

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

SENATE BILL NO. 1421

AN ACT

To repeal sections 27.020, 43.500, 43.530, 56.265, 195.417, 302.302, 304.070, 324.1100, 324.1102, 324.1103, 324.1105, 324.1116, 324.1134, 374.051, 374.695, 374.700, 374.702, 374.705, 374.710, 374.711, 374.715, 374.716, 374.717, 374.719, 374.720, 374.730, 374.740, 374.750, 374.755, 374.757, 374.759, 374.760, 374.763, 374.764, 374.770, 374.775, 374.783, 374.784, 374.785, 374.786, 374.787, 374.788, 374.789, 557.035, 569.086, 570.010, 571.030, 577.800, 579.022, 579.060, 579.065, 579.068, and 650.240, RSMo, and to enact in lieu thereof sixty-eight new sections relating to public safety, with penalty provisions, an emergency clause for certain sections, and a severability clause.

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

Section A. Sections 27.020, 43.500, 43.530, 56.265,
2 195.417, 302.302, 304.070, 324.1100, 324.1102, 324.1103,
3 324.1105, 324.1116, 324.1134, 374.051, 374.695, 374.700,
4 374.702, 374.705, 374.710, 374.711, 374.715, 374.716, 374.717,
5 374.719, 374.720, 374.730, 374.740, 374.750, 374.755, 374.757,
6 374.759, 374.760, 374.763, 374.764, 374.770, 374.775, 374.783,
7 374.784, 374.785, 374.786, 374.787, 374.788, 374.789, 557.035,
8 569.086, 570.010, 571.030, 577.800, 579.022, 579.060, 579.065,
9 579.068, and 650.240, RSMo, are repealed and sixty-eight new
10 sections enacted in lieu thereof, to be known as sections
11 27.020, 43.500, 43.530, 56.265, 160.3300, 195.417, 210.1700,

12 301.287, 302.302, 304.070, 320.405, 324.1100, 324.1102,
13 324.1103, 324.1105, 324.1116, 324.1134, 324.2100, 324.2103,
14 324.2109, 324.2112, 324.2115, 324.2118, 324.2121, 324.2124,
15 324.2127, 324.2130, 324.2133, 324.2136, 324.2139, 324.2142,
16 324.2145, 324.2148, 324.2151, 324.2154, 324.2157, 324.2160,
17 324.2163, 324.2166, 324.2169, 324.2172, 324.2175, 324.2178,
18 324.2181, 324.2184, 324.2187, 374.051, 454.1050, 557.035,
19 565.097, 569.086, 569.117, 569.119, 570.010, 570.137, 571.030,
20 577.800, 579.022, 579.060, 579.065, 579.068, 589.900, 589.902,
21 590.1300, 610.141, 610.143, 610.144, and 650.240, to read as
22 follows:

27.020. 1. The attorney general is hereby authorized
2 to appoint such assistant attorneys general as may be
3 necessary to properly perform the duties of his or her
4 office and shall fix the compensation of such assistants
5 within the limits of the amount appropriated by the general
6 assembly. Said assistant attorneys general shall hold their
7 office at the pleasure of the attorney general, shall
8 possess the same qualifications as the attorney general, and
9 before entering upon the discharge of their duties shall
10 each take and subscribe to an oath to support the
11 Constitution of the United States and of the state of
12 Missouri and to faithfully demean themselves in office. It
13 shall be their duty to assist the attorney general in his or
14 her official duties with power and authority under his or
15 her direction to represent him or her in the discharge of
16 all the duties of his or her office.

2. The attorney general may, at the request of any
18 officer, department, board, bureau, commission or agency of
19 the state, assign assistant attorneys general to perform the
20 duties prescribed by law before or upon behalf of such
21 officer, department, board, bureau, commission or agency and

22 may, upon request as aforesaid, from time to time reassign
23 such assistants.

24 3. The attorney general is also authorized to appoint
25 a chief clerk, stenographers, typists, clerks,
26 [investigators] and such other employees as shall be
27 necessary to properly perform the duties of his or her
28 office [and shall fix the compensation of persons thus
29 employed within the limits of the amount appropriated by the
30 general assembly]. Said employees shall serve during the
31 pleasure of the attorney general. [The assistant attorneys
32 general and the chief clerk, stenographers, typists, clerks,
33 investigators and other employees shall be paid in the same
34 manner and at the same time as the attorney general. The
35 compensation and expenses of said assistants and employees
36 may be paid out of any state or federal funds appropriated
37 to said department for such purposes.]

38 4. The attorney general is further authorized to
39 appoint commissioned and noncommissioned investigators, as
40 shall be necessary to properly perform the duties of his or
41 her office. Investigators shall serve at the pleasure of
42 the attorney general. Each commissioned investigator, upon
43 appointment, shall take and subscribe an oath of office to
44 support the constitution and laws of the United States and
45 the state of Missouri and shall receive a certificate of
46 appointment, a copy of which shall be filed with the
47 secretary of state, issued by the attorney general or his or
48 her designee granting such commissioned investigator all the
49 same powers of arrest held by peace officers to maintain
50 order and preserve the peace in any matter in which the
51 attorney general is appointed or assigned in accordance with
52 the law. Commissioned investigators may assist law
53 enforcement agencies when requested. The certificate of
54 appointment of each commissioned investigator may be

55 withdrawn at any time by the attorney general. Commissioned
56 investigators shall comply with all peace officer standards
57 required by chapter 590.

58 5. The attorney general is authorized to fix the
59 compensation of persons employed by him or her within the
60 limits of the amount appropriated by the general assembly.
61 The assistant attorneys general and the chief clerk,
62 stenographers, typists, clerks, investigators, and other
63 employees shall be paid in the same manner and at the same
64 time as the attorney general. The compensation and expenses
65 of said assistants, investigators, and other employees may
66 be paid out of any state or federal funds appropriated to
67 said department for such purposes.

43.500. As used in sections 43.500 to 43.651, the
2 following terms mean:

3 (1) "Administration of criminal justice", performance
4 of any of the following activities: detection,
5 apprehension, detention, pretrial release, post-trial
6 release, prosecution, adjudication, correctional
7 supervision, or rehabilitation of accused persons or
8 criminal offenders. The administration of criminal justice
9 shall include the discretion to disclose closed mobile video
10 recordings. Such discretion shall belong solely to the
11 agency creating the video and shall not waive closure rights
12 or requirements for subsequent requests. The administration
13 of criminal justice shall include the screening of employees
14 or applicants seeking employment with criminal justice
15 agencies, criminal identification activities, and the
16 collection, storage, and dissemination of criminal history
17 information, including fingerprint searches, photographs,
18 and other unique biometric identification;

19 (2) "Central repository", the division within the
20 Missouri state highway patrol responsible for compiling and

21 disseminating complete and accurate criminal history records
22 and statistics;

23 (3) "Committee", criminal records and justice
24 information advisory committee;

25 (4) "Comparable ordinance violation", a violation of
26 an ordinance having all the essential elements of a
27 statutory felony or a class A misdemeanor;

28 (5) "Criminal history record information", information
29 collected by criminal justice agencies on individuals
30 consisting of identifiable descriptions and notations of
31 arrests, detentions, indictments, informations, or other
32 formal criminal charges, and any disposition arising
33 therefrom, sentencing, correctional supervision, and release;

34 (6) "Final disposition", the formal conclusion of a
35 criminal proceeding at whatever stage it occurs in the
36 criminal justice system;

37 (7) "Missouri charge code", a unique number assigned
38 by the office of state courts administrator to an offense
39 for tracking and grouping offenses. Beginning January 1,
40 2005, the complete charge code shall consist of digits
41 assigned by the office of state courts administrator, the
42 two-digit national crime information center modifiers and a
43 single digit designating attempt, accessory, or conspiracy.
44 The only exception to the January 1, 2005, date shall be the
45 courts that are not using the statewide court automation
46 case management pursuant to section 476.055; the effective
47 date will be as soon thereafter as economically feasible for
48 all other courts;

49 (8) "State offense cycle number", a unique number,
50 supplied by or approved by the Missouri state highway
51 patrol, on the state criminal fingerprint card. The offense
52 cycle number, OCN, is used to link the identity of a person,
53 through unique biometric identification, to one or many

54 offenses for which the person is arrested or charged. The
55 OCN will be used to track an offense incident from the date
56 of arrest to the final disposition when the offender exits
57 from the criminal justice system;

58 (9) "Unique biometric identification", automated
59 methods of recognizing and identifying an individual based
60 on a physiological characteristic. Biometric identification
61 methods may include but are not limited to facial
62 recognition, fingerprints, palm prints, hand geometry, iris
63 recognition, and retinal scan.

43.530. 1. For each request requiring the payment of
2 a fee received by the central repository, the requesting
3 entity shall pay a fee of not more than nine dollars per
4 request for criminal history record information not based on
5 a fingerprint search. In each year beginning on or after
6 January 1, 2010, the superintendent may increase the fee
7 paid by requesting entities by an amount not to exceed one
8 dollar per year, however, under no circumstance shall the
9 fee paid by requesting entities exceed ~~[fifteen]~~ twenty
10 dollars per request.

11 2. For each request requiring the payment of a fee
12 received by the central repository, the requesting entity
13 shall pay a fee of not more than twenty dollars per request
14 for criminal history record information based on a
15 fingerprint search, unless the request is required under the
16 provisions of subdivision (6) of section 210.481, section
17 210.487, or section 571.101, in which case the fee shall be
18 fourteen dollars.

19 3. Upon establishment of a fingerprinting system
20 within the central repository, the superintendent shall
21 collect the current vendor fee for device usage by
22 requestors under this section. When initially established,
23 the fee shall not exceed the vendor fee then in place for

24 legacy livescan devices under state contract. Thereafter
25 the superintendent may increase the fee by no more than
26 fifty cents per year. The fee shall be deposited to the
27 criminal record system fund.

28 4. A request made under subsections 1 and 2 of this
29 section shall be limited to check and search on one
30 individual. Each request shall be accompanied by a check,
31 warrant, voucher, money order, or electronic payment payable
32 to the state of Missouri-criminal record system or payment
33 shall be made in a manner approved by the highway patrol.
34 The highway patrol may establish procedures for receiving
35 requests for criminal history record information for
36 classification and search for fingerprints, from courts and
37 other entities, and for the payment of such requests. There
38 is hereby established by the treasurer of the state of
39 Missouri a fund to be entitled as the "Criminal Record
40 System Fund". Notwithstanding the provisions of section
41 33.080 to the contrary, if the moneys collected and
42 deposited into this fund are not totally expended annually
43 for the purposes set forth in sections 43.500 to 43.651, the
44 unexpended moneys in such fund shall remain in the fund and
45 the balance shall be kept in the fund to accumulate from
46 year to year.

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

8 (1) For a full-time [prosecutor] prosecuting attorney
9 of a charter, first, or second class county, or of a city
10 not within a county, the [prosecutor] prosecuting attorney

11 shall receive compensation equal to one hundred percent of
12 the compensation of [an associate] a circuit judge[;].

13 (2) [For a part-time prosecutor:] For a full-time
14 prosecuting attorney of a third or fourth class county, the
15 prosecuting attorney shall receive compensation equal to
16 one hundred percent of the compensation of an associate
17 circuit judge or, upon approval by a majority of the county
18 commission, the prosecuting attorney shall receive
19 compensation equal to ninety-five percent of the
20 compensation of a circuit judge.

[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]

33 (3) Upon approval by a majority of the county
34 commission, a part-time prosecuting attorney shall receive
35 compensation equal to between thirty and sixty percent of
36 the compensation of an associate circuit judge.

37 (4) Notwithstanding any other provision of this
38 section to the contrary, no prosecuting attorney who has
39 held the office of prosecuting attorney prior to January 1,
40 2027, shall have their compensation lowered by the
41 implementation of the compensation procedures of this
42 section, nor shall any prosecuting attorney have their
43 compensation lowered during their tenure of office.

44 2. Two thousand dollars of the salary shall be payable
45 to any prosecuting attorney only if the prosecuting attorney
46 has completed at least twenty hours of classroom instruction
47 each calendar year relating to the operations of the
48 prosecuting attorney's office when approved by a
49 professional association of the county prosecuting attorneys
50 of Missouri unless exempted from the training by the
51 professional association. The professional association
52 approving the program shall provide a certificate of
53 completion to each prosecuting attorney who completes the
54 training program and shall send a list of certified
55 prosecuting attorneys to the treasurer of each county or
56 city not within a county. Expenses incurred for attending
57 the training session may be reimbursed to the prosecuting
58 attorney in the same manner as other expenses as may be
59 appropriated for that purpose.

60 3. Each calendar year, five thousand dollars of the
61 salary shall be payable to any prosecuting attorney only if
62 the prosecuting attorney has collected the data described in
63 subsection 2 of section 56.750 in a manner approved by the
64 prosecutors coordinators training council and makes the data
65 described in subsection 2 of section 56.750 readily
66 accessible to the Missouri office of prosecution services.
67 The Missouri office of prosecution services shall provide a
68 certificate of compliance to each prosecuting attorney who
69 complies with this subsection and shall send a list of any

70 certified prosecuting attorney to the respective treasurer
71 of each county or city not within a county.

72 4. For each calendar year, three thousand dollars of
73 the salary shall be payable to any prosecuting attorney only
74 if the prosecuting attorney has provided discovery to
75 criminal defense attorneys who have entered an appearance on
76 behalf of a defendant in a manner approved by the
77 prosecutors coordinators training council. The Missouri
78 office of prosecution services shall provide a certificate
79 of compliance to each prosecuting attorney who complies with
80 this subsection and shall send a list of any certified
81 prosecuting attorney to the respective treasurer of each
82 county or city not within a county.

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

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

94 7. Notwithstanding any other provision of law to the
95 contrary, any county with a vacancy in the office of
96 prosecuting attorney for more than sixty days may
97 consolidate with one contiguous county with a sitting
98 prosecuting attorney upon a unanimous vote of the county
99 commissions of such counties to establish a cooperative
100 regional prosecuting attorney's office at any time. The
101 prosecuting attorney of the contiguous county shall then
102 become the prosecuting attorney of that region for the

103 remainder of that prosecuting attorney's term of office or
104 until such time as the governor appoints a prosecuting
105 attorney to fill the vacant prosecuting attorney position
106 pursuant to section 105.030. Regional prosecuting attorneys
107 shall be designated as full-time prosecuting attorneys and
108 shall be compensated in the manner provided under the
109 provisions of subdivision (2) of subsection 1 of this
110 section. No two counties that each have sitting prosecuting
111 attorneys shall be permitted to consolidate in the manner
112 described in this section.

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

116 9. (1) There is hereby created in the state treasury
117 the "Missouri State Prosecutorial Services Grant Fund",
118 which shall consist of moneys appropriated by the general
119 assembly.

120 (2) The state treasurer shall be custodian of the
121 fund. In accordance with sections 30.170 and 30.180, the
122 state treasurer may approve disbursements. The fund shall
123 be a dedicated fund and, upon appropriation, moneys in this
124 fund shall be used solely as provided in this section and
125 shall be allocated to counties of the third and fourth
126 classification on the basis of need in order for such
127 counties to be in compliance with the prosecuting attorney
128 compensation provisions of this section.

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

133 (4) The state treasurer shall invest moneys in the
134 fund in the same manner as other funds are invested. Any

135 interest and moneys earned on such investments shall be
136 credited to the fund.

160.3300. 1. School districts may install and operate
2 school bus safety cameras on school buses to be used for the
3 detection of violations of section 304.050, provided that
4 such use is approved by a vote of the school district board
5 of directors. Any image or video recorded by a school bus
6 safety camera that is not used for the purpose of enforcing
7 violations of section 304.050 shall be permanently deleted
8 no later than one hundred eighty days from the date of
9 capture. For purposes of this section, "school bus safety
10 camera" means a device that is affixed to a school bus that
11 records photographs, microphotographs, or electronic images
12 of the front or rear of a vehicle at the time the vehicle is
13 detected for an infraction identified in section 304.050.

14 2. No image or video captured by a school bus safety
15 camera authorized under this section shall be used by a
16 political subdivision for violation detection or enforcement
17 as part of any automated camera system designed to detect
18 traffic violations and issue citations. Nothing in this
19 section shall prohibit a prosecutor from introducing any
20 image or video captured by a school bus safety camera as
21 evidence in a judicial proceeding.

195.417. 1. The limits specified in this section
2 shall not apply to any quantity of such product, mixture, or
3 preparation which must be dispensed, sold, or distributed in
4 a pharmacy pursuant to a valid prescription.

5 2. Within any thirty-day period, no person shall sell,
6 dispense, or otherwise provide to the same individual, and
7 no person shall purchase, receive, or otherwise acquire more
8 than the following amount: any number of packages of any
9 drug product containing any detectable amount of ephedrine,
10 phenylpropanolamine, or pseudoephedrine, or any of their

11 salts or optical isomers, or salts of optical isomers,
12 either as:

13 (1) The sole active ingredient; or

14 (2) One of the active ingredients of a combination
15 drug; or

16 (3) A combination of any of the products specified in
17 subdivisions (1) and (2) of this subsection;

18 in any total amount greater than seven and two-tenths grams,
19 without regard to the number of transactions.

20 3. Within any twenty-four-hour period, no pharmacist,
21 intern pharmacist, or registered pharmacy technician shall
22 sell, dispense, or otherwise provide to the same individual,
23 and no person shall purchase, receive, or otherwise acquire
24 more than the following amount: any number of packages of
25 any drug product containing any detectable amount of
26 ephedrine, phenylpropanolamine, or pseudoephedrine, or any
27 of their salts or optical isomers, or salts of optical
28 isomers, either as:

29 (1) The sole active ingredient; or

30 (2) One of the active ingredients of a combination
31 drug; or

32 (3) A combination of any of the products specified in
33 subdivisions (1) and (2) of this subsection;

34 in any total amount greater than three and six-tenths grams
35 without regard to the number of transactions.

36 4. Within any twelve-month period, no person shall
37 sell, dispense, or otherwise provide to the same individual,
38 and no person shall purchase, receive, or otherwise acquire
39 more than the following amount: any number of packages of
40 any drug product containing any detectable amount of
41 ephedrine, phenylpropanolamine, or pseudoephedrine, or any

42 of their salts or optical isomers, or salts of optical
43 isomers, either as:
44 (1) The sole active ingredient; or
45 (2) One of the active ingredients of a combination
46 drug; or
47 (3) A combination of any of the products specified in
48 subdivisions (1) and (2) of this subsection;
49 in any total amount greater than ~~forty-three~~ sixty-one and
50 two-tenths grams, without regard to the number of
51 transactions.

52 5. All packages of any compound, mixture, or
53 preparation containing any detectable quantity of ephedrine,
54 phenylpropanolamine, or pseudoephedrine, or any of their
55 salts or optical isomers, or salts of optical isomers,
56 except those that are excluded from Schedule V in subsection
57 17 or 18 of section 195.017, shall be offered for sale only
58 from behind a pharmacy counter where the public is not
59 permitted, and only by a registered pharmacist or registered
60 pharmacy technician under section 195.017.

61 6. Each pharmacy shall submit information regarding
62 sales of any compound, mixture, or preparation as specified
63 in this section in accordance with transmission methods and
64 frequency established by the department by regulation.

65 7. (1) As used in this subsection, "administrator of
66 the real-time electronic pseudoephedrine tracking system"
67 means the entity responsible for developing, implementing,
68 and maintaining the data collection system described in 19
69 CSR 30-1.074 or any successor regulation.

70 (2) Beginning October 1, 2026, and continuing
71 thereafter, any manufacturer of any compound, mixture, or
72 preparation specified in this section that is sold in or
73 into the state shall, on a monthly basis, pay fees to the

74 administrator of the real-time electronic pseudoephedrine
75 tracking system.

