

SENATE BILL NO. 1354

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

4901S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 452.425, RSMo, and to enact in lieu thereof one new section relating to enforcement of child custody and visitation orders.

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

Section A. Section 452.425, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 452.425,
3 to read as follows:

452.425. Any court order for the custody of, or
2 visitation with, a child [may] **shall** include a provision
3 that the sheriff or other law enforcement officer shall
4 enforce the rights of any person to custody or visitation
5 unless the court issues a subsequent order pursuant to
6 chapter 210, 211, 452 or 455 to limit or deny the custody
7 of, or visitations with, the child. Such sheriff or law
8 enforcement officer shall not remove a child from a person
9 who has actual physical custody of the child unless such
10 sheriff or officer is shown a court order or judgment which
11 clearly and convincingly verifies that such person is not
12 entitled to the actual physical custody of the child, and
13 there are not other exigent circumstances that would give
14 the sheriff or officer reasonable suspicion to believe that
15 the child would be harmed or that the court order presented
16 to the sheriff or officer may not be valid.

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EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.