
18 arrangement with a physician or a physician assistant
19 through a collaborative practice arrangement with a

20 physician and there is no duplication of services to the
21 patient from another provider.

22 3. Any ambulance service shall enter into a written
23 contract to provide community paramedic services in another
24 ambulance service area, as that term is defined in section
25 190.100. The contract that is agreed upon may be for an
26 indefinite period of time, as long as it includes at least a
27 sixty-day cancellation notice by either ambulance service.]

28 As used in this section, the term "community paramedic
29 services" shall mean services provided by any entity that
30 employs licensed paramedics who are certified by the
31 department as community paramedics for services that are:

32 (1) Provided in a nonemergent setting that is
33 independent of an emergency telephone service, 911 system,
34 or emergency summons;

35 (2) Consistent with the training and education
36 requirements described in subdivision (2) of subsection 1 of
37 this section, the scope of skill and practice for community
38 paramedics, and the supervisory standard approved by the
39 entity's medical director; and

40 (3) Reflected and documented in the entity's medical
41 director-approved patient care plans or protocols in
42 accordance with the provisions of section 190.142.

43 3. (1) Any ambulance service that seeks to provide
44 community paramedic services outside of the ambulance
45 service's service area:

46 (a) Shall have a memorandum of understanding (MOU)
47 regarding the provision of such services with the ambulance
48 service in that service area if that ambulance service is
49 already providing community paramedic services; or

50 (b) Shall not be required to have an MOU with the
51 ambulance service in that service area if that ambulance

52 service is not already providing community paramedic
53 services, provided that the ambulance service seeking to
54 provide such services shall provide notification to the
55 other ambulance service of the community paramedic services
56 to be provided.

57 (2) Any emergency medical response agency (EMRA) that
58 seeks to provide community paramedic services within its
59 designated response service area may do so if the ground
60 ambulance service area within which the EMRA operates does
61 not already provide such services. If the ground ambulance
62 service does provide community paramedic services, then the
63 ground ambulance service may enter into an MOU with the EMRA
64 in order to coordinate programs and avoid service
65 duplication. If the EMRA provides community paramedic
66 services in the ground ambulance service's service area
67 prior to the provision of such services by the ground
68 ambulance service, then the EMRA and the ground ambulance
69 service shall enter into an MOU for the coordination of
70 services.

71 (3) Any community paramedic program shall notify the
72 appropriate local ambulance service when providing services
73 within the service area of an ambulance service.

74 (4) The department shall promulgate rules and
75 regulations for the purpose of recognizing which community
76 paramedic services entities have met the standards necessary
77 to provide community paramedic services, including, but not
78 limited to, physician medical oversight, training, patient
79 record retention, formal relationships with primary care
80 services as needed, and quality improvement policies.
81 Community paramedic services entities shall be certified by
82 the department, allowing such entities to provide community
83 paramedic services for a period of five years.

84 4. A community paramedic is subject to the provisions
85 of sections 190.001 to 190.245 and rules promulgated under
86 sections 190.001 to 190.245.

87 5. No person shall hold himself or herself out as a
88 community paramedic or provide the services of a community
89 paramedic unless such person is certified by the department.

90 6. The medical director shall approve the
91 implementation of the community paramedic program.

92 7. Any rule or portion of a rule, as that term is
93 defined in section 536.010, that is created under the
94 authority delegated in this section shall become effective
95 only if it complies with and is subject to all of the
96 provisions of chapter 536 and, if applicable, section
97 536.028. This section and chapter 536 are nonseverable and
98 if any of the powers vested with the general assembly
99 pursuant to chapter 536 to review, to delay the effective
100 date, or to disapprove and annul a rule are subsequently
101 held unconstitutional, then the grant of rulemaking
102 authority and any rule proposed or adopted after August 28,
103 2013, shall be invalid and void.

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 operate.

33 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 **servicing 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, 2025, shall have until January 1,
25 2027, to demonstrate compliance with the provisions of this
26 section.

 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,
10 vehicles, or equipment to operate the ambulance service to
11 provide basic emergency operations. Ambulance services
12 shall provide the quantity of ambulance vehicles, medical
13 supplies, and personnel to meet the emergency call volume
14 which can be reasonably anticipated for their ambulance
15 service area. Ambulance services shall not rely on mutual
16 aid to such an extent that it impairs the ability of another
17 ambulance service to provide service to its own ambulance
18 service area. Small ambulance services with lower emergency
19 call volumes shall have a minimum of one ambulance unit
20 staffed with at least two licensed emergency medical
21 technicians twenty-four hours each day, seven days each week
22 and either a second ambulance unit available for emergency
23 calls if the main ambulance unit is out on a call or

24 otherwise unavailable or the smaller ambulance service shall
25 have a written agreement with another licensed ambulance
26 service to send an ambulance unit on emergency calls when
27 the main ambulance unit is out on a call or otherwise
28 unavailable;

29 (3) The ambulance service requires an inordinate
30 amount of mutual aid from neighboring services, such as more
31 than ten percent of the total runs in the service area in
32 any given month, or than would be considered prudent and
33 thus cannot provide an appropriate level of emergency
34 response for the service area as would be considered prudent
35 by the typical ground ambulance services operator;

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

39 (5) The license holder or principal manager, board
40 members, or other executives are determined by the Centers
41 for Medicare and Medicaid Services to be ineligible for
42 participation in Medicare;

43 (6) The license holder or principal manager, board
44 members, or other executives are determined by the MO
45 HealthNet division to be ineligible for participation in MO
46 HealthNet;

47 (7) The ambulance service administrator has failed to
48 meet the required qualifications or failed to complete the
49 training required pursuant to section 190.112; and

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

53 2. If the department makes a determination of
54 insolvency or insufficiency of operations of a license
55 holder under subsection 1 of this section, then the

56 department may require the license holder to submit a
57 corrective plan within fifteen days and require
58 implementation of the corrective plan within thirty days.

59 3. The department shall be required to provide notice
60 of any determination by the department of insolvency or
61 insufficiency of operations of a license holder to other
62 license holders operating in the license holder's vicinity,
63 members of the general assembly who represent the license
64 holder's service area, the governing officials of any county
65 or municipal entity in the license holder's service area,
66 the appropriate regional emergency medical services advisory
67 committee, and the state advisory council on emergency
68 medical services.

69 4. Upon taking any disciplinary action under this
70 section or section 190.165, the department shall immediately
71 engage with other license holders in the affected area. The
72 holder of a provisional or suspended license may enter into
73 an agreement with other license holders to provide services
74 to the affected area. Such agreement may be in the form of
75 an agreement to provide services, a joint powers agreement,
76 formal consideration, or payment for services rendered. If
77 there is any conflict between which license holder will
78 provide service to the affected area, or if there is no
79 license holder willing to provide service to the affected
80 area, then the department may request the administrative
81 hearing commission during a disciplinary action to appoint a
82 licensed ambulance service to operate the ambulance service
83 on a short-term basis during the pendency of the
84 disciplinary action. The administrative hearing commission
85 may order a licensed ambulance service to operate the
86 ambulance service area during the pendency of the
87 disciplinary action, which may include receiving any fees or

88 payment for services rendered from the license holder that
89 is involved in the disciplinary action. If the license
90 holder involved in the disciplinary action is suspended or
91 revoked, the administrative hearing commission shall ensure
92 there is a licensed ambulance service to operate the
93 affected ambulance service area directly after the
94 suspension or revocation and approve of this licensed
95 ambulance service to operate the affected ambulance service
96 area directly after the suspension or revocation. The
97 licensed ambulance service authorized by the administrative
98 hearing commission to operate the affected service area
99 shall be included in the administrative hearing commission's
100 suspension or revocation decision.

101 5. Any license holder who provides assistance in the
102 service area of another license holder whose license has
103 been suspended under this section shall have the right to
104 seek reasonable compensation from the license holder whose
105 license to operate has been suspended for all calls, stand-
106 by time, and responses to medical emergencies during such
107 time as the license remains suspended. The reasonable
108 compensation shall not be limited to those expenses incurred
109 in actual responses, but may also include reasonable
110 expenses to maintain ambulance service, including, but not
111 limited to, the daily operation costs of maintaining the
112 service, personnel wages and benefits, equipment purchases
113 and maintenance, and other costs incurred in the operation
114 of a ground ambulance service. The license holder providing
115 assistance shall be entitled to an award of costs and
116 reasonable attorney fees in any action to enforce the
117 provisions of this subsection.

195.417. 1. The limits specified in this section
2 shall not apply to any quantity of such product, mixture, or

3 preparation which must be dispensed, sold, or distributed in
4 a pharmacy pursuant to a valid prescription.

5 2. Within any thirty-day period, no person shall sell,
6 dispense, or otherwise provide to the same individual, and
7 no person shall purchase, receive, or otherwise acquire more
8 than the following amount: any number of packages of any
9 drug product containing any detectable amount of ephedrine,
10 phenylpropanolamine, or pseudoephedrine, or any of their
11 salts or optical isomers, or salts of optical isomers,
12 either as:

13 (1) The sole active ingredient; or

14 (2) One of the active ingredients of a combination
15 drug; or

16 (3) A combination of any of the products specified in
17 subdivisions (1) and (2) of this subsection;

18 in any total amount greater than seven and two-tenths grams,
19 without regard to the number of transactions.

