

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend _____ Senate _____ Bill No. 850, Page 1, Section A, Line 2,

2 by inserting after all of said line the following:

3 "210.151. 1. The children's division, a juvenile officer,
4 or a prosecuting or circuit attorney may petition the circuit
5 court for an order directing a parent, guardian, or other person
6 with care, custody, or control of a child who is the subject of
7 an investigation of child abuse or neglect to present the child
8 at a place and time designated by the court to a SAFE CARE
9 provider, as defined in section 334.950, for a sexual assault
10 forensic examination or a child physical abuse forensic
11 examination, or to a child assessment center, as described in
12 section 210.001, for an interview. During an interview at a
13 child assessment center, a video recording of any interview with
14 the child at the center shall be made and preserved and shall be
15 admissible in evidence in accordance with Missouri supreme court
16 rules and the provisions of chapters 490, 491, 492, 510, 545, and
17 595.

18 (1) The court shall enter an order under this section if
19 the court determines that there is probable cause to believe that
20 the child has been abused or neglected, the examination or
21 interview is reasonably necessary for the completion of an

1 investigation or for the collection of evidence, and doing so
2 would be in the best interests of the child.

3 (2) The petition and order may be made on an ex parte basis
4 when it is reasonable to believe that providing notice may place
5 the child at risk of further abuse or neglect, when it is
6 reasonable to believe that providing notice may cause the child
7 to be removed from the state of Missouri or the jurisdiction of
8 the court, or if it is reasonable to believe that evidence
9 relevant to the investigation will be unavailable if the order is
10 not entered.

11 2. Any person served with a petition and order under this
12 section shall not be required to file an answer, but may file an
13 answer or a motion for a protective order or other appropriate
14 relief. At the time the order is served, the parent, guardian,
15 or person with care, custody, or control of the child shall be
16 advised, both orally and in writing, of his or her right to file
17 an answer or motion with the court.

18 (1) The answer or motion shall be filed at or before the
19 time for production or disclosure set out in the order. The
20 answer or motion shall be in writing, but no particular form
21 shall be required. The clerk shall serve a copy of the answer or
22 motion on the director of the children's division or on the
23 agency that applied for the order.

24 (2) The court shall expedite a hearing on the motion and
25 shall issue its decision no later than one business day after the
26 date the motion is filed. The court may review the motion in
27 camera and stay implementation of the order once for up to three
28 days.

29 (3) Any information that may reveal the identity of a

1 hotline reporter shall not be disclosed to anyone in any
2 proceeding under this section unless otherwise allowed by law.

3 3. The petition for an order under this section shall be
4 filed in the juvenile or family court that has jurisdiction under
5 section 211.031 or in the circuit court of the county:

6 (1) Where the child resides;

7 (2) Where the child may be found;

8 (3) Where the parent or legal guardian of the child resides
9 or may be found;

10 (4) Where the alleged perpetrator of the child abuse or
11 neglect resides or may be found;

12 (5) Where the subject of the order may be located or found;

13 (6) In Cole County, if none of the other venue provisions
14 of this section apply.

15
16 The court shall expedite all proceedings under this section so as
17 to ensure the safety of the child, the preservation of relevant
18 evidence, the completion of child abuse and neglect
19 investigations within statutory timeframes, and the provision of
20 appropriate due process to the parties involved.

21 4. Any person served with an order under this section who
22 knowingly violates the order shall be guilty of a class A
23 misdemeanor.

24 5. The timeframes for the division to complete its
25 investigation and notify the alleged perpetrator of its decision
26 set forth in sections 210.145, 210.152, and 210.183 shall be
27 tolled from the date that the division files a petition for an
28 order until the order is complied with in full, the order is
29 withdrawn, or a court of competent jurisdiction quashes the

1 order."; and

2 Further amend the title and enacting clause accordingly.