

SENATE COMMITTEE SUBSTITUTE
 FOR
 HOUSE COMMITTEE SUBSTITUTE
 FOR
 HOUSE BILLS NOS. 1706 & 1539
 AN ACT

To repeal sections 190.142, 210.1505, 211.326, 324.035, 337.618, 455.010, 455.035, 455.513, 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 seventeen 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 190.142, 210.1505, 211.326, 324.035, 337.618, 455.010, 455.035, 455.513, 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session, and section 56.265 as enacted by senate bill no. 275, ninetieth general assembly, first regular session, are repealed and seventeen new sections enacted in lieu thereof, to be known as sections 27.170, 56.265, 190.142, 210.1505, 211.326, 324.035, 337.618, 455.010, 455.035, 455.513, 491.075, 491.641, 492.304, 566.151, 567.030, 589.700, and 590.050, to read as follows:

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

2. The committee shall consist of the following members:

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

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

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

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

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

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

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

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

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

5. The committee shall annually evaluate, and establish guidelines for, the sex and human trafficking training, to be produced and distributed in a digital platform, required under sections 56.265, 190.142, 198.082, 211.326, 335.059, 337.618, and 590.050.

6. Any board, department, or agency that regulates any profession for which sex and human trafficking training is

required as described in subsection 5 of this section may provide such training. Funding for the training shall be subject to appropriations.

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

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

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

(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

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

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

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

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

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

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

(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

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

(1) At least twenty hours of classroom instruction each calendar year relating to the operations of the prosecuting attorney's office when approved by a professional association of the county prosecuting attorneys of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each prosecuting attorney who completes the

training program and shall send a list of certified prosecuting attorneys to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the county prosecuting attorney in the same manner as other expenses as may be appropriated for that purpose; and

(2) One hour of sex and human trafficking training each calendar year consistent with the guidelines established in section 21.170. The provisions of this subdivision shall become effective on January 1, 2025, and shall expire on December 31, 2029.

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

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

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

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

(2) For applications submitted after the recognition of EMS personnel licensure interstate compact under sections

190.900 to 190.939 takes effect, an applicant for initial licensure as an emergency medical technician in this state shall submit to a background check by the Missouri state highway patrol and the Federal Bureau of Investigation through a process approved by the department of health and senior services. Such processes may include the use of vendors or systems administered by the Missouri state highway patrol. The department may share the results of such a criminal background check with any emergency services licensing agency in any member state, as that term is defined under section 190.900, in recognition of the EMS personnel licensure interstate compact. The department shall not issue a license until the department receives the results of an applicant's criminal background check from the Missouri state highway patrol and the Federal Bureau of Investigation, but, notwithstanding this subsection, the department may issue a temporary license as provided under section 190.143. Any fees due for a criminal background check shall be paid by the applicant.

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

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

(1) Age requirements;

(2) Emergency medical technician and paramedic education and training requirements based on respective National Emergency Medical Services Education Standards and

any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

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

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

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

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

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

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

c. Licensees who submit an application for renewal on or after January 1, 2027, but prior to January 1, 2028,

shall be required to receive three hours of sex and human trafficking training consistent with the guidelines established in section 21.170;

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

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

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

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

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

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

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

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective

only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

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

(1) [The following four members of the general assembly:

(a) Two members of the senate, with one member to be appointed by the president pro tempore of the senate and one member to be appointed by the minority floor leader of the senate; and

(b) Two members of the house of representatives, with one member to be appointed by the speaker of the house of representatives and one member to be appointed by the minority floor leader of the house of representatives] The

attorney general or his or her designee, who shall serve as the chair of the council;

(2) The director of the children's division or his or her designee;

(3) The director of the department of public safety or his or her designee;

(4) The director of the department of mental health or his or her designee;

(5) The director of the office of prosecution services or his or her designee;

(6) The superintendent of the Missouri state highway patrol or his or her designee;

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

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

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

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

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

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

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

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

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

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

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

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

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

3. [The council shall:

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

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

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

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

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

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

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

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

211.326. 1. The state courts administrator shall:

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

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

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

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

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

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

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

3. Continuing education standards established under subdivision (3) of subsection 1 of this section shall include a requirement that each juvenile officer annually complete one hour of sex and human trafficking training consistent with the guidelines established in section 27.170. The provisions of this subsection shall become

effective on January 1, 2025, and shall expire on December 31, 2029.

