

SENATE BILL NO. 614

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR CRAWFORD.

2493S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 455, RSMo, by adding thereto one new section relating to electronic monitoring service providers.

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

Section A. Chapter 455, RSMo, is amended by adding thereto
2 one new section, to be known as section 455.097, to read as
3 follows:

**455.097. 1. All electronic monitoring service
2 providers and their subcontractors used for electronic
3 monitoring pursuant to section 455.095 shall be approved by
4 the office of state courts administrator and shall meet the
5 following requirements:**

6 (1) Each employee of the provider and their
7 subcontractors shall complete a criminal history background
8 check through the "Missouri Automated Criminal History
9 System" (MACHS) and register with the "Family Care Safety
10 Registry" (FCSR);

11 (2) Each provider and their subcontractors shall
12 submit a list of all employees to the office of state courts
13 administrator and keep such list updated;

14 (3) Each provider and their subcontractors shall
15 submit a certificate of liability insurance reflecting a
16 general liability of one million dollars for each occurrence
17 and two million dollars worth of aggregate total liability

18 insurance and list each county where the provider serves and
19 all employees as an additional insured; and

20 (4) No service provider shall be a licensed general
21 bail bond agent or bail bond agent under sections 374.700 to
22 374.789.

23 2. All electronic monitoring service providers and
24 their subcontractors shall provide global positioning system
25 electronic monitoring services that:

26 (1) Dispatch emergency services immediately after an
27 exclusion zone alert is active for more than three minutes;

28 (2) Dispatch emergency services immediately after a
29 device tamper alert becomes active to request a well-being
30 check of any victims or any exclusion zone address;

31 (3) Receive exclusion and inclusion zones from the
32 court or prosecuting or circuit attorney prior to installing
33 the electronic monitoring service; and

34 (4) Utilize monitoring equipment that is capable of:

35 (a) Continuously monitor all relevant activity of the
36 participant and any exclusion or inclusion zones;

37 (b) Sending locations information at increments of no
38 less than one minute;

39 (c) Constructed of material that will indicate a
40 tampering of a device; and

41 (d) Has tamper notification capabilities.

42 3. All electronic monitoring service providers and
43 their subcontractors shall provide alcohol electronic
44 monitoring services that:

45 (1) Determine the presence of alcohol regardless of
46 the amount and shall determine if the presence of alcohol is
47 due to an environmental exposure or consumption of alcohol;
48 and

49 (2) Are constructed of material that will indicate a
50 tamper.

51 4. A written violation report shall be provided to the
52 court and prosecuting or circuit attorney's office within
53 twelve hours of the violation or at the opening of the next
54 business day. All violation reports must include:

- 55 (1) Defendant and case number;
- 56 (2) The exact time of the violation;
- 57 (3) The exact location of the violation; and
- 58 (4) The nature of the violation.

59 5. The office of state courts administrator shall
60 maintain a list of all qualified electronic monitoring
61 service providers and make such list available to all
62 Missouri courts and prosecuting or circuit attorneys.

63 6. As used in this section, the following terms shall
64 mean:

- 65 (1) "Exclusion zone", an area the court order
66 prohibits a person from entering;
- 67 (2) "Inclusion zone", an area the court order allows a
68 person to enter.

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