76 (3) The administrator of the real-time electronic
77 pseudoephedrine tracking system shall be responsible for
78 setting the fee levels required under this subsection.

79 (4) Upon the request of the department of health and
80 senior services, any manufacturer required to pay fees under
81 this subsection shall provide written documentation
82 demonstrating that the manufacturer has paid such fees.

83 (5) The fees required under this subsection shall be
84 assessed against each manufacturer solely on the basis of
85 sales transactions involving that manufacturer's own
86 compounds, mixtures, or preparations sold in or into the
87 state. No manufacturer shall be assessed fees based upon
88 transactions attributable to the compounds, mixtures, or
89 preparations of any other manufacturer.

90 8. No prescription shall be required for the
91 dispensation, sale, or distribution of any drug product
92 containing any detectable amount of ephedrine,
93 phenylpropanolamine, or pseudoephedrine, or any of their
94 salts or optical isomers, or salts of optical isomers, in an
95 amount within the limits described in subsections 2, 3, and
96 4 of this section. The superintendent of the Missouri state
97 highway patrol shall report to the revisor of statutes and
98 the general assembly by February first when the statewide
99 number of methamphetamine laboratory seizure incidents
100 exceeds three hundred incidents in the previous calendar
101 year. The provisions of this subsection shall expire on
102 April first of the calendar year in which the revisor of
103 statutes receives such notification.

104 **[8.]** 9. This section shall supersede and preempt any
105 local ordinances or regulations, including any ordinances or
106 regulations enacted by any political subdivision of the

107 state. This section shall not apply to the sale of any
108 animal feed products containing ephedrine or any naturally
109 occurring or herbal ephedra or extract of ephedra.

110 [9.] 10. Any local ordinances or regulations enacted
111 by any political subdivision of the state prior to August
112 28, 2020, requiring a prescription for the dispensation,
113 sale, or distribution of any drug product containing any
114 detectable amount of ephedrine, phenylpropanolamine, or
115 pseudoephedrine, or any of their salts or optical isomers,
116 or salts of optical isomers, in an amount within the limits
117 described in subsections 2, 3, and 4 of this section shall
118 be void and of no effect and no such political subdivision
119 shall maintain or enforce such ordinance or regulation.

120 [10.] 11. All logs, records, documents, and electronic
121 information maintained for the dispensing of these products
122 shall be open for inspection and copying by municipal,
123 county, and state or federal law enforcement officers whose
124 duty it is to enforce the controlled substances laws of this
125 state or the United States.

126 [11.] 12. All persons who dispense or offer for sale
127 pseudoephedrine and ephedrine products, except those that
128 are excluded from Schedule V in subsection 17 or 18 of
129 section 195.017, shall ensure that all such products are
130 located only behind a pharmacy counter where the public is
131 not permitted.

132 [12.] 13. The penalty for a knowing or reckless
133 violation of this section is found in section 579.060.

210.1700. 1. As used in this section, the following
2 terms mean:

3 (1) "Overnight camp", a program operated by a person
4 or organization that includes the hours between 9:00 p.m.
5 and 6:00 a.m. but not for two or more sequential overnights;

6 (2) "Residential camp", a program operated by a person
7 or organization that includes the hours between 9:00 p.m.
8 and 6:00 a.m. for two or more sequential overnights.

9 2. Each overnight camp or residential camp staff
10 member or volunteer who is eighteen years of age or older
11 shall have received a qualifying criminal background check
12 as defined in 210.1080.

301.287. 1. This section shall be known and referred
2 to as "Mason's Law".

3 2. Beginning January 1, 2027, a resident of this state
4 with a health condition or disability that limits or impairs
5 the ability to effectively communicate with law enforcement
6 may, at any time, apply to the department of revenue for a
7 designation that shall be associated with the person's
8 driver's license issued under chapter 302 and motor vehicle
9 license plate or plates issued under this chapter and
10 available to law enforcement under the Missouri uniform law
11 enforcement system (MULES) established under chapter 43.

12 3. The initial application, which shall be on a form
13 prescribed by the department and made available on the
14 department's website, shall be signed by a physician
15 licensed under chapter 334, or a psychologist licensed under
16 chapter 337, certifying that:

17 (1) The applicant or the applicant's child, parent, or
18 spouse has a physical or mental health condition that is
19 likely to impair the ability to effectively communicate with
20 law enforcement; and

21 (2) The physician or psychologist has determined that
22 the applicant or the applicant's child, parent, or spouse
23 will have the communication impairment for at least five
24 years.

25 4. Upon submission of an application and approval by
26 the department, the department shall prepare an entry in the

27 department's records that is accessible to law enforcement
28 via MULES and that indicates that the applicant or the
29 applicant's child, parent, or spouse has a physical or
30 mental health condition that may impair the ability to
31 effectively communicate with law enforcement. Such entry as
32 related to the applicant's driver's license shall remain
33 active until the expiration of their driver's license. Such
34 entry as related to the applicant's motor vehicle license
35 plate or plates shall remain active for a period of five
36 years, unless the applicant requests that such designation
37 be removed from the records. Upon expiration of the five-
38 year period, the designation in MULES may be reactivated
39 upon the filing of a renewal form with the department signed
40 by a physician licensed under chapter 334, or a psychologist
41 licensed under chapter 337, certifying that:

42 (1) The applicant or the applicant's child, parent, or
43 spouse has a physical or mental health condition that is
44 likely to impair the ability to effectively communicate with
45 law enforcement; and

46 (2) The physician or psychologist has determined that
47 the applicant or the applicant's child, parent, or spouse
48 will have the communication impairment for at least five
49 years.

50 5. The department of public safety shall issue
51 guidance and education materials to all law enforcement
52 agencies in this state to promote awareness of the
53 designation established under this section.

54 6. The department of revenue may promulgate all
55 necessary rules and regulations for the administration of
56 this section. Any rule or portion of a rule, as that term
57 is defined in section 536.010, that is created under the
58 authority delegated in this section shall become effective
59 only if it complies with and is subject to all of the

60 provisions of chapter 536 and, if applicable, section
 61 536.028. This section and chapter 536 are nonseverable and
 62 if any of the powers vested with the general assembly
 63 pursuant to chapter 536 to review, to delay the effective
 64 date, or to disapprove and annul a rule are subsequently
 65 held unconstitutional, then the grant of rulemaking
 66 authority and any rule proposed or adopted after August 28,
 67 2026, shall be invalid and void.

302.302. 1. The director of revenue shall put into
 2 effect a point system for the suspension and revocation of
 3 licenses. Points shall be assessed only after a conviction
 4 or forfeiture of collateral. The initial point value is as
 5 follows:

6	(1)	Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303	2 points
7			
8		(except any violation of municipal stop sign ordinance where no accident is involved	1 point)
9			
10	(2)	Speeding	
11			
12			
13		In violation of a state law	3 points
14		In violation of a county or municipal ordinance	2 points
15	(3)	Leaving the scene of an accident in violation of section 577.060	12 points
16			
17		In violation of any county or municipal ordinance	6 points
18			
19			
20			
21			
22			
23			
24			

25	(4)	Careless and imprudent driving in	4 points
26		violation of subsection 4 of section	
27		304.016	
28		In violation of a county or municipal	2 points
29		ordinance	
30	(5)	Operating without a valid license in	
31		violation of subdivision (1) or (2) of	
32		subsection 1 of section 302.020:	
33		(a) For the first conviction	
34		(b) For the second conviction	4 points
35		(c) For the third conviction	6 points
36	(6)	Operating with a suspended or revoked	12 points
37		license prior to restoration of operating	
38		privileges	
39	(7)	Obtaining a license by misrepresentation	12 points
40			
41	(8)	For the first conviction of driving while	8 points
42		in an intoxicated condition or under the	
43		influence of controlled substances or	
44		drugs	
45	(9)	For the second or subsequent conviction	12 points
46		of any of the following offenses however	
47		combined: driving while in an intoxicated	
48		condition, driving under the influence of	
49		controlled substances or drugs or driving	
50		with a blood alcohol content of eight-	
51		hundredths of one percent or more by	
52		weight	
53			
54	(10)	For the first conviction for driving with	
55		blood alcohol content eight-hundredths of	
56		one percent or more by weight	
57			
58		In violation of state law	8 points

59		In violation of a county or municipal ordinance or federal law or regulation	8 points
60			
61			
62	(11)	Any felony involving the use of a motor vehicle	12 points
63			
64	(12)	Knowingly permitting unlicensed operator to operate a motor vehicle	4 points
65			
66	(13)	For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025	4 points
67			
68			
69			
70			
71	(14)	Endangerment of a highway worker in violation of section 304.585	4 points
72			
73	(15)	Aggravated endangerment of a highway worker in violation of section 304.585	12 points
74			
75			
76	(16)	For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency	4 points
77			
78			
79			
80			
81			
82			
83			
84			
85	(17)	Endangerment of an emergency responder in violation of section 304.894	4 points
86			
87			
88	(18)	Aggravated endangerment of an emergency responder in violation of section 304.894	12 points
89			
90			
91	(19)	<u>Failure to stop for a school bus that is receiving or discharging students, in violation of subsection 1 of section 304.050</u>	<u>5 points</u>
92			
93			
94			

95 2. The director shall, as provided in subdivision (5)
96 of subsection 1 of this section, assess an operator points
97 for a conviction pursuant to subdivision (1) or (2) of
98 subsection 1 of section 302.020, when the director issues
99 such operator a license or permit pursuant to the provisions
100 of sections 302.010 to 302.340.

101 3. An additional two points shall be assessed when
102 personal injury or property damage results from any
103 violation listed in subdivisions (1) to (13) of subsection 1
104 of this section and if found to be warranted and certified
105 by the reporting court.

106 4. When any of the acts listed in subdivision (2),
107 (3), (4) or (8) of subsection 1 of this section constitutes
108 both a violation of a state law and a violation of a county
109 or municipal ordinance, points may be assessed for either
110 violation but not for both. Notwithstanding that an offense
111 arising out of the same occurrence could be construed to be
112 a violation of subdivisions (8), (9) and (10) of subsection
113 1 of this section, no person shall be tried or convicted for
114 more than one offense pursuant to subdivisions (8), (9) and
115 (10) of subsection 1 of this section for offenses arising
116 out of the same occurrence.

117 5. The director of revenue shall put into effect a
118 system for staying the assessment of points against an
119 operator. The system shall provide that the satisfactory
120 completion of a driver-improvement program or, in the case
121 of violations committed while operating a motorcycle, a
122 motorcycle-rider training course approved by the state
123 highways and transportation commission, by an operator, when
124 so ordered and verified by any court having jurisdiction
125 over any law of this state or county or municipal ordinance,
126 regulating motor vehicles, other than a violation committed
127 in a commercial motor vehicle as defined in section 302.700

128 or a violation committed by an individual who has been
129 issued a commercial driver's license or is required to
130 obtain a commercial driver's license in this state or any
131 other state, shall be accepted by the director in lieu of
132 the assessment of points for a violation pursuant to
133 subdivision (1), (2) or (4) of subsection 1 of this section
134 or pursuant to subsection 3 of this section. The operator
135 shall be given the option to complete the driver-improvement
136 program through an online or in-person course. A court
137 using a centralized violation bureau established under
138 section 476.385 may elect to have the bureau order and
139 verify completion of a driver-improvement program or
140 motorcycle-rider training course as prescribed by order of
141 the court. For the purposes of this subsection, the driver-
142 improvement program shall meet or exceed the standards of
143 the National Safety Council's eight-hour "Defensive Driving
144 Course" or, in the case of a violation which occurred during
145 the operation of a motorcycle, the program shall meet the
146 standards established by the state highways and
147 transportation commission pursuant to sections 302.133 to
148 302.137. The completion of a driver-improvement program or
149 a motorcycle-rider training course shall not be accepted in
150 lieu of points more than one time in any thirty-six-month
151 period and shall be completed within sixty days of the date
152 of conviction in order to be accepted in lieu of the
153 assessment of points. Every court having jurisdiction
154 pursuant to the provisions of this subsection shall, within
155 fifteen days after completion of the driver-improvement
156 program or motorcycle-rider training course by an operator,
157 forward a record of the completion to the director, all
158 other provisions of the law to the contrary
159 notwithstanding. The director shall establish procedures
160 for record keeping and the administration of this subsection.

304.070. 1. Any person who violates any of the provisions of subsections 1, 3, and 7 of section 304.050 is guilty of a class A misdemeanor. [In addition, the court may suspend the driver's license of any person who violates the provision of subsection 1 of section 304.050. If ordered by the court, the director shall suspend the driver's license for ninety days for a first offense of subsection 1 of section 304.050, and one hundred twenty days for a second or subsequent offense of subsection 1 of section 304.050.] Any person who violates subsection 1 of section 304.050 where such violation results in the physical injury of any child shall be guilty of a class E felony. Any person who violates subsection 1 of section 304.050 where such violation causes the serious physical injury or death of any child shall be guilty of a class D felony. For the purposes of this subsection, "physical injury" means physical pain, illness, or any impairment of physical condition including, but not limited to, bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ. The term "serious physical injury" means a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. [Any appeal of a suspension imposed under subsection 1 of this section shall be a direct appeal of the court order and subject to review by the presiding judge of the circuit court or another judge within the circuit other than the judge who issued the original order to suspend the driver's license. The director of revenue's entry of the court-ordered suspension on the driving record is not a decision subject to review pursuant to section 302.311. Any suspension of the driver's license ordered by the court

34 under this section shall be in addition to any other
35 suspension that may occur as a result of the conviction
36 pursuant to other provisions of law] Notwithstanding any
37 other provision of law, any person found guilty of a
38 violation of subsection 1 of section 304.050 shall be
39 subject to the following fines:

40 (1) For a first offense, a fine of at least five
41 hundred dollars but not more than one thousand dollars;

42 (2) For a second offense within a five-year period, a
43 fine of at least one thousand dollars but not more than two
44 thousand dollars; and

45 (3) For a third or subsequent offense within a five-
46 year period, a fine of at least one thousand five hundred
47 dollars but not more than three thousand dollars.

48 No court shall suspend any portion of the fines established
49 under this subsection.

50 3. No violation of subsection 1 of section 304.050
51 shall be disposed of through the state fine collection
52 center or by payment of a fine without an appearance in open
53 court. The defendant shall appear in person or by attorney
54 for disposition.

55 4. The driver's license of any person found guilty of
56 a first violation of subsection 1 of section 304.050 may be
57 suspended by the director of revenue, with such suspension
58 at the discretion of the court. The director of revenue
59 shall suspend the driver's license of any person found
60 guilty of a violation of subsection 1 of section 304.050, as
61 follows:

62 (1) For a second offense within a five-year period,
63 ninety days; and

64 (2) For a third or subsequent offense within a five-
65 year period, one-hundred-eighty days.

66 Such suspensions shall be mandatory and shall be in addition
67 to any other driver's license suspension or revocation
68 required or authorized under chapter 302.

69 5. The fines and suspensions required under
70 subsections 2 and 4 of this section shall apply to all
71 violations of subsection 1 of section 304.050, including
72 violations resulting in injury or death of a child, and
73 shall be in addition to the penalties listed under
74 subsection 1 of this section.

320.405. 1. For purposes of this section, the
2 following terms mean:

3 (1) "Division", the Missouri division of fire safety
4 within the department of public safety;

5 (2) "Missouri fire and life safety standards", minimum
6 fire-protection and life-safety requirements adopted by the
7 division under this section, informed by nationally
8 recognized fire and building safety principles including,
9 but not limited to, best practices reflected in the
10 International Fire Code (IFC), the International Building
11 Code (IBC), and applicable National Fire Protection
12 Association (NFPA) standards, without adopting any model
13 code in whole;

14 (3) "State-inspected facility", any building or
15 occupancy required under Missouri law or regulation to
16 undergo fire-safety inspections conducted by, or under the
17 authority of, the division. The term "state-inspected
18 facility" shall not include facilities licensed under
19 chapter 198.

20 2. (1) No later than July 1, 2027, the division
21 shall, by rule, adopt Missouri fire and life safety
22 standards establishing minimum requirements for fire
23 protection, means of egress, fire resistance, detection and

24 alarm systems, suppression systems, emergency operations,
25 and related safety measures for state-inspected facilities.

26 (2) The division may incorporate by reference specific
27 technical provisions, methods, formulas, or performance
28 criteria derived from nationally recognized fire and
29 building safety standards, provided that no model code shall
30 be adopted in whole.

31 (3) The division may adopt amendments, exceptions, or
32 Missouri-specific modifications as necessary to account for
33 regional conditions, facility types, or statutory
34 requirements.

35 (4) The division shall review the Missouri fire and
36 life safety standards at least every five years and may
37 update such standards by rule under chapter 536.

38 3. Beginning January 1, 2028, the Missouri fire and
39 life safety standards shall apply to a state-inspected
40 facility under any of the following conditions:

41 (1) Initial construction of a state-inspected facility;

42 (2) Major renovation affecting means of egress,
43 detection, alarm, or suppression systems;

44 (3) Transfer of ownership, including sale, conveyance,
45 merger, or change in controlling interest; and

46 (4) Any addition, alteration, or series of related
47 improvements to a state-inspected facility that, in
48 aggregate, are reasonably determined by the division to
49 constitute a substantial improvement, meaning construction,
50 reconstruction, rehabilitation, or installation work where
51 the total cost or scope of work equals or exceeds fifty
52 percent of the facility's pre-improvement market value. For
53 purposes of this subdivision, a formal appraisal shall not
54 be required, and the division may rely on reasonable cost
55 estimates, permit valuations, construction contracts, or the
56 nature of the work performed including, but not limited to,

57 the installation of new fire protection, detection, alarm,
58 or suppression systems.

59 4. Except as provided in subsection 3 of this section,
60 state-inspected facilities existing prior to August 28,
61 2026, shall be considered lawfully nonconforming and shall
62 not be required to comply with the Missouri fire and life
63 safety standards.

64 5. (1) Nothing in this section shall prohibit any
65 city, county, or fire protection district from adopting
66 requirements more stringent than the Missouri fire and life
67 safety standards.

68 (2) No political subdivision shall apply standards
69 less stringent than the Missouri fire and life safety
70 standards to any facility regulated under this section.

71 (3) Nothing in this section shall be construed as
72 creating a statewide building or fire code applicable to any
73 occupancy not already subject to inspection by the division.

74 6. (1) Compliance with the Missouri fire and life
75 safety standards shall be verified through inspections
76 conducted by the division or an authorized local
77 jurisdiction.

78 (2) A state-inspected facility shall not be licensed,
79 certified, or approved for operation unless the division
80 determines that the facility meets the applicable
81 requirements of this section.

82 (3) The division may issue correction orders,
83 reinspections, or occupancy limitations as authorized by law.

84 7. Any rule or portion of a rule, as that term is
85 defined in section 536.010, that is created under the
86 authority delegated in this section shall become effective
87 only if it complies with and is subject to all of the
88 provisions of chapter 536 and, if applicable, section
89 536.028. This section and chapter 536 are nonseverable and

90 if any of the powers vested with the general assembly
91 pursuant to chapter 536 to review, to delay the effective
92 date, or to disapprove and annul a rule are subsequently
93 held unconstitutional, then the grant of rulemaking
94 authority and any rule proposed or adopted after August 28,
95 2026, shall be invalid and void.

