

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 862
102ND GENERAL ASSEMBLY

2844H.09C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 135.341, 136.055, 190.142, 210.109, 210.201, 210.211, 210.221, 210.252, 210.275, 210.560, 210.841, 210.1505, 211.038, 211.221, 211.326, 302.178, 302.181, 337.618, 452.375, 452.705, 452.730, 452.885, 455.010, 455.035, 455.513, 487.110, 487.200, 491.075, 491.641, 492.304, 566.151, 567.030, and 590.050, RSMo, and section 56.265 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 56.265 as enacted by senate bill no. 275, ninetieth general assembly, first regular session, and to enact in lieu thereof one hundred six new sections relating to the protection of vulnerable persons, with penalty provisions.

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

Section A. Sections 135.341, 136.055, 190.142, 210.109, 210.201, 210.211, 210.221,
2 210.252, 210.275, 210.560, 210.841, 210.1505, 211.038, 211.221, 211.326, 302.178,
3 302.181, 337.618, 452.375, 452.705, 452.730, 452.885, 455.010, 455.035, 455.513,
4 487.110, 487.200, 491.075, 491.641, 492.304, 566.151, 567.030, and 590.050, RSMo, and
5 section 56.265 as enacted by senate bill no. 672, ninety-seventh general assembly, second
6 regular session, and section 56.265 as enacted by senate bill no. 275, ninetieth general
7 assembly, first regular session, are repealed and one hundred six new sections enacted in lieu
8 thereof, to be known as sections 27.170, 56.265, 135.341, 136.055, 190.142, 192.2550,
9 192.2552, 192.2554, 192.2556, 192.2558, 192.2560, 210.109, 210.201, 210.211, 210.221,
10 210.252, 210.275, 210.560, 210.841, 210.1505, 211.038, 211.221, 211.326, 302.178,
11 302.181, 337.618, 452.375, 452.705, 452.730, 452.885, 452.1100, 452.1102, 452.1104,
12 452.1106, 452.1108, 452.1110, 452.1112, 452.1114, 452.1118, 452.1120, 452.1122, 452.1200,
13 452.1202, 452.1204, 452.1206, 452.1208, 452.1210, 452.1212, 452.1214, 452.1216,

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 452.1218, 452.1220, 452.1222, 452.1224, 452.1226, 452.1228, 452.1230, 452.1232,
15 452.1234, 452.1236, 452.1238, 452.1240, 452.1242, 452.1244, 452.1246, 452.1248,
16 452.1250, 452.1252, 452.1254, 452.1256, 452.1258, 453.700, 453.702, 453.704, 453.706,
17 453.708, 453.710, 453.712, 453.714, 453.716, 453.718, 453.720, 453.722, 453.724, 453.726,
18 453.728, 453.730, 453.732, 453.734, 453.736, 453.738, 453.740, 453.742, 454.1050,
19 455.010, 455.035, 455.513, 487.110, 487.200, 491.075, 491.641, 492.304, 566.151,
20 567.030, 589.700, and 590.050, to read as follows:

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

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

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

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

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

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

12 (5) A representative from an agency providing victim services appointed by the
13 director of the department of social services;

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

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

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

21 4. Members of the committee shall serve without compensation but may be
22 reimbursed for actual expenses necessary to the performance of their official duties for
23 the committee.

24 5. The committee shall annually evaluate, and establish guidelines for, the sex
25 and human trafficking training, to be produced and distributed in a digital platform,
26 required under sections 56.265, 190.142, 198.082, 211.326, 337.618, and 590.050.

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

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

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

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

9 ~~(2) For a part-time prosecutor:~~

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

10 ~~2. Two thousand dollars of the salary authorized in this section shall be~~
 11 ~~payable to the prosecuting attorney only if the prosecuting attorney has~~
 12 ~~completed at least twenty hours of classroom instruction each calendar year~~
 13 ~~relating to the operations of the prosecuting attorney's office when approved~~
 14 ~~by a professional association of the county prosecuting attorneys of Missouri~~
 15 ~~unless exempted from the training by the professional association. The~~
 16 ~~professional association approving the program shall provide a certificate of~~
 17 ~~completion to each prosecuting attorney who completes the training program~~
 18 ~~and shall send a list of certified prosecuting attorneys to the treasurer of each~~
 19 ~~county. Expenses incurred for attending the training session may be~~
 20 ~~reimbursed to the county prosecuting attorney in the same manner as other~~
 21 ~~expenses as may be appropriated for that purpose.~~

22 ~~3. As used in this section, the term "prosecuting attorney" includes the~~
 23 ~~circuit attorney of any city not within a county.~~

24 ~~4. The prosecuting attorney of any county which becomes a county of~~
 25 ~~the first classification during a four year term of office or a county which~~
 26 ~~passed the proposition authorized by subsection 1 of section 56.363 shall not~~
 27 ~~be required to devote full time to such office pursuant to section 56.067 until~~
 28 ~~the beginning of the prosecuting attorney's next term of office or until the~~
 29 ~~proposition otherwise becomes effective.~~

41 ~~5. The provisions of section 56.066 shall not apply to full-time~~
 42 ~~prosecutors who are compensated pursuant to subdivision (1) of subsection 1~~
 43 ~~of this section.]~~

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

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

7 (2) For a part-time prosecutor:

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

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

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

31 (2) **One hour of sex and human trafficking training each calendar year**
 32 **consistent with the guidelines established in section 21.170. The provisions of this**

33 **subdivision shall become effective on January 1, 2025, and shall expire on December 31,**
34 **2029.**

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

37 4. The prosecuting attorney of any county which becomes a county of the first
38 classification during a four-year term of office or a county which passed the proposition
39 authorized by section 56.363 shall not be required to devote full time to such office pursuant
40 to section 56.067 until the beginning of the prosecuting attorney's next term of office or until
41 the proposition otherwise becomes effective.

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

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

2 (1) "CASA", an entity which receives funding from the court-appointed special
3 advocate fund established under section 476.777, including an association based in this state,
4 affiliated with a national association, organized to provide support to entities receiving
5 funding from the court-appointed special advocate fund;

6 (2) "Child advocacy centers", the regional child assessment centers listed in
7 subsection 2 of section 210.001, including an association based in this state, affiliated with a
8 national association, and organized to provide support to entities listed in subsection 2 of
9 section 210.001;

10 (3) "Contribution", the amount of donation to a qualified agency;

11 (4) "Crisis care center", entities contracted with this state which provide temporary
12 care for children whose age ranges from birth through seventeen years of age whose parents
13 or guardian are experiencing an unexpected and unstable or serious condition that requires
14 immediate action resulting in short-term care, usually three to five continuous, uninterrupted
15 days, for children who may be at risk for child abuse, neglect, or in an emergency situation;

16 (5) "Department", the department of revenue;

17 (6) "Director", the director of the department of revenue;

18 (7) "Qualified agency", CASA, child advocacy centers, or a crisis care center;

19 (8) "Tax liability", the tax due under chapter 143 other than taxes withheld under
20 sections 143.191 to 143.265.

21 2. For all tax years beginning on or after January 1, 2013, **and ending on or before**
22 **December 31, 2023**, a tax credit may be claimed in an amount equal to up to fifty percent of a
23 verified contribution to a qualified agency and shall be named the champion for children tax
24 credit. **For all tax years beginning on or after January 1, 2024, the amount of the tax**
25 **credit claimed shall not exceed seventy percent of the amount of the verified**
26 **contribution to a qualified agency.** The minimum amount of any tax credit issued shall

27 not be less than fifty dollars and shall be applied to taxes due under chapter 143, excluding
28 sections 143.191 to 143.265. A contribution verification shall be issued to the taxpayer by the
29 agency receiving the contribution. Such contribution verification shall include the taxpayer's
30 name, Social Security number, amount of tax credit, amount of contribution, the name and
31 address of the agency receiving the credit, and the date the contribution was made. The tax
32 credit provided under this subsection shall be initially filed for the year in which the verified
33 contribution is made.

34 3. The cumulative amount of the tax credits redeemed shall not exceed one million
35 dollars for all fiscal years ending on or before June 30, 2019~~[-and]~~; one million five hundred
36 thousand dollars for all fiscal years beginning on or after July 1, 2019, **and ending on or**
37 **before June 30, 2024; and two million five hundred thousand dollars for all fiscal years**
38 **beginning on or after July 1, 2024.** The amount available shall be equally divided among
39 the three qualified agencies: CASA, child advocacy centers, or crisis care centers, to be used
40 towards tax credits issued. In the event tax credits claimed under one agency do not total the
41 allocated amount for that agency, the unused portion for that agency will be made available to
42 the remaining agencies equally. In the event the total amount of tax credits claimed for any
43 one agency exceeds the amount available for that agency, the amount redeemed shall and will
44 be apportioned equally to all eligible taxpayers claiming the credit under that agency.

45 4. Prior to December thirty-first of each year, each qualified agency shall apply to the
46 department of social services in order to verify their qualified agency status. Upon a
47 determination that the agency is eligible to be a qualified agency, the department of social
48 services shall provide a letter of eligibility to such agency. No later than February first of
49 each year, the department of social services shall provide a list of qualified agencies to the
50 department of revenue. All tax credit applications to claim the champion for children tax
51 credit shall be filed between July first and April fifteenth of each fiscal year. A taxpayer shall
52 apply for the champion for children tax credit by attaching a copy of the contribution
53 verification provided by a qualified agency to such taxpayer's income tax return.

54 5. Any amount of tax credit which exceeds the tax due or which is applied for and
55 otherwise eligible for issuance but not issued shall not be refunded but may be carried over to
56 any subsequent tax year, not to exceed a total of five years.

57 6. Tax credits may not be assigned, transferred or sold.

58 7. (1) In the event a credit denial, due to lack of available funds, causes a balance-due
59 notice to be generated by the department of revenue, or any other redeeming agency, the
60 taxpayer will not be held liable for any penalty or interest, provided the balance is paid, or
61 approved payment arrangements have been made, within sixty days from the notice of denial.

62 (2) In the event the balance is not paid within sixty days from the notice of denial, the
63 remaining balance shall be due and payable under the provisions of chapter 143.

64 8. The department may promulgate such rules or regulations as are necessary to
65 administer the provisions of this section. Any rule or portion of a rule, as that term is defined
66 in section 536.010, that is created under the authority delegated in this section shall become
67 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
68 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
69 powers vested with the general assembly pursuant to chapter 536 to review, to delay the
70 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
71 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013,
72 shall be invalid and void.

73 9. Pursuant to section 23.253, of the Missouri sunset act:

74 (1) The program authorized under this section shall be reauthorized as of [~~December~~
75 ~~31, 2019,~~ **August 28, 2024**, and shall expire on December 31, [~~2025~~] **2030**, unless
76 reauthorized by the general assembly; and

77 (2) This section shall terminate on September first of the calendar year immediately
78 following the calendar year in which the program authorized under this section is sunset; and

79 (3) The provisions of this subsection shall not be construed to limit or in any way
80 impair the department's ability to redeem tax credits authorized on or before the date the
81 program authorized under this section expires or a taxpayer's ability to redeem such credits.

82 10. Beginning on March 29, 2013, any verified contribution to a qualified agency
83 made on or after January 1, 2013, shall be eligible for tax credits as provided by this section.

136.055. 1. **Except as provided in subsection 8 of this section**, any person who is
2 selected or appointed by the state director of revenue as provided in subsection 2 of this
3 section to act as an agent of the department of revenue, whose duties shall be the processing
4 of motor vehicle title and registration transactions and the collection of sales and use taxes
5 when required under sections 144.070 and 144.440, and who receives no salary from the
6 department of revenue, shall be authorized to collect from the party requiring such services
7 additional fees as compensation in full and for all services rendered on the following basis:

8 (1) For each motor vehicle or trailer registration issued, renewed or transferred, [~~six~~]
9 **nine** dollars and [~~twelve~~] **eighteen** dollars for those licenses sold or biennially renewed
10 pursuant to section 301.147;

11 (2) For each application or transfer of title, [~~six~~] **nine** dollars;

12 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's
13 license issued for a period of three years or less, [~~six~~] **nine** dollars and [~~twelve~~] **eighteen**
14 dollars for licenses or instruction permits issued or renewed for a period exceeding three
15 years;

16 (4) For each notice of lien processed, [~~six~~] **nine** dollars;

17 (5) Notary fee or electronic transmission per processing, two dollars.

18 2. The director of revenue shall award fee office contracts under this section through
19 a competitive bidding process. The competitive bidding process shall ~~[give priority]~~ **provide**
20 **at least five percent of evaluation credit** to organizations and entities that are exempt from
21 taxation under Section 501(c)(3), 501(c)(6), or 501(c)(4), except those civic organizations
22 that would be considered action organizations under 26 C.F.R. Section 1.501 (c)(3)-1(c)(3), of
23 the Internal Revenue Code of 1986, as amended, with ~~[special consideration]~~ **at least five**
24 **percent of evaluation credit** given to those organizations and entities that reinvest a
25 minimum of seventy-five percent of the net proceeds to charitable organizations in Missouri,
26 and political subdivisions, including but not limited to, municipalities, counties, and fire
27 protection districts. **Notwithstanding any law to the contrary, the director of revenue**
28 **shall not award any fee office contract under this section to any entity affiliated in any**
29 **manner with a current employee of the department of revenue or with a former**
30 **employee of the department of revenue for the one-year period following the former**
31 **employee's termination of employment with the department. For purposes of this**
32 **subsection, "affiliated in any manner" includes owning the entity that is applying for a**
33 **fee office contract, or serving as an officer or board member of such entity.** The director
34 of the department of revenue may promulgate rules and regulations necessary to carry out the
35 provisions of this subsection. Any rule or portion of a rule, as that term is defined in section
36 536.010, that is created under the authority delegated in this subsection shall become effective
37 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
38 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
39 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
40 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
41 of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be
42 invalid and void.

43 3. **Except as otherwise provided in subsection 9 of this section, all fees authorized**
44 **under this section** collected by a ~~[tax exempt organization]~~ **contract fee office** may be
45 retained and used by the ~~[organization]~~ **entity operating the contract fee office, and all fees**
46 **authorized under this section collected by a fee office operated by the department of**
47 **revenue shall be considered state revenue.**

48 4. All fees charged shall not exceed those in this section. The fees ~~[imposed by]~~
49 **authorized under** this section shall be collected by all ~~[permanent]~~ **contract fee offices** and
50 **shall be collected by** all full-time or temporary offices ~~[maintained]~~ **operated** by the
51 department of revenue.

52 5. Any person acting as agent of the department of revenue for the sale and issuance
53 of registrations, licenses, and other documents related to motor vehicles shall have an

54 insurable interest in all license plates, licenses, tabs, forms and other documents held on
55 behalf of the department.

56 6. The fees authorized by this section shall not be collected by motor vehicle dealers
57 acting as agents of the department of revenue under section 32.095 or those motor vehicle
58 dealers authorized to collect and remit sales tax under subsection 10 of section 144.070.

59 7. Notwithstanding any other provision of law to the contrary, the state auditor may
60 audit all records maintained and established by the fee office in the same manner as the
61 auditor may audit any agency of the state, and the department shall ensure that this audit
62 requirement is a necessary condition for the award of all fee office contracts. No confidential
63 records shall be divulged in such a way to reveal personally identifiable information.

64 **8. The fees described in subsection 1 of this section shall not be collected from**
65 **any person who qualifies as a homeless child or homeless youth, as defined in subsection**
66 **1 of section 167.020, or as an unaccompanied youth as defined in 42 U.S.C. Section**
67 **11434a(6). Such person's status as a homeless child or youth or unaccompanied youth**
68 **shall be verified by a letter signed by one of the following persons:**

69 **(1) A director or designee of a governmental or nonprofit agency that receives**
70 **public or private funding to provide services to homeless persons;**

71 **(2) A local education agency liaison for homeless children and youth designated**
72 **under 42 U.S.C. Section 11432(g)(1)(J)(ii), or a school social worker or counselor; or**

73 **(3) A licensed attorney representing the minor in any legal matter.**

74 **9. Notwithstanding any other provision of law to the contrary, one dollar of any**
75 **fee authorized and charged under subdivision (1), (2), (3), or (4) of subsection 1 of this**
76 **section by a fee office not operated by the department of revenue shall be remitted to the**
77 **license office distribution fund established under subsection 10 of this section. Moneys**
78 **remitted to the license office distribution fund under this subsection shall be held in**
79 **trust for the entities awarded fee office contracts under this section and shall not be**
80 **considered state revenue. In the event a court of competent jurisdiction issues a final**
81 **judgment specifying that moneys remitted under this subsection are subject to Article**
82 **IV, Section 30(b) of the Missouri Constitution, the provisions of this subsection shall be**
83 **null and void.**

84 **10. (1) There is hereby created in the state treasury the "License Office**
85 **Distribution Fund", which shall consist of moneys collected as provided under**
86 **subsection 9 of this section. The state treasurer shall be custodian of the fund. In**
87 **accordance with sections 30.170 and 30.180, the state treasurer may approve**
88 **disbursements. The fund shall be a dedicated fund and shall be used solely for the**
89 **purposes specified in this subsection.**

90 **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
91 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
92 **general revenue fund.**

93 **(3) The state treasurer shall invest moneys in the fund in the same manner as**
94 **other funds are invested. Any interest and moneys earned on such investments shall be**
95 **credited to the fund.**

96 **(4) Beginning after December 31, 2025, but no later than February 15, 2026,**
97 **quarterly disbursements shall be made from the fund to the fee offices awarded**
98 **contracts under this section. Except as otherwise specified in subdivision (5) of this**
99 **subsection, the disbursement to each fee office shall be equal. The total funds disbursed**
100 **following each quarter shall be equal to the amount of funds received by the fund under**
101 **subsection 9 of this section during the quarter.**

102 **(5) Quarterly disbursements under this subsection shall be distributed to the**
103 **entity holding each fee office contract when the quarterly disbursement occurs;**
104 **provided that, in the case that a contract fee office transitions between two contractors**
105 **during the quarter, the disbursement for that fee office shall be divided between the**
106 **contractors in proportion to the number of transactions the office processed under each**
107 **contractor during the quarter for which the transfer is taking place.**

108 **(6) Quarterly disbursements under this subsection shall be made as follows:**

109 **(a) Disbursements for transactions occurring from January first to March**
110 **thirty-first shall occur no later than May fifteenth of each year;**

111 **(b) Disbursements for transactions occurring from April first to June thirtieth**
112 **shall occur no later than August fifteenth of each year;**

113 **(c) Disbursements for transactions occurring from July first to September**
114 **thirtieth shall occur no later than November fifteenth of each year; and**

115 **(d) Disbursements for transactions occurring from October first to December**
116 **thirty-first shall occur no later than February fifteenth of the following calendar year**
117 **each year.**

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

5 (2) For applications submitted after the recognition of EMS personnel licensure
6 interstate compact under sections 190.900 to 190.939 takes effect, an applicant for initial
7 licensure as an emergency medical technician in this state shall submit to a background check
8 by the Missouri state highway patrol and the Federal Bureau of Investigation through a
9 process approved by the department of health and senior services. Such processes may

10 include the use of vendors or systems administered by the Missouri state highway patrol. The
11 department may share the results of such a criminal background check with any emergency
12 services licensing agency in any member state, as that term is defined under section 190.900,
13 in recognition of the EMS personnel licensure interstate compact. The department shall not
14 issue a license until the department receives the results of an applicant's criminal background
15 check from the Missouri state highway patrol and the Federal Bureau of Investigation, but,
16 notwithstanding this subsection, the department may issue a temporary license as provided
17 under section 190.143. Any fees due for a criminal background check shall be paid by the
18 applicant.

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

21 2. The department shall issue a license to all levels of emergency medical technicians,
22 for a period of five years, if the applicant meets the requirements established pursuant to
23 sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections
24 190.001 to 190.245. The department may promulgate rules relating to the requirements for an
25 emergency medical technician including but not limited to:

26 (1) Age requirements;

27 (2) Emergency medical technician and paramedic education and training
28 requirements based on respective National Emergency Medical Services Education
29 Standards and any modification to such curricula specified by the department through rules
30 adopted pursuant to sections 190.001 to 190.245;

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

33 (4) Initial licensure testing requirements. Initial paramedic licensure testing shall be
34 through the national registry of EMTs;

35 (5) (a) Continuing education and relicensure requirements.