20 3. Within any twenty-four-hour period, no pharmacist,
21 intern pharmacist, or registered pharmacy technician shall
22 sell, dispense, or otherwise provide to the same individual,
23 and no person shall purchase, receive, or otherwise acquire
24 more than the following amount: any number of packages of
25 any drug product containing any detectable amount of
26 ephedrine, phenylpropanolamine, or pseudoephedrine, or any
27 of their salts or optical isomers, or salts of optical
28 isomers, either as:

29 (1) The sole active ingredient; or

30 (2) One of the active ingredients of a combination
31 drug; or

32 (3) A combination of any of the products specified in
33 subdivisions (1) and (2) of this subsection;

34 in any total amount greater than three and six-tenths grams
35 without regard to the number of transactions.

36 4. Within any twelve-month period, no person shall
37 sell, dispense, or otherwise provide to the same individual,
38 and no person shall purchase, receive, or otherwise acquire
39 more than the following amount: any number of packages of
40 any drug product containing any detectable amount of
41 ephedrine, phenylpropanolamine, or pseudoephedrine, or any
42 of their salts or optical isomers, or salts of optical
43 isomers, either as:

44 (1) The sole active ingredient; or

45 (2) One of the active ingredients of a combination
46 drug; or

47 (3) A combination of any of the products specified in
48 subdivisions (1) and (2) of this subsection;

49 in any total amount greater than [forty-three] **sixty-one** and
50 two-tenths grams, without regard to the number of
51 transactions.

52 5. All packages of any compound, mixture, or
53 preparation containing any detectable quantity of ephedrine,
54 phenylpropanolamine, or pseudoephedrine, or any of their
55 salts or optical isomers, or salts of optical isomers,
56 except those that are excluded from Schedule V in subsection
57 17 or 18 of section 195.017, shall be offered for sale only
58 from behind a pharmacy counter where the public is not
59 permitted, and only by a registered pharmacist or registered
60 pharmacy technician under section 195.017.

61 6. Each pharmacy shall submit information regarding
62 sales of any compound, mixture, or preparation as specified
63 in this section in accordance with transmission methods and
64 frequency established by the department by regulation.

65 7. No prescription shall be required for the
66 dispensation, sale, or distribution of any drug product
67 containing any detectable amount of ephedrine,
68 phenylpropanolamine, or pseudoephedrine, or any of their
69 salts or optical isomers, or salts of optical isomers, in an
70 amount within the limits described in subsections 2, 3, and
71 4 of this section. The superintendent of the Missouri state
72 highway patrol shall report to the revisor of statutes and
73 the general assembly by February first when the statewide
74 number of methamphetamine laboratory seizure incidents
75 exceeds three hundred incidents in the previous calendar
76 year. The provisions of this subsection shall expire on
77 April first of the calendar year in which the revisor of
78 statutes receives such notification.

79 8. This section shall supersede and preempt any local
80 ordinances or regulations, including any ordinances or
81 regulations enacted by any political subdivision of the
82 state. This section shall not apply to the sale of any
83 animal feed products containing ephedrine or any naturally
84 occurring or herbal ephedra or extract of ephedra.

85 9. Any local ordinances or regulations enacted by any
86 political subdivision of the state prior to August 28, 2020,
87 requiring a prescription for the dispensation, sale, or
88 distribution of any drug product containing any detectable
89 amount of ephedrine, phenylpropanolamine, or
90 pseudoephedrine, or any of their salts or optical isomers,
91 or salts of optical isomers, in an amount within the limits
92 described in subsections 2, 3, and 4 of this section shall
93 be void and of no effect and no such political subdivision
94 shall maintain or enforce such ordinance or regulation.

95 10. All logs, records, documents, and electronic
96 information maintained for the dispensing of these products

97 shall be open for inspection and copying by municipal,
98 county, and state or federal law enforcement officers whose
99 duty it is to enforce the controlled substances laws of this
100 state or the United States.

101 11. All persons who dispense or offer for sale
102 pseudoephedrine and ephedrine products, except those that
103 are excluded from Schedule V in subsection 17 or 18 of
104 section 195.017, shall ensure that all such products are
105 located only behind a pharmacy counter where the public is
106 not permitted.

107 12. The penalty for a knowing or reckless violation of
108 this section is found in section 579.060.

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.**

198.022. 1. Upon receipt of an application for a
2 license to operate a facility, the department shall review
3 the application, investigate the applicant and the
4 statements sworn to in the application for license and
5 conduct any necessary inspections. A license shall be
6 issued if the following requirements are met:

7 (1) The statements in the application are true and
8 correct;

9 (2) The facility and the operator are in substantial
10 compliance with the provisions of sections 198.003 to
11 198.096 and the standards established thereunder;

12 (3) The applicant has the financial capacity to
13 operate the facility;

14 (4) The administrator of an assisted living facility,
15 a skilled nursing facility, or an intermediate care facility
16 is currently licensed under the provisions of chapter 344;

17 (5) Neither the operator nor any principals in the
18 operation of the facility have ever been convicted of a
19 felony offense concerning the operation of a long-term
20 health care facility or other health care facility or ever
21 knowingly acted or knowingly failed to perform any duty
22 which materially and adversely affected the health, safety,
23 welfare or property of a resident, while acting in a
24 management capacity. The operator of the facility or any
25 principal in the operation of the facility shall not be
26 under exclusion from participation in the Title XVIII
27 (Medicare) or Title XIX (Medicaid) program of any state or
28 territory;

29 (6) Neither the operator nor any principals involved
30 in the operation of the facility have ever been convicted of
31 a felony in any state or federal court arising out of

32 conduct involving either management of a long-term care
33 facility or the provision or receipt of health care;

34 (7) All fees due to the state have been paid.

35 2. Upon denial of any application for a license, the
36 department shall so notify the applicant in writing, setting
37 forth therein the reasons and grounds for denial.

38 3. The department may inspect any facility and any
39 records and may make copies of records, at the facility, at
40 the department's own expense, required to be maintained by
41 sections 198.003 to 198.096 or by the rules and regulations
42 promulgated thereunder at any time if a license has been
43 issued to or an application for a license has been filed by
44 the operator of such facility. Copies of any records
45 requested by the department shall be prepared by the staff
46 of such facility within two business days or as determined
47 by the department. The department shall not remove or
48 disassemble any medical record during any inspection of the
49 facility, but may observe the photocopying or may make its
50 own copies if the facility does not have the technology to
51 make the copies. In accordance with the provisions of
52 section 198.525, the department shall make at least one
53 inspection per year, which shall be unannounced to the
54 operator. The department may make such other inspections,
55 announced or unannounced, as it deems necessary to carry out
56 the provisions of sections 198.003 to 198.136.

57 4. Whenever the department has reasonable grounds to
58 believe that a facility required to be licensed under
59 sections 198.003 to 198.096 is operating without a license,
60 and the department is not permitted access to inspect the
61 facility, or when a licensed operator refuses to permit
62 access to the department to inspect the facility, the
63 department shall apply to the circuit court of the county in

64 which the premises is located for an order authorizing entry
65 for such inspection, and the court shall issue the order if
66 it finds reasonable grounds for inspection or if it finds
67 that a licensed operator has refused to permit the
68 department access to inspect the facility.

69 5. Whenever the department is inspecting a facility in
70 response to an application from an operator located outside
71 of Missouri not previously licensed by the department, the
72 department may request from the applicant the past five
73 years compliance history of all facilities owned by the
74 applicant located outside of this state.

75 **6. If a licensee of a residential care facility or**
76 **assisted living facility is accredited by a recognized**
77 **accrediting entity, then the licensee may submit to the**
78 **department documentation of the licensee's current**
79 **accreditation status. If a licensee submits to the**
80 **department documentation from a recognized accrediting**
81 **entity that the licensee is in good standing, then the**
82 **department shall not conduct an annual onsite inspection of**
83 **the licensee. Nothing in this subsection shall preclude the**
84 **department from conducting inspections for violations of**
85 **standards or requirements contained within this chapter or**
86 **any other applicable law or regulation. As used in this**
87 **subsection, the term "recognized accrediting entity" shall**
88 **mean the Joint Commission or another nationally-recognized**
89 **accrediting entity approved by the department that has**
90 **specific residential care facility or assisted living**
91 **facility program standards equivalent to the standards**
92 **established by the department under this chapter.**

210.109. 1. The children's division shall establish a
2 child protection system for the entire state.

3 2. The child protection system shall promote the
4 safety of children and the integrity and preservation of
5 their families by conducting investigations or family
6 assessments and providing services in response to reports of
7 child abuse or neglect. The system shall coordinate
8 community resources and provide assistance or services to
9 children and families identified to be at risk, and to
10 prevent and remedy child abuse and neglect.