324.1100. As used in sections 324.1100 to 324.1148,
2 the following terms mean:

3 (1) "Board", the board of private [investigator and
4 private fire investigator examiners] investigators, private
5 fire investigators, and professional surety bail bond agents
6 established in section 324.1102;

7 (2) "Client", any person who engages the services of a
8 private investigator or a private fire investigator;

9 (3) "Department", the department of commerce and
10 insurance;

11 (4) "Director", the director of the division of
12 professional registration;

13 (5) "Division", the division of professional
14 registration;

15 (6) "Insurance adjuster", any person who receives any
16 consideration, either directly or indirectly, for adjusting
17 in the disposal of any claim under or in connection with a
18 policy of insurance or engaging in soliciting insurance
19 adjustment business;

20 (7) "Law enforcement officer", a law enforcement
21 officer as defined in section 556.061;

22 (8) "Organization", a corporation, trust, estate,
23 partnership, cooperative, or association;

24 (9) "Person", an individual or organization;

25 (10) "Principal place of business", the place where
26 the licensee maintains a permanent office, which may be a
27 residence or business address;

28 (11) "Private fire investigation", the furnishing of,
29 making of, or agreeing to make any investigation of a fire
30 to determine the origin or cause of such fire, or
31 responsibility for such fire;

32 (12) "Private fire investigator", any person who
33 receives any consideration, either directly or indirectly,
34 for engaging in private fire investigation;

35 (13) "Private fire investigator agency", a person or
36 firm that employs any person to engage in private fire
37 investigations;

38 (14) "Private investigator", any person who receives
39 any consideration, either directly or indirectly, for
40 engaging in the private investigator business;

41 (15) "Private investigator agency", a person who
42 regularly employs any other person, other than an
43 organization, to engage in the private investigator business;

44 (16) "Private investigator business", the furnishing
45 of, making of, or agreeing to make, any investigation for
46 the purpose of obtaining information pertaining to:

47 (a) Crimes or wrongs done or threatened against the
48 United States or any state or territory of the United States;

49 (b) The identity, habits, conduct, business,
50 occupation, honesty, integrity, credibility, knowledge,
51 trustworthiness, efficiency, loyalty, activity, movement,
52 whereabouts, affiliations, associations, transactions, acts,
53 reputation, or character of any person;

54 (c) The location, disposition, or recovery of lost or
55 stolen property;

56 (d) Securing evidence to be used before any court,
57 board, officer, or investigating committee;

58 (e) Sale of personal identification information to the
59 public; or

60 (f) The cause of responsibility for libel, losses,
61 accident, or damage or injury to persons or property or
62 protection of life or property.

324.1102. 1. The "Board of Private [Investigator and
2 Private Fire Investigator Examiners] Investigators, Private
3 Fire Investigators, and Professional Surety Bail Bond
4 Agents" is hereby created within the division of
5 professional registration. The board shall be a body
6 corporate and may sue and be sued. The board shall guide,
7 advise, and make recommendations to the division and fulfill
8 all other responsibilities designated by sections 324.1100
9 to 324.1148 and sections 324.2100 to 324.2187. The duties
10 and responsibilities of the board with regard to [private
11 fire investigators] professional surety bail bond agents
12 shall not take full force and effect until such time as the
13 governor appoints the [fire investigator] bail bond agent
14 members and the appointments are confirmed by the senate.
15 Members serving on the board of private investigator and
16 private fire investigator examiners on August 28, [2011]
17 2026, shall continue to serve on the board, fulfill the term
18 they were previously appointed for, and be eligible for
19 reappointment.

20 2. Upon appointment by the governor and confirmation
21 by the senate of the [private fire investigator] bail bond
22 agent members, the board of private investigator [examiners
23 and the board of licensed] and private fire investigator
24 examiners [are] is abolished and [their] its duties and
25 responsibilities shall merge into the board of private
26 [investigator and private fire investigator examiners]
27 investigators, private fire investigators, and professional
28 surety bail bond agents as established pursuant to this
29 section. The board shall be a continuance of and shall
30 carry out the powers, duties, and functions of the board of

31 private investigator [examiners and the board of licensed]
32 and private fire investigator examiners.

33 3. Every act performed in the exercise of such powers,
34 duties, and authorities by or under the authority of the
35 board of private [investigator and private fire investigator
36 examiners] investigators, private fire investigators, and
37 professional surety bail bond agents shall be deemed to have
38 the same force and effect as if performed by the board of
39 private investigator [examiners or the board of licensed]
40 and private fire investigator examiners.

41 4. All rules and regulations of the board of private
42 investigator and private fire investigator examiners and all
43 rules promulgated under sections 374.695 to 374.789 shall
44 continue to be effective and shall be deemed to be duly
45 adopted rules and regulations of the board of private
46 [investigator and private fire investigator examiners]
47 investigators, private fire investigators, and professional
48 surety bail bond agents until revised, amended, or repealed
49 by the board. The board shall review such rules and
50 regulations and shall adopt new rules and regulations as
51 required for the administration of sections 324.1100 to
52 324.1148 and sections 324.2100 to 324.2187.

53 5. Any person licensed [by the board of private
54 investigator examiners] under sections 374.695 to 374.789
55 prior to the appointment by the governor and confirmation by
56 the senate of the [private fire investigator] professional
57 surety bail bond members of the board shall be considered
58 licensed by the board.

59 6. The board shall be composed of [seven] ten members,
60 three members who have been actively engaged in the private
61 investigator business for the previous five years, two
62 members who have been actively engaged in private fire
63 investigation for the previous five years, three members who

64 have been actively engaged in the general bail bond business
65 or surety recovery for the previous five years, and two
66 public members, appointed by the governor with the advice
67 and consent of the senate. Each member of the board shall
68 be a citizen of the United States, a resident of Missouri
69 for at least one year, and a registered voter. No more than
70 one private investigator [or], private fire investigator, or
71 professional surety bail bond board member may be employed
72 by, or affiliated with, the same private investigator agency
73 [or], private fire investigator agency, or bail bond
74 business. The initial [fire investigator] professional
75 surety bail bond board members shall not be required to be
76 licensed but shall obtain a license within one hundred
77 eighty days after the effective date of the rules regarding
78 the licensure of [private fire investigators] professional
79 surety bail bond agents. The public members shall each be a
80 person who is not and never was a member of any profession
81 licensed or regulated under sections 324.1100 to 324.1148 or
82 sections 324.2100 to 324.2187 or the spouse of such person;
83 and a person who does not have and never has had a material,
84 financial interest in either the providing of the
85 professional services regulated by sections 324.1100 to
86 324.1148 or sections 324.2100 to 324.2187, or an activity or
87 organization directly related to any profession licensed or
88 regulated under sections 324.1100 to 324.1148 or sections
89 324.2100 to 324.2187.

90 7. The members shall be appointed for terms of five
91 years, except of the first two members appointed who are
92 fire investigators, one member shall be appointed for a term
93 of five years and one member shall be appointed for a term
94 of three years. Any vacancy on the board shall be filled
95 for the unexpired term of the member.

96 8. The members of the board may receive compensation,
97 as determined by the director for their services, if
98 appropriate, and shall be reimbursed for actual and
99 necessary expenses incurred in performing their official
100 duties on the board.

101 9. All money held in the board of private investigator
102 and private fire investigator examiners fund shall be
103 transferred to the "Board of Private [Investigator and
104 Private Fire Investigator Examiners] Investigators, Private
105 Fire Investigators, and Professional Surety Bail Bond Agents
106 Fund" which is hereby created. The board of private
107 [investigator and private fire investigator examiners]
108 investigators, private fire investigators, and professional
109 surety bail bond agents fund shall consist of money
110 collected under sections 324.1100 to 324.1148 and sections
111 324.2100 to 324.2187. The state treasurer shall be
112 custodian of the fund and may approve disbursements from the
113 fund in accordance with the provisions of sections 30.170
114 and 30.180. Upon appropriation, money in the fund shall be
115 used solely for the administration of sections 324.1100 to
116 324.1148 and sections 324.2100 to 324.2187. The provisions
117 of section 33.080 to the contrary notwithstanding, money in
118 this fund shall not be transferred and placed to the credit
119 of general revenue until the amount in the fund at the end
120 of the biennium exceeds two times the amount of the
121 appropriation from the board's funds for the preceding
122 fiscal year or, if the board requires by rule permit renewal
123 less frequently than yearly, then three times the
124 appropriation from the board's funds for the preceding
125 fiscal year. The amount, if any, in the fund which shall
126 lapse is that amount in the fund which exceeds the
127 appropriate multiple of the appropriations from the board's
128 funds for the preceding fiscal year.

324.1103. For the purposes of sections 324.1100 to
2 324.1148 and sections 324.2100 to 324.2187, the division
3 shall:

4 (1) Employ board personnel, within the limits of the
5 appropriations for that purpose as established in sections
6 324.1100 to 324.1148 and sections 324.2100 to 324.2187;

7 (2) Exercise all administrative functions;

8 (3) Deposit all fees collected under sections 324.1100
9 to 324.1148 and sections 324.2100 to 324.2187 by
10 transmitting such funds to the department of revenue for
11 deposit in the state treasury to the credit of the board of
12 private [investigator and private fire investigator
13 examiners] investigators, private fire investigators, and
14 professional surety bail bond agents fund.

324.1105. 1. The board of private [investigator and
2 private fire investigator examiners] investigators, private
3 fire investigators, and professional surety bail bond agents
4 may require that fingerprint submissions be made as part of
5 an application seeking licensure as a private investigator
6 or private fire investigator or as an employee of a private
7 investigator agency or private fire investigator agency, as
8 such terms are defined in section 324.1100.

9 2. If the board of private [investigator and private
10 fire investigator examiners] investigators, private fire
11 investigators, and professional surety bail bond agents
12 requires that fingerprint submissions be made as part of
13 such application, the board of private [investigator and
14 private fire investigator examiners] investigators, private
15 fire investigators, and professional surety bail bond agents
16 shall require applicants to submit the fingerprints to the
17 Missouri state highway patrol for the purpose of conducting
18 a state and federal fingerprint-based criminal history
19 background check.

20 3. The fingerprints and any required fees shall be
21 sent to the Missouri state highway patrol's central
22 repository. The fingerprints shall be used for searching
23 the state criminal records repository and shall also be
24 forwarded to the Federal Bureau of Investigation for a
25 federal criminal records search under section 43.540. The
26 Missouri state highway patrol shall notify the board of
27 private [investigator and private fire investigator
28 examiners] investigators, private fire investigators, and
29 professional surety bail bond agents of any criminal history
30 record information or lack of criminal history record
31 information discovered on the individual. Notwithstanding
32 the provisions of section 610.120 to the contrary, all
33 records related to any criminal history information
34 discovered shall be accessible and available to the board of
35 private [investigator and private fire investigator
36 examiners] investigators, private fire investigators, and
37 professional surety bail bond agents.

 324.1116. A private investigator agency or private
2 fire investigator agency shall not hire any individual as an
3 employee unless the individual:

4 (1) Is at least twenty-one years of age;

5 (2) Provides two recent photographs of themselves, of
6 a type prescribed by the board [of private investigator
7 examiners];

8 (3) Has been fingerprinted in a manner approved by the
9 Missouri state highway patrol, central repository, under
10 section 43.543; and

11 (4) Complies with any other qualifications and
12 requirements the board adopts by rule.

 324.1134. 1. The board may suspend or refuse to issue
2 or renew any certificate of registration or authority,
3 permit or license required under sections 324.1100 to

4 324.1148 for one or any combination of causes stated in
5 subsection 2 of this section. The board shall notify the
6 applicant in writing of the reasons for the suspension or
7 refusal and shall advise the applicant of the applicant's
8 right to file a complaint with the administrative hearing
9 commission as provided by chapter 621. As an alternative to
10 a refusal to issue or renew any certificate, registration or
11 authority, the board may, at its discretion, issue a license
12 which is subject to probation, restriction or limitation to
13 an applicant for licensure for any one or any combination of
14 causes stated in subsection 2 of this section. The board's
15 order of probation, limitation or restriction shall contain
16 a statement of the discipline imposed, the basis therefor,
17 the date such action shall become effective, and a statement
18 that the applicant has thirty days to request in writing a
19 hearing before the administrative hearing commission. If
20 the board issues a probationary, limited or restricted
21 license to an applicant for licensure, either party may file
22 a written petition with the administrative hearing
23 commission within thirty days of the effective date of the
24 probationary, limited or restricted license seeking review
25 of the board's determination. If no written request for a
26 hearing is received by the administrative hearing commission
27 within the thirty-day period, the right to seek review of
28 the board's decision shall be considered as waived.

29 2. The board may cause a complaint to be filed with
30 the administrative hearing commission as provided by chapter
31 621 against any holder of any certificate of registration or
32 authority, permit or license required by sections 324.1100
33 to 324.1148 or any person who has failed to renew or has
34 surrendered the person's certificate of registration or
35 authority, permit or license for any one or any combination
36 of the following causes:

- 37 (1) Making any false statement or giving any false
38 information or given any false information in connection
39 with an application for a license or a renewal or
40 reinstatement thereof;
- 41 (2) Violating any provision of sections 324.1100 to
42 324.1148;
- 43 (3) Violating any rule of the board [of private
44 investigator examiners] adopted under the authority
45 contained in sections 324.1100 to 324.1148;
- 46 (4) Impersonating, or permitting or aiding and
47 abetting an employee to impersonate, a law enforcement
48 officer, fire safety officer, or employee of the United
49 States of America, or of any state or political subdivision
50 thereof;
- 51 (5) Committing, or permitting any employee to commit
52 any act, while the license was expired, which would be cause
53 for the suspension or revocation of a license, or grounds
54 for the denial of an application for a license;
- 55 (6) Knowingly violating, or advising, encouraging, or
56 assisting the violation of, any court order or injunction in
57 the course of business as a licensee;
- 58 (7) Using any letterhead, advertisement, or other
59 printed matter, or in any manner whatever represented that
60 such person is an instrumentality of the federal government,
61 a state, or any political subdivision thereof;
- 62 (8) Using a name different from that under which such
63 person is currently licensed in any advertisement,
64 solicitation, or contract for business;
- 65 (9) Violating or assisting or enabling any person to
66 violate any provision of this chapter or any lawful rule or
67 regulation adopted pursuant to the authority granted in this
68 chapter; or

69 (10) Committing any act which is grounds for denial of
70 an application for a license under section 324.1112.

71 3. The record of conviction, or a certified copy
72 thereof, shall be conclusive evidence of such conviction,
73 and a plea or verdict of guilty is deemed to be a conviction
74 within the meaning thereof.

75 4. The agency may continue under the direction of
76 another employee if the licensee's license is suspended or
77 revoked by the board. The board shall establish a time
78 frame in which the agency shall identify an acceptable
79 person who is qualified to assume control of the agency, as
80 required by the board.

81 5. After the filing of a complaint before the
82 administrative hearing commission, the proceedings shall be
83 conducted in accordance with the provisions of chapter 621.
84 Upon a finding by the administrative hearing commission that
85 the grounds in subsection [1] 2 of this section for
86 disciplinary action are met, the board may singly or in
87 combination censure or place the person named in the
88 complaint on probation under such terms and conditions as
89 the board deems appropriate for a period not to exceed five
90 years, may suspend for a period not to exceed three years,
91 or revoke the license.

[374.695.] 324.2100. Sections [374.695 to 374.789]
2 324.2100 to 324.2187 may be known and shall be cited as the
3 "Professional Bail Bondsman and Surety Recovery Agent
4 Licensure Act".

[374.700.] 324.2103. As used in sections [374.695 to
2 374.789] 324.2100 to 324.2187, the following terms shall
3 mean:

4 (1) "Bail bond agent", a surety agent or an agent of a
5 property bail bondsman who is duly licensed pursuant to the
6 provisions of sections [374.695 to 374.789] 324.2100 to

7 324.2187, is employed by and is working under the authority
8 of a licensed general bail bond agent;

9 (2) "Bail bond or appearance bond", a bond for a
10 specified monetary amount which is executed by the defendant
11 and a qualified licensee pursuant to sections [374.695 to
12 374.789] 324.2100 to 324.2187, and which is issued to a
13 court or authorized officer as security for the subsequent
14 court appearance of the defendant upon the defendant's
15 release from actual custody pending the appearance;

16 (3) "Board", the board of private investigators,
17 private fire investigators, and professional surety bail
18 bond agents established in section 324.1102 within the
19 division;

20 (4) "Department", the department of commerce and
21 insurance of the state of Missouri;

22 [(4)] (5) "Director", the director of the division of
23 professional registration of the department of commerce and
24 insurance;

25 [(5)] (6) "Division", the division of professional
26 registration of the department of commerce and insurance;

27 (7) "General bail bond agent", a surety agent or a
28 property bail bondsman, as defined in sections [374.700 to
29 374.775] 324.2103 to 324.2166, who is licensed in accordance
30 with sections [374.700 to 374.775] 324.2103 to 324.2166 and
31 who devotes at least fifty percent of his or her working
32 time to the bail bond business in this state;

33 [(6)] (8) "Insurer", any surety insurance company
34 which is qualified by the department to transact surety
35 business in Missouri;

36 [(7)] (9) "Licensee", a bail bond agent or a general
37 bail bond agent;

38 [(8)] (10) "Property bail bondsman", a person who
39 pledges United States currency, United States postal money

40 orders or cashier's checks or other property as security for
41 a bail bond in connection with a judicial proceeding, and
42 who receives or is promised therefor money or other things
43 of value;

44 [(9)] (11) "Surety bail bond agent", any person
45 appointed by an insurer by power of attorney to execute or
46 countersign bail bonds in connection with judicial
47 proceedings, and who receives or is promised money or other
48 things of value therefor;

49 [(10)] (12) "Surety recovery agent", a person not
50 performing the duties of a sworn peace officer who tracks
51 down, captures and surrenders to the custody of a court a
52 fugitive who has violated a bail bond agreement, excluding a
53 bail bond agent or general bail bond agent;

54 [(11)] (13) "Taking a bail" or "take bail", the
55 acceptance by a person authorized to take bail of the
56 undertaking of a sufficient surety for the appearance of the
57 defendant according to the terms of the undertaking or that
58 the surety will pay to the court the sum specified. Taking
59 of bail or take bail does not include the fixing of the
60 amount of bail and no person other than a competent court
61 shall fix the amount of bail.

[374.702.] 324.2109. 1. No person shall engage in the
2 bail bond business as a bail bond agent or a general bail
3 bond agent without being licensed as provided in sections
4 [374.695 to 374.775] 324.2100 to 324.2166.

5 2. No judge, attorney, court official, law enforcement
6 officer, state, county, or municipal employee who is either
7 elected or appointed shall be licensed as a bail bond agent
8 or a general bail bond agent.

9 3. A licensed bail bond agent shall not execute or
10 issue an appearance bond in this state without holding a
11 valid appointment from a general bail bond agent and without

12 attaching to the appearance bond an executed and prenumbered
13 power of attorney referencing the general bail bond agent or
14 insurer.

15 4. A person licensed as an active bail bond agent
16 shall hold the license for at least two years prior to
17 owning or being an officer of a licensed general bail bond
18 agent.

19 5. A general bail bond agent shall not engage in the
20 bail bond business:

21 (1) Without having been licensed as a general bail
22 bond agent pursuant to sections [374.695 to 374.775]
23 324.2100 to 324.2166; or

24 (2) Except through an agent licensed as a bail bond
25 agent pursuant to sections [374.695 to 374.775] 324.2100 to
26 324.2166.

27 6. A general bail bond agent shall not permit any
28 unlicensed person to solicit or engage in the bail bond
29 business on the general bail bond agent's behalf, except for
30 individuals who are employed solely for the performance of
31 clerical, stenographic, investigative, or other
32 administrative duties which do not require a license
33 pursuant to sections [374.695 to 374.789] 324.2100 to
34 324.2187.

35 7. Any person who is convicted of a violation of this
36 section is guilty of a class A misdemeanor. For any
37 subsequent convictions, a person who is convicted of a
38 violation of this section is guilty of a class E felony.