36 (b) **The department shall require each emergency medical technician or**
37 **advanced emergency medical technician, including each paramedic, to receive four**
38 **hours of sex and human trafficking training produced by the committee on sex and**
39 **human trafficking training pursuant to section 27.170 or training already produced and**
40 **approved by the committee on sex and human trafficking training pursuant to section**
41 **27.170 as part of the continuing education requirements for relicensure every five years.**
42 **The provisions of this paragraph shall become effective on January 1, 2025, and shall**
43 **expire on December 31, 2029;**

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

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

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

53 **d. Licensees who submit an application for renewal on or after January 1, 2028,**
54 **but prior to January 1, 2029, shall be required to receive four hours of sex and human**
55 **trafficking training consistent with the guidelines established in section 21.170; and**

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

57 3. Application for all levels of emergency medical technician license shall be made
58 upon such forms as prescribed by the department in rules adopted pursuant to sections
59 190.001 to 190.245. The application form shall contain such information as the department
60 deems necessary to make a determination as to whether the emergency medical technician
61 meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to
62 sections 190.001 to 190.245.

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

65 (1) Consistent with the training, education and experience of the particular emergency
66 medical technician; and

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

68 5. No person shall hold themselves out as an emergency medical technician or
69 provide the services of an emergency medical technician unless such person is licensed by the
70 department.

71 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is
72 created under the authority delegated in this section shall become effective only if it complies
73 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
74 This section and chapter 536 are nonseverable and if any of the powers vested with the
75 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
76 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
77 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid
78 and void.

192.2550. As used in sections 192.2550 to 192.2560, the following terms mean:

2 (1) "Child", an individual who is under the age of seventeen;

3 (2) "Department", the department of health and senior services;

4 (3) "Eligible child", an individual who is under the age of six years and has
5 complex medical needs requiring continuous skilled nursing intervention of at least four
6 hours per day, as ordered by a physician;

7 (4) "Person", any individual, firm, corporation, partnership, association,
8 agency, incorporated or unincorporated organization, or other legal entity, regardless of
9 the name used;

10 (5) "Prescribed pediatric extended care facility", a facility providing medically
11 necessary multidisciplinary services to eligible children in a child care facility licensed
12 by the department of elementary and secondary education under chapter 210.
13 Multidisciplinary services include skilled nursing, personal care, nutritional
14 assessment, developmental assessment, and speech, physical, and occupational
15 therapy services, as ordered by a physician;

16 (6) "Prescribed pediatric extended care provider" or "provider", the person or
17 persons licensed or required to be licensed under sections 192.2550 to 192.2560 to
18 establish, conduct, or maintain, a prescribed pediatric extended care facility.

 192.2552. 1. Beginning on August 28, 2025, it shall be unlawful for any person to
2 establish, maintain, or operate a prescribed pediatric extended care facility, or to
3 advertise or hold himself or herself out as being able to perform any of the services of a
4 prescribed pediatric extended care facility, without having in effect a written license
5 granted by the department.

6 2. Nothing in sections 192.2550 to 192.2560 shall be construed to apply to:

7 (1) Any child care facility that provides care to eligible children with a caregiver
8 staffing ratio of not fewer than one licensed nurse present for every one eligible child
9 present, unless said facility voluntarily applies for licensure as a prescribed pediatric
10 extended care facility;

11 (2) Any hospital, sanitarium, or home that is conducted in good faith primarily
12 to provide medical treatment or nursing or convalescent care for children; or

13 (3) Any program licensed by the department of mental health under sections
14 630.705 to 630.760 that provides care, treatment, and habilitation exclusively to children
15 who have a primary diagnosis of mental disorder, mental illness, intellectual disability,
16 or developmental disability, as those terms are defined in section 630.005.

 192.2554. 1. The department shall have the following powers and duties:

2 (1) After inspection, to grant licenses to persons to operate prescribed pediatric
3 extended care facilities if satisfied as to the good character and intent of the applicant
4 and that such applicant is qualified and equipped to render care or service conducive to
5 the welfare of children;

6 **(2) To inspect the conditions of the places in which the applicant operates a**
7 **prescribed pediatric extended care facility; inspect their books and records, premises,**
8 **and numbers of children to be served, provided that the department shall not interview**
9 **a child without the consent of the child's parents or guardian; examine their officers and**
10 **agents; and deny, immediately suspend, place on probation, or revoke the license of such**
11 **persons as fail to obey the provisions of sections 192.2550 to 192.2560. The director may**
12 **revoke or suspend a license when the licensee surrenders the license; and**

13 **(3) To promulgate rules and regulations the department deems necessary or**
14 **proper in order to establish standards of service and care to be rendered by such**
15 **licensees to children. Such rules and regulations shall include, at a minimum,**
16 **requirements related to the following:**

- 17 **(a) Staffing;**
- 18 **(b) Fire safety;**
- 19 **(c) Sanitation, including infection control;**
- 20 **(d) Equipment; and**
- 21 **(e) Record keeping.**

22 **2. (1) The department shall have the right to enter the premises of any**
23 **prescribed pediatric extended care facility or potential facility pursuant to an**
24 **announced inspection at any time during the hours of operation of a facility to**
25 **determine compliance with sections 192.2550 to 192.2560 and applicable rules**
26 **promulgated pursuant thereto. Entry shall also be granted for investigative purposes**
27 **involving complaints regarding the operations of a prescribed pediatric extended care**
28 **facility. The department may make inspections, announced to the applicant for or**
29 **holder of a license twenty-four hours in advance of the inspection, as it deems necessary**
30 **to carry out the provisions of sections 192.2550 to 192.2560.**

31 **(2) Notwithstanding the provisions of subdivision (1) of this subsection, the**
32 **department may make unannounced inspections as necessary to investigate allegations**
33 **of abuse or neglect of a child served by the facility.**

34 **3. The applicant for or holder of a license shall cooperate with the investigation**
35 **and inspection.**

36 **4. Failure to comply with any lawful request of the department in connection**
37 **with the investigation and inspection is a ground for refusal to issue a license or for the**
38 **revocation of a license.**

39 **5. Any prescribed pediatric extended care facility may request a variance from a**
40 **rule or regulation promulgated pursuant to sections 192.2550 to 192.2560. The request**
41 **for a variance shall be made in writing to the department and shall include the reasons**

42 the facility is requesting the variance. The department shall not approve any variance
43 request that endangers the health or safety of the children served by the facility.

44 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is
45 created under the authority delegated in sections 192.2550 to 192.2560 shall become
46 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
47 if applicable, section 536.028. This section and chapter 536 are nonseverable and if any
48 of the powers vested with the general assembly pursuant to chapter 536 to review, to
49 delay the effective date, or to disapprove and annul a rule are subsequently held
50 unconstitutional, then the grant of rulemaking authority and any rule proposed or
51 adopted after August 28, 2024, shall be invalid and void.

192.2556. 1. All applicants for or holders of a license to operate a prescribed
2 pediatric extended care facility shall have an active, nonsuspended license to operate a
3 child care facility issued by the department of elementary and secondary education.

4 2. All persons employed by the prescribed pediatric extended care facility for
5 compensation, including contract employees or self-employed individuals, and
6 individuals or volunteers whose activities involve the care or supervision of children
7 for a prescribed pediatric extended care provider or unsupervised access to children
8 who are cared for or supervised by a prescribed pediatric extended care provider shall
9 be considered a child care staff member, as that term is defined in section 210.1080, and
10 shall comply with all requirements under that section and regulations promulgated
11 pursuant thereto.

192.2558. 1. If the department proposes to deny, place on probation, or revoke a
2 license, the department shall serve upon the applicant or licensee written notice of the
3 proposed action to be taken. The notice shall contain a statement of the type of action
4 proposed, the basis for it, the date the action will become effective, and a statement that
5 the applicant or licensee shall have thirty days to request in writing a hearing before the
6 administrative hearing commission and that such request shall be made to the
7 department. If no written request for a hearing is received by the department within
8 thirty days of the delivery or mailing by certified mail of the notice to the applicant or
9 licensee, then the proposed discipline shall take effect on the thirty-first day after such
10 delivery or mailing of the notice to the applicant or licensee. If the applicant or licensee
11 makes a written request for a hearing, the department shall file a complaint with the
12 administrative hearing commission within thirty days of receipt of the request for a
13 hearing.

14 2. The department shall immediately suspend and propose to revoke any
15 prescribed pediatric extended care facility license if the department of elementary and
16 secondary education immediately suspends the licensee's license to operate a child care

17 facility. The immediate suspension of the license to operate a child care facility shall be
18 sufficient grounds for the department of health and senior services to immediately
19 suspend and revoke the prescribed pediatric extended care license.

20 3. The department shall immediately suspend and propose to revoke any
21 prescribed pediatric extended care license if the department of elementary and
22 secondary education revokes the licensee's license to operate a child care facility. The
23 revocation of the license to operate a child care facility shall be sufficient grounds for the
24 department of health and senior services to immediately suspend and revoke the
25 prescribed pediatric extended care license.

26 4. The department may immediately suspend any license simultaneously with
27 the notice of the proposed action to be taken in subsection 1 of this section if the
28 department finds that there is a threat of imminent bodily harm to the children in the
29 care of the prescribed pediatric extended care facility.

30 5. The notice of immediate suspension shall include the basis of the immediate
31 suspension and the appeal rights of the licensee pursuant to this section. The licensee
32 may appeal the decision to immediately suspend the license to the department. The
33 appeal shall be filed within ten days from the delivery or mailing by certified mail of the
34 notice of appeal. A hearing shall be conducted by the department within fifteen days
35 from the date the appeal is filed. The immediate suspension shall continue in effect until
36 the conclusion of the proceedings, including review thereof, unless sooner withdrawn by
37 the department or stayed by a court of competent jurisdiction.

38 6. Any person aggrieved by a final decision of the department made in the
39 administration of sections 192.2550 to 192.2560 shall be entitled to judicial review
40 thereof as provided in chapter 536.

41 7. In cases of imminent bodily harm to children in the care of a prescribed
42 pediatric extended care facility, including an unlicensed facility not exempt under
43 section 192.2552, the department may file suit in the circuit court of the county in which
44 the prescribed pediatric extended care facility is located for injunctive relief, which may
45 include removing children from the facility, overseeing the operation of the facility, or
46 closing the facility. The department may request that the attorney general bring the
47 action in place of the department. Failure by the department to file suit under the
48 provisions of this subsection shall not be construed as creating any civil liability or
49 incurring other obligations or duties, except as otherwise specified.

192.2560. 1. Nothing contained in sections 192.2550 to 192.2560 shall permit the
2 public disclosure by the department of confidential medical, social, personal, or
3 financial records of any child in the care of any prescribed pediatric extended care
4 facility, except when disclosed in a manner which does not identify any child or when

5 **ordered to do so by a court of competent jurisdiction. Such records shall be accessible**
6 **without court order for examination and copying only to the following persons or**
7 **offices, or to their designees:**

8 (1) **The department or any person or agency designated by the department;**

9 (2) **The department of elementary and secondary education or any person or**
10 **agency designated by the department of elementary and secondary education;**

11 (3) **The department of social services or any person or agency designated by the**
12 **department of social services;**

13 (4) **The attorney general;**

14 (5) **Any appropriate law enforcement agency;**

15 (6) **Any appropriate prosecutor's office; and**

16 (7) **The child's parent or guardian, or any other person designated by the child's**
17 **parent or guardian.**

18 **2. Inspection reports and written reports of investigations of complaints and**
19 **complaints received by the department relating to the quality of care of children in the**
20 **care of a prescribed pediatric extended care provider shall be accessible to the public for**
21 **examination and copying, provided that such reports are disclosed in a manner which**
22 **does not identify the complainant or any particular child.**

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

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

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

10 (1) **Maintain a central registry;**

11 (2) **Receive reports and establish and maintain an information system operating at all**
12 **times, capable of receiving and maintaining reports;**

13 (3) **Attempt to obtain the name and address of any person making a report in all cases,**
14 **after obtaining relevant information regarding the alleged abuse or neglect, although reports**
15 **may be made anonymously; except that, reports by mandatory reporters under section**
16 **210.115, including employees of the children's division, juvenile officers, and school**
17 **personnel shall not be made anonymously, provided that the reporter shall be informed, at the**
18 **time of the report, that the reporter's name and any other personally identifiable information**

19 shall be held as confidential and shall not be made public as provided under this section and
20 section 211.319;

21 (4) Upon receipt of a report, check with the information system to determine whether
22 previous reports have been made regarding actual or suspected abuse or neglect of the subject
23 child, of any siblings, and the perpetrator, and relevant dispositional information regarding
24 such previous reports;

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

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

32 (7) Maintain a record which contains the facts ascertained which support the
33 determination as well as the facts that do not support the determination;

34 (8) Whenever available and appropriate, contract for the provision of children's
35 services through children's services providers and agencies in the community; except that the
36 state shall be the sole provider of child abuse and neglect hotline services, the initial child
37 abuse and neglect investigation, and the initial family assessment. **To assist in its child
38 abuse and neglect investigation, the division may contract for services designed to
39 ascertain child safety and provide preventative services; provided that a contractor
40 providing child safety services for a child shall not also be a placement provider for that
41 child.** The division shall attempt to seek input from child welfare service providers in
42 completing the initial family assessment. In all legal proceedings involving children in the
43 custody of the division, the division shall be represented in court by either division personnel
44 or persons with whom the division contracts with for such legal representation. All children's
45 services providers and agencies shall be subject to criminal background checks pursuant to
46 chapter 43 and shall submit names of all employees to the family care safety registry; and

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

51

52 As used in this subsection, "report" includes any telephone call made pursuant to section
53 210.145.

210.201. As used in sections 210.201 to 210.257, the following terms mean:

2 (1) "Child", an individual who is under the age of seventeen;

3 (2) "Child care", care of a child away from his or her home for any part of the twenty-
4 four-hour day for compensation or otherwise. Child care is a voluntary supplement to parental
5 responsibility for the child's protection, development, and supervision;

6 (3) "Child-care facility" or "child care facility", a house or other place conducted or
7 maintained by any person who advertises or holds himself or herself out as providing child
8 care for any part of the twenty-four-hour day for compensation or otherwise if providing child
9 care to more than:

10 (a) Six children; or

11 (b) Three children under two years of age;

12 (4) "Child care provider" or "provider", the person or persons licensed or required to
13 be licensed under section 210.221 to establish, conduct, or maintain a child care facility;

14 (5) "Day camp", a program operated by a person or organization between the hours of
15 6:00 a.m. and 7:00 p.m., when a local school system is not in session requiring actual pupil
16 attendance, and with the primary function of providing a recreational program for children
17 five years of age or older who are enrolled in kindergarten or any grade above kindergarten,
18 but providing no child care for children under five years of age who are not yet enrolled in
19 kindergarten in the same space or in the same outdoor play area simultaneously;

20 (6) "Montessori school", a child care program that is either accredited by, actively
21 seeking accreditation by, or maintains an active school membership with the American
22 Montessori Society, the Association Montessori Internationale, the International Montessori
23 Counsel, or the Montessori Educational Programs International;

24 (7) "Neighborhood youth development program", as described in section 210.278;

25 (8) "Nursery school", a program operated by a person or an organization with the
26 primary function of providing an educational program for preschool-age children for no more
27 than four hours per day per child;

28 (9) "Person", any individual, firm, corporation, partnership, association, agency, or an
29 incorporated or unincorporated organization regardless of the name used;

30 (10) "Religious organization", a church, synagogue or mosque; an entity that has or
31 would qualify for federal tax-exempt status as a nonprofit religious organization under
32 Section 501(c) of the Internal Revenue Code; or an entity whose real estate on which the
33 child-care facility is located is exempt from taxation because it is used for religious purposes;

34 (11) **"School-age child", any child five years of age or older who is in**
35 **kindergarten or above;**

36 (12) "School system", a program established primarily for education and that meets
37 the following criteria:

38 (a) Provides education in at least the first to the sixth grade; and

39 (b) Provides evidence that the school system's records will be accepted by a public or
40 private school for the transfer of any student;

41 ~~[(12)]~~ (13) "Summer camp", a program operated from May to September by a person
42 or organization with the primary function of providing a summer recreational program for
43 children five years of age or older and providing no child care for children under five years of
44 age in the same space or in the same outdoor play area simultaneously.

210.211. 1. It shall be unlawful for any person to establish, maintain or operate a
2 child-care facility for children, or to advertise or hold himself or herself out as being able to
3 perform any of the services as defined in section 210.201, without having in effect a written
4 license granted by the department of elementary and secondary education; except that nothing
5 in sections 210.203 to 210.245 shall apply to:

6 (1) Any person who is caring for six or fewer children, including a maximum of three
7 children under the age of two, at the same physical address. For purposes of this subdivision,
8 children who live in the caregiver's home and who are eligible for enrollment in a public
9 kindergarten, elementary, or high school shall not be considered in the total number of
10 children being cared for;

11 (2) Any person who receives free of charge, and not as a business, for periods not
12 exceeding ninety consecutive days, as bona fide, occasional and personal guests the child or
13 children of personal friends of such person, and who receives custody of no other unrelated
14 child or children;

15 (3) Any graded boarding school that is conducted in good faith primarily to provide
16 education;

17 (4) Any summer or day camp that is conducted in good faith primarily to provide
18 recreation;

19 (5) Any hospital, sanitarium, or home that is conducted in good faith primarily to
20 provide medical treatment or nursing or convalescent care for children;

21 (6) Any residential facility or day program licensed by the department of mental
22 health under sections 630.705 to 630.760 that provides care, treatment, and habilitation
23 exclusively to children who have a primary diagnosis of mental disorder, mental illness,
24 intellectual disability, or developmental disability, as those terms are defined in section
25 630.005;

26 (7) Any school system as defined in section 210.201;

27 (8) Any Montessori school as defined in section 210.201;

28 (9) Any business that operates a child care program for the convenience of its
29 customers or its employees if the following conditions are met:

30 (a) The business provides child care for customers' or employees' children for no
31 more than four hours per day; and

32 (b) Customers or employees remain on site while their children are being cared for by
33 the business establishment;

34 (10) Any home school as defined in section 167.031;

35 (11) Any religious organization academic preschool or kindergarten for four- and
36 five-year-old children;

37 (12) Any weekly Sunday or Sabbath school, a vacation bible school, or child care
38 made available while the parents or guardians are attending worship services or other
39 meetings and activities conducted or sponsored by a religious organization;

40 (13) Any neighborhood youth development program under section 210.278;

41 (14) **Any program serving only children enrolled in grade six or above;**

42 (15) Any religious organization elementary or secondary school;

43 ~~[(15)]~~ (16) Any private organization elementary or secondary school system
44 providing child care to children younger than school age. If a facility or program is exempt
45 from licensure based upon this exception, such facility or program shall submit
46 documentation annually to the department to verify its licensure-exempt status;

47 ~~[(16)]~~ (17) Any nursery school as defined in section 210.201; and

48 ~~[(17)]~~ (18) Any child care facility maintained or operated under the exclusive control
49 of a religious organization. If a nonreligious organization having as its principal purpose the
50 provision of child care services enters into an arrangement with a religious organization for
51 the maintenance or operation of a child care facility, the facility is not under the exclusive
52 control of the religious organization.

53 2. Notwithstanding the provisions of subsection 1 of this section, no child-care
54 facility shall be exempt from licensure if such facility receives any state or federal funds for
55 providing care for children, except for federal funds for those programs which meet the
56 requirements for participation in the Child and Adult Care Food Program pursuant to 42
57 U.S.C. Section 1766. Grants to parents for child care pursuant to sections 210.201 to 210.257
58 shall not be construed to be funds received by a person or facility listed in subdivisions (1)
59 and ~~[(17)]~~ (18) of subsection 1 of this section.

60 3. Every child care facility shall disclose the licensure status of the facility to the
61 parents or guardians of children for which the facility provides care. No child care facility
62 exempt from licensure shall represent to any parent or guardian of children for which the
63 facility provides care that the facility is licensed when such facility is in fact not licensed. A
64 parent or guardian utilizing an unlicensed child care facility shall sign a written notice
65 indicating he or she is aware of the unlicensed status of the facility. The facility shall keep a
66 copy of this signed written notice on file. All child care facilities shall provide the parent or
67 guardian enrolling a child in the facility with a written explanation of the disciplinary
68 philosophy and policies of the child care facility.