11 3. In addition to any duties specified in section
12 210.145, in implementing the child protection system, the
13 division shall:

- 14 (1) Maintain a central registry;
- 15 (2) Receive reports and establish and maintain an
16 information system operating at all times, capable of
17 receiving and maintaining reports;
- 18 (3) Attempt to obtain the name and address of any
19 person making a report in all cases, after obtaining
20 relevant information regarding the alleged abuse or neglect,
21 although reports may be made anonymously; except that,
22 reports by mandatory reporters under section 210.115,
23 including employees of the children's division, juvenile
24 officers, and school personnel shall not be made
25 anonymously, provided that the reporter shall be informed,
26 at the time of the report, that the reporter's name and any
27 other personally identifiable information shall be held as
28 confidential and shall not be made public as provided under
29 this section and section 211.319;
- 30 (4) Upon receipt of a report, check with the
31 information system to determine whether previous reports
32 have been made regarding actual or suspected abuse or
33 neglect of the subject child, of any siblings, and the

34 perpetrator, and relevant dispositional information
35 regarding such previous reports;

36 (5) Provide protective or preventive services to the
37 family and child and to others in the home to prevent abuse
38 or neglect, to safeguard their health and welfare, and to
39 help preserve and stabilize the family whenever possible.
40 The juvenile court shall cooperate with the division in
41 providing such services;

42 (6) Collaborate with the community to identify
43 comprehensive local services and assure access to those
44 services for children and families where there is risk of
45 abuse or neglect;

46 (7) Maintain a record which contains the facts
47 ascertained which support the determination as well as the
48 facts that do not support the determination;

49 (8) Whenever available and appropriate, contract for
50 the provision of children's services through children's
51 services providers and agencies in the community; except
52 that the state shall be the sole provider of child abuse and
53 neglect hotline services, the initial child abuse and
54 neglect investigation, and the initial family assessment.

55 **To assist in its child abuse and neglect investigation, the**
56 **division may contract for services designed to ascertain**
57 **child safety and provide preventative services; provided**
58 **that a contractor providing child safety services for a**
59 **child shall not also be a placement provider for that**
60 **child.** The division shall attempt to seek input from child
61 welfare service providers in completing the initial family
62 assessment. In all legal proceedings involving children in
63 the custody of the division, the division shall be
64 represented in court by either division personnel or persons
65 with whom the division contracts with for such legal

66 representation. All children's services providers and
67 agencies shall be subject to criminal background checks
68 pursuant to chapter 43 and shall submit names of all
69 employees to the family care safety registry; and

70 (9) Upon receipt of a report, attempt to ascertain
71 whether the suspected perpetrator or any person responsible
72 for the care, custody, and control of the subject child is a
73 member of any branch of the military, as defined under
74 section 40.005, or is a member of the Armed Forces, as
75 defined in section 41.030.

76 As used in this subsection, "report" includes any telephone
77 call made pursuant to section 210.145.

210.112. 1. It is the policy of this state and its
2 agencies to implement a foster care and child protection and
3 welfare system focused on providing the highest quality of
4 services and outcomes for children and their families. The
5 department of social services shall implement such system
6 subject to the following principles:

7 (1) The safety and welfare of children is paramount;

8 (2) All providers of direct services to children and
9 their families will be evaluated in a uniform, transparent,
10 objective, and consistent basis based on an evaluation tool
11 established in this section;

12 (3) Services to children and their families shall be
13 provided in a timely manner to maximize the opportunity for
14 successful outcomes, and such services shall be tracked and
15 routinely evaluated through a quality assurance program;

16 (4) Any provider of direct services to children and
17 families shall have the appropriate and relevant training,
18 education, and expertise to provide the highest quality of

19 services possible which shall be consistent with federal and
20 state standards;

21 (5) Resources and efforts shall be committed to pursue
22 the best possible opportunity for a successful outcome for
23 each child. Successful outcomes may include preparing youth
24 for a productive and successful life as an adult outside the
25 foster care system, such as independent living. For those
26 providers that work with children requiring intensive twenty-
27 four-hour treatment services, successful outcomes shall be
28 based on the least restrictive alternative possible based on
29 the child's needs as well as the quality of care received;
30 and

31 (6) All service providers shall prioritize methods of
32 reducing or eliminating a child's need for residential
33 treatment through community-based services and supports.

34 2. (1) In conjunction with the response and
35 evaluation team established under subsection 3 of this
36 section, as well as other individuals the division deems
37 appropriate, the division shall establish an evaluation tool
38 that complies with state and federal guidelines.

39 (2) The evaluation tool shall include metrics
40 supporting best practices for case management and service
41 provision including, but not limited to, the frequency of
42 face-to-face visits with the child.

43 (3) There shall be a mechanism whereby providers may
44 propose different evaluation metrics on a case-by-case basis
45 if such case may have circumstances far beyond those that
46 would be expected. Such cases shall be evaluated by the
47 response and evaluation team under subsection 3 of this
48 section.

49 (4) Data regarding all evaluation metrics shall be
50 collected by the division on a monthly basis, and the

51 division shall issue a quarterly report regarding the
52 evaluation data for each provider, both public and private,
53 by county. The response and evaluation team shall determine
54 how to aggregate cases for the division and large
55 contractors so that performance and outcomes may be compared
56 effectively while also protecting confidentiality. Such
57 reports shall be made public and shall include information
58 by county.

59 (5) The standards and metrics developed through this
60 evaluation tool shall be used to evaluate competitive bids
61 for future contracts established under subsection 4 of this
62 section.

63 3. The division shall create a response and evaluation
64 team. Membership of the team shall be composed of five
65 staff members from the division with experience in foster
66 care appointed by the director of the division; five
67 representatives, one from each contract region for foster
68 care case management contracts under this section, who shall
69 be annually rotated among contractors in each region, which
70 shall appoint the agency; two experts working in either
71 research or higher education on issues relating to child
72 welfare and foster care appointed by the director of the
73 division and who shall be actively working for either an
74 academic institution or policy foundation; one juvenile
75 officer or a Missouri juvenile justice director to be
76 appointed by the Missouri Juvenile Justice Association; and
77 one juvenile or family court judge appointed by the supreme
78 court. The division shall provide the necessary staffing
79 for the team's operations. All members shall be appointed
80 and the team shall meet for the first time before January 1,
81 2021. The team shall:

82 (1) Review the evaluation tool and metrics set forth
83 in subsection 2 of this section on a semiannual basis to
84 determine any adjustments needed or issues that could affect
85 the quality of such tools and approve or deny on a case-by-
86 case basis:

87 (a) Cases that a provider feels are anomalous and
88 should not be part of developing the case management tool
89 under subsection 2 of this section;

90 (b) Alternative evaluation metrics recommended by
91 providers based on the best interests of the child under
92 subsections 2 and 5 of this section; or

93 (c) Review and recommend any structure for incentives
94 or other reimbursement strategies under subsection 6 of this
95 section;

96 (2) Develop and execute periodic provider evaluations
97 of cases managed by the division and children service
98 providers contracted with the state to provide foster care
99 case management services, in the field under the evaluation
100 tool created under subsection 2 of this section to ensure
101 basic requirements of the program are met, which shall
102 include, but are not limited to, random file review to
103 ensure documentation shows required visits and case
104 management plan notes; and

105 (3) Develop a system for reviewing and working with
106 providers identified under subdivision (2) of this
107 subsection or providers who request such assistance from the
108 division who show signs of performance weakness to ensure
109 technical assistance and other services are offered to
110 assist the providers in achieving successful outcomes for
111 their cases.

112 4. The children's division and any other state agency
113 deemed necessary by the division shall, in consultation with

114 service providers and other relevant parties, enter into and
115 implement contracts with qualified children's services
116 providers and agencies to provide a comprehensive and
117 deliberate system of service delivery for children and their
118 families. Contracts shall be awarded through a competitive
119 process and provided by qualified public and private not-for-
120 profit or limited liability corporations owned exclusively
121 by not-for-profit corporations children's services providers
122 and agencies which have:

123 (1) A proven record of providing child welfare
124 services within the state of Missouri which shall be
125 consistent with the federal standards, but not less than the
126 standards and policies used by the children's division as of
127 January 1, 2004; and

128 (2) The ability to provide a range of child welfare
129 services including, but not limited to, case management
130 services, family-centered services, foster and adoptive
131 parent recruitment and retention, residential care, in-home
132 services, foster care services, adoption services, relative
133 care case management, planned permanent living services, and
134 family reunification services.

135 No contracts under this section shall be issued for services
136 related to the child abuse and neglect hotline,
137 investigations of alleged abuse and neglect, and initial
138 family assessments, **except for services designed to assist**
139 **the division in ascertaining child safety and providing**
140 **preventative services.** Any contracts entered into by the
141 division shall be in accordance with all federal laws and
142 regulations, and shall seek to maximize federal funding.
143 Children's services providers and agencies under contract
144 with the division shall be subject to all federal, state,

145 and local laws and regulations relating to the provision of
146 such services, and shall be subject to oversight and
147 inspection by appropriate state agencies to assure
148 compliance with standards which shall be consistent with the
149 federal standards.

150 5. The division shall accept as prima facie evidence
151 of completion of the requirements for licensure under
152 sections 210.481 to 210.511 proof that an agency is
153 accredited by any of the following nationally recognized
154 bodies: the Council on Accreditation of Services, Children
155 and Families, Inc.; the Joint Commission on Accreditation of
156 Hospitals; or the Commission on Accreditation of
157 Rehabilitation Facilities.

