

SENATE BILL NO. 1103

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

5130S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 455, RSMo, by adding thereto one new section relating to the sole purpose of protective orders.

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

Section A. Chapter 455, RSMo, is amended by adding thereto
2 one new section, to be known as section 455.098, to read as
3 follows:

455.098. 1. Upon the request of the victim or the
2 prosecuting or circuit attorney, a court shall have
3 jurisdiction at the time of sentencing to enter a lifetime
4 protection order restraining or enjoining the defendant from
5 contacting the victim if the defendant has been found guilty
6 of a dangerous felony, as defined in section 556.061. The
7 protection order shall be effective immediately and shall be
8 served on the defendant at the time of sentencing. An order
9 issued pursuant to this section shall not expire and is
10 valid for the defendant's lifetime unless:

11 (1) The defendant makes a showing to the court that
12 the victim has died or the conviction has been dismissed,
13 expunged, or overturned or the defendant has been pardoned;
14 or

15 (2) The victim submits a written request to the court
16 for an early expiration upon which the court may hold a
17 hearing to terminate the order.

18 2. A copy of any order of protection granted pursuant
19 to this section shall be issued to the victim and to the
20 local law enforcement agency in the jurisdiction where the
21 victim resides. The court shall provide all necessary
22 information, including the defendant's relationship to the
23 victim, for entry of the order of protection into the
24 Missouri Uniform Law Enforcement System (MULES) and the
25 National Crime Information Center (NCIC). Upon receiving
26 the order under this subsection, the sheriff shall make the
27 entry into MULES within twenty-four hours. MULES shall
28 forward the order information to NCIC, which will in turn
29 make the order viewable within the National Instant Criminal
30 Background Check System (NICS). The sheriff shall enter
31 information contained in the order, including, but not
32 limited to, any orders regarding child custody or visitation
33 and all specifics as to times and dates of custody or
34 visitation that are provided in the order. A notice of
35 termination of any order of protection or any change in
36 child custody or visitation within that order shall be
37 issued to the local law enforcement agency for entry into
38 MULES or any other comparable law enforcement system. The
39 information contained in an order of protection may be
40 entered into MULES or any other comparable law enforcement
41 system using a direct automated data transfer from the court
42 automated system to the law enforcement system.

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