69 4. Up to two children who are five years of age or older and who are related within
70 the third degree of consanguinity or affinity to, adopted by, or under court appointed
71 guardianship or legal custody of a child care provider who is responsible for the daily
72 operation of a licensed family child care home that is organized as a corporation, association,
73 firm, partnership, limited liability company, sole proprietorship, or any other type of business
74 entity in this state shall not be included in the number of children counted toward the
75 maximum number of children for which the family child care home is licensed under section
76 210.221. If more than one member of the corporation, association, firm, partnership, limited
77 liability company, or other business entity is responsible for the daily operation of the
78 licensed family child care home, then the related children of only one such member shall be
79 excluded. A family child care home caring for children not counted in the maximum number
80 of children, as permitted under this subsection, shall disclose this to parents or guardians on
81 the written notice required under subsection 3 of this section. If a family child care home
82 begins caring for children not counted in the maximum number of children after a parent or
83 guardian has signed the written notice required under subsection 3 of this section, the family
84 child care home shall provide a separate notice to the parent or guardian that the family child
85 care home is caring for children not counted in the maximum number of children for which
86 the family child care home is licensed and shall keep a copy of the signed notice on file.

87 5. Nothing in this section shall prevent the department from enforcing licensing
88 regulations promulgated under this chapter, including, but not limited to, supervision
89 requirements and capacity limitations based on the amount of child care space available.

210.221. 1. The department of elementary and secondary education shall have the
2 following powers and duties:

3 (1) After inspection, to grant licenses to persons to operate child-care facilities if
4 satisfied as to the good character and intent of the applicant and that such applicant is
5 qualified and equipped to render care or service conducive to the welfare of children. Each
6 license shall specify **its effective dates and whether it is temporary**, the kind of child-care
7 services the licensee is authorized to perform, the number of children that can be received or
8 maintained, and their ages;

9 (2) To inspect the conditions of the homes and other places in which the applicant
10 operates a child-care facility, inspect their books and records, premises and children being
11 served, examine their officers and agents, deny, suspend, place on probation or revoke the
12 license of such persons as fail to obey the provisions of sections 210.201 to 210.245 or the
13 rules and regulations made by the department of elementary and secondary education. The
14 commissioner also may revoke or suspend a license when the licensee surrenders the license;

15 (3) To promulgate and issue rules and regulations the department deems necessary or
16 proper in order to establish standards of service and care to be rendered by such licensees to

17 children. No rule or regulation promulgated by the department shall in any manner restrict or
18 interfere with any religious instruction, philosophies or ministries provided by the facility and
19 shall not apply to facilities operated by religious organizations which are not required to be
20 licensed;

21 (4) To approve training concerning the safe sleep recommendations of the American
22 Academy of Pediatrics in accordance with section 210.223; ~~and~~

23 (5) To determine what records shall be kept by such persons and the form thereof, and
24 the methods to be used in keeping such records, and to require reports to be made to the
25 department at regular intervals; **and**

26 (6) **The department of elementary and secondary education shall grant a**
27 **temporary child-care license to a child-care provider who is not on probation, nor has a**
28 **current letter of censure, upon submittal of a complete license application to expand an**
29 **existing site, or to add a new location; provided that the child-care provider completes**
30 **licensure required background checks and also submits an approved fire safety and a**
31 **sanitation inspection approved for the site being expanded or added. Temporary**
32 **licenses shall be valid for a duration of no longer than twelve months from the date of**
33 **issuance or until the department makes a final determination on full licensure.**

34 2. Any child-care facility may request a variance from a rule or regulation
35 promulgated pursuant to this section. The request for a variance shall be made in writing to
36 the department of elementary and secondary education and shall include the reasons the
37 facility is requesting the variance. The department shall approve any variance request that
38 does not endanger the health or safety of the children served by the facility. The burden of
39 proof at any appeal of a disapproval of a variance application shall be with the department of
40 elementary and secondary education. Local inspectors may grant a variance, subject to
41 approval by the department of elementary and secondary education.

42 3. The department shall deny, suspend, place on probation or revoke a license if it
43 receives official written notice that the local governing body has found that license is
44 prohibited by any local law related to the health and safety of children. The department may
45 deny an application for a license if the department determines that a home or other place in
46 which an applicant would operate a child-care facility is located within one thousand feet of
47 any location where a person required to register under sections 589.400 to 589.425 either
48 resides, as that term is defined in subsection 3 of section 566.147, or regularly receives
49 treatment or services, excluding any treatment or services delivered in a hospital, as that term
50 is defined in section 197.020, or in facilities owned or operated by a hospital system. The
51 department may, after inspection, find the licensure, denial of licensure, suspension or
52 revocation to be in the best interest of the state.

53 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is
54 created under the authority delegated in sections 210.201 to 210.245 shall become effective
55 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
56 section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force
57 and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the
58 validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all
59 applicable provisions of law. This section and chapter 536 are nonseverable and if any of the
60 powers vested with the general assembly pursuant to chapter 536 to review, to delay the
61 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
62 the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999,
63 shall be invalid and void.

 210.252. 1. All buildings and premises used by a child-care facility to care for more
2 than six children except those exempted from the licensing provisions of the department of
3 elementary and secondary education pursuant to subdivisions (1) to ~~[(15)]~~ (16) of subsection
4 1 of section 210.211, shall be inspected annually for fire and safety by the state fire marshal,
5 the marshal's designee or officials of a local fire district and for health and sanitation by the
6 department of elementary and secondary education or the department's designee, including
7 officials of the department of health and senior services, or officials of the local health
8 department. Evidence of compliance with the inspections required by this section shall be
9 kept on file and available to parents of children enrolling in the child-care facility.

10 2. Local inspection of child-care facilities may be accomplished if the standards
11 employed by local personnel are substantially equivalent to state standards and local
12 personnel are available for enforcement of such standards.

13 3. Any child-care facility may request a variance from a rule or regulation
14 promulgated pursuant to this section. The request for a variance shall be made in writing to
15 the department of elementary and secondary education and shall include the reasons the
16 facility is requesting the variance. The department shall approve any variance request that
17 does not endanger the health or safety of the children served by the facility. The burden of
18 proof at any appeal of a disapproval of a variance application shall be with the department of
19 elementary and secondary education. Local inspectors may grant a variance, subject to
20 approval by the department of elementary and secondary education.

21 4. The department of elementary and secondary education shall administer the
22 provisions of sections 210.252 to 210.256, with the cooperation of the state fire marshal, the
23 department of health and senior services, local fire departments and local health agencies.

24 5. The department of elementary and secondary education shall promulgate rules and
25 regulations to implement and administer the provisions of sections 210.252 to 210.256. Such
26 rules and regulations shall provide for the protection of children in all child-care facilities

27 whether or not such facility is subject to the licensing provisions of sections 210.201 to
28 210.245.

29 6. The department of health and senior services, after consultation with the
30 department of elementary and secondary education, may promulgate rules and regulations to
31 implement and administer the provisions of this section related to sanitation requirements.
32 Such rules and regulations shall provide for the protection of children in all child-care
33 facilities whether or not such facility is subject to the licensing provisions of sections 210.201
34 to 210.245.

35 7. Any rule or portion of a rule, as that term is defined in section 536.010, that is
36 created under the authority delegated in sections 210.252 to 210.256 shall become effective
37 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
38 section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force
39 and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the
40 validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all
41 applicable provisions of law. This section and chapter 536 are nonseverable and if any of the
42 powers vested with the general assembly pursuant to chapter 536 to review, to delay the
43 effective date or to disapprove and annul a rule are subsequently held unconstitutional, then
44 the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999,
45 shall be invalid and void.

210.275. Any program licensed by the department of elementary and secondary
2 education pursuant to this chapter providing child care to **only** school-age children [~~that is~~
3 ~~located and operated on elementary or secondary school property~~] shall comply with the
4 child-care licensure provisions in this chapter; except that, for safety, health and fire purposes,
5 all buildings and premises for any such programs shall be deemed to be in compliance with
6 the child-care licensure provisions in this chapter.

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

2 (1) "Child", any child placed in the legal custody of the division under chapter 211;

3 (2) "Division", the children's division of the department of social services of the state
4 of Missouri;

5 (3) "Money", any legal tender, note, draft, certificate of deposit, stocks, bond or
6 check;

7 (4) "**Unmet needs**", **needs for which the division is not required by law to**
8 **provide financial support, such as:**

9 **(a) Tuition, tutoring, and training, including application fees, books, equipment,**
10 **and testing;**

11 **(b) Transportation to work, training, education, or to maintain family**
12 **connections;**

13 **(c) Housing expenses if the child is preparing to leave the custody of the division**
14 **for reasons relating to the child's age; and**

15 **(d) Technology, special clothing needs, instruments, books, and other equipment**
16 **relating to the child's hobbies and interests;**

17 **(5) "Vested right", a legal right that is more than a mere expectancy and may be**
18 **reduced to a present monetary value.**

19 2. The child, the child's parents, any fiduciary or any representative payee holding or
20 receiving money that are vested rights solely for or on behalf of a child are jointly and
21 severally liable for funds expended by the division to or on behalf of the child. The liability
22 of any person, except a parent of the child, shall be limited to the money received in his or her
23 fiduciary or representative capacity. The Missouri state government shall not require a trustee
24 or a financial institution acting as a trustee to exercise any discretionary powers in the
25 operation of a trust.

26 3. **(1)** The division may accept an appointment to serve as representative payee or
27 fiduciary, or in a similar capacity for payments to a child under any public or private benefit
28 arrangement. Money so received shall be governed by this section to the extent that laws and
29 regulations governing payment of such benefits provide otherwise.

30 **(2) In the case of benefits administered by the U.S. Railroad Retirement Board,**
31 **the Social Security Administration, or the Veterans Administration, the division shall**
32 **determine whether the child is receiving or otherwise eligible to receive such benefits**
33 **within sixty days after the child is placed in the division's custody. If the division**
34 **determines that the child is eligible or may be eligible for the benefits, then the division**
35 **shall apply for the benefits on behalf of the child. If the child is already receiving the**
36 **benefits before being placed in the division's custody or if the division applies for the**
37 **benefits on behalf of the child, then the division shall identify, in consultation with the**
38 **child and the child's legal representative, a representative payee in accordance with 20**
39 **CFR 404.2021 and 20 CFR 416.621 and shall apply to become the representative payee**
40 **only if no other suitable candidate is available. The division shall annually review if**
41 **someone other than the division is available, if in the best interests of the child, to apply**
42 **to assume the role of representative payee.**

43 **(3) The division shall annually review cases of children in the division's custody**
44 **to determine whether a child may have become eligible for benefits after the division's**
45 **initial assessment.**

46 4. Any money received by the division on behalf of a child shall be accounted for in
47 the name of the child. Any money in the account of a child ~~may~~ **shall not** be expended by
48 the division for care or services for the child, **including, but not limited to, foster care**
49 **maintenance payments, as defined in 42 U.S.C. Section 675(4)(A), and any special**

50 **allowances or expenses established by the division for the care of children in the**
51 **division's custody for a child of a similar age; provided, that the division may use the**
52 **benefits administered by the U.S. Railroad Retirement Board, the Social Security**
53 **Administration, or the Veterans Administration for the child's unmet needs beyond**
54 **what the division is obligated, required, or agrees to pay.** The division shall by rule
55 adopted under chapter 536 establish procedures for the accounting of the money and the
56 protection of the money against theft, loss or misappropriation.

57 5. The division shall deposit money with a financial institution. Any earnings
58 attributable to the money in the account of a child shall be credited to that child's account.
59 The division shall receive bids from banking corporations, associations or trust companies
60 which desire to be selected as depositories of children's moneys for the division. **The child's**
61 **account shall be established in a manner consistent with federal and state asset and**
62 **resource limits and may include a special-needs trust, a pooled special-needs trust, an**
63 **ABLE account, as defined in section 209.600, or any other trust account determined not**
64 **to interfere with asset limitations for any state or federal benefit program for which the**
65 **child may be eligible.**

66 6. The division may accept funds which a parent, guardian or other person wishes to
67 provide for the use or benefit of the child. The use and deposit of such funds shall be
68 governed by this section and any additional directions given by the provider of the funds.

69 7. Each child for whose benefit funds have been received by the division and the
70 guardian ad litem of such child shall be furnished annually with a statement listing all
71 transactions involving the funds which have been deposited on the child's behalf, to include
72 each receipt and disbursement.

73 8. The division shall use all proper diligence to dispose of the balance of money
74 accumulated in the child's account when the child is released from the care and custody of the
75 division or the child dies. When the child is deceased the balance shall be disposed of as
76 provided by law for descent and distribution. If, after the division has diligently used such
77 methods and means as considered reasonable to refund such funds, there shall remain any
78 money, the owner of which is unknown to the division, or if known, cannot be located by the
79 division, in each and every such instance such money shall escheat and vest in the state of
80 Missouri, and the director and officials of the division shall pay the same to the state director
81 of the department of revenue, taking a receipt therefor, who shall deposit the money in the
82 state treasury to be credited to a fund to be designated as "escheat".

83 9. Within five years after money has been paid into the state treasury, any person who
84 appears and claims the money may file a petition in the circuit court of Cole County,
85 Missouri, stating the nature of the claim and praying that such money be paid to him. A copy
86 of the petition shall be served upon the director of the department of revenue who shall file an

87 answer to the same. The court shall proceed to examine the claim and the allegations and
88 proof, and if it finds that such person is entitled to any money so paid into the state treasury, it
89 shall order the commissioner of administration to issue a warrant on the state treasurer for the
90 amount of such claim, but without interest or costs. A certified copy of the order shall be
91 sufficient voucher for issuing a warrant; provided, that either party may appeal from the
92 decision of the court in the same manner as provided by law in other civil actions.

93 10. All moneys paid into the state treasury under the provisions of this section after
94 remaining there unclaimed for five years shall escheat and vest absolutely in the state and be
95 credited to the state treasury, and all persons shall be forever barred and precluded from
96 setting up title or claim to any such funds.

97 11. Nothing in this section shall be deemed to apply to funds regularly due the state of
98 Missouri for the support and maintenance of children in the care and custody of the division
99 or collected by the state of Missouri as reimbursement for state funds expended on behalf of
100 the child.

210.841. 1. The judgment or order of the court determining the existence or
2 nonexistence of the parent and child relationship is determinative for all purposes.

3 2. If the judgment or order of the court varies with the child's birth certificate, the
4 court shall order that an amended birth registration be made pursuant to section 210.849.

5 3. The judgment or order shall contain the Social Security number of each party and
6 may contain any other provision directed against the appropriate party to the proceeding
7 concerning:

8 (1) The duty of support;

9 (2) The custody and guardianship of the child;

10 (3) Visitation privileges with the child;

11 (4) The furnishing of bond or other security for the payment of the judgment; or

12 (5) Any matter in the best interest of the child. The judgment or order may direct the
13 father to pay the reasonable expenses of the mother's pregnancy and confinement.

14 4. Support judgments or orders ordinarily shall be for periodic payments. In the best
15 interests of the child, a lump sum payment or the purchase of an annuity may be ordered in
16 lieu of periodic payments of support. The court may limit the father's liability for past support
17 of the child to the proportion of the expenses already incurred that the court deems just.

18 5. There shall be a rebuttable presumption that the amount of support that would
19 result from the application of supreme court rule 88.01 is the correct amount of child support
20 to be awarded. A written finding or specific finding on the record that the application of
21 supreme court rule 88.01 would be unjust or inappropriate in a particular case, after
22 considering all relevant factors including the factors in subsection 6 of this section, shall be
23 sufficient to rebut the presumption in the case.

24 6. In determining the amount to be paid by a parent for support of the child and the
25 period during which the duty of support is owed, the court shall consider all relevant facts,
26 including:

- 27 (1) The needs of the child;
- 28 (2) The standard of living and circumstances of the parents;
- 29 (3) The relative financial means of the parents;
- 30 (4) The earning ability of the parents;
- 31 (5) The need and capacity of the child for education, including higher education;
- 32 (6) The age of the child;
- 33 (7) The financial resources and earning capacity of the child;
- 34 (8) The responsibility of the parents for the support of other children;
- 35 (9) The value of the services contributed by the custodial parent; and
- 36 (10) The standard of living and circumstances of the family prior to the dissolution of
37 marriage of parents or during the period of cohabitation of the parents.

38 7. Any award for periodic child support may be retroactive to the date of service of
39 the original petition upon the obligor.

40 **8. The court shall apply the provisions of subsection 3 of section 452.375 when**
41 **determining whether a party shall have custody, guardianship, or unsupervised**
42 **visitation of a child under this section.**

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

- 6 (1) [~~The following four members of the general assembly:~~
- 7 ~~(a) Two members of the senate, with one member to be appointed by the president pro~~
8 ~~tempore of the senate and one member to be appointed by the minority floor leader of the~~
9 ~~senate; and~~
- 10 ~~(b) Two members of the house of representatives, with one member to be appointed~~
11 ~~by the speaker of the house of representatives and one member to be appointed by the~~
12 ~~minority floor leader of the house of representatives]~~ **The attorney general or his or her**
13 **designee, who shall serve as the chair of the council;**
- 14 (2) The director of the children's division or his or her designee;
- 15 (3) The director of the department of public safety or his or her designee;
- 16 (4) The director of the department of mental health or his or her designee;
- 17 (5) The director of the office of prosecution services or his or her designee;
- 18 (6) The superintendent of the Missouri state highway patrol or his or her designee;

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

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

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

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

27 (11) Two representatives from agencies providing services to victims of child sex
28 trafficking and sexual exploitation ~~[who reflect the geographic diversity of the state and who
29 shall be appointed by the director of the department of social services]; [and]~~

30 **(12) Two members of the senate to be appointed by the president pro tempore of
31 the senate;**

32 **(13) Two members of the house of representatives to be appointed by the speaker
33 of the house of representatives;**

34 **(14) A member of the judiciary, who shall be appointed by the Missouri supreme
35 court;**

36 **(15) The commissioner of the department of elementary and secondary
37 education or his or her designee;**

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

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

41 **(18) A representative from any other government or nongovernment
42 organization deemed necessary by the attorney general.**

43 2. A majority of the members of the council shall constitute a quorum. The council
44 shall **be created within thirty days of August 28, 2024, and shall** hold its first meeting
45 within thirty days after the council's creation ~~[and organize by selecting a chair and a vice
46 chair]~~. The council shall meet at ~~[the call of the chair]~~ **least quarterly. The council may
47 create a subgroup to offer recommendations on specific issues as deemed necessary.**

48 3. ~~[The council shall:~~

49 ~~(1) Collect and analyze data relating to sex trafficking and sexual exploitation of
50 children, including the number of reports made to the children's division under section
51 210.115, any information obtained from phone calls to the national sex trafficking hotline, the
52 number of reports made to law enforcement, arrests, prosecution rates, and any other data
53 important for any recommendations of the council. State departments and council members
54 shall provide relevant data as requested by the council to fulfill the council's duties; and~~

55 ~~(2) Collect feedback from stakeholders, practitioners, and leadership throughout the~~
56 ~~state in order to develop best practices and procedures regarding the response to sex~~
57 ~~trafficking and sexual exploitation of children, including identification and assessment of~~
58 ~~victims; response and treatment coordination and collaboration across systems; trauma-~~
59 ~~informed, culturally competent victim-centered services; training for professionals in all~~
60 ~~systems; and investigating and prosecuting perpetrators.~~

61 ~~4. The department of social services shall provide administrative support to the~~
62 ~~council.~~

63 ~~5. On or before December 31, 2023, the council shall submit a report of the council's~~
64 ~~activities to the governor and general assembly and the joint committee on child abuse and~~
65 ~~neglect under section 21.771. The report shall include recommendations for priority needs~~
66 ~~and actions, including statutory or regulatory changes relating to the response to sex~~
67 ~~trafficking and sexual exploitation of children and services for child victims.~~

68 ~~6. The council shall expire on December 31, 2023.]~~ **There shall be an executive**
69 **director who shall be appointed by the attorney general who shall fix his or her**
70 **compensation and provide for such other administrative personnel as necessary within**
71 **the limits of appropriations provided in subsection 4 of this section. The executive**
72 **director shall serve under the supervision of the attorney general who shall provide**
73 **necessary office space.**

74 **4. (1) There is hereby created in the state treasury the "Anti-Trafficking Fund",**
75 **which shall consist of moneys appropriated to it by the general assembly and any grants,**
76 **gifts, donations, and bequests. The state treasurer shall be custodian of the fund. In**
77 **accordance with sections 30.170 and 30.180, the state treasurer may approve**
78 **disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys**
79 **in this fund shall be used solely to pay for the position of the executive director of the**
80 **statewide council against adult trafficking and the commercial sexual exploitation of**
81 **children, education and awareness regarding human trafficking, and anti-trafficking**
82 **efforts throughout the state of Missouri.**

83 **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
84 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
85 **general revenue fund.**

86 **(3) The state treasurer shall invest moneys in the fund in the same manner as**
87 **other funds are invested. Any interest and moneys earned on such investments shall be**
88 **credited to the fund.**

211.038. 1. A child under the jurisdiction of the juvenile court shall not be reunited
2 with a parent or placed in a home in which the parent or any person residing in the home has
3 been found guilty of any of the following offenses when a child was the victim:

4 (1) A felony violation of section 566.030, 566.031, 566.032, 566.060, 566.061,
5 566.062, 566.064, 566.067, 566.068, 566.069, 566.071, 566.083, 566.100, 566.101, 566.111,
6 566.151, 566.203, 566.206, 566.209, 566.211, or 566.215;

7 (2) A violation of section 568.020;

8 (3) Abuse of a child under section 568.060 when such abuse is sexual in nature;

9 (4) A violation of section 568.065;

10 (5) A violation of section 573.200;

11 (6) A violation of section 573.205; or

12 (7) A violation of section 568.175;

13 (8) A violation of section 566.040, 566.070, or 566.090 as such sections existed prior
14 to August 28, 2013; or

15 (9) A violation of section 566.212, 568.080, or 568.090 as such sections existed prior
16 to January 1, 2017.