158 6. Payment to the children's services providers and
159 agencies shall be made based on the reasonable costs of
160 services, including responsibilities necessary to execute
161 the contract. Any reimbursement increases made through
162 enhanced appropriations for services shall be allocated to
163 providers regardless of whether the provider is public or
164 private. Such increases shall be considered additive to the
165 existing contracts. In addition to payments reflecting the
166 cost of services, contracts shall include incentives
167 provided in recognition of performance based on the
168 evaluation tool created under subsection 2 of this section
169 and the corresponding savings for the state. The response
170 and evaluation team under subsection 3 of this section shall
171 review a formula to distribute such payments, as recommended
172 by the division.

173 7. The division shall consider immediate actions that
174 are in the best interests of the children served including,
175 but not limited to, placing the agency on a corrective plan,
176 halting new referrals, transferring cases to other

177 performing providers, or terminating the provider's
178 contract. The division shall take steps necessary to
179 evaluate the nature of the issue and act accordingly in the
180 most timely fashion possible.

181 8. By July 1, 2021, the children's division shall
182 promulgate and have in effect rules to implement the
183 provisions of this section and, pursuant to this section,
184 shall define implementation plans and dates. Any rule or
185 portion of a rule, as that term is defined in section
186 536.010, that is created under the authority delegated in
187 this section shall become effective only if it complies with
188 and is subject to all of the provisions of chapter 536 and,
189 if applicable, section 536.028. This section and chapter
190 536 are nonseverable and if any of the powers vested with
191 the general assembly pursuant to chapter 536 to review, to
192 delay the effective date, or to disapprove and annul a rule
193 are subsequently held unconstitutional, then the grant of
194 rulemaking authority and any rule proposed or adopted after
195 August 28, 2004, shall be invalid and void.

196 **9. A provision in a service provider contract in which**
197 **the state is indemnified, held harmless, or insured for**
198 **damages, claims, losses, or expenses arising from any**
199 **injury, including, but not limited to, bodily injury, mental**
200 **anguish, property damage, or economic or noneconomic damages**
201 **or loss caused by or resulting from the state's negligence,**
202 **in whole or in part, shall be void as against public policy**
203 **and unenforceable. As used in this subsection, "service**
204 **provider contract" means a contract, agreement, or**
205 **understanding between a provider of services and the**
206 **division regarding the provision of services.**

210.135. 1. Any person, official, **employee of the**
2 **department of social services,** or institution complying with

3 the provisions of sections [210.110] **210.109** to 210.165 in
4 the making of a report, the taking of color photographs, or
5 the making of radiologic examinations pursuant to sections
6 [210.110] **210.109** to 210.165, or both such taking of color
7 photographs and making of radiologic examinations, or the
8 removal or retaining a child pursuant to sections [210.110]
9 **210.109** to 210.165 **and chapter 211**, or in cooperating with
10 the division, **or cooperating with a qualified individual**
11 **pursuant to section 210.715**, or any other law enforcement
12 agency, juvenile office, court, **state agency**, or child-
13 protective service agency of this or any other state, in any
14 of the activities pursuant to sections [210.110] **210.109** to
15 210.165 **and chapter 211**, or any other allegation of child
16 abuse, neglect or assault, pursuant to sections 568.045 to
17 568.060, shall have immunity from any liability, civil or
18 criminal, that otherwise might result by reason of such
19 actions. Provided, however, any person, official or
20 institution intentionally filing a false report, acting in
21 bad faith, or with ill intent, shall not have immunity from
22 any liability, civil or criminal. Any such person,
23 official, or institution shall have the same immunity with
24 respect to participation in any judicial proceeding
25 resulting from the report.

26 2. An employee, including a contracted employee, of a
27 state-funded child assessment center, as provided for in
28 subsection 2 of section 210.001, shall be immune from any
29 civil liability that arises from the employee's
30 participation in the investigation process and services by
31 the child assessment center, unless such person acted in bad
32 faith. This subsection shall not displace or limit any
33 other immunity provided by law.

34 3. Any person, who is not a school district employee,
35 who makes a report to any employee of the school district of
36 child abuse by a school employee shall have immunity from
37 any liability, civil or criminal, that otherwise might
38 result because of such report. Provided, however, that any
39 such person who makes a false report, knowing that the
40 report is false, or who acts in bad faith or with ill intent
41 in making such report shall not have immunity from any
42 liability, civil or criminal. Any such person shall have
43 the same immunity with respect to participation in any
44 judicial proceeding resulting from the report.

45 4. In a case involving the death or serious injury of
46 a child after a report has been made under sections 210.109
47 to 210.165, the division shall conduct a preliminary
48 evaluation in order to determine whether a review of the
49 ability of the circuit manager or case worker or workers to
50 perform their duties competently is necessary. The
51 preliminary evaluation shall examine:

52 (1) The hotline worker or workers who took any reports
53 related to such case;

54 (2) The division case worker or workers assigned to
55 the investigation of such report; and

56 (3) The circuit manager assigned to the county where
57 the report was investigated.

58 Any preliminary evaluation shall be completed no later than
59 three days after the child's death. If the division
60 determines a review and assessment is necessary, it shall be
61 completed no later than three days after the child's death.

210.1012. 1. There is hereby created a statewide
2 program called the "Amber Alert System" referred to in this

3 section as the "system" to aid in the identification and
4 location of an abducted child.

5 2. For the purposes of this section, "abducted child"
6 means a child whose whereabouts are unknown and who is:

7 (1) Less than eighteen years of age and reasonably
8 believed to be the victim of the crime of kidnapping or
9 kidnapping in the first degree as defined by section 565.110
10 as determined by local law enforcement;

11 (2) Reasonably believed to be the victim of the crime
12 of child kidnapping as defined by section 565.115 as
13 determined by local law enforcement; or

14 (3) Less than eighteen years of age and at least
15 fourteen years of age and who, if under the age of fourteen,
16 would otherwise be reasonably believed to be a victim of
17 child kidnapping as defined by section 565.115 as determined
18 by local law enforcement.

19 3. The department of public safety shall develop
20 regions to provide the system. The department of public
21 safety shall coordinate local law enforcement agencies and
22 public commercial television and radio broadcasters to
23 provide an effective system. In the event that a local law
24 enforcement agency opts not to set up a system and an
25 abduction occurs within the jurisdiction, it shall notify
26 the department of public safety who will notify local media
27 in the region.

28 4. The Amber alert system shall include all state
29 agencies capable of providing urgent and timely information
30 to the public together with broadcasters and other private
31 entities that volunteer to participate in the dissemination
32 of urgent public information. At a minimum, the Amber alert
33 system shall include the department of public safety,

34 highway patrol, department of transportation, department of
35 health and senior services, and Missouri lottery.

36 5. The department of public safety shall have the
37 authority to notify other regions upon verification that the
38 criteria established by the oversight committee has been met.

39 6. Participation in an Amber alert system is entirely
40 at the option of local law enforcement agencies and
41 federally licensed radio and television broadcasters.

42 7. Any person who knowingly makes a false report that
43 triggers an alert pursuant to this section is guilty of a
44 class A misdemeanor.

45 8. **It shall be unlawful to discriminate against any**
46 **person because of race, color, religion, national origin,**
47 **ancestry, sex, disability, or familial status when the**
48 **department coordinates with local law enforcement agencies**
49 **and public commercial television and radio broadcasters to**
50 **provide an effective system.**

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, 2025, 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 and for any
114 other administrative personnel of the statewide council
115 against adult trafficking and the commercial sexual
116 exploitation of children, education and awareness regarding
117 human trafficking, and anti-trafficking efforts throughout
118 the state of Missouri.

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

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

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.]

9 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.

211.072. 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.

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.**

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.

5 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.

8 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.

13 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
60 providing jail services, facilities, and equipment
61 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
68 qualified voters of the county attempting to join the
69 district voting thereon are in favor of the proposal, then
70 the tax shall be in effect on the first day of the second
71 quarter immediately following the election approving the
72 proposal, the county shall have been deemed to have joined
73 the district pursuant to a rewritten agreement as provided
74 in subsection 3 of section 221.400, and the order of the
75 commission levying the tax shall also become effective as to
76 the joining county on said date. If the proposal receives
77 less than the required majority, the district shall have no
78 power to impose the sales tax authorized pursuant to this
79 section, and the county attempting to join the district
80 shall not be permitted to do so, unless and until the county
81 commission of the county attempting to join the district
82 shall again have submitted another proposal to authorize the
83 imposition of the sales tax authorized by this section and
84 such proposal is approved by the majority of the qualified
85 voters of the county attempting to join the district voting
86 on such proposal.

87 4. All revenue received by a district from the tax
88 authorized pursuant to this section shall be deposited in a
89 special trust fund and shall be used solely for providing

90 jail services [and court], facilities and equipment for such
91 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.