[374.705.] 324.2112. 1. The [department shall
2 administer and enforce the provisions of sections 374.695 to
3 374.789, prescribe the duties of its officers and employees
4 with respect to sections 374.695 to 374.789, and] board
5 shall promulgate, pursuant to [section 374.045 and] chapter
6 536, such rules and regulations within the scope and purview

7 of the provisions of sections [374.695 to 374.789] 324.2100
8 to 324.2187 as the [director] board considers necessary and
9 proper for the effective administration and interpretation
10 of the provisions of sections [374.695 to 374.789] 324.2100
11 to 324.2187.

12 2. The [director] board shall set the amount of all
13 fees authorized and required by the provisions of sections
14 [374.695 to 374.789] 324.2100 to 324.2187 by rules and
15 regulations promulgated pursuant to chapter 536. All such
16 fees shall be set at a level designed to produce revenue
17 which shall not substantially exceed the cost and expense of
18 administering the provisions of sections [374.695 to
19 374.789] 324.2100 to 324.2187. [However, such fees shall
20 not exceed one hundred fifty dollars every two years for
21 biennial licenses and renewable licenses for general bail
22 bond agents as provided for in section 374.710.]

23 3. Any rule or portion of a rule, as that term is
24 defined in section 536.010, that is created under the
25 authority delegated in this section shall become effective
26 only if it complies with and is subject to all of the
27 provisions of chapter 536 and, if applicable, section
28 536.028. This section and chapter 536 are nonseverable and
29 if any of the powers vested with the general assembly
30 pursuant to chapter 536 to review, to delay the effective
31 date, or to disapprove and annul a rule are subsequently
32 held unconstitutional, then the grant of rulemaking
33 authority and any rule proposed or adopted after August 28,
34 2026, shall be invalid and void.

[374.710.] 324.2115. 1. Except as otherwise provided
2 in sections [374.695 to 374.775] 324.2100 to 324.2166, no
3 person or other entity shall practice as a bail bond agent
4 or general bail bond agent, as defined in section [374.700]
5 324.2103, in Missouri unless and until the [department]

6 board has issued to him or her a license, to be renewed
7 every two years as hereinafter provided, to practice as a
8 bail bond agent or general bail bond agent.

9 2. An applicant for a bail bond and general bail bond
10 agent license shall submit with the application proof that
11 he or she has received twenty-four hours of initial basic
12 training in areas of instruction in subjects determined by
13 the [director] board deemed appropriate to professionals in
14 the bail bond profession. Bail bond agents and general bail
15 bond agents who are licensed at the date which this act
16 becomes law shall be exempt from such twenty-four hours of
17 initial basic training.

18 3. In addition to the twenty-four hours of initial
19 basic training to become a bail bond agent or general bail
20 bond agent, there shall be eight hours of biennial
21 continuing education for all bail bond agents and general
22 bail bond agents to maintain their state license. The
23 [director] board shall determine said appropriate areas of
24 instruction for said biennial continuing education. The
25 [director] board shall determine which institutions,
26 organizations, associations, and individuals shall be
27 eligible to provide the initial basic training and the
28 biennial continuing education instruction. The [department]
29 board may allow state institutions, organizations,
30 associations, or individuals to provide courses for the
31 initial basic training and the biennial continuing education
32 training. [The cost shall not exceed two hundred dollars
33 for the initial basic training and one hundred fifty dollars
34 for biennial continuing education.]

35 4. Upon completion of said basic training or biennial
36 continuing education and the licensee meeting the other
37 requirements as provided under sections [374.695 to 374.789]
38 324.2100 to 324.2187, the [director] board shall issue a two-

39 year license for the bail bond agent or general bail bond
40 agent [for a fee not to exceed one hundred fifty dollars].

41 5. Nothing in sections [374.695 to 374.775] 324.2100
42 to 324.2166 shall be construed to prohibit any person from
43 posting or otherwise providing a bail bond in connection
44 with any legal proceeding, provided that such person
45 receives no fee, remuneration or consideration therefor.

[374.711.] 324.2118. 1. The [department of commerce
2 and insurance] board of private investigators, private fire
3 investigators, and professional surety bail bond agents may
4 require that fingerprint submissions be made as part of an
5 application seeking a license, or renewal of a license, for
6 and as a general bail bond agent, a bail bond agent, or a
7 surety recovery agent, as such terms are defined in section
8 [374.700] 324.2103.

9 2. If the [department of commerce and insurance] board
10 of private investigators, private fire investigators, and
11 professional surety bail bond agents requires that
12 fingerprint submissions be made as part of such application,
13 the [department of commerce and insurance] board of private
14 investigators, private fire investigators, and professional
15 surety bail bond agents shall require applicants to submit
16 the fingerprints to the Missouri state highway patrol for
17 the purpose of conducting a state and federal fingerprint-
18 based criminal history background check.

19 3. The fingerprints and any required fees shall be
20 sent to the Missouri state highway patrol's central
21 repository. The fingerprints shall be used for searching
22 the state criminal records repository and shall also be
23 forwarded to the Federal Bureau of Investigation for a
24 federal criminal records search under section 43.540. The
25 Missouri state highway patrol shall notify the [department]
26 board of private investigators, private fire investigators,

27 and professional surety bail bond agents of any criminal
28 history record information or lack of criminal history
29 record information discovered on the individual.
30 Notwithstanding the provisions of section 610.120 to the
31 contrary, all records related to any criminal history
32 information discovered shall be accessible and available to
33 the [department] board of private investigators, private
34 fire investigators, and professional surety bail bond agents.

[374.715.] 324.2121. 1. Applications for examination
2 and licensure as a bail bond agent or general bail bond
3 agent shall be in writing and on forms prescribed and
4 furnished by the [department] board, and shall contain such
5 information as the [department] board requires. Each
6 application shall be accompanied by proof satisfactory to
7 the [department] board that the applicant is a citizen of
8 the United States, has a high school diploma or general
9 education development certificate (GED), is of good moral
10 character, and meets the qualifications for surety on bail
11 bonds as provided by supreme court rule. Each application
12 shall be accompanied by the examination and application fee
13 set by the [department] board. Individuals currently
14 employed as bail bond agents and general bail bond agents
15 shall not be required to meet the education requirements
16 needed for licensure pursuant to this section.

17 2. In addition, each applicant for licensure as a
18 general bail bond agent shall furnish proof satisfactory to
19 the [department] board that the applicant or, if the
20 applicant is a corporation, that each officer thereof has
21 completed at least two years as a bail bond agent, and that
22 the applicant possesses liquid assets of at least ten
23 thousand dollars, along with a duly executed assignment of
24 ten thousand dollars to the state of Missouri. The
25 assignment shall become effective upon the applicant's

26 violating any provision of sections [374.695 to 374.789]
27 324.2100 to 324.2187. The assignment required by this
28 section shall be in the form and executed in the manner
29 prescribed by the [department] board. The [director] board
30 may require by regulation conditions by which additional
31 assignments of assets of the general bail bond agent may
32 occur when the circumstances of the business of the general
33 bail bond agent warrants additional funds. However, such
34 additional funds shall not exceed twenty-five thousand
35 dollars.

[374.716.] 324.2124. 1. Every bail bond agent shall
2 account for each power of attorney assigned by the general
3 bail bond agent on a weekly basis and remit all sums
4 collected and owed to the general bail bond agent pursuant
5 to his or her written contract. The general bail bond agent
6 shall maintain the weekly accounting and remittance records
7 for a period of three years. Such records shall be subject
8 to inspection by the [director or his or her designee] board
9 during regular business hours or at other reasonable times.

10 2. For every bond written in this state, the licensee
11 shall provide to the principal a copy of the bail contract.

[374.717.] 324.2127. No insurer or licensee, court, or
2 law enforcement officer shall:

3 (1) Pay a fee or rebate or give or promise anything of
4 value in order to secure a settlement, compromise,
5 remission, or reduction of the amount of any bail bond to:

6 (a) A jailer, police officer, peace officer,
7 committing judge, or any other person who has power to
8 arrest or to hold in custody any person; or

9 (b) Any public official or public employee;

10 (2) Pay a fee or rebate or give anything of value to
11 an attorney in bail bond matters, except in defense of any
12 action on a bond;

13 (3) Pay a fee or rebate or give anything of value to
14 the principal or anyone on the principal's behalf;

15 (4) Accept anything of value from a principal except
16 the premium and expenses incurred, provided that the
17 licensee shall be permitted to accept collateral security or
18 other indemnity from the principal in accordance with the
19 provisions of section [374.719] 324.2130.

 [374.719.] 324.2130. 1. A licensee may accept
2 collateral security from the principal in a fiduciary
3 capacity, which collateral shall be returned upon final
4 termination of liability on the bond. When a licensee
5 accepts collateral, the licensee shall provide a prenumbered
6 written receipt, which shall include a detailed account of
7 the collateral received by the licensee. The acceptance of
8 collateral security by a bail bond agent shall be reported
9 to the general bail bond agent.

10 2. The collateral security required by the licensee
11 shall be reasonable in relation to the amount of the bond.

12 3. If a failure to appear, absconding or attempting to
13 abscond, or a judgment of forfeiture on the bond has
14 occurred, the collateral security may be used to reimburse
15 the licensee for any costs and expenses incurred associated
16 with the forfeiture.

17 4. The general bail bond agent shall retain records of
18 the acceptance, return, or judgment of forfeiture resulting
19 in the use of the collateral to reimburse the licensee for a
20 period of three years.

 [374.720.] 324.2133. 1. Each applicant for licensure
2 as a general bail bond agent, after complying with this
3 section and the provisions of section [374.715] 324.2121,
4 shall be issued a license by the [department] board unless
5 grounds exist under section [374.755] 324.2145 for denial of
6 a license.

7 2. Each applicant for examination and licensure as a
8 bail bond agent, after complying with the provisions of
9 section [374.715] 324.2121, shall appear for examination at
10 the time and place specified by the [department] board.
11 Such examination shall be as prescribed by the [director as
12 provided under section 375.018] board and shall be designed
13 to test the applicant's knowledge and expertise in the area
14 of surety bonds in general and the practice of a bail bond
15 agent, as defined in sections [374.700 to 374.775] 324.2103
16 to 324.2166, in particular. The applicant shall be notified
17 of the result of the examination within twenty working days
18 of the examination. Any applicant who fails such
19 examination may, upon reapplication and payment of the
20 reexamination fee set by the [department] board, retake the
21 examination.

[374.730.] 324.2136. All licenses issued to bail bond
2 agents and general bail bond agents under the provisions of
3 sections [374.700 to 374.775] 324.2103 to 324.2166 shall be
4 renewed biennially, which renewal shall be in the form and
5 manner prescribed by the [department] board and shall be
6 accompanied by the renewal fee set by the [department] board.

[374.740.] 324.2139. Any person applying to be
2 licensed as a nonresident general bail bond agent who has
3 been licensed in another state shall devote fifty percent of
4 his or her working time in the state of Missouri and shall
5 file proof with the [director of the department of commerce
6 and insurance] board as to his or her compliance, and
7 accompany his or her application with the fees set by the
8 [director] board by regulation and, if applying for a
9 nonresident general bail bond agent's license, with a duly
10 executed assignment of twenty-five thousand dollars to the
11 state of Missouri, which assignment shall become effective
12 upon the applicant's violating any provision of sections

13 [374.695 to 374.789] 324.2100 to 324.2187. Failure to
14 comply with this section will result in revocation of the
15 nonresidence license. The assignment required by this
16 section shall be in the form and executed in the manner
17 prescribed by the [department] board. All licenses issued
18 pursuant to this section shall be subject to the same
19 renewal requirements set for other licenses issued pursuant
20 to sections [374.695 to 374.789] 324.2100 to 324.2187.

[374.750.] 324.2142. The [department] board may refuse
2 to issue or renew any license required pursuant to sections
3 [374.700 to 374.775] 324.2103 to 324.2166 for any one or any
4 combination of causes stated in section [374.755] 324.2145.
5 The [department] board shall notify the applicant in writing
6 of the reasons for the refusal and shall advise the
7 applicant of his or her right to file a complaint with the
8 administrative hearing commission as provided by chapter 621.

[374.755.] 324.2145. 1. The [department] board may
2 cause a complaint to be filed with the administrative
3 hearing commission as provided by chapter 621 against any
4 holder of any license required by sections [374.695 to
5 374.775] 324.2100 to 324.2166 or any person who has failed
6 to renew or has surrendered his or her license for any one
7 or any combination of the following causes:

8 (1) Use of any controlled substance, as defined in
9 chapter 195, or alcoholic beverage to an extent that such
10 use impairs a person's ability to perform the work of the
11 profession licensed under sections [374.695 to 374.775]
12 324.2100 to 324.2166;

13 (2) Final adjudication or a plea of guilty or nolo
14 contendere within the past fifteen years in a criminal
15 prosecution under any state or federal law for a felony or a
16 crime involving moral turpitude whether or not a sentence is
17 imposed, prior to issuance of license date;

18 (3) Use of fraud, deception, misrepresentation or
19 bribery in securing any license or in obtaining permission
20 to take any examination required pursuant to sections
21 [374.695 to 374.775] 324.2100 to 324.2166;

22 (4) Obtaining or attempting to obtain any compensation
23 as a member of the profession licensed by sections [374.695
24 to 374.775] 324.2100 to 324.2166 by means of fraud,
25 deception or misrepresentation;

26 (5) Misappropriation of the premium, collateral, or
27 other things of value given to a bail bond agent or a
28 general bail bond agent for the taking of bail,
29 incompetency, misconduct, gross negligence, fraud, or
30 misrepresentation in the performance of the functions or
31 duties of the profession licensed or regulated by sections
32 [374.695 to 374.775] 324.2100 to 324.2166;

33 (6) Violation of any provision of or any obligation
34 imposed by the laws of this state, [department of commerce
35 and insurance] board rules and regulations, or aiding or
36 abetting other persons to violate such laws, orders, rules
37 or regulations, or subpoenas;

38 (7) Transferring a license or permitting another
39 person to use a license of the licensee;

40 (8) Disciplinary action against the holder of a
41 license or other right to practice the profession regulated
42 by sections [374.695 to 374.789] 324.2100 to 324.2187
43 granted by another state, territory, federal agency or
44 country upon grounds for which revocation or suspension is
45 authorized in this state;

46 (9) Being finally adjudged insane or incompetent by a
47 court of competent jurisdiction;

48 (10) Assisting or enabling any person to practice or
49 offer to practice the profession licensed or regulated by
50 sections [374.695 to 374.789] 324.2100 to 324.2187 who is

51 not currently licensed and eligible to practice pursuant to
52 sections [374.695 to 374.789] 324.2100 to 324.2187;

53 (11) Acting in the capacity of an attorney at a trial
54 or hearing of a person for whom the attorney is acting as
55 surety;

56 (12) Failing to provide a copy of the bail contract,
57 renumbered written receipt for acceptance of money, or other
58 collateral for the taking of bail to the principal, if
59 requested by any person who is a party to the bail contract,
60 or any person providing funds or collateral for bail on the
61 principal's behalf.

62 2. After the filing of such complaint, the proceedings
63 shall be conducted in accordance with the provisions of
64 chapter 621. Upon a finding by the administrative hearing
65 commission that one or more of the causes stated in
66 subsection 1 of this section have been met, the [director]
67 board may, singly or in combination, censure or place the
68 person named in the complaint on probation under such terms
69 and conditions as the board deems appropriate or suspend or
70 revoke the license [or enter into an agreement for a
71 monetary or other penalty pursuant to section 374.280.

72 3. In lieu of filing a complaint at the administrative
73 hearing commission, the director and the bail bond agent or
74 general bail bond agent may enter into an agreement for a
75 monetary or other penalty pursuant to section 374.280.

76 4. In addition to any other remedies available, the
77 director may issue a cease and desist order or may seek an
78 injunction in a court of competent jurisdiction pursuant to
79 the provisions of section 374.046 whenever it appears that
80 any person is acting as a bail bond agent or general bail
81 bond agent without a license or violating any other
82 provisions of sections 374.695 to 374.789].

1 [374.757.] 324.2148. 1. Any agent licensed by
2 sections [374.695 to 374.775] 324.2100 to 324.2166 who
3 intends to apprehend any person in this state shall inform
4 law enforcement authorities in the city or county in which
5 such agent intends such apprehension, before attempting such
6 apprehension. Such agent shall present to the local law
7 enforcement authorities a certified copy of the bond and all
8 other appropriate paperwork identifying the principal and
9 the person to be apprehended. Local law enforcement may
10 accompany the agent. Failure of any agent to whom this
11 section applies to comply with the provisions of this
12 section shall be a class A misdemeanor for the first
13 violation and a class E felony for subsequent violations;
14 and shall also be a violation of section [374.755] 324.2145
15 and may in addition be punished pursuant to that section.

16 2. The surety recovery agent shall inform the local
17 law enforcement in the county or city where such agent is
18 planning to enter a residence. Such agent shall have a
19 certified copy of the bond and all appropriate paperwork to
20 identify the principal. Local law enforcement, when
21 notified, may accompany the surety recovery agent to that
22 location to keep the peace if an active warrant is effective
23 for a felony or misdemeanor. If a warrant is not active,
24 the local law enforcement officers may accompany the surety
25 recovery agent to such location. Failure to report to the
26 local law enforcement agency is a class A misdemeanor. For
27 any subsequent violations, failure to report to the local
28 law enforcement agency is a class E felony.

 [374.759.] 324.2151. 1. Any bail bond agent licensed
2 in the state of Missouri shall have access to all publicly
3 available court records of the defendant by available means
4 to make a realistic assessment of the defendant's

5 probability of attending all court dates as set in his or
6 her charges relating to the bond request.

7 2. Any defendant shall have free access to any bail
8 bond agent via one phone call so long as the call is made to
9 a local phone number. All other numbers may be available as
10 a collect call to any nonlocal number.

11 3. All Missouri licensed bail bond agents or licensed
12 general agents shall be qualified, without further
13 requirements, in all jurisdictions of this state, as
14 provided in rules promulgated by the supreme court of
15 Missouri and not by any circuit court rule.

[374.760.] 324.2154. Each general bail bond agent
2 shall file, between the first and tenth day of each month,
3 sworn affidavits with the [department] board stating that
4 there are no unsatisfied judgments against him or her. Such
5 affidavits shall be in the form and manner prescribed by the
6 [department] board.

[374.763.] 324.2157. 1. If any final judgment
2 ordering forfeiture of a defendant's bond is not paid within
3 a six-month period of time, the court shall extend the
4 judgment date or notify the [department] board of the
5 failure to satisfy such judgment. The [director] board
6 shall draw upon the assets of the surety, remit the sum to
7 the court, and obtain a receipt of such sum from the court.
8 The [director] board may take action as provided by section
9 [374.755] 324.2145, regarding the license of the surety and
10 any bail bond agents writing upon the surety's liability.

11 2. The [department] board shall furnish to the
12 presiding judge of each circuit court of this state, on at
13 least a monthly basis, a list of all duly licensed and
14 qualified bail bond agents and general bail bond agents
15 whose licenses are not subject to pending suspension or
16 revocation proceedings, and who are not subject to

17 unsatisfied bond forfeiture judgments. In lieu of such
18 list, the [department] board may provide this information to
19 each presiding judge in an electronic format.

20 3. All duly licensed and qualified bail bond agents
21 and general bail bond agents shall be qualified, without
22 further requirement, to write bail upon a surety's liability
23 in all courts of this state as provided in rules promulgated
24 by the supreme court of Missouri and not by any circuit
25 court rule.