17 2. For all other violations of offenses in chapters 566 and 568 not specifically listed in
18 subsection 1 of this section or for a violation of an offense committed in another state when a
19 child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri,
20 the juvenile court may exercise its discretion regarding the placement of a child under the
21 jurisdiction of the juvenile court in a home in which a parent or any person residing in the
22 home has been found guilty of, or pled guilty to, any such offense.

23 3. If the juvenile court determines that a child has abused another child, such abusing
24 child shall be prohibited from returning to or residing in any residence located within one
25 thousand feet of the residence of the abused child, or any child care facility or school that the
26 abused child attends, until the abused child reaches eighteen years of age. The prohibitions of
27 this subsection shall not apply where the alleged abuse occurred between siblings or children
28 living in the same home.

29 **4. The juvenile court shall not refuse to reunify or otherwise place a child with a**
30 **parent who, or in a home in which the parent or any person residing in the home, is**
31 **utilizing medication-assisted treatment, as such term is defined in section 487.200, for**
32 **opioid or other substance misuse or dependence because of the use of such treatment or**
33 **otherwise require such parent or person to cease utilizing or complete such treatment**
34 **prior to reunification or placement of the child.**

211.221. In placing a child in or committing a child to the custody of an individual or
2 of a private agency or institution, the court, **children's division, or any child-placing agency**
3 **contracting with the state to provide foster care services** shall, whenever practicable,
4 select either a person, or an agency or institution governed by persons of the same religious
5 faith as that of the parents of such child, or in case of a difference in the religious faith of the

6 parents, then of the religious faith of the child or if the religious faith of the child is not
7 ascertainable, then of the faith of either of the parents.

211.326. 1. The state courts administrator shall:

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

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

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

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

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

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

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

16 **3. Continuing education standards established under subdivision (3) of**
17 **subsection 1 of this section shall include a requirement that each juvenile officer**
18 **annually complete one hour of sex and human trafficking training consistent with the**
19 **guidelines established in section 27.170. The provisions of this subsection shall become**
20 **effective on January 1, 2025, and shall expire on December 31, 2029.**

302.178. 1. Any person between the ages of sixteen and eighteen years who is
2 qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for, and the
3 director shall issue, an intermediate driver's license entitling the applicant, while having such
4 license in his or her possession, to operate a motor vehicle of the appropriate class upon the
5 highways of this state in conjunction with the requirements of this section. An intermediate
6 driver's license shall be readily distinguishable from a license issued to those over the age of
7 eighteen. All applicants for an intermediate driver's license shall:

8 (1) Successfully complete the examination required by section 302.173;

9 (2) Pay the fee required by subsection 4 of this section;

10 (3) Have had a temporary instruction permit issued pursuant to subsection 1 of
11 section 302.130 for at least a six-month period or a valid license from another state; and

12 (4) Have a parent, grandparent, legal guardian, or, if the applicant is a participant in a
13 federal residential job training program, a driving instructor employed by a federal residential
14 job training program, sign the application stating that the applicant has completed at least
15 forty hours of supervised driving experience under a temporary instruction permit issued

16 pursuant to subsection 1 of section 302.130, or, if the applicant is an emancipated minor, the
17 person over twenty-one years of age who supervised such driving. For purposes of this
18 section, the term "emancipated minor" means a person who is at least sixteen years of age, but
19 less than eighteen years of age, who:

20 (a) Marries with the consent of the legal custodial parent or legal guardian pursuant to
21 section 451.080;

22 (b) Has been declared emancipated by a court of competent jurisdiction;

23 (c) Enters active duty in the Armed Forces;

24 (d) Has written consent to the emancipation from the custodial parent or legal
25 guardian; [ø]

26 (e) Through employment or other means provides for such person's own food, shelter
27 and other cost-of-living expenses; or

28 **(f) Qualifies as a homeless child or homeless youth, as defined in subsection 1 of**
29 **section 167.020, or as an unaccompanied youth as defined in 42 U.S.C. Section 11434a**
30 **(6), and whose status as such is verified as provided under subsection 10 of this section;**

31 (5) Have had no alcohol-related enforcement contacts as defined in section 302.525
32 during the preceding twelve months; and

33 (6) Have no nonalcoholic traffic convictions for which points are assessed pursuant to
34 section 302.302, within the preceding six months.

35 2. An intermediate driver's license grants the licensee the same privileges to operate
36 that classification of motor vehicle as a license issued pursuant to section 302.177, except that
37 no person shall operate a motor vehicle on the highways of this state under such an
38 intermediate driver's license between the hours of 1:00 a.m. and 5:00 a.m. unless
39 accompanied by a person described in subsection 1 of section 302.130; except the licensee
40 may operate a motor vehicle without being accompanied if the travel is to or from a school or
41 educational program or activity, a regular place of employment or in emergency situations as
42 defined by the director by regulation.

43 3. Each intermediate driver's license shall be restricted by requiring that the driver
44 and all passengers in the licensee's vehicle wear safety belts at all times. This safety belt
45 restriction shall not apply to a person operating a motorcycle. For the first six months after
46 issuance of the intermediate driver's license, the holder of the license shall not operate a motor
47 vehicle with more than one passenger who is under the age of nineteen who is not a member
48 of the holder's immediate family. As used in this subsection, an intermediate driver's license
49 holder's immediate family shall include brothers, sisters, stepbrothers or stepsisters of the
50 driver, including adopted or foster children residing in the same household of the intermediate
51 driver's license holder. After the expiration of the first six months, the holder of an
52 intermediate driver's license shall not operate a motor vehicle with more than three passengers

53 who are under nineteen years of age and who are not members of the holder's immediate
54 family. The passenger restrictions of this subsection shall not be applicable to any
55 intermediate driver's license holder who is operating a motor vehicle being used in
56 agricultural work-related activities.

57 4. Notwithstanding the provisions of section 302.177 to the contrary, the fee for an
58 intermediate driver's license shall be five dollars and such license shall be valid for a period of
59 two years. **Such fee shall be waived for any person qualifying as an emancipated minor
60 under subdivision (4) of subsection 1 of this section.**

61 5. Any intermediate driver's licensee accumulating six or more points in a twelve-
62 month period may be required to participate in and successfully complete a driver-
63 improvement program approved by the state highways and transportation commission. The
64 driver-improvement program ordered by the director of revenue shall not be used in lieu of
65 point assessment.

66 6. (1) An intermediate driver's licensee who has, for the preceding twelve-month
67 period, had no alcohol-related enforcement contacts, as defined in section 302.525 and no
68 traffic convictions for which points are assessed, upon reaching the age of eighteen years or
69 within the thirty days immediately preceding their eighteenth birthday may apply for and
70 receive without further examination, other than a vision test as prescribed by section 302.173,
71 a license issued pursuant to this chapter granting full driving privileges. Such person shall
72 pay the required fee for such license as prescribed in section 302.177.

73 (2) If an intermediate driver's license expires on a Saturday, Sunday, or legal holiday,
74 such license shall remain valid for the five business days immediately following the
75 expiration date. In no case shall a licensee whose intermediate driver's license expires on a
76 Saturday, Sunday, or legal holiday be guilty of an offense of driving with an expired or invalid
77 driver's license if such offense occurred within five business days immediately following an
78 expiration date that occurs on a Saturday, Sunday, or legal holiday.

79 (3) The director of revenue shall deny an application for a full driver's license until
80 the person has had no traffic convictions for which points are assessed for a period of twelve
81 months prior to the date of application for license or until the person is eligible to apply for a
82 six-year driver's license as provided for in section 302.177, provided the applicant is
83 otherwise eligible for full driving privileges. An intermediate driver's license shall expire
84 when the licensee is eligible and receives a full driver's license as prescribed in subdivision
85 (1) of this section.

86 7. No person upon reaching the age of eighteen years whose intermediate driver's
87 license and driving privilege is denied, suspended, cancelled or revoked in this state or any
88 other state for any reason may apply for a full driver's license until such license or driving
89 privilege is fully reinstated. Any such person whose intermediate driver's license has been

90 revoked pursuant to the provisions of sections 302.010 to 302.540 shall, upon receipt of
91 reinstatement of the revocation from the director, pass the complete driver examination, apply
92 for a new license, and pay the proper fee before again operating a motor vehicle upon the
93 highways of this state.

94 8. A person shall be exempt from the intermediate licensing requirements if the
95 person has reached the age of eighteen years and meets all other licensing requirements.

96 9. Any person who violates any of the provisions of this section relating to
97 intermediate drivers' licenses or the provisions of section 302.130 relating to temporary
98 instruction permits is guilty of an infraction, and no points shall be assessed to his or her
99 driving record for any such violation.

100 10. **A person's status as a homeless child or youth or unaccompanied youth**
101 **under paragraph (f) of subdivision (4) of subsection 1 of this section shall be verified by**
102 **a letter signed by one of the following persons:**

103 (1) **A director or designee of a governmental or nonprofit agency that receives**
104 **public or private funding to provide services to homeless persons;**

105 (2) **A local education agency liaison for homeless children and youth designated**
106 **under 42 U.S.C. Section 11432(g)(1)(J)(ii), or a school social worker or counselor; or**

107 (3) **A licensed attorney representing the minor in any legal matter.**

108 11. Any rule or portion of a rule, as that term is defined in section 536.010, that is
109 created under the authority delegated in this section shall become effective only if it complies
110 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
111 This section and chapter 536 are nonseverable and if any of the powers vested with the
112 general assembly pursuant to chapter 536 to review, to delay the effective date or to
113 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
114 rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid
115 and void.

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to
2 302.340 shall be in such form as the director shall prescribe, but the license shall be a card
3 made of plastic or other comparable material. All licenses shall be manufactured of materials
4 and processes that will prohibit, as nearly as possible, the ability to reproduce, alter,
5 counterfeit, forge, or duplicate any license without ready detection. The license shall also
6 bear the expiration date of the license, the classification of the license, the name, date of birth,
7 residence address including the county of residence or a code number corresponding to such
8 county established by the department, and brief description and colored digitized image of the
9 licensee, and a facsimile of the signature of the licensee. The director shall provide by
10 administrative rule the procedure and format for a licensee to indicate on the back of the
11 license together with the designation for an anatomical gift as provided in section 194.240 the

12 name and address of the person designated pursuant to sections 404.800 to 404.865 as the
13 licensee's attorney in fact for the purposes of a durable power of attorney for health care
14 decisions. No license shall be valid until it has been so signed by the licensee. If any portion
15 of the license is prepared by a private firm, any contract with such firm shall be made in
16 accordance with the competitive purchasing procedures as established by the state director of
17 the division of purchasing.

18 2. All digital images produced for licenses shall become the property of the
19 department of revenue.

20 3. The license issued shall be carried at all times by the holder thereof while driving a
21 motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or
22 any police officer or peace officer, or any other duly authorized person, for inspection when
23 demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her
24 license to any duly authorized officer shall be presumptive evidence that such person is not a
25 duly licensed operator.

26 4. The director of revenue shall not issue a license without a facial digital image of
27 the license applicant, except as provided pursuant to subsection 7 of this section. A digital
28 image of the applicant's full facial features shall be taken in a manner prescribed by the
29 director. No digital image shall be taken wearing anything which cloaks the facial features of
30 the individual.

31 5. The department of revenue may issue a temporary license or a full license without
32 the photograph or with the last photograph or digital image in the department's records to
33 members of the Armed Forces, except that where such temporary license is issued it shall be
34 valid only until the applicant shall have had time to appear and have his or her picture taken
35 and a license with his or her photograph issued.

36 6. The department of revenue shall issue upon request a nondriver's license card
37 containing essentially the same information and photograph or digital image, except as
38 provided pursuant to subsection 7 of this section, as the driver's license upon payment of six
39 dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after
40 issuance. A person who has passed his or her seventieth birthday shall upon application be
41 issued a nonexpiring nondriver's license card. Notwithstanding any other provision of this
42 chapter, a nondriver's license containing a concealed carry endorsement shall expire three
43 years from the date the certificate of qualification was issued pursuant to section 571.101, as
44 section 571.101 existed prior to August 28, 2013. The fee for nondriver's licenses issued for a
45 period exceeding three years is six dollars or three dollars for nondriver's licenses issued for a
46 period of three years or less. The nondriver's license card shall be used for identification
47 purposes only and shall not be valid as a license. **No fee shall be required or collected from**
48 **a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or**

49 **unaccompanied youth, as defined in 42 U.S.C. Section 11434a(6), for a first nondriver's**
50 **license card issued under this subsection. Such person's status as a homeless child or**
51 **youth or unaccompanied youth shall be verified by a letter signed by one of the**
52 **following persons:**

53 (1) **A director or designee of a governmental or nonprofit agency that receives**
54 **public or private funding to provide services to homeless persons;**

55 (2) **A local education agency liaison for homeless children and youth designated**
56 **under 42 U.S.C. Section 11432(g)(1)(J)(ii), or a school social worker or counselor; or**

57 (3) **A licensed attorney representing the minor in any legal matter.**

58 7. If otherwise eligible, an applicant may receive a driver's license or nondriver's
59 license without a photograph or digital image of the applicant's full facial features except that
60 such applicant's photograph or digital image shall be taken and maintained by the director and
61 not printed on such license. In order to qualify for a license without a photograph or digital
62 image pursuant to this section the applicant must:

63 (1) Present a form provided by the department of revenue requesting the applicant's
64 photograph be omitted from the license or nondriver's license due to religious affiliations.
65 The form shall be signed by the applicant and another member of the religious tenant
66 verifying the photograph or digital image exemption on the license or nondriver's license is
67 required as part of their religious affiliation. The required signatures on the prescribed form
68 shall be properly notarized;

69 (2) Provide satisfactory proof to the director that the applicant has been a United
70 States citizen for at least five years and a resident of this state for at least one year, except that
71 an applicant moving to this state possessing a valid driver's license from another state without
72 a photograph shall be exempt from the one-year state residency requirement. The director
73 may establish rules necessary to determine satisfactory proof of citizenship and residency
74 pursuant to this section;

75 (3) Applications for a driver's license or nondriver's license without a photograph or
76 digital image must be made in person at a license office determined by the director. The
77 director is authorized to limit the number of offices that may issue a driver's or nondriver's
78 license without a photograph or digital image pursuant to this section.

79 8. The department of revenue shall make available, at one or more locations within
80 the state, an opportunity for individuals to have their full facial photograph taken by an
81 employee of the department of revenue, or their designee, who is of the same sex as the
82 individual being photographed, in a segregated location.

83 9. Beginning July 1, 2005, the director shall not issue a driver's license or a
84 nondriver's license for a period that exceeds an applicant's lawful presence in the United
85 States. The director may, by rule or regulation, establish procedures to verify the lawful

86 presence of the applicant and establish the duration of any driver's license or nondriver's
87 license issued under this section.

88 10. (1) Notwithstanding any biometric data restrictions contained in section 302.170,
89 the department of revenue is hereby authorized to design and implement a secure digital
90 driver's license program that allows applicants applying for a driver's license in accordance
91 with this chapter to obtain a secure digital driver's license in addition to the physical card-
92 based license specified in this section.

93 (2) A digital driver's license as described in this subsection shall be accepted for all
94 purposes for which a license, as defined in section 302.010, is used.

95 (3) The department may contract with one or more entities to develop the secure
96 digital driver's license system. The department or entity may develop a mobile software
97 application capable of being utilized through a person's electronic device to access the
98 person's secure digital driver's license.

99 (4) The department shall suspend, disable, or terminate a person's participation in the
100 secure digital driver's license program if:

101 (a) The person's driving privilege is suspended, revoked, denied, withdrawn, or
102 cancelled as provided in this chapter; or

103 (b) The person reports that the person's electronic device has been lost, stolen, or
104 compromised.

105 11. The director of the department of revenue may promulgate rules as necessary for
106 the implementation of this section. Any rule or portion of a rule, as that term is defined in
107 section 536.010 that is created under the authority delegated in this section shall become
108 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
109 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
110 powers vested with the general assembly pursuant to chapter 536 to review, to delay the
111 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
112 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020,
113 shall be invalid and void.

337.618. 1. Each license issued pursuant to the provisions of sections 337.600 to
2 337.689 shall expire on a renewal date established by the director. The term of licensure shall
3 be twenty-four months. The committee shall require a minimum number of thirty clock hours
4 of continuing education for renewal of a license issued pursuant to sections 337.600 to
5 337.689, including two hours of suicide assessment, referral, treatment, and management
6 training. The committee shall renew any license upon application for a renewal, completion
7 of the required continuing education hours and upon payment of the fee established by the
8 committee pursuant to the provisions of section 337.612. As provided by rule, the board may
9 waive or extend the time requirements for completion of continuing education for reasons

10 related to health, military service, foreign residency, or for other good cause. All requests for
11 waivers or extensions of time shall be made in writing and submitted to the board before the
12 renewal date.

13 **2. The hours of continuing education required for renewal of a license under this**
14 **section shall include two hours of sex and human trafficking training consistent with the**
15 **guidelines established in section 27.170. The provisions of this subsection shall become**
16 **effective on January 1, 2025, and shall expire on December 31, 2029.**

452.375. 1. As used in this chapter, unless the context clearly indicates otherwise:

2 (1) "Custody" means joint legal custody, sole legal custody, joint physical custody or
3 sole physical custody or any combination thereof;

4 (2) "Joint legal custody" means that the parents share the decision-making rights,
5 responsibilities, and authority relating to the health, education and welfare of the child, and,
6 unless allocated, apportioned, or decreed, the parents shall confer with one another in the
7 exercise of decision-making rights, responsibilities, and authority;

8 (3) "Joint physical custody" means an order awarding each of the parents significant,
9 but not necessarily equal, periods of time during which a child resides with or is under the
10 care and supervision of each of the parents. Joint physical custody shall be shared by the
11 parents in such a way as to assure the child of frequent, continuing and meaningful contact
12 with both parents;

13 (4) "Third-party custody" means a third party designated as a legal and physical
14 custodian pursuant to subdivision (5) of subsection 5 of this section.