221.523. 1. By January 1, 2026, all county and city
2 **jails shall develop specific procedures for the intake and**
3 **care of pregnant women, which shall include procedures**
4 **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,
15 including requiring such offenders to sleep on the bottom
16 bunk bed;

17 (8) Access to mental health professionals;

18 (9) Sanitary materials; and

19 (10) Postpartum recovery, including that no such woman
20 shall be placed in isolation during such recovery.

21 2. As used in this section, the following terms shall
22 mean:

23 (1) "Postpartum recovery", as determined by a
24 physician, the period immediately following delivery,
25 including the entire period an offender who was pregnant is
26 in the hospital or infirmary after delivery;

27 (2) "Pregnant woman", a pregnant woman in the custody
28 of a county or city jail.

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, 2025.**

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 2026 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, 2025,**
225 **and shall** automatically sunset [six years after June 19,
226 2019] **on December 31, 2031,** 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~~ **2025**.

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.

301.260. 1. The director of revenue shall issue
2 certificates for all cars owned by the state of Missouri and
3 shall assign to each of such cars two plates bearing the
4 words: "State of Missouri, official car number _____" (with
5 the number inserted thereon), which plates shall be
6 displayed on such cars when they are being used on the
7 highways. No officer or employee or other person shall use
8 such a motor vehicle for other than official use.

9 2. **(1)** Motor vehicles used as ambulances, patrol
10 wagons and fire apparatus, owned by any municipality of this

11 state, shall be exempt from all of the provisions of
12 sections 301.010 to 301.440 while being operated within the
13 limits of such municipality, but the municipality may
14 regulate the speed and use of such motor vehicles owned by
15 them; and all other motor vehicles owned by municipalities,
16 counties and other political subdivisions of the state shall
17 be exempt from the provisions of sections 301.010 to 301.440
18 requiring registration, proof of ownership and display of
19 number plates; provided, however, that there shall be a
20 plate, or, on each side of such motor vehicle, letters not
21 less than three inches in height with a stroke of not less
22 than three-eighths of an inch wide, to display the name of
23 such municipality, county or political subdivision, the
24 department thereof, and a distinguishing number. Provided,
25 further, that when any motor vehicle is owned and operated
26 exclusively by any school district and used solely for
27 transportation of school children, the commissioner shall
28 assign to each of such motor vehicles two plates bearing the
29 words "School Bus, State of Missouri, car no. _____" (with
30 the number inserted thereon), which plates shall be
31 displayed on such motor vehicles when they are being used on
32 the highways. No officer, or employee of the municipality,
33 county or subdivision, or any other person shall operate
34 such a motor vehicle unless the same is marked as herein
35 provided, and no officer, employee or other person shall use
36 such a motor vehicle for other than official purposes.

37 **(2) Prior to operation of a vehicle under this**
38 **subsection, the political subdivision owning the vehicle**
39 **shall submit to the department of revenue a description of**
40 **the information to be displayed on the vehicle for purposes**
41 **of complying with this subsection, a description of the**
42 **configuration and content of any plate or plates to be**

43 **displayed on the vehicle, and the vehicle identification**
44 **number of the vehicle. No vehicle owned by a political**
45 **subdivision shall be operated under this subsection except**
46 **in accordance with an accurate submission made to, and**
47 **approved by, the department of revenue.**

48 3. For registration purposes only, a public school or
49 college shall be considered the temporary owner of a vehicle
50 acquired from a motor vehicle dealer which is to be used as
51 a courtesy vehicle or a driver training vehicle. The school
52 or college shall present to the director of revenue a copy
53 of a lease agreement with an option to purchase clause
54 between the authorized motor vehicle dealer and the school
55 or college and a photocopy of the front and back of the
56 dealer's vehicle manufacturer's statement of origin or
57 certificate of title, and shall make application for and be
58 granted a nonnegotiable certificate of ownership and be
59 issued the appropriate license plates. Registration plates
60 are not necessary on a driver training vehicle when the
61 motor vehicle is plainly marked as a driver training vehicle
62 while being used for such purpose and such vehicle can also
63 be used in conjunction with the activities of the
64 educational institution.

65 4. As used in this section, the term "political
66 subdivision" is intended to include any township, road
67 district, sewer district, school district, municipality,
68 town or village, sheltered workshop, as defined in section
69 178.900, and any interstate compact agency which operates a
70 public mass transportation system.

71 5. **The department of revenue may promulgate rules as**
72 **necessary for the implementation of this section. Any rule**
73 **or portion of a rule, as that term is defined in section**
74 **536.010, that is created under the authority delegated in**

75 this section shall become effective only if it complies with
76 and is subject to all of the provisions of chapter 536 and,
77 if applicable, section 536.028. This section and chapter
78 536 are nonseverable and if any of the powers vested with
79 the general assembly pursuant to chapter 536 to review, to
80 delay the effective date, or to disapprove and annul a rule
81 are subsequently held unconstitutional, then the grant of
82 rulemaking authority and any rule proposed or adopted after
83 August 28, 2025, shall be invalid and void.

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

17 2. Upon approaching a stationary vehicle
18 displaying lighted red or red and blue lights,
19 or a stationary vehicle displaying lighted amber
20 or amber and white lights, the driver of every
21 motor vehicle shall:

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

30 (2) Proceed with due caution and reduce
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.

307.175. 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, 2025. 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 to the
7 contrary, if the employing department is subject to a
8 memorandum of understanding that provides for binding
9 arbitration of administrative appeals, the arbitrator or
10 arbitration panel shall serve as the hearing officer in
11 accordance with chapter 536 and, notwithstanding any other
12 provision of law to the contrary, that hearing officer's
13 decision shall be binding. However, a memorandum of
14 understanding negotiated with an employing agency shall not
15 control the process for administrative appeals instituted
16 with licensing or certifying agencies. Any administrative
17 appeal instituted with licensing or certifying agencies
18 shall adhere to the requirements prescribed in subsection 1
19 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
2 department or licensing or certifying agency to deny or
3 refuse to any firefighter the rights and protections
4 guaranteed by sections 320.500 to 320.528.

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

10 3. (1) If the court finds that the employing
11 department or licensing or certifying agency has violated
12 any of the provisions of sections 320.500 to 320.528, the
13 court shall render appropriate injunctive or other
14 extraordinary relief to remedy the violation and to prevent
15 future violations of a like or similar nature including, but
16 not limited to, the granting of a temporary restraining
17 order or preliminary or permanent injunction prohibiting the
18 employing department or licensing or certifying agency from
19 taking any punitive action against the firefighter.

20 (2) If the court finds that a bad faith or frivolous
21 action or a filing for an improper purpose has been brought
22 under sections 320.500 to 320.528, the court may order
23 sanctions against the party filing the action, the party's

24 attorney, or both, pursuant to the applicable Missouri rules
25 of civil procedure. Those sanctions may include, but not be
26 limited to, reasonable expenses, including attorney's fees,
27 incurred by a fire department as the court deems appropriate.

28 (3) Nothing in this subsection is intended to subject
29 actions or filings under this section to rules or standards
30 that are different from those applicable to other civil
31 actions or filings subject to the Missouri supreme court
32 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 to the contrary,
49 a fire department shall not be required to indemnify a
50 contractor for the contractor's liability under this
51 subsection if there is, within the contract between the fire
52 department and the contractor, a hold harmless or similar
53 provision that protects the fire department from liability
54 for the actions of the contractor. An individual shall not

55 be 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
2 sections 320.500 to 320.528 shall apply only to a
3 firefighter during events and circumstances involving the
4 performance of his or her official duties.

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

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

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

(1) A dentist licensed under this chapter for the
6 purpose of treating on hospital premises those patients who
7 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;

(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(1) of the Social Security Act (42
174 U.S.C. Section 1396d(1)).

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(1) of the Social Security Act (42 U.S.C.
190 Section 1396d(1)) 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 chapter.
197 The registration shall be renewed every twenty-four months.
198 The board shall not charge a fee of any kind for the

199 issuance or renewal of the registration. The registration
200 of the health center shall not be subject to discipline
201 pursuant to section 332.321. Nothing in this subsection
202 shall prohibit disciplinary action against a licensee of
203 this chapter who is employed by, or contracts with, such
204 health center for the actions of the licensee in connection
205 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.

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.

 452.425. Any court order for the custody of, or

2 visitation with, a child [may] **shall** include a provision

3 that the sheriff or other law enforcement officer shall

4 enforce the rights of any person to custody or visitation

5 unless the court issues a subsequent order pursuant to

6 chapter 210, 211, 452 or 455 to limit or deny the custody

7 of, or visitations with, the child. Such sheriff or law

8 enforcement officer shall not remove a child from a person

9 who has actual physical custody of the child unless such

10 sheriff or officer is shown a court order or judgment which
11 clearly and convincingly verifies that such person is not
12 entitled to the actual physical custody of the child, and
13 there are not other exigent circumstances that would give
14 the sheriff or officer reasonable suspicion to believe that
15 the child would be harmed or that the court order presented
16 to the sheriff or officer may not be valid.