324.035. 1. No board, commission, or committee within the division of professional registration shall utilize occupational fees, or any other fees associated with licensing requirements, or contract or partner with any outside vendor or agency for the purpose of offering continuing education classes unless the continuing education program is approved by the director of the division of professional registration and is available to all licensees of the board, commission, or committee.

2. Nothing in this section shall be construed to preclude a board, commission, or committee within the division of professional registration from utilizing occupational licensure fees for the purpose of participating in conferences, seminars, or other outreach for the purpose of communicating information to licensees with respect to changes in policy, law, or regulations.

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

residency, or for other good cause. All requests for waivers or extensions of time shall be made in writing and submitted to the board before the renewal date.

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

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

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

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

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

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

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

(e) "Harassment", engaging in a purposeful or knowing course of conduct involving more than one incident that alarms or causes distress to an adult or child and serves no

legitimate purpose. The course of conduct must be such as would cause a reasonable adult or child to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner or child. Such conduct might include, but is not limited to:

a. Following another about in a public place or places;
b. Peering in the window or lingering outside the residence of another; but does not include constitutionally protected activity;

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

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

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

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

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

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

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

(7) "Family" or "household member", spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with

the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time;

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

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

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

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

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

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

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

(15) "Stalking", is when any person purposely engages in an unwanted course of conduct that causes alarm to another person, or a person who resides together in the same household with the person seeking the order of protection

when it is reasonable in that person's situation to have been alarmed by the conduct. As used in this subdivision:

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

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

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

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

3. If an ex parte order is entered and the respondent is less than ~~seventeen~~ eighteen years of age, the court

shall transfer the case to juvenile court for a hearing on a full order of protection. The court shall appoint a guardian ad litem for any such respondent not represented by a parent or guardian.

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

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

(2) The respondent is less than **[seventeen]** eighteen years of age.

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

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

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

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

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

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

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

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

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

2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence requiring corroboration of statements, admissions or confessions of the defendant, and notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of [fourteen] eighteen, or a vulnerable person, who is alleged to be

victim of an offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless of whether or not the child or vulnerable person is available to testify regarding the offense.

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

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

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

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

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end

of the biennium shall not revert to the credit of the general revenue fund.

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

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

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

4. The department of public safety may authorize expenditures for law enforcement agencies and prosecuting or circuit attorney's offices to provide for the health, safety, and welfare of witnesses and victims, and the families of such witnesses and victims, whenever testimony

from, or a willingness to testify by, such a witness or victim would place the life of such person, or a member of his or her family or household, in jeopardy. [A law enforcement agency shall submit an application to the department of public safety which shall include, but not necessarily be limited to:

(1) Statement of conditions which qualify persons for protection;

(2) Precise methods the originating agency will use to provide protection, including relocation of persons and reciprocal agreements with other law enforcement agencies;

(3) Statement of the projected costs over a specified period of time;

(4) If the requesting agency expects the person to provide evidence in any court of competent jurisdiction:

(a) Brief statement of the anticipated evidence;

(b) Certification of a reasonable belief in the person's competency to give evidence;

(c) Statement of facts supporting the law enforcement agency's belief in the accuracy of the evidence; and

(d) Any offer made in exchange for the person agreeing to give evidence.] Law enforcement agencies and prosecuting or circuit attorney's offices seeking reimbursement shall submit an application to be approved by the department of public safety.