15 2. The court shall determine custody in accordance with the best interests of the child.
16 There shall be a rebuttable presumption that an award of equal or approximately equal
17 parenting time to each parent is in the best interests of the child. Such presumption is
18 rebuttable only by a preponderance of the evidence in accordance with all relevant factors,
19 including, but not limited to, the factors contained in subdivisions (1) to ~~[(8)]~~ (9) of this
20 subsection. The presumption may be rebutted if the court finds that the parents have reached
21 an agreement on all issues related to custody, or if the court finds that a pattern of domestic
22 violence has occurred as set out in subdivision ~~[(6)]~~ (7) of this subsection. When the parties
23 have not reached an agreement on all issues related to custody, the court shall consider all
24 relevant factors and enter written findings of fact and conclusions of law, including, but not
25 limited to, the following:

26 (1) The wishes of the child's parents as to custody and the proposed parenting plan
27 submitted by both parties;

28 (2) The needs of the child for a frequent, continuing and meaningful relationship with
29 both parents and the ability and willingness of parents to actively perform their functions as
30 mother and father for the needs of the child;

31 (3) The interaction and interrelationship of the child with parents, siblings, and any
32 other person who may significantly affect the child's best interests;

33 (4) Which parent is more likely to allow the child frequent, continuing and
34 meaningful contact with the other parent **and the willingness and ability of parents to**
35 **cooperate in the rearing of their child, to maximize sharing information and minimize**
36 **exposure of the child to parental conflict, and to utilize methods for resolving disputes**
37 **regarding any major decision concerning the life of the child;**

38 (5) The child's adjustment to the child's home, school, and community **and the**
39 **child's physical, emotional, educational, and other needs.** The fact that a parent sends his
40 or her child or children to a home school, as defined in section 167.031, shall not be the sole
41 factor that a court considers in determining custody of such child or children;

42 (6) The mental and physical health of all individuals involved, including **the mental**
43 **health or substance abuse history experienced by either parent;**

44 (7) Any history of abuse of any individuals involved, **including domestic and child**
45 **abuse. In determining whether the presumption is rebutted by a pattern of domestic**
46 **violence, the court shall consider the nature and context of the domestic violence and the**
47 **implications of the domestic violence for parenting and for the child's safety, well-being,**
48 **and developmental needs.** If the court finds that a pattern of domestic violence as defined in
49 section 455.010 has occurred, and, if the court also finds that awarding custody to the abusive
50 parent is in the best interest of the child, then the court shall enter written findings of fact and
51 conclusions of law. Custody and visitation rights shall be ordered in a manner that best
52 protects the child and any other child or children for whom the parent has custodial or
53 visitation rights, and the parent or other family or household member who is the victim of
54 domestic violence from any further harm, **whether physical, verbal, emotional, or**
55 **psychological;**

56 [~~(7) The intention of either parent to relocate the principal residence of the child; and]~~

57 (8) [~~The unobstructed input of a child, free of coercion and manipulation, as to the~~
58 ~~child's custodial arrangement]~~ **The distance between the residences of the parents seeking**
59 **custody, including consideration of any relocation which has occurred or an intent to**
60 **relocate; and**

61 (9) **The reasonable input of the child as to the child's custodian, if the court**
62 **deems the child to be of sufficient ability, age, and maturity to express an independent,**
63 **reliable preference and that such input is in the best interests of the child and will not be**
64 **emotionally damaging, with due consideration of the influence that a parent may have**
65 **on the child's input.**

66 3. (1) In any court proceedings relating to custody of a child, the court shall not
67 award custody or unsupervised visitation of a child to a parent if such parent or any person

68 residing with such parent has been found guilty of, or pled guilty to, any of the following
69 offenses when a child was the victim:

70 (a) A felony violation of section 566.030, 566.031, 566.032, 566.060, 566.061,
71 566.062, 566.064, 566.067, 566.068, 566.083, 566.100, 566.101, 566.111, 566.151, 566.203,
72 566.206, 566.209, 566.211, or 566.215;

73 (b) A violation of section 568.020;

74 (c) A violation of subdivision (2) of subsection 1 of section 568.060;

75 (d) A violation of section 568.065;

76 (e) A violation of section 573.200;

77 (f) A violation of section 573.205; or

78 (g) A violation of section 568.175.

79 (2) For all other violations of offenses in chapters 566 and 568 not specifically listed
80 in subdivision (1) of this subsection or for a violation of an offense committed in another state
81 when a child is the victim that would be a violation of chapter 566 or 568 if committed in
82 Missouri, the court may exercise its discretion in awarding custody or visitation of a child to a
83 parent if such parent or any person residing with such parent has been found guilty of, or pled
84 guilty to, any such offense.

85 4. The general assembly finds and declares that it is the public policy of this state that
86 frequent, continuing and meaningful contact with both parents after the parents have
87 separated or dissolved their marriage is in the best interest of the child, except for cases where
88 the court specifically finds that such contact is not in the best interest of the child, and that it
89 is the public policy of this state to encourage parents to participate in decisions affecting the
90 health, education and welfare of their children, and to resolve disputes involving their
91 children amicably through alternative dispute resolution. In order to effectuate these policies,
92 the general assembly encourages the court to enter a temporary parenting plan as early as
93 practicable in a proceeding under this chapter, consistent with the provisions of subsection 2
94 of this section, and, in so doing, the court shall determine the custody arrangement which will
95 best assure both parents participate in such decisions and have frequent, continuing and
96 meaningful contact with their children so long as it is in the best interests of the child.

97 5. Prior to awarding the appropriate custody arrangement in the best interest of the
98 child, the court shall consider each of the following as follows:

99 (1) Joint physical and joint legal custody to both parents, which shall not be denied
100 solely for the reason that one parent opposes a joint physical and joint legal custody award.
101 The residence of one of the parents shall be designated as the address of the child for mailing
102 and educational purposes;

103 (2) Joint physical custody with one party granted sole legal custody. The residence of
104 one of the parents shall be designated as the address of the child for mailing and educational
105 purposes;

106 (3) Joint legal custody with one party granted sole physical custody;

107 (4) Sole custody to either parent; or

108 (5) Third-party custody or visitation:

109 (a) When the court finds that each parent is unfit, unsuitable, or unable to be a
110 custodian, or the welfare of the child requires, and it is in the best interests of the child, then
111 custody, temporary custody or visitation may be awarded to a person related by consanguinity
112 or affinity to the child. If no person related to the child by consanguinity or affinity is willing
113 to accept custody, then the court may award custody to any other person or persons deemed
114 by the court to be suitable and able to provide an adequate and stable environment for the
115 child. Before the court awards custody, temporary custody or visitation to a third person
116 under this subdivision, the court shall make that person a party to the action;

117 (b) Under the provisions of this subsection, any person may petition the court to
118 intervene as a party in interest at any time as provided by supreme court rule.

119 6. If the parties have not agreed to a custodial arrangement, or the court determines
120 such arrangement is not in the best interest of the child, the court shall include a written
121 finding in the judgment or order based on the public policy in subsection 4 of this section and
122 each of the factors listed in subdivisions (1) to [~~(8)~~] (9) of subsection 2 of this section
123 detailing the specific relevant factors that made a particular arrangement in the best interest of
124 the child. If a proposed custodial arrangement is rejected by the court, the court shall include
125 a written finding in the judgment or order detailing the specific relevant factors resulting in
126 the rejection of such arrangement.

127 7. Upon a finding by the court that either parent has refused to exchange information
128 with the other parent, which shall include but not be limited to information concerning the
129 health, education and welfare of the child, the court shall order the parent to comply
130 immediately and to pay the prevailing party a sum equal to the prevailing party's cost
131 associated with obtaining the requested information, which shall include but not be limited to
132 reasonable attorney's fees and court costs.

133 8. As between the parents of a child, no preference may be given to either parent in
134 the awarding of custody because of that parent's age, sex, or financial status, nor because of
135 the age or sex of the child. The court shall not presume that a parent, solely because of his or
136 her sex, is more qualified than the other parent to act as a joint or sole legal or physical
137 custodian for the child.

138 9. Any judgment providing for custody shall include a specific written parenting plan
139 setting forth the terms of such parenting plan arrangements specified in subsection 8 of

140 section 452.310. Such plan may be a parenting plan submitted by the parties pursuant to
141 section 452.310 or, in the absence thereof, a plan determined by the court, but in all cases, the
142 custody plan approved and ordered by the court shall be in the court's discretion and shall be
143 in the best interest of the child.

144 10. After August 28, 2016, every court order establishing or modifying custody or
145 visitation shall include the following language: "In the event of noncompliance with this
146 order, the aggrieved party may file a verified motion for contempt. If custody, visitation, or
147 third-party custody is denied or interfered with by a parent or third party without good cause,
148 the aggrieved person may file a family access motion with the court stating the specific facts
149 that constitute a violation of the custody provisions of the judgment of dissolution, legal
150 separation, or judgment of paternity. The circuit clerk will provide the aggrieved party with
151 an explanation of the procedures for filing a family access motion and a simple form for use
152 in filing the family access motion. A family access motion does not require the assistance of
153 legal counsel to prepare and file."

154 11. No court shall adopt any local rule, form, or practice requiring a standardized or
155 default parenting plan for interim, temporary, or permanent orders or judgments.
156 Notwithstanding any other provision of law to the contrary, a court may enter an interim
157 order in a proceeding under this chapter, provided that the interim order shall not contain any
158 provisions about child custody or a parenting schedule or plan without first providing the
159 parties with notice and a hearing, unless the parties otherwise agree.

160 12. Unless a parent has been denied custody rights pursuant to this section or
161 visitation rights under section 452.400, both parents shall have access to records and
162 information pertaining to a minor child including, but not limited to, medical, dental, and
163 school records. If the parent without custody has been granted restricted or supervised
164 visitation because the court has found that the parent with custody or any child has been the
165 victim of domestic violence, as defined in section 455.010, by the parent without custody, the
166 court may order that the reports and records made available pursuant to this subsection not
167 include the address of the parent with custody or the child. A court shall order that the reports
168 and records made available under this subsection not include the address of the parent with
169 custody if the parent with custody is a participant in the address confidentiality program under
170 section 589.663. Unless a parent has been denied custody rights pursuant to this section or
171 visitation rights under section 452.400, any judgment of dissolution or other applicable court
172 order shall specifically allow both parents access to such records and reports.

173 13. Except as otherwise precluded by state or federal law, if any individual,
174 professional, public or private institution or organization denies access or fails to provide or
175 disclose any and all records and information, including, but not limited to, past and present
176 dental, medical and school records pertaining to a minor child, to either parent upon the

177 written request of such parent, the court shall, upon its finding that the individual,
178 professional, public or private institution or organization denied such request without good
179 cause, order that party to comply immediately with such request and to pay to the prevailing
180 party all costs incurred, including, but not limited to, attorney's fees and court costs associated
181 with obtaining the requested information.

182 14. An award of joint custody does not preclude an award of child support pursuant to
183 section 452.340 and applicable supreme court rules. The court shall consider the factors
184 contained in section 452.340 and applicable supreme court rules in determining an amount
185 reasonable or necessary for the support of the child.

186 15. If the court finds that domestic violence or abuse as defined in section 455.010
187 has occurred, the court shall make specific findings of fact to show that the custody or
188 visitation arrangement ordered by the court best protects the child and the parent or other
189 family or household member who is the victim of domestic violence, as defined in section
190 455.010, and any other children for whom such parent has custodial or visitation rights from
191 any further harm.

452.705. As used in sections 452.700 to 452.930:

2 (1) "Abandoned" means left without provision for reasonable and necessary care or
3 supervision;

4 (2) "Child" means an individual who has not attained eighteen years of age;

5 (3) "Child custody determination" means a judgment, decree, or other order of a court
6 providing for the legal custody, physical custody, or visitation with respect to a child. The
7 term includes a permanent, temporary, initial, or modification order. The term shall not
8 include an order relating to child support or other monetary obligation of an individual;

9 (4) "Child custody proceeding" means a proceeding in which legal custody, physical
10 custody, or visitation with respect to a child is an issue. The term includes a proceeding for
11 divorce, separation, neglect, abuse, dependency, guardianship, paternity, termination of
12 parental rights, and protection from domestic violence in which the issue may appear. The
13 term shall not include a proceeding involving juvenile delinquency, contractual emancipation,
14 or enforcement under sections 452.850 to 452.915;

15 (5) "Commencement" means the filing of the first pleading in a proceeding;

16 (6) "Court" means an entity authorized under the law of a state to establish, enforce,
17 or modify a child custody determination;

18 (7) "Decree" or "custody decree" means a custody determination contained in a
19 judicial decree or order made in a custody proceeding, and includes an initial decree and a
20 modification decree;

21 (8) "Home state" means the state in which a child has lived with a parent or a person
22 acting as a parent for at least six consecutive months immediately prior to the commencement

23 of a child custody proceeding. In the case of a child less than six months of age, the term
24 means the state in which the child has lived from birth with any of the persons mentioned. A
25 period of temporary absence of any of the mentioned persons is part of such period;

26 (9) "Initial determination" means the first child custody determination concerning a
27 particular child;

28 (10) "Issuing court" means the court making a child custody determination for which
29 enforcement is sought under sections 452.700 to 452.930;

30 (11) "Issuing state" means the state in which a child custody determination is made;

31 (12) "Litigant" means a person, including a parent, grandparent, or stepparent, who
32 claims a right to custody or visitation with respect to a child;

33 (13) "Modification" means a child custody determination that changes, replaces,
34 supersedes or is otherwise made after a previous determination concerning the same child,
35 whether or not it is made by the court that made the previous determination;

36 (14) "Person" includes government, a governmental subdivision, agency or
37 instrumentality, or any other legal or commercial entity;

38 (15) "Person acting as a parent" means a person, other than a parent, who:

39 (a) Has physical custody of the child or has had physical custody for a period of six
40 consecutive months, including any temporary absence, within one year immediately prior to
41 the commencement of a child custody proceeding; and

42 (b) Has been awarded legal custody by a court or claims a right to legal custody under
43 the law of this state;

44 (16) "Physical custody" means the physical care and supervision of a child;

45 (17) "State" means a state of the United States, the District of Columbia, Puerto Rico,
46 the United States Virgin Islands, or any territory or insular possession subject to the
47 jurisdiction of the United States;

48 (18) "Warrant" means an order issued by a court authorizing law enforcement officers
49 to take physical custody of a child;

50 (19) **"Wrongful removal" means the taking of a child that breaches rights of**
51 **custody or visitation given or recognized under the laws of this state.**

452.730. 1. A court of this state may communicate with a court in another state
2 concerning a proceeding arising under sections 452.700 to 452.930 **or arising under sections**
3 **452.1100 to 452.1122.**

4 2. The court may allow the parties to participate in the communication. If the parties
5 are not able to participate in the communication, the parties shall be given the opportunity to
6 present facts and legal arguments before a decision on jurisdiction is made.

7 3. A communication between courts on schedules, calendars, court records, and
8 similar matters may occur without informing the parties. A record need not be made of such
9 communication.

10 4. Except as provided in subsection 3 of this section, a record shall be made of the
11 communication. The parties shall be informed promptly of the communication and granted
12 access to the record.

13 5. For the purposes of this section, "record" means information that is inscribed on a
14 tangible medium, or that which is stored in an electronic or other medium and is retrievable in
15 perceivable form. A record includes notes or transcripts of a court reporter who listened to a
16 conference call between the courts, an electronic recording of a telephone call, a
17 memorandum or an electronic record of the communication between the courts, or a
18 memorandum or an electronic record made by a court after the communication.

 452.885. 1. **(1)** Upon the filing of a petition seeking enforcement of a child custody
2 determination~~], the petitioner may file]~~ **with** a verified application for the issuance of a
3 warrant to take physical custody of the child **or upon the filing of a petition under sections**
4 **452.1100 to 452.1122, the court may issue an ex parte warrant to take physical custody**
5 **of the child if the court finds, upon review of the petition or verified application or upon**
6 **the testimony of the petitioner or other witnesses, that** the child is likely to suffer serious
7 imminent physical harm **or there is a credible risk that the child is imminently likely to**
8 **suffer wrongful removal [from this state].**

9 **(2) Prior to issuing a warrant in response to a petition filed under sections**
10 **452.1100 to 452.1122 and before determining the placement of the child after the**
11 **warrant is executed, the court may order a search of the relevant databases of the**
12 **National Crime Information Center system and similar state databases to determine if**
13 **the petitioner or respondent has a history of domestic violence, stalking, or child abuse**
14 **or neglect.**

15 2. ~~[If the court, upon the testimony of the petitioner or other witnesses, finds that the~~
16 ~~child is likely to suffer serious imminent physical harm or be imminently removed from this~~
17 ~~state, the court may issue a warrant to take physical custody of the child. The petition shall be~~
18 ~~heard on the next judicial day after the warrant is executed. The warrant shall include the~~
19 ~~statements required under subsection 2 of section 452.870.~~

20 3.] A warrant to take physical custody of a child shall:

21 (1) Recite the facts **upon** which a ~~[conclusion]~~ **determination** of serious imminent
22 physical harm **or a credible risk of imminent wrongful** removal from the jurisdiction is
23 based;

24 (2) Direct law enforcement officers to take physical custody of the child immediately;
25 **[and]**

26 (3) **State the date and time for the hearing on the petition;**

27 (4) Provide for the **safe interim** placement of the child pending **further order of the**
28 **court or final relief; and**

29 (5) **Include the statements required under subsection 2 of section 452.870 if a**
30 **warrant is issued in response to a petition seeking enforcement of a child custody**
31 **determination.**

32 ~~[4-]~~ 3. The respondent shall be served with the petition, warrant and order
33 immediately after the child is taken into physical custody.

34 4. **The respondent shall be afforded an opportunity to be heard at the earliest**
35 **possible time after the ex parte warrant is executed but no later than the next judicial**
36 **day unless a hearing on that date is impossible. In that event, the court shall hold the**
37 **hearing on the first judicial day possible.**

38 5. **If the court finds, after a hearing, that a petitioner sought a warrant under**
39 **subsection 1 of this section for the purpose of harassment or in bad faith, the court may**
40 **award the respondent reasonable attorney's fees, costs, and expenses.**

41 ~~[5-]~~ 6. A warrant to take physical custody of a child is enforceable throughout this
42 state. If the court finds on the basis of the testimony of the petitioner or other witness that a
43 less intrusive remedy is not effective, the court may authorize law enforcement officers to
44 enter private property to take physical custody of the child. If required by the exigency of the
45 case, the court may authorize law enforcement officers to make a forcible entry at any hour.

46 ~~[6-]~~ 7. The court may impose conditions on the placement of a child to ensure the
47 appearance of the child and the child's custodian.

48 8. **This section does not affect the availability of relief allowed under the laws of**
49 **this state other than sections 452.700 to 452.930 and sections 452.1100 to 452.1122.**

2 **452.1100. Sections 452.1100 to 452.1122 may be cited as the "Uniform Child**
2 **Abduction Prevention Act".**

452.1102. In sections 452.1100 to 452.1122:

2 (1) **"Abduction" means the wrongful removal or wrongful retention of a child;**

3 (2) **"Child" means an unemancipated individual who is less than eighteen years**
4 **of age;**

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

9 (4) **"Child-custody determination" means a judgment, decree, or other order of**
10 **a court providing for the legal custody, physical custody, or visitation with respect to a**
11 **child. The term includes a permanent, temporary, initial, and modification order;**

12 **(5) "Child custody proceeding" means a proceeding in which legal custody,**
13 **physical custody, or visitation with respect to a child is at issue. The term includes a**
14 **proceeding for divorce, dissolution of marriage, separation, neglect, abuse, dependency,**
15 **guardianship, paternity, termination of parental rights, or protection from domestic**
16 **violence;**

17 **(6) "Court" means an entity authorized under the law of a state to establish,**
18 **enforce, or modify a child-custody determination;**

19 **(7) "Petition" includes a motion or its equivalent;**

20 **(8) "Record" means information that is inscribed on a tangible medium or that**
21 **is stored in an electronic or other medium and is retrievable in perceivable form;**

22 **(9) "State" means a state of the United States, the District of Columbia, Puerto**
23 **Rico, the United States Virgin Islands, or any territory or insular possession subject to**
24 **the jurisdiction of the United States. The term includes a federally recognized Indian**
25 **tribe or nation;**

26 **(10) "Travel document" means records relating to a travel itinerary, including**
27 **travel tickets, passes, reservations for transportation, or accommodations. The term**
28 **does not include a passport or visa;**

29 **(11) "Warrant" means an order issued by a court authorizing law enforcement**
30 **officers to take physical custody of a child;**

31 **(12) "Wrongful removal" means the taking of a child that breaches rights of**
32 **custody or visitation given or recognized under the law of this state;**

33 **(13) "Wrongful retention" means the keeping or concealing of a child that**
34 **breaches rights of custody or visitation given or recognized under the law of this state.**

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

452.1106. 1. A court on its own motion may order abduction prevention
2 **measures in a child custody proceeding if the court finds that the evidence establishes a**
3 **credible risk of abduction of the child.**

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

8 **3. A prosecutor or public authority designated under section 452.910 may seek a**
9 **warrant to take physical custody of a child under section 452.885 or other appropriate**
10 **prevention measures.**

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

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

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

- (1) The name, date of birth, and sex of the child;
- (2) The customary address and current physical location of the child;
- (3) The identity, customary address, and current physical location of the respondent;
- (4) A statement of whether a prior action to prevent abduction or domestic violence has been filed by a party or other individual or entity having custody of the child, and the date, location, and disposition of the action;
- (5) A statement of whether a party to the proceeding has been arrested for a crime related to domestic violence, stalking, or child abuse or neglect, and the date, location, and disposition of the case; and
- (6) Any other information required to be submitted to the court for a child custody determination under section 452.780.