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

452.1102. As used in sections 452.1100 to 452.1122,
2 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.

 452.1122. Sections 452.1100 to 452.1122 modifies,

2 limits, and supersedes the federal Electronic Signatures in

3 Global and National Commerce Act, 15 U.S.C. Section 7001, et

4 seq., but does not modify, limit, or supersede Section

5 101(c) of the act, 15 U.S.C. Section 7001(c), or authorize

6 electronic delivery of any of the notices described in

7 Section 103(b) of that act, 15 U.S.C. Section 7003(b).

 454.1050. 1. This section shall be known and may be

2 cited as "Bentley and Mason's Law".

 2. The court may order a defendant convicted of the

4 offense of driving while intoxicated to pay restitution for

5 a child whose parent or guardian died as a result of such

6 offense.

 3. Notwithstanding any provision of law under chapter

8 559 relating to restitution, and subject to subsection 4 of

9 this section, the court shall determine a monthly amount to

10 be paid for the support of the child until the child reaches

11 eighteen years of age or has graduated from high school,

12 whichever is later.

 4. The defendant shall not be required to pay

14 restitution under this section to an individual who is

15 nineteen years of age or older.

16 5. The court shall order the defendant to pay
17 restitution in an amount that is reasonable and necessary to
18 support the child, considering all relevant factors,
19 including:

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

21 (2) The financial needs and resources of the surviving
22 parent or guardian or other current guardian of the child,
23 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 and 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 and shall not be construed to abrogate any common
65 law cause of action.

66 10. A restitution order issued under this section may
67 be enforced by the office of the attorney general, or by a
68 person or a parent or guardian of the person named in the
69 order to receive the restitution, in the same manner as a
70 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.

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

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

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

4. If the allegations in the petition would give rise to jurisdiction under section 211.031 because the respondent 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.**

509.520. 1. Notwithstanding any provision of law to the contrary, beginning August 28, 2023, pleadings, attachments, exhibits filed with the court in any case, as well as any judgments or orders issued by the court, or other records of the court shall not include the following confidential and personal identifying information:

(1) The full Social Security number of any party or any child;

(2) The full credit card number, financial institution account number, personal identification number, or password used to secure an account of any party;

(3) The full motor vehicle operator license number;

(4) **[Victim] Information[, including the name, address, and other contact information of the] concerning a victim or witness in a criminal case that is confidential as otherwise provided by statute or as prescribed in the Missouri supreme court rules of criminal procedure or operating rules;**

(5) **[Witness information, including the name, address, and other contact information of the witness ;**

(6)] Any other full state identification number;

[(7)] (6) The name, address, and date of birth of a minor and, if applicable, any next friend; [or

(8)] (7) The full date of birth of any party; however, the year of birth shall be made available, except for a minor; or

(8) Any other information redacted for good cause by order of the court.

2. The information provided under subsection 1 of this section shall be provided in a confidential information filing sheet contemporaneously filed with the court or

32 entered by the court, which shall not be subject to public
33 inspection or availability.

34 3. Nothing in this section shall preclude an entity
35 including, but not limited to, a financial institution,
36 insurer, insurance support organization, or consumer
37 reporting agency that is otherwise permitted by law to
38 access state court records from using a person's unique
39 identifying information to match such information contained
40 in a court record to validate that person's record.

41 4. The Missouri supreme court shall promulgate rules
42 to administer this section.

43 5. Contemporaneously with the filing of every petition
44 for dissolution of marriage, legal separation, motion for
45 modification, action to establish paternity, and petition or
46 motion for support or custody of a minor child, the filing
47 party shall file a confidential case filing sheet with the
48 court which shall not be subject to public inspection and
49 which provides:

50 (1) The name and address of the current employer and
51 the Social Security number of the petitioner or movant, if a
52 person;

53 (2) If known to the petitioner or movant, the name and
54 address of the current employer and the Social Security
55 number of the respondent; and

56 (3) The names, dates of birth, and Social Security
57 numbers of any children subject to the action.

58 6. Contemporaneously with the filing of every
59 responsive pleading petition for dissolution of marriage,
60 legal separation, motion for modification, action to
61 establish paternity, and petition or motion for support or
62 custody of a minor child, the responding party shall file a

63 confidential case filing sheet with the court which shall
64 not be subject to public inspection and which provides:

65 (1) The name and address of the current employer and
66 the Social Security number of the responding party, if a
67 person;

68 (2) If known to the responding party, the name and
69 address of the current employer and the Social Security
70 number of the petitioner or movant; and

71 (3) The names, dates of birth, and Social Security
72 numbers of any children subject to the action.

73 7. The full Social Security number of any party or
74 child subject to an order of custody or support shall be
75 retained by the court on the confidential case filing sheet
76 or other confidential record maintained in conjunction with
77 the administration of the case. The full credit card number
78 or other financial account number of any party may be
79 retained by the court on a confidential record if it is
80 necessary to maintain the number in conjunction with the
81 administration of the case.

82 8. Any document described in subsection 1 of this
83 section shall, in lieu of the full number, include only the
84 last four digits of any such number.

85 9. Except as provided in section 452.430, the clerk
86 shall not be required to redact any document described in
87 subsection 1 of this section issued or filed before August
88 28, 2009, prior to releasing the document to the public.

89 10. For good cause shown, the court may release
90 information contained on the confidential case filing sheet;
91 except that, any state agency acting under authority of
92 chapter 454 shall have access to information contained
93 herein without court order in carrying out their official
94 duty.

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 2025, shall be invalid and void.

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.**

558.041. 1. Any offender committed to the department
2 of corrections, except those persons committed pursuant to
3 subsection 7 of section 558.016, or subsection 3 of section
4 566.125, **[may] or any offender convicted of a dangerous**
5 **felony as defined in section 556.061, shall** receive
6 additional credit in terms of days spent in confinement upon
7 **[recommendation for such credit by the offender's**
8 **institutional superintendent]** **calculation of such credit**
9 when the offender meets the requirements for such credit as
10 provided in subsections 3 and 4 of this section. Good time
11 credit may be rescinded by the director or his or her
12 designee pursuant to the divisional policy issued pursuant
13 to subsection 3 of this section.

14 2. Any credit extended to an offender shall only apply
15 to the sentence which the offender is currently serving.

16 3. (1) The director of the department of corrections
17 shall issue a policy for awarding credit.

18 (2) The policy **[may] shall** reward an **[inmate] offender**
19 who has served his or her sentence in an orderly and
20 peaceable manner and has taken advantage of the
21 rehabilitation programs available to him or her.

22 (3) Any **major conduct** violation of institutional rules
23 **[or], violation of** the laws of this state **[may], parole**
24 **revocation, or the accumulation of minor conduct violations**
25 **exceeding six within a calendar year shall** result in the
26 loss of all **[or a portion of any] prior** credit earned by the
27 **[inmate] offender** pursuant to this section.

28 **[4. The department shall cause the policy to be**
29 **published in the code of state regulations.**

30 5. No rule or portion of a rule promulgated under the
31 authority of this chapter shall become effective unless it
32 has been promulgated pursuant to the provisions of section
33 536.024.]

34 (4) The policy shall specify the programs or
35 activities for which credit shall be earned under this
36 section; the criteria for determining productive
37 participation in, or completion of, the programs or
38 activities; and the criteria for awarding credit.

39 (5) The department shall award credit between five and
40 three hundred sixty days, as determined by the department
41 based on the length of the program, to any qualifying
42 offender who successfully:

43 (a) Receives a high school diploma or equivalent,
44 college diploma, or a vocational training certificate as
45 provided under the department's policy;

46 (b) Completes an alcohol or drug abuse treatment
47 program as provided under the department's policy, except
48 that alcohol and drug abuse treatment programs ordered by
49 the court or parole board shall not qualify;

50 (c) Completes one thousand hours of restorative
51 justice; or

52 (d) Completes other programs as provided under the
53 department's policy.

54 (6) An offender may earn a maximum of ninety days of
55 credit in any twelve-month period.

56 (7) Offenders sentenced under subsection 2 of section
57 558.019 shall be eligible for good time credit. Any good
58 time credit earned shall be subtracted from the offender's
59 entire sentence of imprisonment.

60 (8) Nothing in this section shall be construed to
61 require that the offender be released as a result of good

62 time credit. The parole board in its discretion shall
63 determine the date of release.

64 4. Eligible offenders may petition the department to
65 receive credit for programs or activities completed prior to
66 August 28, 2025, as specified below:

67 (1) Eligible offenders can submit a petition from
68 January 1, 2026, to December 31, 2026; and

69 (2) Offenders shall have completed the qualifying
70 program or activity between January 1, 2010, and August 28,
71 2025.

72 5. No offender committed to the department who is
73 sentenced to death or sentenced to life without probation or
74 parole shall be eligible for good time credit under this
75 section.

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.**

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 or
17 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 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.

569.088. 1. If a person commits an offense in
2 violation of a state law or county or municipal ordinance
3 and it is discovered that the person is a citizen of any
4 other country other than the United States and the person
5 has entered or remains in or on any public or private
6 property in this state in violation of 8 U.S.C. Section 1325
7 or 1326, the person shall also be guilty of the offense of
8 trespass by an illegal alien.