[374.764.] 324.2160. 1. The [director] board shall
2 examine and inquire into all alleged violations or
3 complaints filed with the [department of commerce and
4 insurance] board of the bail bond law of the state, and
5 inquire into and investigate the bail bond business
6 transacted in the state by any bail bond agent, general bail
7 bond agent, or surety recovery agent.

8 2. The [director or any of his or her duly appointed
9 agents] board may compel the attendance before [him or her]
10 the board, and may examine, under oath, the directors,
11 officers, bail bond agents, general bail bond agents, surety
12 recovery agents, employees, or any other person in reference
13 to the condition, affairs, management of the bail bond or
14 surety recovery business, or any matters relating thereto.
15 [He or she] The board may administer oaths or affirmations
16 and shall have power to summon and compel the attendance of
17 witnesses and to require and compel the production of
18 records, books, papers, contracts, or other documents if
19 necessary.

20 3. [The director may make and conduct the
21 investigation in person or the director may appoint one or
22 more persons to make and conduct the investigation. If made
23 by a person other than the director, the person duly
24 appointed by the director shall have the same powers as

25 granted to the director pursuant to this section. A
26 certificate of appointment under the official seal of the
27 director shall be sufficient authority and evidence thereof
28 for the person to act.] For the purpose of making the
29 investigations, or having the same made, the [director]
30 board may employ the necessary clerical, actuarial, and
31 other assistance.

[374.770.] 324.2163. 1. If there is a breach of the
2 contract of the bond, the court in which the case is pending
3 shall declare a bond forfeiture, unless the surety upon such
4 bond informs the court that the defendant is incarcerated
5 somewhere within the United States. If forfeiture is not
6 ordered because the defendant is incarcerated somewhere
7 within the United States, the surety is responsible for the
8 return of the defendant. If bond forfeiture is ordered and
9 the surety can subsequently prove the defendant is
10 incarcerated somewhere within the United States, then the
11 bond forfeiture shall be set aside and the surety be
12 responsible for the return of the defendant. When the
13 surety notifies the court of the whereabouts of the
14 defendant, a hold order shall be placed by the court having
15 jurisdiction on the defendant in the state in which the
16 defendant is being held.

17 2. In all instances in which a bail bond agent or
18 general bail bond agent duly licensed by sections [374.700
19 to 374.775] 324.2103 to 324.2166 has given his or her bond
20 for bail for any defendant who has absented himself in
21 violation of the condition of such bond, the bail bond agent
22 or general bail bond agent shall have the first opportunity
23 to return such defendant to the proper court. If he or she
24 is unable to return such defendant, the state of Missouri
25 shall return such defendant to the proper court for
26 prosecution, and all costs incurred by the state in so

27 returning a defendant may be levied against the bail bond
28 agent or general bail bond agent in question.

[374.775.] 324.2166. When issuing bonds of one
2 thousand dollars or less, licensed bail bond agents or
3 general bail bond agents may charge a minimum premium of
4 fifty dollars. In connection with such bonds no bail bond
5 agent, general bail bond agent, or corporation shall charge
6 or receive any additional fee for investigations or services
7 rendered in connection with the execution of the bond.

[374.783.] 324.2169. 1. No person shall hold himself
2 or herself out as being a surety recovery agent in this
3 state, unless such person is licensed in accordance with the
4 provisions of sections [374.783 to 374.789] 324.2169 to
5 324.2187. Licensed bail bond agents and general bail bond
6 agents may perform fugitive recovery without being licensed
7 as a surety recovery agent.

8 2. The [director] board shall have authority to
9 license all surety recovery agents in this state. The
10 [director] board shall have control and supervision over the
11 licensing of such agents and the enforcement of the terms
12 and provisions of sections [374.783 to 374.789] 324.2169 to
13 324.2187.

14 3. The [director] board shall have the power to:

15 (1) Set and determine the amount of the fees
16 authorized and required pursuant to sections [374.783 to
17 374.789] 324.2169 to 324.2187. The fees shall be set at a
18 level sufficient to produce revenue which shall not
19 substantially exceed the cost and expense of administering
20 sections [374.783 to 374.789] 324.2169 to 324.2187[.
21 However, such fees shall not exceed one hundred fifty
22 dollars for a two-year license]; and

23 (2) Determine the sufficient qualifications of
24 applicants for a license.

25 4. The [director] board shall license for a period of
26 two years all surety recovery agents in this state who meet
27 the requirements of sections [374.783 to 374.789] 324.2169
28 to 324.2187.

 [374.784.] 324.2172. 1. Applications for examination
2 and licensure as a surety recovery agent shall be submitted
3 on forms prescribed by the [department] board and shall
4 contain such information as the [department] board requires,
5 along with a copy of the front and back of a photographic
6 identification card.

 2. Each application shall be accompanied by proof
8 satisfactory to the [director] board that the applicant is a
9 citizen of the United States and has a high school diploma
10 or a general educational development certificate (GED). An
11 applicant shall furnish evidence of such person's
12 qualifications by completing an approved surety recovery
13 agent course with at least twenty-four hours of initial
14 minimum training. The [director] board shall determine
15 which institutions, organizations, associations, and
16 individuals shall be eligible to provide said training.
17 Said instructions and fees associated therewith shall be
18 identical or similar to those prescribed in section
19 [374.710] 324.2115 for bail bond agents and general bail
20 bond agents.

 3. In addition to said twenty-four hours of initial
22 minimum training, licensees shall be required to receive
23 eight hours of biennial continuing education of which said
24 instructions and fees shall be identical or similar to those
25 prescribed in section [374.710] 324.2115 for bail bond
26 agents and general bail bond agents.

 4. Applicants for surety recovery agents licensing
28 shall be exempt from said requirements of the twenty-four
29 hours of initial minimum training if applicants provide

30 proof of prior training as a law enforcement officer with at
31 least two years of such service within the ten years prior
32 to the application being submitted to the [department] board.

33 5. The [director] board may refuse to issue any
34 license pursuant to sections [374.783 to 374.789] 324.2169
35 to 324.2187, for any one or any combination of causes stated
36 in section [374.787] 324.2181. The [director] board shall
37 notify the applicant in writing of the reason or reasons for
38 refusal and shall advise the applicant of the right to file
39 a complaint with the administrative hearing commission to
40 appeal the refusal as provided by chapter 621.

[374.785.] 324.2175. For the purpose of surrender of
2 the defendant, a surety recovery agent may apprehend the
3 defendant anywhere within the state of Missouri before or
4 after the forfeiture of the undertaking without personal
5 liability for false imprisonment or may empower any surety
6 recovery agent to make apprehension by providing written
7 authority endorsed on a certified copy of the undertaking
8 and paying the lawful fees.

[374.786.] 324.2178. 1. Every person licensed
2 pursuant to sections [374.783 to 374.789] 324.2169 to
3 324.2187 shall, before the license renewal date, apply to
4 the [director] board for renewal for the ensuing licensing
5 period. The application shall be made on a form furnished
6 to the applicant and shall state the applicant's full name,
7 the applicant's business address, the address at which the
8 applicant resides, the date the applicant first received a
9 license, and the applicant's surety recovery agent
10 identification number, if any.

11 2. A renewal form shall be mailed to each person
12 licensed in this state at the person's last known address.
13 The failure to mail the renewal form or the failure of a
14 person to receive it does not relieve any person of the duty

15 to be licensed and to pay the license fee required nor
16 exempt such person from the penalties provided for failure
17 to be licensed.

18 3. Each applicant for renewal shall accompany such
19 application with a renewal fee to be paid to the
20 [department] board for the licensing period for which
21 renewal is sought.

22 4. The [director] board may refuse to renew any
23 license required pursuant to sections [374.783 to 374.789]
24 324.2169 to 324.2187 for any one or any combination of
25 causes stated in section [374.787] 324.2181. The [director]
26 board shall notify the applicant in writing of the reasons
27 for refusal to renew and shall advise the applicant of his
28 or her right to file a complaint with the administrative
29 hearing commission as provided by chapter 621.

[374.787.] 324.2181. 1. The [director] board may
2 cause a complaint to be filed with the administrative
3 hearing commission as provided by chapter 621 against any
4 surety recovery agent or any person who has failed to renew
5 or has surrendered his or her license for any one or any
6 combination of the following causes:

7 (1) Violation of any provisions of, or any obligations
8 imposed by, the laws of this state, [the department of
9 commerce and insurance] board rules and regulations, or
10 aiding or abetting other persons to violate such laws,
11 orders, rules, or regulations;

12 (2) Final adjudication or a plea of guilty or nolo
13 contendere in a criminal prosecution under state or federal
14 law for a felony or a crime involving moral turpitude,
15 whether or not a sentence is imposed;

16 (3) Using fraud, deception, misrepresentation, or
17 bribery in securing a license or in obtaining permission to

18 take any examination required by sections [374.783 to
19 374.789] 324.2169 to 324.2187;

20 (4) Obtaining or attempting to obtain any compensation
21 as a surety recovery agent by means of fraud, deception, or
22 misrepresentation;

23 (5) Acting as a surety recovery agent or aiding or
24 abetting another in acting as a surety recovery agent
25 without a license;

26 (6) Incompetence, misconduct, gross negligence, fraud,
27 or misrepresentation in the performance of the functions or
28 duties of a surety recovery agent;

29 (7) Having a license revoked or suspended that was
30 issued by another state.

31 2. After the filing of the complaint, the proceedings
32 shall be conducted in accordance with the provisions of
33 chapter 621. Upon a finding by the administrative hearing
34 commission that one or more of the causes stated in
35 subsection 1 of this section have been met, the [director]
36 board may, singly or in combination, censure or place the
37 person named in the complaint on probation under such terms
38 and conditions as the board deems appropriate or suspend or
39 revoke the license [or enter into an agreement for a
40 monetary or other penalty pursuant to section 374.280.

41 3. In lieu of filing a complaint with the
42 administrative hearing commission, the director and the
43 surety recovery agent may enter into an agreement for a
44 monetary or other penalty pursuant to section 374.280.

45 4. In addition to any other remedies available, the
46 director may issue a cease and desist order or may seek an
47 injunction in a court of law pursuant to section 374.046
48 whenever it appears that any person is acting as a surety
49 recovery agent without a license].

[374.788.] 324.2184. 1. A [bail bond] surety recovery agent having probable grounds to believe a subject free on his or her bond has failed to appear as directed by a court, has breached the terms of the subject's surety agreement, or has taken a substantial step toward absconding may utilize all lawful means to apprehend the subject. To surrender a subject to a court, a licensed bail bond or surety recovery agent having probable grounds to believe the subject is free on his or her bond may:

(1) Detain the subject in a lawful manner, for a reasonable time, provided that in the event travel from another state is involved, the detention period may include reasonable travel time not to exceed seventy-two hours;

(2) Transport a subject in a lawful manner from state to state and county to county to a place of authorized surrender; and

(3) Enter upon private or public property in a lawful manner to execute apprehension of a subject.

2. A surety recovery agent who apprehends a subject pursuant to the provisions of subsection 1 of this section shall surrender custody of the subject to the court of jurisdiction.

3. When a surety recovery agent is in the process of performing fugitive recovery, a photographic identification card shall be prominently displayed on his or her person.

[374.789.] 324.2187. 1. A person is guilty of a class E felony if he or she does not hold a valid surety recovery agent license or a bail bond license and commits any of the following acts:

(1) Holds himself or herself out to be a licensed surety recovery agent within this state;

(2) Claims that he or she can render surety recovery agent services; or

9 (3) Engages in fugitive recovery in this state.

10 2. Any person who engages in fugitive recovery in this
11 state and wrongfully causes damage to any person or
12 property, including, but not limited to, unlawful
13 apprehension, unlawful detainment, or assault, shall be
14 liable for such damages and may be liable for punitive
15 damages.

374.051. 1. Any applicant refused a license or the
2 renewal of a license by order of the director under
3 [sections 374.755, 374.787, and] section 375.141 may file a
4 petition with the administrative hearing commission alleging
5 that the director has refused the license. The
6 administrative hearing commission shall conduct hearings and
7 make findings of fact and conclusions of law in determining
8 whether the applicant may be disqualified by statute.
9 Notwithstanding section 621.120, the director shall retain
10 discretion in refusing a license or renewal and such
11 discretion shall not transfer to the administrative hearing
12 commission.

13 2. If a proceeding is instituted to revoke or suspend
14 a license of any person under [sections 374.755, 374.787,
15 and] section 375.141, the director shall refer the matter to
16 the administrative hearing commission by directing the
17 filing of a complaint. The administrative hearing
18 commission shall conduct hearings and make findings of fact
19 and conclusions of law in such cases. The director shall
20 have the burden of proving cause for discipline. If cause
21 is found, the administrative hearing commission shall submit
22 its findings of fact and conclusions of law to the director,
23 who may determine appropriate discipline.

24 3. Hearing procedures before the director or the
25 administrative hearing commission and judicial review of the
26 decisions and orders of the director and of the

27 administrative hearing commission, and all other procedural
28 matters under this chapter, shall be governed by the
29 provisions of chapter 536. Hearings before the
30 administrative hearing commission shall also be governed by
31 the provisions of chapter 621.

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

3 2. If a person has been convicted of, pled guilty to,
4 or entered a plea of nolo contendere to an offense under
5 section 577.010 or 577.012, such offense caused the death of
6 a parent or parents of a child or children, and a surviving
7 parent or guardian files a petition to receive child
8 maintenance from the person, such person shall be ordered by
9 the court to pay child maintenance to the child or children
10 until the child or children:

11 (1) Die;

12 (2) Marry;

13 (3) Enter active military duty;

14 (4) Reach eighteen years of age unless the provisions
15 of subsection 3 of this section apply; or

16 (5) Reach twenty-one years of age unless the
17 provisions of the maintenance order specifically extend
18 beyond the child's or children's twenty-first birthdays for
19 reasons provided under subdivision (1) of subsection 3 of
20 this section.

21 3. (1) If the child or children are physically or
22 mentally incapacitated from supporting themselves and
23 insolvent and unmarried, the court may extend the
24 maintenance obligation past the child's or children's
25 eighteenth birthday.

26 (2) (a) If the child or children reach eighteen years
27 of age and are enrolled in and attending a secondary school
28 program of instruction, maintenance shall continue, if the

29 child or children continue to attend and progress toward
30 completion of such program, until the child or children
31 complete such program or reach twenty-one years of age,
32 whichever first occurs.

33 (b) If the child or children are enrolled in an
34 institution of vocational or higher education no later than
35 October first following graduation from a secondary school
36 or completion of a graduation equivalence degree program and
37 so long as the child or children enroll for and complete at
38 least twelve hours of credit each semester, not including
39 the summer semester, at an institution of vocational or
40 higher education and achieve grades sufficient to reenroll
41 at such institution, maintenance shall continue until the
42 child or children complete their education or until the
43 child or children reach twenty-one years of age, whichever
44 first occurs. To remain eligible for such continued
45 maintenance, at the beginning of each semester the child or
46 children shall submit to the court a transcript or similar
47 official document provided by the institution of vocational
48 or higher education that includes the courses the child or
49 children are enrolled in and have completed for each term,
50 the grades and credits received for each such course, and an
51 official document from the institution listing the courses
52 that the child or children are enrolled in for the upcoming
53 term and the number of credits for each such course. When
54 enrolled in at least twelve credit hours, if the child or
55 children receive failing grades in half or more of the
56 child's or children's courseload in any one semester,
57 payment of maintenance for the child or children receiving
58 the failing grades may be terminated and shall not be
59 eligible for reinstatement. Upon request for notification
60 of the child's or children's grades by the court, the child
61 or children shall produce the required documents to the

62 court within thirty days of receipt of grades from the
63 education institution. If the child or children fail to
64 produce the required documents, payment of maintenance may
65 terminate without the accrual of any maintenance arrearage
66 and shall not be eligible for reinstatement. If the
67 circumstances of the child or children manifestly dictate,
68 the court may waive the October first deadline for
69 enrollment required by this subdivision. As used in this
70 subdivision, "institution of vocational education" means any
71 postsecondary training or schooling for which the child is
72 assessed a fee and attends classes regularly. "Higher
73 education" means any community college, college, or
74 university at which the child attends classes regularly. A
75 child or children who have been diagnosed with a
76 developmental disability, as defined under section 630.005,
77 or whose physical disability or diagnosed health problem
78 limits the child's or children's ability to carry the number
79 of credit hours prescribed in this subdivision, shall remain
80 eligible for maintenance so long as such child or children
81 are enrolled in and attending an institution of vocational
82 or higher education and the child or children continue to
83 meet the other requirements of this subdivision. A child or
84 children who are employed at least fifteen hours per week
85 during the semester may take as few as nine credit hours per
86 semester and remain eligible for maintenance so long as all
87 other requirements of this subdivision are complied with.

88 4. The court shall order the person who was convicted,
89 pled guilty to, or entered a plea of nolo contendere to an
90 offense under section 577.010 or 577.012 as provided under
91 subsection 2 of this section to pay maintenance in an amount
92 that is reasonable or necessary for the maintenance of the
93 child or children after considering all relevant factors,
94 including:

95 (1) The financial needs and resources of the child or
96 children;

97 (2) The financial resources and needs of the surviving
98 parent or, if no other parent is alive or capable of caring
99 for the child or children, the guardian of the child or
100 children, including the state if the state is the guardian;

101 (3) The standard of living the child or children would
102 have enjoyed;

103 (4) The physical and emotional condition of the child
104 or children and the child's or children's educational needs;

105 (5) The child's or children's physical and legal
106 custody arrangements; and

107 (6) The reasonable work-related child care expenses of
108 the surviving parent or guardian.

109 5. In addition to the relevant factors listed under
110 subsection 4 of this section, the court shall consider the
111 guidelines set out under subsection 8 of section 452.340 and
112 Missouri supreme court civil procedure rule form 14 in
113 determining the amount reasonable or necessary for the
114 maintenance of the child or children.

115 6. (1) The court shall order that child maintenance
116 payments be made to the circuit clerk as trustee for
117 remittance to the surviving parent or guardian entitled to
118 receive the payments. The circuit clerk shall remit such
119 payments to the surviving parent or guardian within three
120 working days of receipt by the circuit clerk. Circuit
121 clerks shall deposit all receipts no later than the next
122 working day after receipt.

123 (2) As an alternative to subdivision (1) of this
124 subsection, the court may, upon its own motion, order that
125 maintenance payments be made to the family support payment
126 center established under section 454.530 as trustee for
127 remittance to the surviving parent or guardian. However,

128 the court shall not order payments to be made to the payment
129 center if the family support division notifies the court
130 that such payments shall not be made to the center. In such
131 cases, payments shall be made to the clerk as trustee until
132 the division notifies the court that payments shall be
133 directed to the payment center.

134 7. In addition to any other remedy provided by law for
135 the enforcement of child maintenance, if a maintenance order
136 has been entered, the director of the family support
137 division or the director's designee shall issue an order
138 directing any employer or other payer of the person required
139 to pay child maintenance under this section to withhold and
140 pay over to the family support division or the clerk of the
141 circuit court in the county in which a trusteeship is or
142 will be established moneys due or to become due to the
143 surviving parent or guardian for the child or children in an
144 amount not to exceed federal wage garnishment limitations.

145 8. If a person ordered to pay child maintenance under
146 this section is incarcerated and unable to pay the required
147 maintenance, the person shall have up to one year after the
148 release from incarceration to begin payment, including any
149 arrearage. If any obligation under this section is to
150 terminate as provided under subsection 2 of this section but
151 the person's obligation is not paid in full, payments shall
152 continue until the entire arrearage is paid.

153 9. (1) If the surviving parent or guardian of the
154 child or children brings a civil action on behalf of such
155 child or children against the person who was convicted of,
156 pled guilty to, or entered a plea of nolo contendere to an
157 offense under section 577.010 or 577.012 prior to any child
158 maintenance order under this section and the surviving
159 parent or guardian obtains a judgment in his or her favor in

160 the civil suit, no maintenance shall be ordered under this
161 section.