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

- (1) Has previously abducted or attempted to abduct the child;
- (2) Has threatened to abduct the child;
- (3) Has recently engaged in activities that may indicate a planned abduction, including:
 - (a) Abandoning employment;
 - (b) Selling a primary residence;
 - (c) Terminating a lease;
 - (d) Closing bank or other financial management accounts, liquidating assets, hiding or destroying financial documents, or conducting any unusual financial activities;
 - (e) Applying for a passport or visa or obtaining travel documents for the respondent, a family member, or the child; or
 - (f) Seeking to obtain the child's birth certificate or school or medical records;

- 16 **(4) Has engaged in domestic violence, stalking, or child abuse or neglect;**
17 **(5) Has refused to follow a child custody determination;**
18 **(6) Lacks strong familial, financial, emotional, or cultural ties to the state or the**
19 **United States;**
20 **(7) Has strong familial, financial, emotional, or cultural ties to another state or**
21 **country;**
22 **(8) Is likely to take the child to a country that:**
23 **(a) Is not a party to the Hague Convention on the Civil Aspects of International**
24 **Child Abduction and does not provide for the extradition of an abducting parent or for**
25 **the return of an abducted child;**
26 **(b) Is a party to the Hague Convention on the Civil Aspects of International**
27 **Child Abduction but:**
28 **a. The Hague Convention on the Civil Aspects of International Child Abduction**
29 **is not in force between the United States and that country;**
30 **b. Is noncompliant according to the most recent compliance report issued by the**
31 **United States Department of State; or**
32 **c. Lacks legal mechanisms for immediately and effectively enforcing a return**
33 **order under the Hague Convention on the Civil Aspects of International Child**
34 **Abduction;**
35 **(c) Poses a risk that the child's physical or emotional health or safety would be**
36 **endangered in the country because of specific circumstances relating to the child or**
37 **because of human rights violations committed against children;**
38 **(d) Has laws or practices that would:**
39 **a. Enable the respondent, without due cause, to prevent the petitioner from**
40 **contacting the child;**
41 **b. Restrict the petitioner from freely traveling to or exiting from the country**
42 **because of the petitioner's sex, nationality, marital status, or religion; or**
43 **c. Restrict the child's ability legally to leave the country after the child reaches**
44 **the age of majority because of a child's sex, nationality, or religion;**
45 **(e) Is included by the United States Department of State on a current list of state**
46 **sponsors of terrorism;**
47 **(f) Does not have an official United States diplomatic presence in the country; or**
48 **(g) Is engaged in active military action or war, including a civil war, to which the**
49 **child may be exposed;**
50 **(9) Is undergoing a change in immigration or citizenship status that would**
51 **adversely affect the respondent's ability to remain in the United States legally;**
52 **(10) Has had an application for United States citizenship denied;**

- 53 **(11) Has forged or presented misleading or false evidence on government forms**
54 **or supporting documents to obtain or attempt to obtain a passport, a visa, travel**
55 **documents, a Social Security card, a driver’s license, or other government-issued**
56 **identification card or has made a misrepresentation to the United States government;**
57 **(12) Has used multiple names to attempt to mislead or defraud; or**
58 **(13) Has engaged in any other conduct the court considers relevant to the risk of**
59 **abduction.**

60 **2. In the hearing on a petition under sections 452.1100 to 452.1122, the court**
61 **shall consider any evidence that the respondent believed in good faith that the**
62 **respondent’s conduct was necessary to avoid imminent harm to the child or respondent**
63 **and any other evidence that may be relevant to whether the respondent may be**
64 **permitted to remove or retain the child.**

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

- 3 **(1) The basis for the court’s exercise of jurisdiction;**
4 **(2) The manner in which notice and opportunity to be heard were given to the**
5 **persons entitled to notice of the proceeding;**
6 **(3) A detailed description of each party’s custody and visitation rights and**
7 **residential arrangements for the child;**
8 **(4) A provision stating that a violation of the order may subject the party in**
9 **violation to civil and criminal penalties; and**
10 **(5) Identification of the child’s country of habitual residence at the time of the**
11 **issuance of the order.**

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

21 **3. An abduction prevention order may include one or more of the following:**

- 22 **(1) An imposition of travel restrictions that require that a party traveling with**
23 **the child outside a designated geographical area provide the other party with the**
24 **following:**
25 **(a) The travel itinerary of the child;**

- 26 **(b) A list of physical addresses and telephone numbers at which the child can be**
27 **reached at specified times; and**
- 28 **(c) Copies of all travel documents;**
- 29 **(2) A prohibition of the respondent directly or indirectly:**
- 30 **(a) Removing the child from this state, the United States, or another geographic**
31 **area without permission of the court or the petitioner's written consent;**
- 32 **(b) Removing or retaining the child in violation of a child custody**
33 **determination;**
- 34 **(c) Removing the child from school or a child care or similar facility; or**
- 35 **(d) Approaching the child at any location other than a site designated for**
36 **supervised visitation;**
- 37 **(3) A requirement that a party register the order in another state as a**
38 **prerequisite to allowing the child to travel to that state;**
- 39 **(4) With regard to the child's passport:**
- 40 **(a) A direction that the petitioner place the child's name in the United States**
41 **Department of State's Child Passport Issuance Alert Program;**
- 42 **(b) A requirement that the respondent surrender to the court or the petitioner's**
43 **attorney any United States or foreign passport issued in the child's name, including a**
44 **passport issued in the name of both the parent and the child; and**
- 45 **(c) A prohibition upon the respondent from applying on behalf of the child for a**
46 **new or replacement passport or visa;**
- 47 **(5) As a prerequisite to exercising custody or visitation, a requirement that the**
48 **respondent provide:**
- 49 **(a) To the United States Department of State Office of Children's Issues and the**
50 **relevant foreign consulate or embassy, an authenticated copy of the order detailing**
51 **passport and travel restrictions for the child;**
- 52 **(b) To the court:**
- 53 **a. Proof that the respondent has provided the information in paragraph (a) of**
54 **this subdivision; and**
- 55 **b. An acknowledgment in a record from the relevant foreign consulate or**
56 **embassy that no passport application has been made, or passport issued, on behalf of the**
57 **child;**
- 58 **(c) To the petitioner, proof of registration with the United States Embassy or**
59 **other United States diplomatic presence in the destination country and with the Central**
60 **Authority for the Hague Convention on the Civil Aspects of International Child**
61 **Abduction, if that Convention is in effect between the United States and the destination**
62 **country, unless one of the parties objects; and**

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

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

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

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

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

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

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

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

82 (2) Direct the use of law enforcement to take any action reasonably necessary to
83 locate the child, obtain return of the child, or enforce a custody determination under
84 sections 452.1100 to 452.1122 or the law of this state other than sections 452.1100 to
85 452.1122; or

86 (3) Grant any other relief allowed under the law of this state other than sections
87 452.1100 to 452.1122.

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

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

2 (1) The time stated in the order;

3 (2) The emancipation of the child;

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

5 (4) The time the order is modified, revoked, vacated, or superseded by a court
6 with jurisdiction under sections 452.740, 452.745, and 452.750 and applicable law of this
7 state.

452.1120. In applying and construing sections 452.1100 to 452.1122,
2 consideration must be given to the need to promote uniformity of the law with
3 respect to its subject matter among states that enact it.

2 **452.1122.** Sections 452.1100 to 452.1122 modifies, limits, and supersedes the
3 federal Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section
4 7001, et seq., but does not modify, limit, or supersede Section 101(c) of the act, 15 U.S.C.
5 Section 7001(c), or authorize electronic delivery of any of the notices described in
6 Section 103(b) of that act, 15 U.S.C. Section 7003(b).

2 **452.1200.** Sections 452.1200 to 452.1258 may be cited as the "Uniform Deployed
3 Parents Custody and Visitation Act".

4 **452.1202.** In sections 452.1200 to 452.1258:

2 (1) "Adult" means an individual who has attained eighteen years of age or an
3 emancipated minor;

4 (2) "Caretaking authority" means the right to live with and care for a child on a
5 day-to-day basis. The term includes physical custody, parenting time, right to access,
6 and visitation;

7 (3) "Child" means:

8 (a) An unemancipated individual who has not attained eighteen years of age; or

9 (b) An adult son or daughter by birth or adoption, or under law of this state
10 other than sections 452.1200 to 452.1258, who is the subject of a court order concerning
11 custodial responsibility;

12 (4) "Court" means a tribunal authorized under law of this state other than
13 sections 452.1200 to 452.1258 to make, enforce, or modify a decision regarding custodial
14 responsibility;

15 (5) "Custodial responsibility" includes all powers and duties relating to
16 caretaking authority and decision-making authority for a child. The term includes
17 physical custody, legal custody, parenting time, right to access, visitation, and authority
18 to grant limited contact with a child;

19 (6) "Decision-making authority" means the power to make important decisions
20 regarding a child, including decisions regarding the child's education, religious training,
21 health care, extracurricular activities, and travel. The term does not include the power
22 to make decisions that necessarily accompany a grant of caretaking authority;

23 (7) "Deploying parent" means a service member, who is deployed or has been
24 notified of impending deployment and is:

25 (a) A parent of a child under law of this state other than sections 452.1200 to
26 452.1258; or

27 (b) An individual who has custodial responsibility for a child under law of this
28 state other than sections 452.1200 to 452.1258;

29 **(8) "Deployment" means the movement or mobilization of a service member for**
30 **more than ninety days but less than eighteen months pursuant to uniformed service**
31 **orders that:**

32 **(a) Are designated as unaccompanied;**

33 **(b) Do not authorize dependent travel; or**

34 **(c) Otherwise do not permit the movement of family members to the location to**
35 **which the service member is deployed;**

36 **(9) "Family member" means a sibling, aunt, uncle, cousin, stepparent, or**
37 **grandparent of a child or an individual recognized to be in a familial relationship with a**
38 **child under law of this state other than sections 452.1200 to 452.1258;**

39 **(10) "Limited contact" means the authority of a nonparent to visit a child for a**
40 **limited time. The term includes authority to take the child to a place other than the**
41 **residence of the child;**

42 **(11) "Nonparent" means an individual other than a deploying parent or other**
43 **parent;**

44 **(12) "Other parent" means an individual who, in common with a deploying**
45 **parent, is:**

46 **(a) A parent of a child under law of this state other than sections 452.1200 to**
47 **452.1258; or**

48 **(b) An individual who has custodial responsibility for a child under law of this**
49 **state other than sections 452.1200 to 452.1258;**

50 **(13) "Record" means information that is inscribed on a tangible medium or that**
51 **is stored in an electronic or other medium and is retrievable in perceivable form;**

52 **(14) "Return from deployment" means the conclusion of a service member's**
53 **deployment as specified in uniformed service orders;**

54 **(15) "Service member" means a member of a uniformed service;**

55 **(16) "Sign" means, with present intent to authenticate or adopt a record:**

56 **(a) To execute or adopt a tangible symbol; or**

57 **(b) To attach to or logically associate with the record an electronic symbol,**
58 **sound, or process;**

59 **(17) "State" means a state of the United States, the District of Columbia, Puerto**
60 **Rico, the United States Virgin Islands, or any territory or insular possession subject to**
61 **the jurisdiction of the United States;**

62 **(18) "Uniformed service" means:**

63 **(a) Active and reserve components of the Army, Navy, Air Force, Marine Corps,**
64 **or Coast Guard of the United States;**

65 **(b) The United States Merchant Marine;**

- 66 (c) The commissioned corps of the United States Public Health Service;
67 (d) The commissioned corps of the National Oceanic and Atmospheric
68 Administration of the United States; or
69 (e) The National Guard of a state.

452.1204. In addition to other remedies under law of this state other than
2 sections 452.1200 to 452.1258, if a court finds that a party to a proceeding under sections
3 452.1200 to 452.1258 has acted in bad faith or intentionally failed to comply with
4 sections 452.1200 to 452.1258 or a court order issued under sections 452.1200 to
5 452.1258, the court may assess reasonable attorney's fees and costs against the party and
6 order other appropriate relief.

452.1206. 1. A court may issue an order regarding custodial responsibility under
2 sections 452.1200 to 452.1258 only if the court has jurisdiction under sections 452.700 to
3 452.930.

4 2. If a court has issued a temporary order regarding custodial responsibility
5 pursuant to sections 452.1224 to 452.1244, the residence of the deploying parent is not
6 changed by reason of the deployment for the purposes of sections 452.700 to 452.930
7 during the deployment.

8 3. If a court has issued a permanent order regarding custodial responsibility
9 before notice of deployment and the parents modify that order temporarily by
10 agreement pursuant to sections 452.1214 to 452.1222, the residence of the deploying
11 parent is not changed by reason of the deployment for the purposes of sections 452.700
12 to 452.930.

13 4. If a court in another state has issued a temporary order regarding custodial
14 responsibility as a result of impending or current deployment, the residence of the
15 deploying parent is not changed by reason of the deployment for the purposes of
16 sections 452.700 to 452.930.

17 5. This section does not prevent a court from exercising temporary emergency
18 jurisdiction under sections 452.700 to 452.930.

452.1208. 1. Except as otherwise provided in subsection 4 of this section and
2 subject to subsection 3 of this section, a deploying parent shall notify in a record the
3 other parent of a pending deployment not later than seven days after receiving notice of
4 deployment unless reasonably prevented from doing so by the circumstances of service.
5 If the circumstances of service prevent giving notification within the seven days, the
6 deploying parent shall give the notification as soon as reasonably possible.

7 2. Except as otherwise provided in subsection 4 of this section and subject to
8 subsection 3 of this section, each parent shall provide in a record the other parent with a
9 plan for fulfilling that parent's share of custodial responsibility during deployment.

10 Each parent shall provide the plan as soon as reasonably possible after notification of
11 deployment is given under subsection 1 of this section.

12 3. If a court order currently in effect prohibits disclosure of the address or
13 contact information of the other parent, notification of deployment under subsection 1
14 of this section, or notification of a plan for custodial responsibility during deployment
15 under subsection 2 of this section, may be made only to the issuing court. If the address
16 of the other parent is available to the issuing court, the court shall forward the
17 notification to the other parent. The court shall keep confidential the address or contact
18 information of the other parent.

19 4. Notification in a record under subsection 1 or 2 of this section is not required
20 if the parents are living in the same residence and both parents have actual notice of the
21 deployment or plan.

22 5. In a proceeding regarding custodial responsibility, a court may consider the
23 reasonableness of a parent's efforts to comply with this section.

452.1210. 1. Except as otherwise provided in subsection 2 of this section, an
2 individual to whom custodial responsibility has been granted during deployment
3 pursuant to sections 452.1214 to 452.1222 or sections 452.1224 to 452.1244 shall notify
4 the deploying parent and any other individual with custodial responsibility of a child of
5 any change of the individual's mailing address or residence until the grant is terminated.
6 The individual shall provide the notice to any court that has issued a custody or child
7 support order concerning the child which is in effect.

8 2. If a court order currently in effect prohibits disclosure of the address or
9 contact information of an individual to whom custodial responsibility has been granted,
10 a notification under subsection 1 of this section may be made only to the court that
11 issued the order. The court shall keep confidential the mailing address or residence of
12 the individual to whom custodial responsibility has been granted.

452.1212. In a proceeding for custodial responsibility of a child of a service
2 member, a court may not consider a parent's past deployment or possible future
3 deployment in itself in determining the best interest of the child but may consider any
4 significant impact on the best interest of the child of the parent's past or possible future
5 deployment.

452.1214. 1. The parents of a child may enter into a temporary agreement under
2 sections 452.1214 to 452.1222 granting custodial responsibility during deployment.

3 2. An agreement under subsection 1 of this section must be:

4 (1) In writing; and

5 (2) Signed by both parents and any nonparent to whom custodial responsibility
6 is granted.

7 **3. Subject to subsection 4 of this section, an agreement under subsection 1 of this**
8 **section, if feasible, must:**

9 **(1) Identify the destination, duration, and conditions of the deployment that is**
10 **the basis for the agreement;**

11 **(2) Specify the allocation of caretaking authority among the deploying parent,**
12 **the other parent, and any nonparent;**

13 **(3) Specify any decision-making authority that accompanies a grant of**
14 **caretaking authority;**

15 **(4) Specify any grant of limited contact to a nonparent;**

16 **(5) If under the agreement custodial responsibility is shared by the other parent**
17 **and a nonparent, or by other nonparents, provide a process to resolve any dispute that**
18 **may arise;**

19 **(6) Specify the frequency, duration, and means, including electronic means, by**
20 **which the deploying parent will have contact with the child, any role to be played by the**
21 **other parent in facilitating the contact, and the allocation of any costs of contact;**

22 **(7) Specify the contact between the deploying parent and child during the time**
23 **the deploying parent is on leave or is otherwise available;**

24 **(8) Acknowledge that any party's child-support obligation cannot be modified**
25 **by the agreement, and that changing the terms of the obligation during deployment**
26 **requires modification in the appropriate court;**

27 **(9) Provide that the agreement will terminate according to the procedures under**
28 **sections 452.1246 to 452.1252 after the deploying parent returns from deployment; and**

29 **(10) If the agreement must be filed pursuant to section 452.1222, specify which**
30 **parent is required to file the agreement.**

31 **4. The omission of any of the items specified in subsection 3 of this section does**
32 **not invalidate an agreement under this section.**

452.1216. 1. An agreement under sections 452.1214 to 452.1222 is temporary
2 **and terminates pursuant to sections 452.1246 to 452.1252 after the deploying parent**
3 **returns from deployment, unless the agreement has been terminated before that time by**
4 **court order or modification under section 452.1218. The agreement does not create an**
5 **independent, continuing right to caretaking authority, decision-making authority, or**
6 **limited contact in an individual to whom custodial responsibility is given.**

7 **2. A nonparent who has caretaking authority, decision-making authority, or**
8 **limited contact by an agreement under sections 452.1214 to 452.1222 has standing to**
9 **enforce the agreement until it has been terminated by court order, by modification**
10 **under section 452.1218, or under sections 452.1246 to 452.1252.**

452.1218. 1. By mutual consent, the parents of a child may modify an agreement
2 regarding custodial responsibility made pursuant to sections 452.1214 to 452.1222.

3 2. If an agreement is modified under subsection 1 of this section before
4 deployment of a deploying parent, the modification must be in writing and signed by
5 both parents and any nonparent who will exercise custodial responsibility under the
6 modified agreement.

7 3. If an agreement is modified under subsection 1 of this section during
8 deployment of a deploying parent, the modification must be agreed to in a record by
9 both parents and any nonparent who will exercise custodial responsibility under the
10 modified agreement.

452.1220. A deploying parent, by power of attorney, may delegate all or part of
2 custodial responsibility to an adult nonparent for the period of deployment if no other
3 parent possesses custodial responsibility under law of this state other than sections
4 452.1200 to 452.1258, or if a court order currently in effect prohibits contact between
5 the child and the other parent. The deploying parent may revoke the power of attorney
6 by signing a revocation of the power.

452.1222. An agreement or power of attorney under sections 452.1214 to
2 452.1222 must be filed within a reasonable time with any court that has entered an
3 order on custodial responsibility or child support that is in effect concerning the child
4 who is the subject of the agreement or power. The case number and heading of the
5 pending case concerning custodial responsibility or child support must be provided to
6 the court with the agreement or power.

452.1224. In sections 452.1224 to 452.1244, "close and substantial relationship"
2 means a relationship in which a significant bond exists between a child and a nonparent.

452.1226. 1. After a deploying parent receives notice of deployment and until the
2 deployment terminates, a court may issue a temporary order granting custodial
3 responsibility unless prohibited by the Servicemembers Civil Relief Act, 50 U.S.C.
4 Appendix Sections 521 and 522. A court may not issue a permanent order granting
5 custodial responsibility without the consent of the deploying parent.