9 2. The offense of trespass by an illegal alien is a
10 class E felony if the other offense the person committed
11 under subsection 1 of this section is an infraction in
12 violation of a state law or a violation of a county or
13 municipal ordinance. The offense of trespass by an illegal

14 alien is a class C felony if the other offense the person
15 committed under subsection 1 of this section is a
16 misdemeanor or felony in violation of state law.

17 3. The punishment for the offense of trespass by an
18 illegal alien shall be in addition to the punishment for the
19 commission of the offense under subsection 1 of this section.

20 4. The provisions of this section shall not apply to a
21 person who maintains authorization from the federal
22 government to remain in the United States.

23 5. For purposes of this section, "illegal alien" means
24 an alien who is not lawfully present in the United States,
25 according to the terms of 8 U.S.C. Section 1101, et seq.

570.036. 1. A person commits the offense of organized
2 retail theft if he or she, while alone or with any other
3 person or persons, commits a series of thefts of retail
4 merchandise against one or more persons either on the
5 premises of a merchant or through the use of an internet or
6 network site in this state with the intent to:

7 (1) Return the merchandise to the merchant for value;
8 or

9 (2) Resell, trade, or barter the merchandise for value
10 in any manner including, but not limited to, through the use
11 of an internet or network site.

12 2. The offense of organized retail theft is a class C
13 felony if the aggregated value of the property or services
14 involved in all thefts committed in this state during a
15 period of one hundred twenty days is no less than one
16 thousand five hundred dollars and no more than ten thousand
17 dollars.

18 3. The offense of organized retail theft is a class B
19 felony if the aggregated value of the property or services
20 involved in all thefts committed in this state during a

21 period of one hundred twenty days is more than ten thousand
22 dollars.

23 4. In addition to any other penalty, the court shall
24 order a person who violates this section to pay restitution.

25 5. For the purposes of this section, in determining
26 the aggregated value of the property or services involved in
27 all thefts committed in this state during a period of one
28 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.

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 in

51 violation of subdivision (1) or (2) of subsection 1 of this

52 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.

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.**

 579.060. 1. A person commits the offense of unlawful
2 sale, distribution, or purchase of over-the-counter
3 methamphetamine precursor drugs if he or she knowingly:

4 (1) Sells, distributes, dispenses, or otherwise
5 provides any number of packages of any drug product
6 containing detectable amounts of ephedrine,
7 phenylpropanolamine, or pseudoephedrine, or any of their
8 salts, optical isomers, or salts of optical isomers, in a
9 total amount greater than seven and two-tenths grams to the
10 same individual within a thirty-day period, unless the
11 amount is dispensed, sold, or distributed pursuant to a
12 valid prescription; or

13 (2) Purchases, receives, or otherwise acquires within
14 a thirty-day period any number of packages of any drug
15 product containing any detectable amount of ephedrine,
16 phenylpropanolamine, or pseudoephedrine, or any of their
17 salts or optical isomers, or salts of optical isomers in a
18 total amount greater than seven and two-tenths grams,
19 without regard to the number of transactions, unless the
20 amount is purchased, received, or acquired pursuant to a
21 valid prescription; or

22 (3) Purchases, receives, or otherwise acquires within
23 a twenty-four-hour period any number of packages of any drug
24 product containing any detectable amount of ephedrine,
25 phenylpropanolamine, or pseudoephedrine, or any of their
26 salts or optical isomers, or salts of optical isomers in a
27 total amount greater than three and six-tenths grams,
28 without regard to the number of transactions, unless the
29 amount is purchased, received, or acquired pursuant to a
30 valid prescription; or

31 (4) Sells, distributes, dispenses, or otherwise
32 provides any number of packages of any drug product
33 containing detectable amounts of ephedrine,
34 phenylpropanolamine, or pseudoephedrine, or any of their
35 salts, optical isomers, or salts of optical isomers, in a
36 total amount greater than ~~[forty-three]~~ **sixty-one** and two-
37 tenths grams to the same individual within a twelve-month
38 period, unless the amount is dispensed, sold, or distributed
39 pursuant to a valid prescription; or

40 (5) Purchases, receives, or otherwise acquires within
41 a twelve-month period any number of packages of any drug
42 product containing any detectable amount of ephedrine,
43 phenylpropanolamine, or pseudoephedrine, or any of their
44 salts or optical isomers, or salts of optical isomers in a
45 total amount greater than ~~[forty-three]~~ **sixty-one** and two-
46 tenths grams, without regard to the number of transactions,
47 unless the amount is purchased, received, or acquired
48 pursuant to a valid prescription; or

49 (6) Dispenses or offers drug products that are not
50 excluded from Schedule V in subsection 17 or 18 of section
51 195.017 and that contain detectable amounts of ephedrine,
52 phenylpropanolamine, or pseudoephedrine, or any of their
53 salts, optical isomers, or salts of optical isomers, without

54 ensuring that such products are located behind a pharmacy
55 counter where the public is not permitted and that such
56 products are dispensed by a registered pharmacist or
57 pharmacy technician under subsection 11 of section 195.017;
58 or

59 (7) Holds a retail sales license issued under chapter
60 144 and knowingly sells or dispenses packages that do not
61 conform to the packaging requirements of section 195.418.

62 2. A pharmacist, intern pharmacist, or registered
63 pharmacy technician commits the offense of unlawful sale,
64 distribution, or purchase of over-the-counter
65 methamphetamine precursor drugs if he or she knowingly:

66 (1) Sells, distributes, dispenses, or otherwise
67 provides any number of packages of any drug product
68 containing detectable amounts of ephedrine,
69 phenylpropanolamine, or pseudoephedrine, or any of their
70 salts or optical isomers, or salts of optical isomers, in a
71 total amount greater than three and six-tenth grams to the
72 same individual within a twenty-four hour period, unless the
73 amount is dispensed, sold, or distributed pursuant to a
74 valid prescription; or

75 (2) Fails to submit information under subsection 13 of
76 section 195.017 and subsection 6 of section 195.417 about
77 the sales of any compound, mixture, or preparation of
78 products containing detectable amounts of ephedrine,
79 phenylpropanolamine, or pseudoephedrine, or any of their
80 salts, optical isomers, or salts of optical isomers, in
81 accordance with transmission methods and frequency
82 established by the department of health and senior services;
83 or

84 (3) Fails to implement and maintain an electronic log,
85 as required by subsection 12 of section 195.017, of each

86 transaction involving any detectable quantity of
87 pseudoephedrine, its salts, isomers, or salts of optical
88 isomers or ephedrine, its salts, optical isomers, or salts
89 of optical isomers; or

90 (4) Sells, distributes, dispenses or otherwise
91 provides to an individual under eighteen years of age
92 without a valid prescription any number of packages of any
93 drug product containing any detectable quantity of
94 pseudoephedrine, its salts, isomers, or salts of optical
95 isomers, or ephedrine, its salts or optical isomers, or
96 salts of optical isomers.

97 3. Any person who violates the packaging requirements
98 of section 195.418 and is considered the general owner or
99 operator of the outlet where ephedrine, pseudoephedrine, or
100 phenylpropanolamine products are available for sale shall
101 not be penalized if he or she documents that an employee
102 training program was in place to provide the employee who
103 made the unlawful retail sale with information on the state
104 and federal regulations regarding ephedrine,
105 pseudoephedrine, or phenylpropanolamine.

106 4. The offense of unlawful sale, distribution, or
107 purchase of over-the-counter methamphetamine precursor drugs
108 is a class A misdemeanor.

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 five hundred milligrams of a mixture or
18 substance containing a detectable amount of lysergic acid
19 diethylamide (LSD);

20 (4) More than thirty grams of a mixture or substance
21 containing a detectable amount of phencyclidine (PCP);

22 (5) More than four grams of phencyclidine;

23 (6) More than thirty kilograms of a mixture or
24 substance containing marijuana;

25 (7) More than thirty grams of any material, compound,
26 mixture, or preparation containing any quantity of the
27 following substances having a stimulant effect on the
28 central nervous system: amphetamine, its salts, optical
29 isomers and salts of its optical isomers; methamphetamine,
30 its salts, optical isomers and salts of its optical isomers;
31 phenmetrazine and its salts; or methylphenidate;

32 (8) More than thirty grams of any material, compound,
33 mixture, or preparation which contains any quantity of 3,4-
34 methylenedioxymethamphetamine;

35 (9) One gram or more of flunitrazepam for the first
36 offense;

37 (10) Any amount of gamma-hydroxybutyric acid for the
38 first offense; or

39 (11) More than **[ten]** **three** milligrams of fentanyl or
40 carfentanil, or any derivative thereof, or any combination
41 thereof, or any compound, mixture, or substance containing a

42 detectable amount of fentanyl or carfentanil, or [their] its
43 optical isomers or analogues.

44 2. The offense of trafficking drugs in the first
45 degree is a class B felony.