162 (2) If the court orders child maintenance under this
163 section but the surviving parent or guardian brings a civil
164 action and obtains a judgment on behalf of such child or
165 children in his or her favor, the child maintenance order
166 shall offset the judgment awarded in the civil action.

167 (3) No funds received under section 595.045 shall
168 result in a reduction of an amount provided by a child
169 maintenance order under this section.

170 10. The provisions of any order respecting maintenance
171 under this section may be modified only upon a showing of
172 changed circumstances so substantial and continuing as to
173 make the terms unreasonable.

557.035. 1. For all violations of section 565.054 or
2 565.090, subdivision (1) of subsection 1 of section 569.100,
3 or subdivision (1), (2), (3), (4), (6), (7) or (8) of
4 subsection 1 of section 571.030, which the state believes to
5 be knowingly motivated because of race, color, religion,
6 national origin, sex, sexual orientation or disability of
7 the victim or victims, the state may charge the offense or
8 offenses under this section, and the violation is a class D
9 felony.

10 2. For all violations of section 565.056; subdivision
11 (1) of subsection 1 of section 569.090; section 565.097;
12 subdivision (1) of subsection 1 of section 569.120; section
13 569.140; or section 574.050; which the state believes to be
14 knowingly motivated because of race, color, religion,
15 national origin, sex, sexual orientation or disability of
16 the victim or victims, the state may charge the offense or
17 offenses under this section, and the violation is a class E
18 felony.

19 3. The court shall assess punishment in all of the
20 cases in which the state pleads and proves any of the
21 motivating factors listed in this section.

565.097. 1. A person commits the offense of masked
2 intimidation if the person intentionally harasses,
3 intimidates, or threatens any other person while hiding or
4 concealing their face with a mask, hood, or any other
5 article or device for the purpose of concealing their
6 identity and with the intent to place another person in
7 reasonable fear for their physical safety.

8 2. A person who commits the offense of masked
9 intimidation shall be guilty of a class E felony for the
10 first offense, a class D felony for the second offense, and
11 a class C felony for a third or subsequent offense.

12 3. This section shall not apply to any person wearing
13 a mask or otherwise covering one's face for any purpose
14 other than a purpose specified in subsection 1 of this
15 section, in cases where a person is wearing:

16 (1) A mask or face covering on or near the occasion of
17 a holiday, celebration, or other event involving costumes;

18 (2) A mask, hood, article, or other device for the
19 purpose of ensuring the physical safety of the wearer or
20 because of the nature of the person's occupation, trade, or
21 profession;

22 (3) A mask, hood, article, or other device for the
23 purpose of protection from the weather elements or while
24 participating in a winter sport;

25 (4) A mask, hood, article, or other device in an
26 artistic or theatrical production or celebration;

27 (5) A gas mask or other protective facial covering for
28 the purposes of protection during or related to emergency
29 situations or during emergency management drills;

30 (6) A mask for the purpose of ensuring one's physical
31 health and safety or the health and safety of others,
32 including but not limited to limiting the spread of airborne
33 illnesses; or

34 (7) Any garb for religious purposes.

35 4. Nothing in this section shall be construed to
36 diminish or infringe upon any right protected under the
37 First Amendment to the Constitution of the United States.

38 5. For purposes of this section, the following terms
39 mean:

40 (1) "Harass", engaging in a knowing and willful
41 pattern of conduct directed at a particular person or
42 particular group of persons that is intended to cause that
43 person or that group of persons to reasonably fear for their
44 safety or suffer substantial emotional distress;

45 (2) "Intimidate", willfully and substantially
46 interfering, by threats, intimidation, or coercion, with the
47 exercise or enjoyment by any other person of rights secured
48 by the constitution or laws of the United States, or of
49 rights secured by the constitution or laws of this state,
50 because of that person or person's actual or perceived race,
51 color, religion, national origin, ethnicity, sex, gender,
52 gender identity or expression, sexual orientation, or
53 disability;

54 (3) "Threaten", communication with the clear intention
55 to cause imminent physical injury to another person.

569.086. 1. As used in this section, "critical
2 infrastructure facility" means any of the following
3 facilities that are under construction or operational: a
4 petroleum or alumina refinery; critical electric
5 infrastructure, as defined in 18 CFR [Section 118.113(c)(3)]
6 Section 388.113(c)(3) including, but not limited to, an
7 electrical power generating facility, substation, switching

8 station, electrical control center, or electric power lines
9 and associated equipment infrastructure; a chemical,
10 polymer, or rubber manufacturing facility; a water intake
11 structure, water storage facility, water treatment facility,
12 wastewater treatment plant, wastewater pumping facility, or
13 pump station; a natural gas compressor station; a liquid
14 natural gas terminal or storage facility; a
15 telecommunications central switching office; wireline or
16 wireless telecommunications networks, infrastructure, or
17 facilities, including cell towers, telephone poles and
18 lines, including fiber optic lines; a port, railroad
19 switching yard, railroad tracks, trucking terminal, or other
20 freight transportation facility; a gas processing plant,
21 including a plant used in the processing, treatment, or
22 fractionation of natural gas or natural gas liquids; a
23 transmission facility used by a federally licensed radio or
24 television station; a steelmaking facility that uses an
25 electric arc furnace to make steel; a facility identified
26 and regulated by the United States Department of Homeland
27 Security Chemical Facility Anti-Terrorism Standards (CFATS)
28 program; a dam that is regulated by the state or federal
29 government; a natural gas distribution utility facility
30 including, but not limited to, natural gas distribution and
31 transmission mains and services, pipeline interconnections,
32 a city gate or town border station, metering station,
33 aboveground piping, a regulator station, and a natural gas
34 storage facility; a crude oil or refined products storage
35 and distribution facility including, but not limited to,
36 valve sites, pipeline interconnection, pump station,
37 metering station, below or aboveground pipeline or piping
38 and truck loading or offloading facility, a grain mill or
39 processing facility; [a] networks and facilities used in the
40 generation, transmission, or distribution [system] of

41 broadband internet access; or any aboveground portion of an
42 oil, gas, hazardous liquid or chemical pipeline, tank,
43 railroad facility, or other storage facility that is
44 enclosed by a fence, other physical barrier, or is clearly
45 marked with signs prohibiting trespassing, that are
46 obviously designed to exclude intruders.

47 2. A person commits the offense of trespass on a
48 critical infrastructure facility if he or she purposely
49 trespasses or enters property containing a critical
50 infrastructure facility without the permission of the owner
51 of the property or lawful occupant thereof. The offense of
52 trespass on a critical infrastructure facility is a class B
53 misdemeanor. [If it is determined that the intent of the
54 trespasser is to damage, destroy, or tamper with equipment,
55 or impede or inhibit operations of the facility, the person
56 shall be guilty of a class A misdemeanor.

57 3. A person commits the offense of damage of a
58 critical infrastructure if he or she purposely damages,
59 destroys, or tampers with equipment in a critical
60 infrastructure facility. The offense of damage of a
61 critical infrastructure facility is a class D felony.

62 4.] 3. This section shall not apply to conduct
63 protected under the Constitution of the United States, the
64 Constitution of [the state of] Missouri, or a state or
65 federal law or rule.

569.117. 1. A person commits the offense of damage of
2 a critical infrastructure facility, as defined in section
3 569.086, if he or she:

4 (1) Purposely damages, destroys, or tampers with
5 equipment in a critical infrastructure facility; or

6 (2) Recklessly damages, destroys, or tampers with a
7 critical infrastructure facility, or removes any component
8 of the critical infrastructure facility, excluding equipment.

9 2. Except as provided under subsection 3 of this
10 section, the offense of damage of a critical infrastructure
11 facility under:

12 (1) Subdivision (1) of subsection 1 of this section is
13 a class D felony; or

14 (2) Subdivision (2) of subsection 1 of this section is
15 a:

16 (a) Class A misdemeanor if the damage is under seven
17 hundred fifty dollars;

18 (b) Class E felony if the damage is seven hundred
19 fifty dollars or more but less than twenty-five thousand
20 dollars; or

21 (c) Class D felony if the damage is twenty-five
22 thousand dollars or more.

23 3. If the damage to a critical infrastructure facility
24 causes interruption, impairment, or degradation of service,
25 the offense of damage of a critical infrastructure facility
26 shall be a class C felony regardless of value.

27 4. The value of damages under this section shall be
28 determined under the provisions of section 570.020.

29 5. (1) Any person who commits a violation under this
30 section shall be required to make restitution and perform
31 community service as provided in this subsection.

32 (2) Restitution shall be made under the provisions of
33 section 559.105.

34 (3) Community service shall be imposed as follows:

35 (a) One hundred hours for the first offense;

36 (b) Two hundred hours for the second offense; or

37 (c) Up to three hundred hours for the third or any
38 subsequent offense.

569.119. 1. As used in this section, the following
2 terms mean:

3 (1) "Copper, brass, aluminum, fiber, or
4 telecommunications material", any insulated or noninsulated
5 copper, brass, aluminum, fiber-optic, or telecommunications
6 wire, cable, pipe, tubing, power inverter, bus bar,
7 broadband cable, fiber-optic line, or any material
8 containing copper, brass, aluminum, fiber, glass, or metal
9 components that is commonly used in construction, electrical
10 systems, telecommunications networks, broadband
11 infrastructure, utilities, or related commercial or
12 industrial applications;

13 (2) "Critical infrastructure facility", the same
14 meaning as defined under section 569.086.

15 2. A person commits the offense of unauthorized
16 possession of certain copper, brass, aluminum, fiber, or
17 telecommunications material if the person:

18 (1) Knowingly possesses copper, brass, aluminum,
19 fiber, or telecommunications material; and

20 (2) Is not a person authorized to possess such
21 material as provided under subsection 3 of this section.

22 3. Subject to subsection 4 of this section, the
23 following persons are authorized to possess copper, brass,
24 aluminum, fiber, or telecommunications material:

25 (1) The owner of the material;

26 (2) A public utility, rural electric cooperative,
27 municipal utility, or common carrier;

28 (3) A telecommunications provider, internet service
29 provider, cable service provider, or video service provider;

30 (4) A manufacturing, industrial, commercial, retail,
31 or similar business that sells or uses such material in the
32 ordinary course of business;

33 (5) A carrier-for-hire acting in the course and scope
34 of the carrier's business and possessing appropriate

35 documentation, including a bill of lading or contract
36 verifying transport information;

37 (6) A scrap metal or metal recycling dealer under
38 chapter 407 and acting within the ordinary course of
39 business;

40 (7) A person acting in the ordinary course of lawful
41 construction, remodeling, demolition, or salvage work who
42 lawfully acquires the material through such activities; or

43 (8) Any agent, employee, subcontractor, or
44 representative of a person described in subdivisions (1) to
45 (7) of this subsection who is acting within the course and
46 scope of such authority.

47 4. The authorization provided under subsection 3 of
48 this section does not apply to a person who knows that the
49 copper, brass, aluminum, fiber, or telecommunications
50 material was unlawfully obtained.

51 5. (1) Except as provided in subdivision (2) of this
52 subsection, the offense of unauthorized possession of
53 certain copper, brass, aluminum, fiber, or
54 telecommunications material is a class E felony.

55 (2) The offense of unauthorized possession of certain
56 copper, brass, aluminum, fiber, or telecommunications
57 material is a class D felony if it is shown at trial that:

58 (a) The material was unlawfully obtained from a
59 critical infrastructure facility;

60 (b) The person has a prior conviction for any offense
61 involving theft, property damage, tampering, receiving
62 stolen property, or unauthorized possession of copper,
63 brass, aluminum, fiber, or telecommunications material; or

64 (c) The person conspired with or acted in concert with
65 another to commit theft, property damage, tampering, or
66 receiving stolen property involving such material.

67 6. If conduct constituting an offense under this
68 section also constitutes an offense under any other
69 provision of law, the person may be prosecuted under either
70 or both provisions subject to the provisions of section
71 556.041.

570.010. As used in this chapter, the following terms
2 mean:

3 (1) "Adulterated", varying from the standard of
4 composition or quality prescribed by statute or lawfully
5 promulgated administrative regulations of this state
6 lawfully filed, or if none, as set by commercial usage;

7 (2) "Appropriate", to take, obtain, use, transfer,
8 conceal, retain or dispose;

9 (3) "Check", a check or other similar sight order or
10 any other form of presentment involving the transmission of
11 account information for the payment of money;

12 (4) "Closed-loop gift card", a card, code, or device
13 that is:

14 (a) Issued to a consumer on a prepaid basis primarily
15 for personal, family, or household purposes in a specified
16 monetary amount, regardless of whether that amount may be
17 increased or reloaded in exchange for payment; and

18 (b) Redeemable upon presentation by a consumer at a
19 single merchant or group of affiliated merchants;

20 (5) "Coercion", a threat, however communicated:

21 (a) To commit any offense; or

22 (b) To inflict physical injury in the future on the
23 person threatened or another; or

24 (c) To accuse any person of any offense; or

25 (d) To expose any person to hatred, contempt or
26 ridicule; or

27 (e) To harm the credit or business reputation of any
28 person; or

29 (f) To take or withhold action as a public servant, or
30 to cause a public servant to take or withhold action; or

31 (g) To inflict any other harm which would not benefit
32 the actor. A threat of accusation, lawsuit or other
33 invocation of official action is justified and not coercion
34 if the property sought to be obtained by virtue of such
35 threat was honestly claimed as restitution or
36 indemnification for harm done in the circumstances to which
37 the accusation, exposure, lawsuit or other official action
38 relates, or as compensation for property or lawful service.
39 The defendant shall have the burden of injecting the issue
40 of justification as to any threat;

41 [(5)] (6) "Credit device", a writing, card, code,
42 number or other device purporting to evidence an undertaking
43 to pay for property or services delivered or rendered to or
44 upon the order of a designated person or bearer;

45 [(6)] (7) "Dealer", a person in the business of buying
46 and selling goods;

47 [(7)] (8) "Debit device", a writing, card, code,
48 number or other device, other than a check, draft or similar
49 paper instrument, by the use of which a person may initiate
50 an electronic fund transfer, including but not limited to
51 devices that enable electronic transfers of benefits to
52 public assistance recipients;

53 [(8)] (9) "Deceit or deceive", making a representation
54 which is false and which the actor does not believe to be
55 true and upon which the victim relies, as to a matter of
56 fact, law, value, intention or other state of mind, or
57 concealing a material fact as to the terms of a contract or
58 agreement. The term "deceit" does not, however, include
59 falsity as to matters having no pecuniary significance, or
60 puffing by statements unlikely to deceive ordinary persons
61 in the group addressed. Deception as to the actor's

62 intention to perform a promise shall not be inferred from
63 the fact alone that he did not subsequently perform the
64 promise;

65 [(9)] (10) "Deprive":

66 (a) To withhold property from the owner permanently; or

67 (b) To restore property only upon payment of reward or
68 other compensation; or

69 (c) To use or dispose of property in a manner that
70 makes recovery of the property by the owner unlikely;

71 [(10)] (11) "Electronic benefits card" or "EBT card",
72 a debit card used to access food stamps or cash benefits
73 issued by the department of social services;

74 [(11)] (12) "Financial institution", a bank, trust
75 company, savings and loan association, or credit union;

76 [(12)] (13) "Food stamps", the nutrition assistance
77 program in Missouri that provides food and aid to low-income
78 individuals who are in need of benefits to purchase food
79 operated by the United States Department of Agriculture
80 (USDA) in conjunction with the department of social services;

81 [(13)] (14) "Forcibly steals", a person, in the course
82 of stealing, uses or threatens the immediate use of physical
83 force upon another person for the purpose of:

84 (a) Preventing or overcoming resistance to the taking
85 of the property or to the retention thereof immediately
86 after the taking; or

87 (b) Compelling the owner of such property or another
88 person to deliver up the property or to engage in other
89 conduct which aids in the commission of the theft;

90 (15) "Gift card", a physical or digital closed-loop
91 gift card or open-loop gift card that is either activated or
92 inactivated;

93 (16) "Gift card holder", any person or party to whom a
94 physical or virtual gift card is issued through a purchase,

95 or any person or party who receives a gift card from a
96 willing party;

97 (17) "Gift card issuer", any person who issues a gift
98 card or the agent of that person with respect to a gift card;

99 (18) "Gift card redemption information", information
100 unique to each gift card that allows the gift card holder to
101 access, transfer, or spend the funds on that gift card;

102 (19) "Gift card seller", a merchant that is engaged in
103 the business of selling open-loop or closed-loop gift cards
104 to consumers with the approval or authorization of the gift
105 card issuer;

106 [(14)] (20) "Internet service", an interactive
107 computer service or system or an information service,
108 system, or access software provider that provides or enables
109 computer access by multiple users to a computer server, and
110 includes, but is not limited to, an information service,
111 system, or access software provider that provides access to
112 a network system commonly known as the internet, or any
113 comparable system or service and also includes, but is not
114 limited to, a world wide web page, newsgroup, message board,
115 mailing list, or chat area on any interactive computer
116 service or system or other online service;

117 [(15)] (21) "Means of identification", anything used
118 by a person as a means to uniquely distinguish himself or
119 herself;

120 [(16)] (22) "Merchant", a person who deals in goods of
121 the kind or otherwise by his or her occupation holds oneself
122 out as having knowledge or skill peculiar to the practices
123 or goods involved in the transaction or to whom such
124 knowledge or skill may be attributed by his or her
125 employment of an agent or broker or other intermediary who
126 by his or her occupation holds oneself out as having such
127 knowledge or skill;

128 [(17)] (23) "Mislabeled", varying from the standard of
129 truth or disclosure in labeling prescribed by statute or
130 lawfully promulgated administrative regulations of this
131 state lawfully filed, or if none, as set by commercial
132 usage; or represented as being another person's product,
133 though otherwise accurately labeled as to quality and
134 quantity;

135 (24) "Open-loop gift card", a card, code, or device
136 that is:

137 (a) Issued to a consumer on a prepaid basis primarily
138 for personal, family, or household purposes in a specified
139 monetary amount, regardless of whether that amount may be
140 increased or reloaded in exchange for payment;

141 (b) Branded with a major payment network; and

142 (c) Redeemable upon presentation at multiple
143 unaffiliated merchants for goods or services;

144 [(18)] (25) "Pharmacy", any building, warehouse,
145 physician's office, hospital, pharmaceutical house or other
146 structure used in whole or in part for the sale, storage, or
147 dispensing of any controlled substance as defined in chapter
148 195;

149 [(19)] (26) "Property", anything of value, whether
150 real or personal, tangible or intangible, in possession or
151 in action, and shall include but not be limited to the
152 evidence of a debt actually executed but not delivered or
153 issued as a valid instrument;

154 [(20)] (27) "Public assistance benefits", anything of
155 value, including money, food, EBT cards, food stamps,
156 commodities, clothing, utilities, utilities payments,
157 shelter, drugs and medicine, materials, goods, and any
158 service including institutional care, medical care, dental
159 care, child care, psychiatric and psychological service,
160 rehabilitation instruction, training, transitional

161 assistance, or counseling, received by or paid on behalf of
162 any person under chapters 198, 205, 207, 208, 209, and 660,
163 or benefits, programs, and services provided or administered
164 by the Missouri department of social services or any of its
165 divisions;

166 [(21)] (28) "Services" includes transportation,
167 telephone, electricity, gas, water, or other public service,
168 cable television service, video service, voice over internet
169 protocol service, or internet service, accommodation in
170 hotels, restaurants or elsewhere, admission to exhibitions
171 and use of vehicles;

172 [(22)] (29) "Stealing-related offense", federal and
173 state violations of criminal statutes against stealing,
174 robbery, or buying or receiving stolen property and shall
175 also include municipal ordinances against the same if the
176 offender was either represented by counsel or knowingly
177 waived counsel in writing and the judge accepting the plea
178 or making the findings was a licensed attorney at the time
179 of the court proceedings;

180 [(23)] (30) "Teller machine", an automated teller
181 machine (ATM) or interactive teller machine (ITM) is a
182 remote computer terminal owned or controlled by a financial
183 institution or a private business that allows individuals to
184 obtain financial services including obtaining cash,
185 transferring or transmitting money or digital currencies,
186 payment of bills, or loading money or digital currency to a
187 payment card or other device without physical in-person
188 assistance from another person. "Teller machine" does not
189 include personally owned electronic devices used to access
190 financial services;

191 [(24)] (31) "Video service", the provision of video
192 programming provided through wireline facilities located at
193 least in part in the public right-of-way without regard to

194 delivery technology, including internet protocol technology
195 whether provided as part of a tier, on demand, or a per-
196 channel basis. This definition includes cable service as
197 defined by 47 U.S.C. Section 522(6), but does not include
198 any video programming provided by a commercial mobile
199 service provider as "commercial mobile service" is defined
200 in 47 U.S.C. Section 332(d), or any video programming
201 provided solely as part of and via a service that enables
202 users to access content, information, [electronic mail]
203 email, or other services offered over the public internet,
204 and includes microwave television transmission, from a
205 multipoint distribution service not capable of reception by
206 conventional television receivers without the use of special
207 equipment;

208 [(25)] (32) "Voice over internet protocol service", a
209 service that:

210 (a) Enables real-time, two-way voice communication;

211 (b) Requires a broadband connection from the user's
212 location;

213 (c) Requires internet protocol-compatible customer
214 premises equipment; and

215 (d) Permits users generally to receive calls that
216 originate on the public switched telephone network and to
217 terminate calls to the public switched telephone network;

218 [(26)] (33) "Writing" includes printing, any other
219 method of recording information, money, coins, negotiable
220 instruments, tokens, stamps, seals, credit cards, badges,
221 trademarks and any other symbols of value, right, privilege
222 or identification.