6 2. At any time after a deploying parent receives notice of deployment, either
7 parent may file a motion regarding custodial responsibility of a child during
8 deployment. The motion must be filed in a pending proceeding for custodial
9 responsibility in a court with jurisdiction under section 452.1206 or, if there is no
10 pending proceeding in a court with jurisdiction under section 452.1206, in a new action
11 for granting custodial responsibility during deployment.

2 **452.1228. If a motion to grant custodial responsibility is filed under subsection 2**
3 **of section 452.1226 before a deploying parent deploys, the court shall conduct an**
4 **expedited hearing.**

2 **452.1230. In a proceeding under sections 452.1224 to 452.1244, a party or**
3 **witness who is not reasonably available to appear personally may appear, provide**
4 **testimony, and present evidence by electronic means unless the court finds good cause to**
5 **require a personal appearance.**

2 **452.1232. In a proceeding for a grant of custodial responsibility pursuant to**
3 **sections 452.1224 to 452.1244, the following rules apply:**

3 **(1) A prior judicial order designating custodial responsibility in the event of**
4 **deployment is binding on the court unless the circumstances meet the requirements of**
5 **law of this state other than sections 452.1200 to 452.1258 for modifying a judicial order**
6 **regarding custodial responsibility;**

7 **(2) The court shall enforce a prior written agreement between the parents for**
8 **designating custodial responsibility in the event of deployment, including an agreement**
9 **executed under sections 452.1214 to 452.1222, unless the court finds that the agreement**
10 **is contrary to the best interest of the child.**

2 **452.1234. 1. On motion of a deploying parent and in accordance with law of this**
3 **state other than sections 452.1200 to 452.1258, if it is in the best interest of the child, a**
4 **court may grant caretaking authority to a nonparent who is an adult family member of**
5 **the child or an adult with whom the child has a close and substantial relationship.**

6 **2. Unless a grant of caretaking authority to a nonparent under subsection 1 of**
7 **this section is agreed to by the other parent, the grant is limited to an amount of time not**
8 **greater than:**

9 **(1) The amount of time granted to the deploying parent under a permanent**
10 **custody order, but the court may add unusual travel time necessary to transport the**
11 **child; or**

12 **(2) In the absence of a permanent custody order that is currently in effect, the**
13 **amount of time that the deploying parent habitually cared for the child before being**
14 **notified of deployment, but the court may add unusual travel time necessary to**
15 **transport the child.**

16 **3. A court may grant part of a deploying parent's decision-making authority, if**
17 **the deploying parent is unable to exercise that authority, to a nonparent who is an adult**
18 **family member of the child or an adult with whom the child has a close and substantial**
19 **relationship. If a court grants the authority to a nonparent, the court shall specify the**
20 **decision-making powers granted, including decisions regarding the child's education,**
religious training, health care, extracurricular activities, and travel.

452.1236. On motion of a deploying parent, and in accordance with law of this state other than sections 452.1200 to 452.1258, unless the court finds that the contact would be contrary to the best interest of the child, a court shall grant limited contact to a nonparent who is a family member of the child or an individual with whom the child has a close and substantial relationship.

452.1238. 1. A grant of authority under sections 452.1224 to 452.1244 is temporary and terminates under sections 452.1246 to 452.1252 after the return from deployment of the deploying parent, unless the grant has been terminated before that time by court order. The grant does not create an independent, continuing right to caretaking authority, decision-making authority, or limited contact in an individual to whom it is granted.

2. A nonparent granted caretaking authority, decision-making authority, or limited contact under sections 452.1224 to 452.1244 has standing to enforce the grant until it is terminated by court order or under sections 452.1246 to 452.1252.

452.1240. 1. An order granting custodial responsibility under sections 452.1224 to 452.1244 must:

(1) Designate the order as temporary; and

(2) Identify to the extent feasible the destination, duration, and conditions of the deployment.

2. If applicable, an order for custodial responsibility under sections 452.1224 to 452.1244 must:

(1) Specify the allocation of caretaking authority, decision-making authority, or limited contact among the deploying parent, the other parent, and any nonparent;

(2) If the order divides caretaking or decision-making authority between individuals, or grants caretaking authority to one individual and limited contact to another, provide a process to resolve any dispute that may arise;

(3) Provide for liberal communication between the deploying parent and the child during deployment, including through electronic means, unless contrary to the best interest of the child, and allocate any costs of communications;

(4) Provide for liberal contact between the deploying parent and the child during the time the deploying parent is on leave or otherwise available, unless contrary to the best interest of the child;

(5) Provide for reasonable contact between the deploying parent and the child after return from deployment until the temporary order is terminated, even if the time of contact exceeds the time the deploying parent spent with the child before entry of the temporary order; and

23 **(6) Provide that the order will terminate pursuant to sections 452.1246 to**
24 **452.1252 after the deploying parent returns from deployment.**

452.1242. If a court has issued an order granting caretaking authority under
2 **sections 452.1224 to 452.1244, or an agreement granting caretaking authority has been**
3 **executed under sections 452.1214 to 452.1222, the court may enter a temporary order**
4 **for child support consistent with law of this state other than sections 452.1200 to**
5 **452.1258 if the court has jurisdiction under sections 454.1500 to 454.1730.**

452.1244. 1. Except for an order under section 452.1232, except as otherwise
2 **provided in subsection 2 of this section, and consistent with the Servicemembers Civil**
3 **Relief Act, 50 U.S.C. Appendix Sections 521 and 522, on motion of a deploying or other**
4 **parent or any nonparent to whom caretaking authority, decision-making authority, or**
5 **limited contact has been granted, the court may modify or terminate the grant if the**
6 **modification or termination is consistent with sections 452.1224 to 452.1244 and it is in**
7 **the best interest of the child. A modification is temporary and terminates pursuant to**
8 **sections 452.1246 to 452.1252 after the deploying parent returns from deployment,**
9 **unless the grant has been terminated before that time by court order.**

10 **2. On motion of a deploying parent, the court shall terminate a grant of limited**
11 **contact.**

452.1246. 1. At any time after return from deployment, a temporary agreement
2 **granting custodial responsibility under sections 452.1214 to 452.1222 may be terminated**
3 **by an agreement to terminate signed by the deploying parent and the other parent.**

4 **2. A temporary agreement under sections 452.1214 to 452.1222 granting**
5 **custodial responsibility terminates:**

6 **(1) If an agreement to terminate under subsection 1 of this section specifies a**
7 **date for termination, on that date; or**

8 **(2) If the agreement to terminate does not specify a date, on the date the**
9 **agreement to terminate is signed by the deploying parent and the other parent.**

10 **3. In the absence of an agreement under subsection 1 of this section to terminate,**
11 **a temporary agreement granting custodial responsibility terminates under sections**
12 **452.1214 to 452.1222 sixty days after the deploying parent gives notice to the other**
13 **parent that the deploying parent returned from deployment.**

14 **4. If a temporary agreement granting custodial responsibility was filed with a**
15 **court pursuant to section 452.1222, an agreement to terminate the temporary agreement**
16 **also must be filed with that court within a reasonable time after the signing of the**
17 **agreement. The case number and heading of the case concerning custodial**
18 **responsibility or child support must be provided to the court with the agreement to**
19 **terminate.**

452.1248. At any time after a deploying parent returns from deployment, the
2 deploying parent and the other parent may file with the court an agreement to
3 terminate a temporary order for custodial responsibility issued under sections 452.1224
4 to 452.1244. After an agreement has been filed, the court shall issue an order
5 terminating the temporary order effective on the date specified in the agreement. If a
6 date is not specified, the order is effective immediately.

452.1250. After a deploying parent returns from deployment until a temporary
2 agreement or order for custodial responsibility established under sections 452.1214 to
3 452.1222 or sections 452.1224 to 452.1244 is terminated, the court shall issue a
4 temporary order granting the deploying parent reasonable contact with the child unless
5 it is contrary to the best interest of the child, even if the time of contact exceeds the time
6 the deploying parent spent with the child before deployment.

452.1252. 1. If an agreement between the parties to terminate a temporary order
2 for custodial responsibility under sections 452.1224 to 452.1244 has not been filed, the
3 order terminates sixty days after the deploying parent gives notice to the other parent
4 and any nonparent granted custodial responsibility that the deploying parent has
5 returned from deployment.

6 2. A proceeding seeking to prevent termination of a temporary order for
7 custodial responsibility is governed by law of this state other than sections 452.1200 to
8 452.1258.

452.1254. In applying and construing sections 452.1200 to 452.1258,
2 consideration must be given to the need to promote uniformity of the law with
3 respect to its subject matter among states that enact it.

452.1256. Sections 452.1200 to 452.1258 modify, limit, or supersede the
2 Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001
3 et seq., but do not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C.
4 Section 7001(c), or authorize electronic delivery of any of the notices described in
5 Section 103(b) of that act, 15 U.S.C. Section 7003(b).

452.1258. Sections 452.1200 to 452.1258 do not affect the validity of a temporary
2 court order concerning custodial responsibility during deployment which was entered
3 before August 28, 2024.

453.700. Sections 453.700 to 453.740 may be cited as the "Uniform Unregulated
2 Child Custody Transfer Act".

453.702. In sections 453.700 to 453.740:

2 (1) "Child" means an unemancipated individual under eighteen years of age;

3 (2) "Child-placing agency" means a person with authority under other law of
4 this state to identify or place a child for adoption. The term does not include a parent of
5 the child;

6 (3) "Custody" means the exercise of physical care and supervision of a child;

7 (4) "Intercountry adoption" means an adoption or placement for adoption of a
8 child who resides in a foreign country at the time of adoption or placement. The term
9 includes an adoption finalized in the child's country of residence or in a state;

10 (5) "Parent" means an individual recognized as a parent under other law of this
11 state;

12 (6) "Person" means an individual, estate, business or nonprofit entity, public
13 corporation, government or governmental subdivision, agency, or instrumentality, or
14 other legal entity;

15 (7) "Record" means information:

16 (a) Inscribed on a tangible medium; or

17 (b) Stored in an electronic or other medium and retrievable in perceivable form;

18 (8) "State" means a state of the United States, the District of Columbia, Puerto
19 Rico, the United States Virgin Islands, or any other territory or possession subject to the
20 jurisdiction of the United States. The term includes a federally recognized Indian tribe.

 453.704. Sections 453.700 to 453.740 do not apply to custody of an Indian child,
2 as defined in Section 4(4) of the Indian Child Welfare Act of 1978, 25 U.S.C. Section
3 1903(4), as amended, to the extent custody is governed by the Indian Child Welfare Act
4 of 1978, 25 U.S.C. Sections 1901 through 1963, as amended.

 453.706. In sections 453.706 to 453.716:

2 (1) "Guardian" means a person recognized as a guardian under other law of this
3 state;

4 (2) "Intermediary" means a person that assists or facilitates a transfer of
5 custody of a child, whether or not for compensation.

 453.708. Sections 453.706 to 453.716 do not apply to a transfer of custody of a
2 child by a parent or guardian of the child to:

3 (1) A parent of the child;

4 (2) A stepparent of the child;

5 (3) An adult who is related to the child by blood, marriage, or adoption;

6 (4) An adult who, at the time of the transfer, had a close relationship with the
7 child or the parent or guardian of the child for a substantial period, and whom the
8 parent or guardian reasonably believes, at the time of the transfer, to be a fit custodian
9 of the child;

10 **(5) An Indian custodian, as defined in Section 4(6) of the Indian Child Welfare**
11 **Act of 1978, 25 U.S.C. Section 1903(6), as amended, of the child; or**

12 **(6) A member of the child's customary family unit recognized by the child's**
13 **indigenous group under other law of this state.**

453.710. 1. Except as provided in subsection 2 of this section, a parent or
2 **guardian of a child or an individual with whom a child has been placed for adoption**
3 **may not transfer custody of the child to another person with the intent, at the time of the**
4 **transfer, to abandon the rights and responsibilities concerning the child.**

5 **2. A parent or guardian of a child or an individual with whom a child has been**
6 **placed for adoption may transfer custody of the child to another person with the intent,**
7 **at the time of the transfer, to abandon the rights and responsibilities concerning the**
8 **child only through:**

9 **(1) Adoption or guardianship;**

10 **(2) Judicial award of custody;**

11 **(3) Placement by or through a child-placing agency;**

12 **(4) Other judicial or tribal action; or**

13 **(5) Safe place for newborns act of 2002 under section 210.950.**

14 **3. A person may not receive custody of a child, or act as an intermediary in a**
15 **transfer of custody of a child, if the person knows or reasonably should know the**
16 **transfer violates subsection 1 of this section. This prohibition does not apply if the**
17 **person, as soon as practicable after the transfer, notifies the children's division of the**
18 **transfer or takes appropriate action to establish custody under subsection 2 of this**
19 **section.**

20 **4. Violation of this section is a class B misdemeanor.**

21 **5. Violation of subsection 1 of this section is not established solely because a**
22 **parent or guardian that transfers custody of a child does not regain custody.**

453.712. 1. If the children's division has a reasonable basis to believe that a
2 **person has transferred or will transfer custody of a child in violation of subsection 1 of**
3 **section 453.710, the children's division may conduct a home visit as provided by other**
4 **law of this state and take appropriate action to protect the welfare of the child.**

5 **2. If the children's division conducts a home visit for a child adopted or placed**
6 **through an intercountry adoption, the children's divisions shall:**

7 **(1) Prepare a report on the welfare and plan for permanent placement of the**
8 **child; and**

9 **(2) Provide a copy to the United States Department of State.**

10 **3. Sections 453.700 to 453.740 do not prevent the children's division from taking**
11 **appropriate action under other law of this state.**

453.714. 1. A person may not solicit or advertise to:

2 **(1) Identify a person to which to make a transfer of custody in violation of**
3 **subsection 1 of section 453.710;**

4 **(2) Identify a child for a transfer of custody in violation of subsection 3 of section**
5 **453.710; or**

6 **(3) Act as an intermediary in a transfer of custody in violation of subsection 3 of**
7 **section 453.710.**

8 **2. Violation of this section is a class B misdemeanor.**

453.716. A law enforcement agency may investigate a possible violation of
2 **sections 453.706 to 453.716 and take legal action as provided by law of this state.**

453.718. In sections 453.718 to 453.732, "prospective adoptive parent" means an
2 **individual who has been approved or permitted under other law of this state to adopt a**
3 **child.**

453.720. Sections 453.718 to 453.732 apply to placement for adoption of a child
2 **who:**

3 **(1) Has been or is in foster or institutional care;**

4 **(2) Previously has been adopted in a state;**

5 **(3) Has been or is being adopted under the law of a foreign country;**

6 **(4) Has come or is coming to a state from a foreign country to be adopted; or**

7 **(5) Is not a citizen of the United States.**

453.722. Within a reasonable time before a child-placing agency places a child
2 **for adoption with a prospective adoptive parent, the agency shall provide or cause to be**
3 **provided to the prospective adoptive parent general adoption information. The**
4 **information must address:**

5 **(1) Possible physical, mental, emotional, and behavioral issues concerning:**

6 **(a) Identity, loss, and trauma that a child might experience before, during, or**
7 **after adoption; and**

8 **(b) A child leaving familiar ties and surroundings;**

9 **(2) The effect that access to resources, including health insurance, may have on**
10 **the ability of an adoptive parent to meet the needs of a child;**

11 **(3) Causes of disruption of an adoptive placement or dissolution of an adoption**
12 **and resources available to help avoid disruption or dissolution; and**

13 **(4) Prohibitions under sections 453.710 and 453.714.**

453.724. 1. Except as prohibited by other law of this state, within a reasonable
2 **time before a child-placing agency places a child for adoption with a prospective**
3 **adoptive parent, the agency shall provide or cause to be provided to the prospective**
4 **adoptive parent information specific to the child that is known to or reasonably**

5 obtainable by the agency and material to the prospective adoptive parent's informed
6 decision to adopt the child. The information must include:

- 7 (1) The child's family, cultural, racial, religious, ethnic, linguistic, and
8 educational background;
- 9 (2) The child's physical, mental, emotional, and behavioral health;
- 10 (3) Circumstances that might adversely affect the child's physical, mental,
11 emotional, or behavioral health;
- 12 (4) The child's medical history, including immunizations;
- 13 (5) The medical history of the child's genetic parents and siblings;
- 14 (6) The history of an adoptive or out-of-home placement of the child and the
15 reason the adoption or placement ended;
- 16 (7) The child's United States immigration status;
- 17 (8) Medical, therapeutic, and educational resources, including language-
18 acquisition training, available to the adoptive parent and child after placement for
19 adoption or adoption to assist in responding effectively to physical, mental, emotional,
20 or behavioral health issues; and
- 21 (9) Available records relevant to the information in subdivisions (1) through (8)
22 of this subsection.

23 2. If, before an adoption is finalized, additional information under subsection 1
24 of this section that is material to a prospective adoptive parent's informed decision to
25 adopt the child becomes known to or reasonably obtainable by the child-placing agency,
26 the agency shall provide the information to the prospective adoptive parent.

27 3. If, after an adoption is finalized, additional information under subsection 1 of
28 this section becomes known to the child-placing agency, the agency shall make a
29 reasonable effort to provide the information to the adoptive parent.

453.726. 1. A child-placing agency placing a child for adoption shall provide or
2 cause to be provided to the prospective adoptive parent guidance and instruction
3 specific to the child to help prepare the parent to respond effectively to needs of the child
4 that are known to or reasonably ascertainable by the agency.