5. The application and any associated documents submitted in subsection 4 of this section shall be a closed record and not subject to disclosure under the provisions of chapter 610. Any information contained in the application[, or] and any other documents, which reveals or could reveal the location or address of the individual or individuals who qualify for 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 section 492.303, the visual and aural recording of a verbal or nonverbal statement of a child when under the age of fourteen who is alleged to be a victim of eighteen, or a vulnerable person, relating to an offense under the provisions of chapter 565, 566 [or], 568, or 573, if performed by another, is admissible into evidence if:

(1) No attorney for either party was present when the statement was made; except that, for any statement taken at a state-funded child assessment center as provided for in subsection 2 of section 210.001, an attorney representing the state of Missouri in a criminal investigation may, as a member of a multidisciplinary investigation team, observe the taking of such statement, but such attorney shall not be present in the room where the interview is being conducted;

(2) The recording is both visual and aural and is recorded on film or videotape or by other electronic means;

(3) The recording equipment was capable of making an accurate recording, the operator of the equipment was competent, and the recording is accurate and has not been altered;

(4) The statement was not made in response to questioning calculated to lead the child or vulnerable person to make a particular statement or to act in a particular way;

(5) Every voice on the recording is identified;

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

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

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

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

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

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

566.151. 1. A person twenty-one years of age or older commits the offense of enticement of a child if he or she persuades, solicits, coaxes, entices, or lures whether by words, actions or through communication via the internet or any electronic communication, any person who is less than

[fifteen] seventeen years of age for the purpose of engaging in sexual conduct.

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

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

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

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

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

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

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

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

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

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

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

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

(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, 566.206, 566.209, 566.210, 566.211, or 566.215, the court shall enter a judgment of restitution in the amount specified in this subsection in favor of the state of Missouri, payable to the human trafficking and sexual exploitation fund established under this section, upon a plea of guilty or a finding of guilt for a violation of section 566.203, 566.206, 566.209, 566.210, 566.211, or 566.215. The judgment of restitution shall be in the amount of:

(1) Ten thousand dollars per each identified victim of the offense or offenses for which restitution is required under this subsection; and

(2) Two thousand five hundred dollars for each county in which such offense or offenses occurred.

2. There is hereby created in the state treasury the "Human Trafficking and Sexual Exploitation Fund", which shall consist of proceeds from the human trafficking restitution collected for violations of sections 566.203, 566.206, 566.209, 566.210, 566.211, and 566.215. The state

treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in this fund shall be distributed to the county or counties where the human trafficking offense or offenses occurred. Upon receipt of moneys from the fund, a county shall allocate the disbursement as follows:

(1) Ten thousand dollars per each identified victim of the offense or offenses that occurred in the county toward local rehabilitation services for victims of human trafficking including, but not limited to, mental health and substance abuse counseling; general education, including parenting skills; housing relief; vocational training; and employment counseling; and

(2) Two thousand five hundred dollars toward local efforts to prevent human trafficking including, but not limited to, education programs for persons convicted of human trafficking offenses and increasing the number of local law enforcement members charged with enforcing human trafficking laws.

3. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

4. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

590.050. 1. (1) The POST commission shall establish requirements for the continuing education of all peace officers.

(2) Each peace officer shall be required to receive two hours of sex and human trafficking training consistent with the guidelines established in section 27.170 within the law enforcement continuing education one-year reporting period. The provisions of this subdivision shall become effective on January 1, 2025, and shall expire on December 31, 2029.

(3) Peace officers who make traffic stops shall be required to receive [three hours] one hour of training within the law enforcement continuing education [three-year] one-year reporting period concerning the prohibition against racial profiling and such training shall promote understanding and respect for racial and cultural differences and the use of effective, noncombative methods for carrying out law enforcement duties in a racially and culturally diverse environment.

2. The director shall license continuing education providers and may probate, suspend and revoke such licenses upon written notice stating the reasons for such action. Any person aggrieved by a decision of the director pursuant to this subsection may appeal as provided in chapter 536.

3. The costs of continuing law enforcement education shall be reimbursed in part by moneys from the peace officer standards and training commission fund created in section 590.178, subject to availability of funds, except that no such funds shall be used for the training of any person not actively commissioned or employed by a county or municipal law enforcement agency.

4. The director may engage in any activity intended to further the professionalism of peace officers through training and education, including the provision of specialized training through the department of public safety.