570.137. 1. A person commits the offense of gift card
2 fraud if he or she knowingly:

3 (1) Alters or tampers with a gift card or its
4 packaging;

5 (2) Devises a scheme to obtain a gift card or gift
6 card redemption information from a gift card holder, gift
7 card issuer, or gift card seller by means of deceit; or

8 (3) Uses, for the purpose of obtaining money, goods,
9 services, or anything else of value, a gift card or gift
10 card redemption information that has been obtained in
11 violation of this subsection.

12 2. The offense of gift card fraud is a class C felony
13 if the value of the gift card; gift card redemption
14 information; or money, goods, services, or other thing of
15 value obtained as a result of violating subsection 1 of this
16 section is twenty-five thousand dollars or more.

17 3. The offense of gift card fraud is a class D felony
18 if the value of the gift card; gift card redemption
19 information; or money, goods, services, or other thing of
20 value obtained as a result of violating subsection 1 of this
21 section is seven hundred fifty dollars or more but less than
22 twenty-five thousand dollars.

23 4. The offense of gift card fraud is a class A
24 misdemeanor if the value of the gift card; gift card
25 redemption information; or money, goods, services, or other
26 thing of value obtained as a result of violating subsection
27 1 of this section is less than seven hundred fifty dollars.
28 For the purpose of determining the value of a gift card
29 under this section, "value" shall mean the greatest amount
30 of economic loss the owner of the property might reasonably
31 suffer, including, in the case of a gift card, the full
32 monetary face value or potential value for variable load
33 gift cards.

571.030. 1. A person commits the offense of unlawful
2 use of weapons, except as otherwise provided by sections
3 571.101 to 571.121 and sections 571.205 to 571.230, if he or
4 she knowingly:

5 (1) Carries concealed upon or about his or her person
6 a knife, a firearm, a blackjack or any other weapon readily
7 capable of lethal use into any area where firearms are
8 restricted under section 571.107; or

9 (2) Sets a spring gun; or

10 (3) Discharges or shoots a firearm into a dwelling
11 house, a railroad train, boat, aircraft, or motor vehicle as
12 defined in section 302.010, or any building or structure
13 used for the assembling of people; or

14 (4) Exhibits, in the presence of one or more persons,
15 any weapon readily capable of lethal use in an angry or
16 threatening manner; or

17 (5) Has a firearm or projectile weapon readily capable
18 of lethal use on his or her person, while he or she is
19 intoxicated, and handles or otherwise uses such firearm or
20 projectile weapon in either a negligent or unlawful manner
21 or discharges such firearm or projectile weapon unless
22 acting in self-defense; or

23 (6) Discharges a firearm within one hundred yards of
24 any occupied schoolhouse, courthouse, or church building; or

25 (7) Discharges or shoots a firearm at a mark, at any
26 object, or at random, on, along or across a public highway
27 or discharges or shoots a firearm into any outbuilding; or

28 (8) Carries a firearm or any other weapon readily
29 capable of lethal use into any church or place where people
30 have assembled for worship, or into any election precinct on
31 any election day, or into any building owned or occupied by
32 any agency of the federal government, state government, or
33 political subdivision thereof; or

34 (9) Discharges or shoots a firearm at or from a motor
35 vehicle, as defined in section 301.010, discharges or shoots
36 a firearm at any person, or at any other motor vehicle, or

37 at any building or habitable structure, unless the person
38 was lawfully acting in self-defense; or

39 (10) Carries a firearm, whether loaded or unloaded, or
40 any other weapon readily capable of lethal use into any
41 school, onto any school bus, or onto the premises of any
42 function or activity sponsored or sanctioned by school
43 officials or the district school board; or

44 (11) Possesses a firearm while also knowingly in
45 possession of a controlled substance that is sufficient for
46 a felony violation of section 579.015.

47 2. Subdivisions (1), (8), and (10) of subsection 1 of
48 this section shall not apply to the persons described in
49 this subsection, regardless of whether such uses are
50 reasonably associated with or are necessary to the
51 fulfillment of such person's official duties except as
52 otherwise provided in this subsection. Subdivisions (3),
53 (4), (6), (7), and (9) of subsection 1 of this section shall
54 not apply to or affect any of the following persons, when
55 such uses are reasonably associated with or are necessary to
56 the fulfillment of such person's official duties, except as
57 otherwise provided in this subsection:

58 (1) All state, county and municipal peace officers who
59 have completed the training required by the police officer
60 standards and training commission pursuant to sections
61 590.030 to 590.050 and who possess the duty and power of
62 arrest for violation of the general criminal laws of the
63 state or for violation of ordinances of counties or
64 municipalities of the state, whether such officers are on or
65 off duty, and whether such officers are within or outside of
66 the law enforcement agency's jurisdiction, or all qualified
67 retired peace officers, as defined in subsection 12 of this
68 section, and who carry the identification defined in
69 subsection 13 of this section, or any person summoned by

70 such officers to assist in making arrests or preserving the
71 peace while actually engaged in assisting such officer;

72 (2) Wardens, superintendents and keepers of prisons,
73 penitentiaries, jails and other institutions for the
74 detention of persons accused or convicted of crime;

75 (3) Members of the Armed Forces or National Guard
76 while performing their official duty;

77 (4) Those persons vested by Article V, Section 1 of
78 the Constitution of Missouri with the judicial power of the
79 state and those persons vested by Article III of the
80 Constitution of the United States with the judicial power of
81 the United States, the members of the federal judiciary;

82 (5) Any person whose bona fide duty is to execute
83 process, civil or criminal;

84 (6) Any federal probation officer or federal flight
85 deck officer as defined under the federal flight deck
86 officer program, 49 U.S.C. Section 44921, regardless of
87 whether such officers are on duty, or within the law
88 enforcement agency's jurisdiction;

89 (7) Any state probation or parole officer, including
90 supervisors and members of the parole board;

91 (8) Any corporate security advisor meeting the
92 definition and fulfilling the requirements of the
93 regulations established by the department of public safety
94 under section 590.750;

95 (9) Any coroner, deputy coroner, medical examiner, or
96 assistant medical examiner;

97 (10) Any municipal or county prosecuting attorney or
98 assistant prosecuting attorney; any circuit attorney or
99 assistant circuit attorney; any municipal, associate, or
100 circuit judge; the attorney general and any assistant
101 attorney general; or any person appointed by a court to be a
102 special prosecutor who has completed the firearms safety

103 training course required under subsection 2 of section
104 571.111;

105 (11) Any member of a fire department or fire
106 protection district who is employed on a full-time basis as
107 a fire investigator and who has a valid concealed carry
108 endorsement issued prior to August 28, 2013, or a valid
109 concealed carry permit under section 571.111 when such uses
110 are reasonably associated with or are necessary to the
111 fulfillment of such person's official duties; and

112 (12) Upon the written approval of the governing body
113 of a fire department or fire protection district, any paid
114 fire department or fire protection district member who is
115 employed on a full-time basis and who has a valid concealed
116 carry endorsement issued prior to August 28, 2013, or a
117 valid concealed carry permit, when such uses are reasonably
118 associated with or are necessary to the fulfillment of such
119 person's official duties.

120 3. Subdivisions (1), (5), (8), and (10) of subsection
121 1 of this section do not apply when the actor is
122 transporting such weapons in a nonfunctioning state or in an
123 unloaded state when ammunition is not readily accessible or
124 when such weapons are not readily accessible. Subdivision
125 (1) of subsection 1 of this section does not apply to any
126 person nineteen years of age or older or eighteen years of
127 age or older and a member of the United States Armed Forces,
128 or honorably discharged from the United States Armed Forces,
129 transporting a concealable firearm in the passenger
130 compartment of a motor vehicle, so long as such concealable
131 firearm is otherwise lawfully possessed, nor when the actor
132 is also in possession of an exposed firearm or projectile
133 weapon for the lawful pursuit of game, or is in his or her
134 dwelling unit or upon premises over which the actor has
135 possession, authority or control, or is traveling in a

136 continuous journey peaceably through this state.
137 Subdivision (10) of subsection 1 of this section does not
138 apply if the firearm is otherwise lawfully possessed by a
139 person while traversing school premises for the purposes of
140 transporting a student to or from school, or possessed by an
141 adult for the purposes of facilitation of a school-
142 sanctioned firearm-related event or club event.

143 4. Subdivisions (1), (8), and (10) of subsection 1 of
144 this section shall not apply to any person who has a valid
145 concealed carry permit issued pursuant to sections 571.101
146 to 571.121 or sections 571.205 to 571.230, a valid concealed
147 carry endorsement issued before August 28, 2013, or a valid
148 permit or endorsement to carry concealed firearms issued by
149 another state or political subdivision of another state.

150 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and
151 (10) of subsection 1 of this section shall not apply to
152 persons who are engaged in a lawful act of defense pursuant
153 to section 563.031.

154 6. Notwithstanding any provision of this section to
155 the contrary, the state shall not prohibit any state
156 employee from having a firearm in the employee's vehicle on
157 the state's property provided that the vehicle is locked and
158 the firearm is not visible. This subsection shall only
159 apply to the state as an employer when the state employee's
160 vehicle is on property owned or leased by the state and the
161 state employee is conducting activities within the scope of
162 his or her employment. For the purposes of this subsection,
163 "state employee" means an employee of the executive,
164 legislative, or judicial branch of the government of the
165 state of Missouri.

166 7. (1) Subdivision (10) of subsection 1 of this
167 section shall not apply to a person who is a school officer
168 commissioned by the district school board under section

169 162.215 or who is a school protection officer, as described
170 under section 160.665.

171 (2) Nothing in this section shall make it unlawful for
172 a student to actually participate in school-sanctioned gun
173 safety courses, student military or ROTC courses, or other
174 school-sponsored or club-sponsored firearm-related events,
175 provided the student does not carry a firearm or other
176 weapon readily capable of lethal use into any school, onto
177 any school bus, or onto the premises of any other function
178 or activity sponsored or sanctioned by school officials or
179 the district school board.

180 8. A person who commits the crime of unlawful use of
181 weapons under:

182 (1) Subdivision (2), (3), (4), or (11) of subsection 1
183 of this section shall be guilty of a class E felony;

184 (2) Subdivision (1), (6), (7), or (8) of subsection 1
185 of this section shall be guilty of a class B misdemeanor,
186 except when a concealed weapon is carried onto any private
187 property whose owner has posted the premises as being off-
188 limits to concealed firearms by means of one or more signs
189 displayed in a conspicuous place of a minimum size of eleven
190 inches by fourteen inches with the writing thereon in
191 letters of not less than one inch, in which case the
192 penalties of subsection 2 of section 571.107 shall apply;

193 (3) Subdivision (5) or (10) of subsection 1 of this
194 section shall be guilty of a class A misdemeanor if the
195 firearm is unloaded and a class E felony if the firearm is
196 loaded;

197 (4) Subdivision (9) of subsection 1 of this section
198 shall be guilty of a class B felony, except that if the
199 violation of subdivision (9) of subsection 1 of this section
200 results in injury or death to another person, it is a class
201 A felony.

202 9. Violations of subdivision (9) of subsection 1 of
203 this section shall be punished as follows:

204 (1) For the first violation a person shall be
205 sentenced to the maximum authorized term of imprisonment for
206 a class B felony;

207 (2) For any violation by a prior offender as defined
208 in section 558.016, a person shall be sentenced to the
209 maximum authorized term of imprisonment for a class B felony
210 without the possibility of parole, probation or conditional
211 release for a term of ten years;

212 (3) For any violation by a persistent offender as
213 defined in section 558.016, a person shall be sentenced to
214 the maximum authorized term of imprisonment for a class B
215 felony without the possibility of parole, probation, or
216 conditional release;

217 (4) For any violation which results in injury or death
218 to another person, a person shall be sentenced to an
219 authorized disposition for a class A felony.

220 10. Any person knowingly aiding or abetting any other
221 person in the violation of subdivision (9) of subsection 1
222 of this section shall be subject to the same penalty as that
223 prescribed by this section for violations by other persons.

224 11. Notwithstanding any other provision of law, no
225 person who pleads guilty to or is found guilty of a felony
226 violation of subsection 1 of this section shall receive a
227 suspended imposition of sentence if such person has
228 previously received a suspended imposition of sentence for
229 any other firearms- or weapons-related felony offense.

230 12. As used in this section "qualified retired peace
231 officer" means an individual who:

232 (1) Retired in good standing from service with a
233 public agency as a peace officer, other than for reasons of
234 mental instability;

235 (2) Before such retirement, was authorized by law to
236 engage in or supervise the prevention, detection,
237 investigation, or prosecution of, or the incarceration of
238 any person for, any violation of law, and had statutory
239 powers of arrest;

240 (3) Before such retirement, was regularly employed as
241 a peace officer for an aggregate of fifteen years or more,
242 or retired from service with such agency, after completing
243 any applicable probationary period of such service, due to a
244 service-connected disability, as determined by such agency;

245 (4) Has a nonforfeitable right to benefits under the
246 retirement plan of the agency if such a plan is available;

247 (5) During the most recent twelve-month period, has
248 met, at the expense of the individual, the standards for
249 training and qualification for active peace officers to
250 carry firearms;

251 (6) Is not under the influence of alcohol or another
252 intoxicating or hallucinatory drug or substance; and

253 (7) Is not prohibited by federal law from receiving a
254 firearm.

255 13. The identification required by subdivision (1) of
256 subsection 2 of this section is:

257 (1) A photographic identification issued by the agency
258 from which the individual retired from service as a peace
259 officer that indicates that the individual has, not less
260 recently than one year before the date the individual is
261 carrying the concealed firearm, been tested or otherwise
262 found by the agency to meet the standards established by the
263 agency for training and qualification for active peace
264 officers to carry a firearm of the same type as the
265 concealed firearm; or

266 (2) A photographic identification issued by the agency
267 from which the individual retired from service as a peace
268 officer; and

269 (3) A certification issued by the state in which the
270 individual resides that indicates that the individual has,
271 not less recently than one year before the date the
272 individual is carrying the concealed firearm, been tested or
273 otherwise found by the state to meet the standards
274 established by the state for training and qualification for
275 active peace officers to carry a firearm of the same type as
276 the concealed firearm.

577.800. 1. A person commits the offense of unlawful
2 use of unmanned aircraft over an open-air facility or
3 critical infrastructure facility if he or she purposely:

4 (1) Operates an unmanned aircraft within a vertical
5 distance of four hundred feet from the ground and within the
6 property line of an open-air facility; **[or]**

7 (2) Uses an unmanned aircraft with the purpose of
8 delivering to a person within an open-air facility any
9 object described in subdivision (1) or (2) of subsection 4
10 of this section;

11 (3) Uses an unmanned aircraft within the boundary of
12 any critical infrastructure facility; or

13 (4) Operates an unmanned aircraft within a vertical
14 distance of four hundred feet from the ground and within the
15 property line of a critical infrastructure facility in
16 furtherance of any violation of criminal law.

17 2. For purposes of this section, "open-air facility"
18 shall mean any sports, theater, music, performing arts, or
19 other entertainment facility with a capacity of five
20 **[thousand]** hundred people or more and not completely
21 enclosed by a roof or other structure. For purposes of this

22 section, "critical infrastructure facility" shall have the
23 same meaning as section 569.086.

24 3. The provisions of this section shall not prohibit
25 the operation of an unmanned aircraft by:

26 (1) An employee, owner, or operator of an open-air
27 facility [at the direction of the president or chief
28 executive officer of the open-air facility] or critical
29 infrastructure facility for the purpose of monitoring,
30 inspecting, operating, or maintaining the facility;

31 (2) A person who has written consent from the
32 president or chief executive officer of the open-air
33 facility or critical infrastructure facility;

34 (3) An employee of a law enforcement agency, fire
35 department, or emergency medical service in the exercise of
36 official duties;

37 (4) A government official or employee in the exercise
38 of official duties;

39 (5) A public utility or a rural electric cooperative
40 if:

41 (a) The unmanned aircraft is used for the purpose of
42 inspecting, repairing, or maintaining utility transmission
43 or distribution lines or other utility equipment or
44 infrastructure;

45 (b) The utility or cooperative notifies the open-air
46 facility or critical infrastructure facility before flying
47 the unmanned aircraft, except during an emergency; and

48 (c) The person operating the unmanned aircraft does
49 not physically enter the prohibited space without an escort
50 provided by the open-air facility or critical infrastructure
51 facility; or

52 (6) An employee of a railroad in the exercise of
53 official duties on any land owned or operated by a railroad
54 corporation regulated by the Federal Railroad Administration.

55 4. The offense of unlawful use of unmanned aircraft
56 over an open-air facility or critical infrastructure
57 facility shall be punishable as an infraction unless the
58 person uses an unmanned aircraft for:

59 (1) Delivering a gun, knife, weapon, or other article,
60 including any explosive device or material, that may be used
61 in such manner to endanger the life of an employee or guest
62 at an open-air facility or critical infrastructure facility,
63 in which case the offense is a class B felony; or

64 (2) Delivering a controlled substance, as that term is
65 defined under section 195.010, in which case the offense is
66 a class D felony.

67 5. Each open-air facility or critical infrastructure
68 facility shall post a sign warning of the provisions of this
69 section. The sign shall be at least eleven inches by
70 fourteen inches and posted in a conspicuous place.

71 6. This section shall not apply to an operator of an
72 unmanned aircraft that is being used for a commercial
73 purpose that is otherwise operating lawfully, provided the
74 operator is authorized by the Federal Aviation
75 Administration to conduct lawful operations in that airspace.

