

FIRST REGULAR SESSION

# SENATE BILL NO. 302

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

0454S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 476.055, RSMo, and to enact in lieu thereof one new section relating to the redaction of personal identifying information from court automation systems, with existing penalty provisions.

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

Section A. Section 476.055, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 476.055,  
3 to read as follows:

476.055. 1. There is hereby established in the state  
2 treasury the "Statewide Court Automation Fund". All moneys  
3 collected pursuant to section 488.027, as well as gifts,  
4 contributions, devises, bequests, and grants received  
5 relating to automation of judicial record keeping, and  
6 moneys received by the judicial system for the dissemination  
7 of information and sales of publications developed relating  
8 to automation of judicial record keeping, shall be credited  
9 to the fund. Moneys credited to this fund may only be used  
10 for the purposes set forth in this section and as  
11 appropriated by the general assembly. Any unexpended  
12 balance remaining in the statewide court automation fund at  
13 the end of each biennium shall not be subject to the  
14 provisions of section 33.080 requiring the transfer of such  
15 unexpended balance to general revenue; except that, any  
16 unexpended balance remaining in the fund on September 1,  
17 2023, shall be transferred to general revenue.

18           2. The statewide court automation fund shall be  
19 administered by a court automation committee consisting of  
20 the following: the chief justice of the supreme court, a  
21 judge from the court of appeals, four circuit judges, four  
22 associate circuit judges, four employees of the circuit  
23 court, the commissioner of administration, two members of  
24 the house of representatives appointed by the speaker of the  
25 house, two members of the senate appointed by the president  
26 pro tem of the senate, the executive director of the  
27 Missouri office of prosecution services, the director of the  
28 state public defender system, and two members of the  
29 Missouri Bar. The judge members and employee members shall  
30 be appointed by the chief justice. The commissioner of  
31 administration shall serve ex officio. The members of the  
32 Missouri Bar shall be appointed by the board of governors of  
33 the Missouri Bar. Any member of the committee may designate  
34 another person to serve on the committee in place of the  
35 committee member.

36           3. The committee shall develop and implement a plan  
37 for a statewide court automation system. The committee  
38 shall have the authority to hire consultants, review systems  
39 in other jurisdictions and purchase goods and services to  
40 administer the provisions of this section. The committee  
41 may implement one or more pilot projects in the state for  
42 the purposes of determining the feasibility of developing  
43 and implementing such plan. The members of the committee  
44 shall be reimbursed from the court automation fund for their  
45 actual expenses in performing their official duties on the  
46 committee.

47           4. Any purchase of computer software or computer  
48 hardware that exceeds five thousand dollars shall be made  
49 pursuant to the requirements of the office of administration

50 for lowest and best bid. Such bids shall be subject to  
51 acceptance by the office of administration. The court  
52 automation committee shall determine the specifications for  
53 such bids.

54 5. The court automation committee shall not require  
55 any circuit court to change any operating system in such  
56 court, unless the committee provides all necessary  
57 personnel, funds and equipment necessary to effectuate the  
58 required changes. No judicial circuit or county may be  
59 reimbursed for any costs incurred pursuant to this  
60 subsection unless such judicial circuit or county has the  
61 approval of the court automation committee prior to  
62 incurring the specific cost.

63 6. Any court automation system, including any pilot  
64 project, shall be implemented, operated and maintained in  
65 accordance with strict standards for the security and  
66 privacy of confidential judicial records. **Any court  
67 automation system, including any pilot project, that  
68 provides public access to electronic records on the internet  
69 shall redact any personal identifying information, including  
70 name, address, and year of birth, of a minor and, if  
71 applicable, any next friend.** Any person who knowingly  
72 releases information from a confidential judicial record is  
73 guilty of a class B misdemeanor. Any person who, knowing  
74 that a judicial record is confidential, uses information  
75 from such confidential record for financial gain is guilty  
76 of a class E felony.

77 7. On the first day of February, May, August and  
78 November of each year, the court automation committee shall  
79 file a report on the progress of the statewide automation  
80 system with:

81 (1) The chair of the house budget committee;

- 82           (2) The chair of the senate appropriations committee;
- 83           (3) The chair of the house judiciary committee; and
- 84           (4) The chair of the senate judiciary committee.

85           8. Section 488.027 shall expire on September 1, 2023.  
86 The court automation committee established pursuant to this  
87 section may continue to function until completion of its  
88 duties prescribed by this section, but shall complete its  
89 duties prior to September 1, 2025.

90           9. This section shall expire on September 1, 2025.

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