5 2. The guidance and instruction under subsection 1 of this section must address,
6 if applicable:

- 7 (1) The potential effect on the child of:
 - 8 (a) A previous adoption or out-of-home placement;
 - 9 (b) Multiple previous adoptions or out-of-home placements;
 - 10 (c) Trauma, insecure attachment, fetal alcohol exposure, or malnutrition;
 - 11 (d) Neglect, abuse, drug exposure, or similar adversity;
 - 12 (e) Separation from a sibling or significant caregiver; and

13 **(f) A difference in ethnicity, race, or cultural identity between the child and the**
14 **prospective adoptive parent or other child of the parent;**

15 **(2) Information available from the federal government on the process for the**
16 **child to acquire United States citizenship; and**

17 **(3) Any other matter the child-placing agency considers material to the**
18 **adoption.**

19 **3. The guidance and instruction under subsection 1 of this section must be**
20 **provided:**

21 **(1) For adoption of a child residing in the United States, a reasonable time before**
22 **the adoption is finalized; or**

23 **(2) For an intercountry adoption, in accordance with federal law.**

453.728. On request of a child who was placed for adoption or the child's
2 **adoptive parent, the child-placing agency placing the child or the children's division**
3 **shall provide information about how to obtain financial assistance or support services:**

4 **(1) To assist the child or parent to respond effectively to adjustment, behavioral**
5 **health, and other challenges; and**

6 **(2) To help preserve the placement or adoption.**

453.730. 1. A law enforcement agency may investigate an allegation that a child-
2 **placing agency has failed to comply with sections 453.718 to 453.732 and commence an**
3 **action for injunctive or other relief or initiate an administrative proceeding against the**
4 **child-placing agency to enforce sections 453.718 to 453.732.**

5 **2. The children's division may initiate a proceeding to determine whether a**
6 **child-placing agency has failed to comply with sections 453.718 to 453.732. If the**
7 **children's divisions finds that the child-placing agency has failed to comply, the**
8 **children's division may suspend or revoke the agency's license or take other action**
9 **permitted by law of this state.**

453.732. The children's division may adopt rules under chapter 536 to
2 **implement sections 453.722, 453.724, and 453.728.**

453.734. In applying and construing this uniform act, a court shall consider the
2 **promotion of uniformity of the law among jurisdictions that enact it.**

453.736. Sections 453.700 to 453.740 modify, limit, or supersede the Electronic
2 **Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001 et seq., as**
3 **amended, but do not modify, limit, or supersede 15 U.S.C. Section 7001(c), or authorize**
4 **electronic delivery of any of the notices described in 15 U.S.C. Section 7003(b).**

453.738. 1. Sections 453.706 to 453.716 apply to:

2 **(1) A transfer of custody on or after August 28, 2024; and**

3 **(2) Soliciting or advertising on or after August 28, 2024.**

4 **2. Sections 453.718 to 453.732 apply to placement of a child for adoption more**
5 **than sixty days after August 28, 2024.**

453.740. If a provision of sections 453.700 to 453.740 or its application to a
2 **person or circumstance is held invalid, the invalidity does not affect another provision**
3 **or application that can be given effect without the invalid provision.**

453.742. Sections 453.700 to 453.740 supplement the provisions under this
2 **chapter and chapter 210 for the transfer of custody of a child. To the extent the**
3 **provisions under this chapter or chapter 210 are inconsistent with sections 453.700 to**
4 **453.740, the provisions of sections 453.700 to 453.740 control regarding the transfer of**
5 **custody of a child.**

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

3 **2. The court shall order a defendant convicted of the offense of driving while**
4 **intoxicated to pay restitution for a child whose parent or guardian died as a result of**
5 **such offense.**

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

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

12 **5. The court shall order the defendant to pay restitution in an amount that is**
13 **reasonable and necessary to support the child, considering all relevant factors,**
14 **including:**

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

16 **(2) The financial needs and resources of the surviving parent or guardian or**
17 **other current guardian of the child, including the state if the state is the guardian;**

18 **(3) The standard of living to which the child is accustomed;**

19 **(4) The physical and emotional condition of the child and the child's educational**
20 **needs;**

21 **(5) The child's physical and legal custody arrangements;**

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

24 **(7) The financial resources of the defendant.**

25 **6. The order of restitution under this section shall require restitution payments**
26 **to be:**

27 **(1) Delivered in the manner described under subsection 7 of this section, as**
28 **appropriate; and**

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

30 **7. The order of restitution under this section shall require the defendant to:**

31 **(1) Make restitution directly to the person or agency that will accept and**
32 **forward restitution payments to the victim or other person eligible for restitution under**
33 **this section; or**

34 **(2) Deliver the amount due as restitution to the division of probation or parole or**
35 **to the department of corrections for transfer to the victim or person or state, as**
36 **appropriate.**

37 **8. If a defendant ordered to pay restitution under this section is unable to make**
38 **the required restitution payments because the defendant is confined or imprisoned in a**
39 **correctional facility, the defendant shall begin payments no later than the first**
40 **anniversary of the date of the defendant's release from the facility. The defendant may**
41 **enter into a payment plan to address any arrearage that exists on the date of the**
42 **defendant's release. The defendant shall pay all arrearages regardless of whether the**
43 **restitution payments were scheduled to terminate while the defendant was confined or**
44 **imprisoned in the correctional facility.**

45 **9. The amount of restitution paid under this section shall be deducted from any**
46 **civil judgment against the defendant.**

47 **10. A restitution order issued under this section may be enforced by the office of**
48 **the attorney general, or by a person or a parent or guardian of the person named in the**
49 **order to receive the restitution, in the same manner as a judgment in a civil action.**

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

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

7 (a) "Abusing a pet", purposely or knowingly causing, attempting to cause, or
8 threatening to cause physical injury to a pet with the intent to control, punish, intimidate, or
9 distress the petitioner;

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

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

14 (d) "Coercion", compelling another by force or threat of force to engage in conduct
15 from which the latter has a right to abstain or to abstain from conduct in which the person has
16 a right to engage;

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

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

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

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

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

29 (2) "Adult", any person [~~seventeen~~] **eighteen** years of age or older or otherwise
30 emancipated;

31 (3) "Child", any person under [~~seventeen~~] **eighteen** years of age unless otherwise
32 emancipated;

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

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

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

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

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

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

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

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

51 (12) "Petitioner", a family or household member who has been a victim of domestic
52 violence, or any person who has been the victim of stalking or sexual assault, or a person
53 filing on behalf of a child pursuant to section 455.503 who has filed a verified petition
54 pursuant to the provisions of section 455.020 or section 455.505;

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

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

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

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

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

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

9 2. Failure to serve an ex parte order of protection on the respondent shall not affect
10 the validity or enforceability of such order. If the respondent is less than ~~seventeen~~ **eighteen**
11 years of age, unless otherwise emancipated, service of process shall be made upon a custodial
12 parent or guardian of the respondent, or upon a guardian ad litem appointed by the court,
13 requiring that the person appear and bring the respondent before the court at the time and
14 place stated.

15 3. If an ex parte order is entered and the respondent is less than ~~seventeen~~ **eighteen**
16 years of age, the court shall transfer the case to juvenile court for a hearing on a full order of
17 protection. The court shall appoint a guardian ad litem for any such respondent not
18 represented by a parent or guardian.

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

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

6 (2) The respondent is less than ~~seventeen~~ **eighteen** years of age.

7

8 An immediate and present danger of domestic violence, including danger to the child's pet,
9 stalking, or sexual assault to a child shall constitute good cause for purposes of this section.

10 An ex parte order of protection entered by the court shall be in effect until the time of the
11 hearing. The court shall deny the ex parte order and dismiss the petition if the petitioner is not
12 authorized to seek relief pursuant to section 455.505.

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

16 3. If the allegations in the petition would give rise to jurisdiction under section
17 211.031, the court may direct the children's division to conduct an investigation and to
18 provide appropriate services. The division shall submit a written investigative report to the
19 court and to the juvenile officer within thirty days of being ordered to do so. The report shall
20 be made available to the parties and the guardian ad litem or court-appointed special
21 advocate.

22 4. If the allegations in the petition would give rise to jurisdiction under section
23 211.031 because the respondent is less than ~~seventeen~~ **eighteen** years of age, the court may
24 issue an ex parte order and shall transfer the case to juvenile court for a hearing on a full order
25 of protection. Service of process shall be made pursuant to section 455.035.

487.110. The uniform child custody jurisdiction **and enforcement** act, as enacted in
2 sections ~~[452.440 to 452.550]~~ **452.700 to 452.930**, shall apply to all **child** custody
3 proceedings, **as defined in section 452.705**, in the family court.

487.200. 1. As used in this section, "medication-assisted treatment" means the use of
2 pharmacological medications, in combination with counseling and behavioral therapies, to
3 provide a whole patient approach to the treatment of substance use disorders.

4 2. If a family court participant requires treatment for opioid or other substance misuse
5 or dependence, a family court shall not prohibit such participant from participating in and
6 receiving medication-assisted treatment under the care of a physician licensed in this state to
7 practice medicine. A family court participant shall not be required to refrain from using
8 medication-assisted treatment as a term or condition of successful completion of the family
9 court program.

10 3. A family court participant assigned to a treatment program for opioid or other
11 substance misuse or dependence shall not be in violation of the terms or conditions of the
12 family court on the basis of his or her participation in medication-assisted treatment under the
13 care of a physician licensed in this state to practice medicine.

14 **4. A family court shall not require a participant utilizing medication-assisted**
15 **treatment as part of treatment for opioid or other substance misuse or dependence to**
16 **cease utilizing the treatment or to otherwise complete the treatment prior to**
17 **reunification with his or her child.**

 491.075. 1. A statement made by a child under the age of [~~fourteen~~] **eighteen**, or a
2 vulnerable person, relating to an offense under chapter 565, 566, 568 or 573, performed by
3 another, not otherwise admissible by statute or court rule, is admissible in evidence in
4 criminal proceedings in the courts of this state as substantive evidence to prove the truth of
5 the matter asserted if:

6 (1) The court finds, in a hearing conducted outside the presence of the jury that the
7 time, content and circumstances of the statement provide sufficient indicia of reliability; and

8 (2) (a) The child or vulnerable person testifies at the proceedings; or

9 (b) The child or vulnerable person is unavailable as a witness; or

10 (c) The child or vulnerable person is otherwise physically available as a witness but
11 the court finds that the significant emotional or psychological trauma which would result
12 from testifying in the personal presence of the defendant makes the child or vulnerable person
13 unavailable as a witness at the time of the criminal proceeding.

14 2. Notwithstanding subsection 1 of this section or any provision of law or rule of
15 evidence requiring corroboration of statements, admissions or confessions of the defendant,
16 and notwithstanding any prohibition of hearsay evidence, a statement by a child when under
17 the age of [~~fourteen~~] **eighteen**, or a vulnerable person, who is alleged to be victim of an
18 offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement,
19 admission or confession regardless of whether or not the child or vulnerable person is
20 available to testify regarding the offense.

21 3. A statement may not be admitted under this section unless the prosecuting attorney
22 makes known to the accused or the accused's counsel his or her intention to offer the
23 statement and the particulars of the statement sufficiently in advance of the proceedings to
24 provide the accused or the accused's counsel with a fair opportunity to prepare to meet the
25 statement.

26 4. Nothing in this section shall be construed to limit the admissibility of statements,
27 admissions or confessions otherwise admissible by law.

28 5. For the purposes of this section, "vulnerable person" shall mean a person who, as a
29 result of an inadequately developed or impaired intelligence or a psychiatric disorder that

30 materially affects ability to function, lacks the mental capacity to consent, or whose
31 developmental level does not exceed that of an ordinary child of ~~fourteen~~ **seventeen** years
32 of age.

491.641. 1. (1) There is hereby created in the state treasury the "Pretrial Witness
2 Protection Services Fund", which shall consist of moneys collected under this section. The
3 state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180,
4 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money
5 in the fund shall be used solely by the department of public safety for the purposes of witness
6 protection services pursuant to this section.

7 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
8 remaining in the fund at the end of the biennium shall not revert to the credit of the general
9 revenue fund.

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

13 2. Any law enforcement agency **and any prosecuting or circuit attorney's office**
14 may provide for the security of witnesses, potential witnesses, and their immediate families in
15 criminal proceedings instituted or investigations pending against a person alleged to have
16 engaged in a violation of state law. Providing for witnesses may include provision of housing
17 facilities and for the health, safety, and welfare of such witnesses and their immediate
18 families, if testimony by such a witness might subject the witness or a member of his or her
19 immediate family to danger of bodily injury, and may continue so long as such danger exists.
20 Subject to appropriations from the general assembly for the purposes provided for in this
21 section, funds may be appropriated from the pretrial witness protection services fund.

22 3. The department of public safety may authorize funds to be disbursed to law
23 enforcement agencies **and prosecuting or circuit attorney's offices** for the purchase, rental,
24 or modification of protected housing facilities for the purpose of this section. The law
25 enforcement agency **or prosecuting or circuit attorney's office** may contract with any
26 department of federal or state government to obtain or to provide the facilities or services to
27 carry out this section.

28 4. The department of public safety may authorize expenditures for law enforcement
29 agencies **and prosecuting or circuit attorney's offices** to provide for the health, safety, and
30 welfare of witnesses and victims, and the families of such witnesses and victims, whenever
31 testimony from, or a willingness to testify by, such a witness or victim would place the life of
32 such person, or a member of his or her family or household, in jeopardy. ~~[A law enforcement~~
33 ~~agency shall submit an application to the department of public safety which shall include, but~~
34 ~~not necessarily be limited to:~~

- 35 ~~(1) Statement of conditions which qualify persons for protection;~~
 - 36 ~~(2) Precise methods the originating agency will use to provide protection, including~~
 - 37 ~~relocation of persons and reciprocal agreements with other law enforcement agencies;~~
 - 38 ~~(3) Statement of the projected costs over a specified period of time;~~
 - 39 ~~(4) If the requesting agency expects the person to provide evidence in any court of~~
 - 40 ~~competent jurisdiction:~~
 - 41 ~~(a) Brief statement of the anticipated evidence;~~
 - 42 ~~(b) Certification of a reasonable belief in the person's competency to give evidence;~~
 - 43 ~~(c) Statement of facts supporting the law enforcement agency's belief in the accuracy~~
 - 44 ~~of the evidence; and~~
 - 45 ~~(d) Any offer made in exchange for the person agreeing to give evidence.]~~
- 46 **enforcement agencies and prosecuting or circuit attorney's offices seeking**
- 47 **reimbursement shall submit an application to be approved by the department of**
- 48 **public safety.**

49 5. The application **and any associated documents** submitted in subsection 4 of this

50 section shall be a closed record and not subject to disclosure under the provisions of chapter

51 610. Any information contained in the application~~[, or]~~ **and** any other documents, which

52 reveals or could reveal the location or address of the individual or individuals who qualify for

53 services under this section shall be confidential and shall not be disclosed by any entity.

492.304. 1. In addition to the admissibility of a statement under the provisions of

2 section 492.303, the visual and aural recording of a verbal or nonverbal statement of a child

3 when under the age of ~~[fourteen who is alleged to be a victim of]~~ **eighteen, or a vulnerable**

4 **person, relating to** an offense under the provisions of chapter 565, 566 ~~[or]~~, 568, **or 573, if**

5 **performed by another,** is admissible into evidence if:

- 6 (1) No attorney for either party was present when the statement was made; except
- 7 that, for any statement taken at a state-funded child assessment center as provided for in
- 8 subsection 2 of section 210.001, an attorney representing the state of Missouri in a criminal
- 9 investigation may, as a member of a multidisciplinary investigation team, observe the taking
- 10 of such statement, but such attorney shall not be present in the room where the interview is
- 11 being conducted;
- 12 (2) The recording is both visual and aural and is recorded on film or videotape or by
- 13 other electronic means;
- 14 (3) The recording equipment was capable of making an accurate recording, the
- 15 operator of the equipment was competent, and the recording is accurate and has not been
- 16 altered;
- 17 (4) The statement was not made in response to questioning calculated to lead the child
- 18 **or vulnerable person** to make a particular statement or to act in a particular way;

19 (5) Every voice on the recording is identified;

20 (6) The person conducting the interview of the child **or vulnerable person** in the
21 recording, **or a current employee of a child assessment center if a child was recorded**, is
22 present at the proceeding and available to testify or be cross-examined by either party; and

23 (7) The defendant or the attorney for the defendant is afforded an opportunity to view
24 the recording before it is offered into evidence.

25 2. If the child **or vulnerable person** does not testify at the proceeding, the visual and
26 aural recording of a verbal or nonverbal statement of the child **or vulnerable person** shall not
27 be admissible under this section unless the recording qualifies for admission under section
28 491.075.

29 3. If the visual and aural recording of a verbal or nonverbal statement of a child **or**
30 **vulnerable person** is admissible under this section and the child **or vulnerable person**
31 testifies at the proceeding, it shall be admissible in addition to the testimony of the child **or**
32 **vulnerable person** at the proceeding whether or not it repeats or duplicates the child's **or**
33 **vulnerable person's** testimony.

34 4. As used in this section, a nonverbal statement shall be defined as any
35 demonstration of the child **or vulnerable person** by his or her actions, facial expressions,
36 demonstrations with a doll or other visual aid whether or not this demonstration is
37 accompanied by words.

38 5. **For the purposes of this section, "vulnerable person" shall mean a person**
39 **who, as a result of an inadequately developed or impaired intelligence or a psychiatric**
40 **disorder that materially affects the ability to function, lacks the mental capacity to**
41 **consent, or whose developmental level does not exceed that of an ordinary child of**
42 **seventeen years of age.**

566.151. 1. A person twenty-one years of age or older commits the offense of
2 enticement of a child if he or she persuades, solicits, coaxes, entices, or lures whether by
3 words, actions or through communication via the internet or any electronic communication,
4 any person who is less than ~~fifteen~~ **seventeen** years of age for the purpose of engaging in
5 sexual conduct.

6 2. It is not a defense to a prosecution for a violation of this section that the other
7 person was a peace officer masquerading as a minor.

8 3. Enticement of a child or an attempt to commit enticement of a child is a felony for
9 which the authorized term of imprisonment shall be not less than five years and not more than
10 thirty years. No person convicted under this section shall be eligible for parole, probation,
11 conditional release, or suspended imposition or execution of sentence for a period of five
12 calendar years.

567.030. 1. A person commits the offense of patronizing prostitution if he or she:

2 (1) Pursuant to a prior understanding, gives something of value to another person as
3 compensation for having engaged in sexual conduct with any person; or

4 (2) Gives or agrees to give something of value to another person with the
5 understanding that such person or another person will engage in sexual conduct with any
6 person; or

7 (3) Solicits or requests another person to engage in sexual conduct with any person in
8 return for something of value.

9 2. It shall not be a defense that the person believed that the individual he or she
10 patronized for prostitution was eighteen years of age or older.

11 3. The offense of patronizing prostitution is a class [~~B misdemeanor~~] **E felony**, unless
12 the individual who the person patronizes is less than eighteen years of age but older than
13 [~~fourteen~~] **fifteen** years of age, in which case patronizing prostitution is a class [~~E~~] **D felony**.

14 4. The offense of patronizing prostitution is a class [~~D~~] **B felony** if the individual who
15 the person patronizes is [~~fourteen~~] **fifteen** years of age or younger. Nothing in this section
16 shall preclude the prosecution of an individual for the offenses of:

17 (1) Statutory rape in the first degree pursuant to section 566.032;

18 (2) Statutory rape in the second degree pursuant to section 566.034;

19 (3) Statutory sodomy in the first degree pursuant to section 566.062; or

20 (4) Statutory sodomy in the second degree pursuant to section 566.064.

**589.700. 1. In addition to any fine imposed for a violation of section 566.203,
2 566.206, 566.209, 566.210, 566.211, or 566.215, the court shall enter a judgment of
3 restitution in the amount specified in this subsection in favor of the state of Missouri,
4 payable to the human trafficking and sexual exploitation fund established under this
5 section, upon a plea of guilty or a finding of guilt for a violation of section 566.203,
6 566.206, 566.209, 566.210, 566.211, or 566.215. The judgment of restitution shall be in
7 the amount of:**

8 (1) **Ten thousand dollars per each identified victim of the offense or offenses for
9 which restitution is required under this subsection; and**

10 (2) **Two thousand five hundred dollars for each county in which such offense or
11 offenses occurred.**

12 2. **There is hereby created in the state treasury the "Human Trafficking and
13 Sexual Exploitation Fund", which shall consist of proceeds from the human trafficking
14 restitution collected for violations of sections 566.203, 566.206, 566.209, 566.210, 566.211,
15 and 566.215. The state treasurer shall be custodian of the fund. In accordance with
16 sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund
17 shall be a dedicated fund and, upon appropriation, moneys in this fund shall be
18 distributed to the county or counties where the human trafficking offense or offenses**

19 occurred. Upon receipt of moneys from the fund, a county shall allocate the
20 disbursement as follows:

21 (1) Ten thousand dollars per each identified victim of the offense or offenses that
22 occurred in the county toward local rehabilitation services for victims of human
23 trafficking including, but not limited to, mental health and substance abuse counseling;
24 general education, including parenting skills; housing relief; vocational training; and
25 employment counseling; and

26 (2) Two thousand five hundred dollars toward local efforts to prevent human
27 trafficking including, but not limited to, education programs for persons convicted of
28 human trafficking offenses and increasing the number of local law enforcement
29 members charged with enforcing human trafficking laws.

30 3. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
31 remaining in the fund at the end of the biennium shall not revert to the credit of the
32 general revenue fund.

33 4. The state treasurer shall invest moneys in the fund in the same manner as
34 other funds are invested. Any interest and moneys earned on such investments shall be
35 credited to the fund.

590.050. 1. (1) The POST commission shall establish requirements for the
2 continuing education of all peace officers.

3 (2) Each peace officer shall be required to receive two hours of sex and human
4 trafficking training consistent with the guidelines established in section 27.170 within
5 the law enforcement continuing education one-year reporting period. The provisions of
6 this subdivision shall become effective on January 1, 2025, and shall expire on December
7 31, 2029.

8 (3) Peace officers who make traffic stops shall be required to receive [~~three hours~~]
9 **one hour** of training within the law enforcement continuing education [~~three-year~~] **one-year**
10 reporting period concerning the prohibition against racial profiling and such training shall
11 promote understanding and respect for racial and cultural differences and the use of effective,
12 noncombative methods for carrying out law enforcement duties in a racially and culturally
13 diverse environment.

14 2. The director shall license continuing education providers and may probate, suspend
15 and revoke such licenses upon written notice stating the reasons for such action. Any person
16 aggrieved by a decision of the director pursuant to this subsection may appeal as provided in
17 chapter 536.

18 3. The costs of continuing law enforcement education shall be reimbursed in part by
19 moneys from the peace officer standards and training commission fund created in section
20 590.178, subject to availability of funds, except that no such funds shall be used for the

21 training of any person not actively commissioned or employed by a county or municipal law
22 enforcement agency.

23 4. The director may engage in any activity intended to further the professionalism of
24 peace officers through training and education, including the provision of specialized training
25 through the department of public safety.

✓