46 3. The offense of trafficking drugs in the first
47 degree is a class A felony if the quantity involved is:

48 (1) Ninety grams or more of a mixture or substance
49 containing a detectable amount of heroin; or

50 (2) Four hundred fifty grams or more of a mixture or
51 substance containing a detectable amount of coca leaves,
52 except coca leaves and extracts of coca leaves from which
53 cocaine, ecgonine, and derivatives of ecgonine or their
54 salts have been removed; cocaine salts and their optical and
55 geometric isomers, and salts of isomers; ecgonine, its
56 derivatives, their salts, isomers, and salts of isomers; or
57 any compound, mixture, or preparation which contains any
58 quantity of any of the foregoing substances; or

59 (3) One gram or more of a mixture or substance
60 containing a detectable amount of lysergic acid diethylamide
61 (LSD); or

62 (4) Ninety grams or more of a mixture or substance
63 containing a detectable amount of phencyclidine (PCP); or

64 (5) Twelve grams or more of phencyclidine; or

65 (6) One hundred kilograms or more of a mixture or
66 substance containing marijuana; or

67 (7) Ninety grams or more of any material, compound,
68 mixture, or preparation containing any quantity of the
69 following substances having a stimulant effect on the
70 central nervous system: amphetamine, its salts, optical
71 isomers and salts of its optical isomers; methamphetamine,
72 its salts, optical isomers and salts of its optical isomers;
73 phenmetrazine and its salts; or methylphenidate; or

74 (8) More than thirty grams of any material, compound,
75 mixture, or preparation containing any quantity of the
76 following substances having a stimulant effect on the
77 central nervous system: amphetamine, its salts, optical
78 isomers, and salts of its optical isomers; methamphetamine,
79 its salts, optical isomers, and salts of its optical
80 isomers; phenmetrazine and its salts; or methylphenidate,
81 and the location of the offense was within two thousand feet
82 of real property comprising a public or private elementary,
83 vocational, or secondary school, college, community college,
84 university, or any school bus, in or on the real property
85 comprising public housing or any other governmental assisted
86 housing, or within a motor vehicle, or in any structure or
87 building which contains rooms furnished for the
88 accommodation or lodging of guests, and kept, used,
89 maintained, advertised, or held out to the public as a place
90 where sleeping accommodations are sought for pay or
91 compensation to transient guests or permanent guests; or

92 (9) Ninety grams or more of any material, compound,
93 mixture or preparation which contains any quantity of 3,4-
94 methylenedioxymethamphetamine; or

95 (10) More than thirty grams of any material, compound,
96 mixture, or preparation which contains any quantity of 3,4-
97 methylenedioxymethamphetamine and the location of the
98 offense was within two thousand feet of real property
99 comprising a public or private elementary, vocational, or
100 secondary school, college, community college, university, or
101 any school bus, in or on the real property comprising public
102 housing or any other governmental assisted housing, within a
103 motor vehicle, or in any structure or building which
104 contains rooms furnished for the accommodation or lodging of
105 guests, and kept, used, maintained, advertised, or held out

106 to the public as a place where sleeping accommodations are
107 sought for pay or compensation to transient guests or
108 permanent guests; or

109 (11) One gram or more of flunitrazepam for a second or
110 subsequent offense; or

111 (12) Any amount of gamma-hydroxybutyric acid for a
112 second or subsequent offense; or

113 (13) [Twenty] **Fourteen** milligrams or more of fentanyl
114 [or carfentanil], or any derivative thereof, [or any
115 combination thereof,] or any compound, mixture, or substance
116 containing a detectable amount of fentanyl [or carfentanil],
117 or [their] **its** optical isomers or analogues; **or**

118 (14) **More than five hundredths of a milligram of**
119 **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 five hundred milligrams of a mixture or
18 substance containing a detectable amount of lysergic acid
19 diethylamide (LSD);

20 (4) More than thirty grams of a mixture or substance
21 containing a detectable amount of phencyclidine (PCP);

22 (5) More than four grams of phencyclidine;

23 (6) More than thirty kilograms of a mixture or
24 substance containing marijuana;

25 (7) More than thirty grams of any material, compound,
26 mixture, or preparation containing any quantity of the
27 following substances having a stimulant effect on the
28 central nervous system: amphetamine, its salts, optical
29 isomers and salts of its optical isomers; methamphetamine,
30 its salts, optical isomers and salts of its optical isomers;
31 phenmetrazine and its salts; or methylphenidate;

32 (8) More than thirty grams of any material, compound,
33 mixture, or preparation which contains any quantity of 3,4-
34 methylenedioxymethamphetamine; or

35 (9) More than **[ten]** **three** milligrams of fentanyl or
36 carfentanil, or any derivative thereof, or any combination
37 thereof, or any compound, mixture, or substance containing a
38 detectable amount of fentanyl or carfentanil, or **[their]** **its**
39 optical isomers or analogues.

40 2. The offense of trafficking drugs in the second
41 degree is a class C felony.

42 3. The offense of trafficking drugs in the second
43 degree is a class B felony if the quantity involved is:

44 (1) Ninety grams or more of a mixture or substance
45 containing a detectable amount of heroin; or

46 (2) Four hundred fifty grams or more of a mixture or
47 substance containing a detectable amount of coca leaves,
48 except coca leaves and extracts of coca leaves from which

49 cocaine, ecgonine, and derivatives of ecgonine or their
50 salts have been removed; cocaine salts and their optical and
51 geometric isomers, and salts of isomers; ecgonine, its
52 derivatives, their salts, isomers, and salts of isomers; or
53 any compound, mixture, or preparation which contains any
54 quantity of any of the foregoing substances; or

55 (3) One gram or more of a mixture or substance
56 containing a detectable amount of lysergic acid diethylamide
57 (LSD); or

58 (4) Ninety grams or more of a mixture or substance
59 containing a detectable amount of phencyclidine (PCP); or

60 (5) Twelve grams or more of phencyclidine; or

61 (6) One hundred kilograms or more of a mixture or
62 substance containing marijuana; or

63 (7) More than five hundred marijuana plants; or

64 (8) Ninety grams or more but less than four hundred
65 fifty grams of any material, compound, mixture, or
66 preparation containing any quantity of the following
67 substances having a stimulant effect on the central nervous
68 system: amphetamine, its salts, optical isomers and salts
69 of its optical isomers; methamphetamine, its salts, optical
70 isomers and salts of its optical isomers; phenmetrazine and
71 its salts; or methylphenidate; or

72 (9) Ninety grams or more but less than four hundred
73 fifty grams of any material, compound, mixture, or
74 preparation which contains any quantity of 3,4-
75 methylenedioxymethamphetamine; or

76 (10) [Twenty] **Fourteen** milligrams or more of fentanyl
77 [or carfentanil], or any derivative thereof, [or any
78 combination thereof,] or any compound, mixture, or substance
79 containing a detectable amount of fentanyl [or carfentanil],
80 or [their] **its** optical isomers or analogues; **or**

81 **(11) More than five hundredths milligram of**
82 **carfentanil.**

83 4. The offense of trafficking drugs in the second
84 degree is a class A felony if the quantity involved is four
85 hundred fifty grams or more of any material, compound,
86 mixture or preparation which contains:

87 (1) Any quantity of the following substances having a
88 stimulant effect on the central nervous system:

89 amphetamine, its salts, optical isomers and salts of its
90 optical isomers; methamphetamine, its salts, isomers and
91 salts of its isomers; phenmetrazine and its salts; or
92 methylphenidate; or

93 (2) Any quantity of 3,4-methylenedioxymethamphetamine.

94 5. The offense of drug trafficking in the second
95 degree is a class C felony for the first offense and a class
96 B felony for any second or subsequent offense for the
97 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)] (1) 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.

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 collected.

114 These records shall be subject to audit by the state
115 auditor. The clerk of each court transmitting such funds

116 shall report separately the amount of dollars collected on
117 judgments entered for alcohol-related traffic offenses from
118 other crime victims' compensation collections or services to
119 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.

**595.325. 1. There is hereby created the "Missing and
2 Murdered African American Women and Girls Task Force" to
3 consist of the 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 of the
8 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, 2025. 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, 2027,
81 unless extended until December 31, 2029, as determined
82 necessary by the department of public safety.

2 [221.105. 1. The governing body of any
3 county and of any city not within a county shall
4 fix the amount to be expended for the cost of
5 incarceration of prisoners confined in jails or
6 medium security institutions. The per diem cost
7 of incarceration of these prisoners chargeable
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 221.400, 221.402, 221.405, 221.407,
7 221.410, and 568.045 of this act is deemed necessary for the
8 immediate preservation of the public health, welfare, peace,
9 and safety, and is hereby declared to be an emergency act
10 within the meaning of the constitution, and the repeal and
11 reenactment of sections 221.400, 221.402, 221.405, 221.407,
12 221.410, and 568.045 of this act shall be in full force and
13 effect upon its passage and approval.

Section C. The repeal and reenactment of section
2 301.260 of this act shall take effect as soon as
3 technologically possible following the development and
4 maintenance of a modernized, integrated system for the
5 titling of vehicles, issuance and renewal of vehicle
6 registrations, issuance and renewal of driver's licenses and
7 identification cards, and perfection and release of liens
8 and encumbrances on vehicles, to be funded by the motor
9 vehicle administration technology fund as created in section
10 301.558. Following the development of the system, the
11 director of the department of revenue shall notify the
12 governor, the secretary of state, and the revisor of
13 statutes, and shall implement the provisions of section
14 301.260 of this act.

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