579.022. 1. A person commits the offense of delivery
2 of a controlled substance causing death if a person delivers
3 or distributes a controlled substance under section 579.020
4 [knowing such substance is mixed with another controlled
5 substance] and a death results from the use of such
6 controlled substance.

7 2. It shall not be a defense that the user contributed
8 to the user's own death by using the controlled substance or
9 consenting to the administration of the controlled substance
10 by another.

11 3. The offense of delivery of a controlled substance
12 causing death is a class A felony.

13 4. For purposes of this section, "controlled
14 substance" means a Schedule I or Schedule II controlled
15 substance, as defined in section 195.017.

 579.060. 1. A person commits the offense of unlawful
2 sale, distribution, or purchase of over-the-counter
3 methamphetamine precursor drugs if he or she knowingly:

4 (1) Sells, distributes, dispenses, or otherwise
5 provides any number of packages of any drug product
6 containing detectable amounts of ephedrine,
7 phenylpropanolamine, or pseudoephedrine, or any of their
8 salts, optical isomers, or salts of optical isomers, in a
9 total amount greater than seven and two-tenths grams to the
10 same individual within a thirty-day period, unless the
11 amount is dispensed, sold, or distributed pursuant to a
12 valid prescription; or

13 (2) Purchases, receives, or otherwise acquires within
14 a thirty-day period any number of packages of any drug
15 product containing any detectable amount of ephedrine,
16 phenylpropanolamine, or pseudoephedrine, or any of their
17 salts or optical isomers, or salts of optical isomers in a
18 total amount greater than seven and two-tenths grams,
19 without regard to the number of transactions, unless the
20 amount is purchased, received, or acquired pursuant to a
21 valid prescription; or

22 (3) Purchases, receives, or otherwise acquires within
23 a twenty-four-hour period any number of packages of any drug
24 product containing any detectable amount of ephedrine,
25 phenylpropanolamine, or pseudoephedrine, or any of their
26 salts or optical isomers, or salts of optical isomers in a
27 total amount greater than three and six-tenths grams,
28 without regard to the number of transactions, unless the
29 amount is purchased, received, or acquired pursuant to a
30 valid prescription; or

31 (4) Sells, distributes, dispenses, or otherwise
32 provides any number of packages of any drug product
33 containing detectable amounts of ephedrine,
34 phenylpropanolamine, or pseudoephedrine, or any of their
35 salts, optical isomers, or salts of optical isomers, in a
36 total amount greater than [forty-three] sixty-one and two-
37 tenths grams to the same individual within a twelve-month
38 period, unless the amount is dispensed, sold, or distributed
39 pursuant to a valid prescription; or

40 (5) Purchases, receives, or otherwise acquires within
41 a twelve-month period any number of packages of any drug
42 product containing any detectable amount of ephedrine,
43 phenylpropanolamine, or pseudoephedrine, or any of their
44 salts or optical isomers, or salts of optical isomers in a
45 total amount greater than [forty-three] sixty-one and two-
46 tenths grams, without regard to the number of transactions,
47 unless the amount is purchased, received, or acquired
48 pursuant to a valid prescription; or

49 (6) Dispenses or offers drug products that are not
50 excluded from Schedule V in subsection 17 or 18 of section
51 195.017 and that contain detectable amounts of ephedrine,
52 phenylpropanolamine, or pseudoephedrine, or any of their
53 salts, optical isomers, or salts of optical isomers, without
54 ensuring that such products are located behind a pharmacy
55 counter where the public is not permitted and that such
56 products are dispensed by a registered pharmacist or
57 pharmacy technician under subsection 11 of section 195.017;
58 or

59 (7) Holds a retail sales license issued under chapter
60 144 and knowingly sells or dispenses packages that do not
61 conform to the packaging requirements of section 195.418.

62 2. A pharmacist, intern pharmacist, or registered
63 pharmacy technician commits the offense of unlawful sale,

64 distribution, or purchase of over-the-counter
65 methamphetamine precursor drugs if he or she knowingly:

66 (1) Sells, distributes, dispenses, or otherwise
67 provides any number of packages of any drug product
68 containing detectable amounts of ephedrine,
69 phenylpropanolamine, or pseudoephedrine, or any of their
70 salts or optical isomers, or salts of optical isomers, in a
71 total amount greater than three and six-tenth grams to the
72 same individual within a twenty-four hour period, unless the
73 amount is dispensed, sold, or distributed pursuant to a
74 valid prescription; or

75 (2) Fails to submit information under subsection 13 of
76 section 195.017 and subsection 6 of section 195.417 about
77 the sales of any compound, mixture, or preparation of
78 products containing detectable amounts of ephedrine,
79 phenylpropanolamine, or pseudoephedrine, or any of their
80 salts, optical isomers, or salts of optical isomers, in
81 accordance with transmission methods and frequency
82 established by the department of health and senior services;
83 or

84 (3) Fails to implement and maintain an electronic log,
85 as required by subsection 12 of section 195.017, of each
86 transaction involving any detectable quantity of
87 pseudoephedrine, its salts, isomers, or salts of optical
88 isomers or ephedrine, its salts, optical isomers, or salts
89 of optical isomers; or

90 (4) Sells, distributes, dispenses or otherwise
91 provides to an individual under eighteen years of age
92 without a valid prescription any number of packages of any
93 drug product containing any detectable quantity of
94 pseudoephedrine, its salts, isomers, or salts of optical
95 isomers, or ephedrine, its salts or optical isomers, or
96 salts of optical isomers.

97 3. Any person who violates the packaging requirements
98 of section 195.418 and is considered the general owner or
99 operator of the outlet where ephedrine, pseudoephedrine, or
100 phenylpropanolamine products are available for sale shall
101 not be penalized if he or she documents that an employee
102 training program was in place to provide the employee who
103 made the unlawful retail sale with information on the state
104 and federal regulations regarding ephedrine,
105 pseudoephedrine, or phenylpropanolamine.

106 4. A manufacturer commits the offense of unlawful
107 sale, distribution, or purchase of over-the-counter
108 methamphetamine precursor drugs if he or she knowingly fails
109 to pay the fees required under subsection 7 of section
110 195.417.

111 5. The offense of unlawful sale, distribution, or
112 purchase of over-the-counter methamphetamine precursor drugs
113 is a class A misdemeanor.

579.065. 1. A person commits the offense of
2 trafficking drugs in the first degree if, except as
3 authorized by this chapter or chapter 195, such person
4 knowingly distributes, delivers, manufactures, produces or
5 attempts to distribute, deliver, manufacture or produce:

6 (1) More than thirty grams of a mixture or substance
7 containing a detectable amount of heroin;

8 (2) More than one hundred fifty grams of a mixture or
9 substance containing a detectable amount of coca leaves,
10 except coca leaves and extracts of coca leaves from which
11 cocaine, ecgonine, and derivatives of ecgonine or their
12 salts have been removed; cocaine salts and their optical and
13 geometric isomers, and salts of isomers; ecgonine, its
14 derivatives, their salts, isomers, and salts of isomers; or
15 any compound, mixture, or preparation which contains any
16 quantity of any of the foregoing substances;

17 (3) More than five hundred milligrams of a mixture or
18 substance containing a detectable amount of lysergic acid
19 diethylamide (LSD);

20 (4) More than thirty grams of a mixture or substance
21 containing a detectable amount of phencyclidine (PCP);

22 (5) More than four grams of phencyclidine;

23 (6) More than thirty kilograms of a mixture or
24 substance containing marijuana;

25 (7) More than thirty grams of any material, compound,
26 mixture, or preparation containing any quantity of the
27 following substances having a stimulant effect on the
28 central nervous system: amphetamine, its salts, optical
29 isomers and salts of its optical isomers; methamphetamine,
30 its salts, optical isomers and salts of its optical isomers;
31 phenmetrazine and its salts; or methylphenidate;

32 (8) More than thirty grams of any material, compound,
33 mixture, or preparation which contains any quantity of 3,4-
34 methylenedioxymethamphetamine;

35 (9) One gram or more of flunitrazepam for the first
36 offense;

37 (10) Any amount of gamma-hydroxybutyric acid for the
38 first offense; [or]

39 (11) More than [ten] three milligrams of fentanyl [or
40 carfentanil], or any derivative thereof, [or any combination
41 thereof,] or any compound, mixture, or substance containing
42 a detectable amount of fentanyl [or carfentanil], or [their]
43 its optical isomers or analogues; or

44 (12) Any amount of carfentanil.

45 2. The offense of trafficking drugs in the first
46 degree is a class B felony.

47 3. The offense of trafficking drugs in the first
48 degree is a class A felony if the quantity involved is:

49 (1) Ninety grams or more of a mixture or substance
50 containing a detectable amount of heroin; or
51 (2) Four hundred fifty grams or more of a mixture or
52 substance containing a detectable amount of coca leaves,
53 except coca leaves and extracts of coca leaves from which
54 cocaine, ecgonine, and derivatives of ecgonine or their
55 salts have been removed; cocaine salts and their optical and
56 geometric isomers, and salts of isomers; ecgonine, its
57 derivatives, their salts, isomers, and salts of isomers; or
58 any compound, mixture, or preparation which contains any
59 quantity of any of the foregoing substances; or
60 (3) One gram or more of a mixture or substance
61 containing a detectable amount of lysergic acid diethylamide
62 (LSD); or
63 (4) Ninety grams or more of a mixture or substance
64 containing a detectable amount of phencyclidine (PCP); or
65 (5) Twelve grams or more of phencyclidine; or
66 (6) One hundred kilograms or more of a mixture or
67 substance containing marijuana; or
68 (7) Ninety grams or more of any material, compound,
69 mixture, or preparation containing any quantity of the
70 following substances having a stimulant effect on the
71 central nervous system: amphetamine, its salts, optical
72 isomers and salts of its optical isomers; methamphetamine,
73 its salts, optical isomers and salts of its optical isomers;
74 phenmetrazine and its salts; or methylphenidate; or
75 (8) More than thirty grams of any material, compound,
76 mixture, or preparation containing any quantity of the
77 following substances having a stimulant effect on the
78 central nervous system: amphetamine, its salts, optical
79 isomers, and salts of its optical isomers; methamphetamine,
80 its salts, optical isomers, and salts of its optical
81 isomers; phenmetrazine and its salts; or methylphenidate,

82 and the location of the offense was within two thousand feet
83 of real property comprising a public or private elementary,
84 vocational, or secondary school, college, community college,
85 university, or any school bus, in or on the real property
86 comprising public housing or any other governmental assisted
87 housing, or within a motor vehicle, or in any structure or
88 building which contains rooms furnished for the
89 accommodation or lodging of guests, and kept, used,
90 maintained, advertised, or held out to the public as a place
91 where sleeping accommodations are sought for pay or
92 compensation to transient guests or permanent guests; or

93 (9) Ninety grams or more of any material, compound,
94 mixture or preparation which contains any quantity of 3,4-
95 methylenedioxymethamphetamine; or

96 (10) More than thirty grams of any material, compound,
97 mixture, or preparation which contains any quantity of 3,4-
98 methylenedioxymethamphetamine and the location of the
99 offense was within two thousand feet of real property
100 comprising a public or private elementary, vocational, or
101 secondary school, college, community college, university, or
102 any school bus, in or on the real property comprising public
103 housing or any other governmental assisted housing, within a
104 motor vehicle, or in any structure or building which
105 contains rooms furnished for the accommodation or lodging of
106 guests, and kept, used, maintained, advertised, or held out
107 to the public as a place where sleeping accommodations are
108 sought for pay or compensation to transient guests or
109 permanent guests; or

110 (11) One gram or more of flunitrazepam for a second or
111 subsequent offense; or

112 (12) Any amount of gamma-hydroxybutyric acid for a
113 second or subsequent offense; or

114 (13) ~~Twenty~~ Fourteen milligrams or more of fentanyl
115 ~~[or carfentanil]~~, or any derivative thereof, ~~[or any~~
116 ~~combination thereof,]~~ or any compound, mixture, or substance
117 containing a detectable amount of fentanyl ~~[or carfentanil]~~,
118 or ~~[their]~~ its optical isomers or analogues; or
119 (14) More than five hundredths of a milligram of
120 carfentanil.

579.068. 1. A person commits the offense of
2 trafficking drugs in the second degree if, except as
3 authorized by this chapter or chapter 195, such person
4 knowingly possesses or has under his or her control,
5 purchases or attempts to purchase, or brings into this state:

6 (1) More than thirty grams of a mixture or substance
7 containing a detectable amount of heroin;

8 (2) More than one hundred fifty grams of a mixture or
9 substance containing a detectable amount of coca leaves,
10 except coca leaves and extracts of coca leaves from which
11 cocaine, ecgonine, and derivatives of ecgonine or their
12 salts have been removed; cocaine salts and their optical and
13 geometric isomers, and salts of isomers; ecgonine, its
14 derivatives, their salts, isomers, and salts of isomers; or
15 any compound, mixture, or preparation which contains any
16 quantity of any of the foregoing substances;

17 (3) More than five hundred milligrams of a mixture or
18 substance containing a detectable amount of lysergic acid
19 diethylamide (LSD);

20 (4) More than thirty grams of a mixture or substance
21 containing a detectable amount of phencyclidine (PCP);

22 (5) More than four grams of phencyclidine;

23 (6) More than thirty kilograms of a mixture or
24 substance containing marijuana;

25 (7) More than thirty grams of any material, compound,
26 mixture, or preparation containing any quantity of the

27 following substances having a stimulant effect on the
28 central nervous system: amphetamine, its salts, optical
29 isomers and salts of its optical isomers; methamphetamine,
30 its salts, optical isomers and salts of its optical isomers;
31 phenmetrazine and its salts; or methylphenidate;

32 (8) More than thirty grams of any material, compound,
33 mixture, or preparation which contains any quantity of 3,4-
34 methylenedioxymethamphetamine; [or]

35 (9) More than [ten] three milligrams of fentanyl [or
36 carfentanil], or any derivative thereof, [or any combination
37 thereof,] or any compound, mixture, or substance containing
38 a detectable amount of fentanyl [or carfentanil], or [their]
39 its optical isomers or analogues; or

40 (10) Any amount of carfentanil.

41 2. The offense of trafficking drugs in the second
42 degree is a class C felony.

43 3. The offense of trafficking drugs in the second
44 degree is a class B felony if the quantity involved is:

45 (1) Ninety grams or more of a mixture or substance
46 containing a detectable amount of heroin; or

47 (2) Four hundred fifty grams or more of a mixture or
48 substance containing a detectable amount of coca leaves,
49 except coca leaves and extracts of coca leaves from which
50 cocaine, ecgonine, and derivatives of ecgonine or their
51 salts have been removed; cocaine salts and their optical and
52 geometric isomers, and salts of isomers; ecgonine, its
53 derivatives, their salts, isomers, and salts of isomers; or
54 any compound, mixture, or preparation which contains any
55 quantity of any of the foregoing substances; or

56 (3) One gram or more of a mixture or substance
57 containing a detectable amount of lysergic acid diethylamide
58 (LSD); or

59 (4) Ninety grams or more of a mixture or substance
60 containing a detectable amount of phencyclidine (PCP); or
61 (5) Twelve grams or more of phencyclidine; or
62 (6) One hundred kilograms or more of a mixture or
63 substance containing marijuana; or
64 (7) More than five hundred marijuana plants; or
65 (8) Ninety grams or more but less than four hundred
66 fifty grams of any material, compound, mixture, or
67 preparation containing any quantity of the following
68 substances having a stimulant effect on the central nervous
69 system: amphetamine, its salts, optical isomers and salts
70 of its optical isomers; methamphetamine, its salts, optical
71 isomers and salts of its optical isomers; phenmetrazine and
72 its salts; or methylphenidate; or
73 (9) Ninety grams or more but less than four hundred
74 fifty grams of any material, compound, mixture, or
75 preparation which contains any quantity of 3,4-
76 methylenedioxymethamphetamine; or
77 (10) Twenty Fourteen milligrams or more of fentanyl
78 [or carfentanil], or any derivative thereof, [or any
79 combination thereof,] or any compound, mixture, or substance
80 containing a detectable amount of fentanyl [or carfentanil],
81 or [their] its optical isomers or analogues; or
82 (11) More than five hundredths of a milligram of
83 carfentanil.

84 4. The offense of trafficking drugs in the second
85 degree is a class A felony if the quantity involved is four
86 hundred fifty grams or more of any material, compound,
87 mixture or preparation which contains:

88 (1) Any quantity of the following substances having a
89 stimulant effect on the central nervous system:
90 amphetamine, its salts, optical isomers and salts of its
91 optical isomers; methamphetamine, its salts, isomers and

92 salts of its isomers; phenmetrazine and its salts; or
93 methylphenidate; or

94 (2) Any quantity of 3,4-methylenedioxymethamphetamine.

95 5. The offense of drug trafficking in the second
96 degree is a class C felony for the first offense and a class
97 B felony for any second or subsequent offense for the
98 trafficking of less than one gram of flunitrazepam.

589.900. 1. For the purposes of sections 589.900 to
2 589.902, the following terms mean:

3 (1) "Authorized individuals", peace officers, as
4 defined in section 590.010, who are certified in accordance
5 with federal requirements, including the Homeland Security
6 Act of 2002, Pub. L. 107-296, as amended, when applicable,
7 to conduct unmanned aircraft and unmanned aerial system
8 mitigation;

9 (2) "Mitigate", any of the following actions:

10 (a) During the operation of an unmanned aircraft
11 system, to detect, identify, monitor, or track the unmanned
12 aircraft system or unmanned aircraft, without prior consent,
13 including by means of intercept or other access of a wire
14 communication, an oral communication, or an electronic
15 communication used to control the unmanned aircraft system
16 or unmanned aircraft;

17 (b) To warn the operator of the unmanned aircraft
18 system or unmanned aircraft, including by passive or active
19 and direct or indirect physical, electronic, radio, or
20 electromagnetic means, or through the use of remote
21 identification broadcast or other means;

22 (c) To disrupt control of the unmanned aircraft system
23 or unmanned aircraft, without prior consent, including by
24 disabling the unmanned aircraft system or unmanned aircraft
25 by intercepting, interfering, or causing interference with

26 wire, oral, electronic, or radio communications used to
27 control the unmanned aircraft system or unmanned aircraft;

28 (d) To seize or exercise control of the unmanned
29 aircraft system or unmanned aircraft; or

30 (e) To use reasonable force, if necessary, to disable,
31 damage, or destroy the unmanned aircraft system or unmanned
32 aircraft.

33 2. The terms "unmanned aircraft" and "unmanned
34 aircraft system" shall have the meanings given such terms in
35 49 U.S.C. Section 44801.

589.902. 1. To the greatest extent permissible under
2 applicable federal law, including the Homeland Security Act
3 of 2002, Pub. L. 107-296, as amended, authorized individuals
4 in this state shall be empowered to take necessary action to
5 mitigate a credible threat that an unmanned aircraft or
6 unmanned aircraft system poses to the safety or security of
7 people, facilities, assets, a venue or set of venues used
8 for large-scale public gatherings or events, critical
9 infrastructure, or correctional facilities.

10 2. Nothing in this section shall be construed to limit
11 the power of a law enforcement officer in this state to
12 seize an unmanned aircraft system or unmanned aircraft in
13 the course of their duties. A law enforcement officer may
14 use all lawful means to effect such a seizure, which may
15 include the use of mitigation techniques where permissible.

16 3. Any unmanned aircraft system or unmanned aircraft
17 seized under this section or in connection with a criminal
18 act shall be subject to forfeiture under section 513.607.

19 4. Nothing in this section shall be construed to
20 permit the jamming of or interference with any signal,
21 except in accordance with all applicable federal laws,
22 rules, and regulations, including, but not limited to, the
23 Homeland Security Act of 2002, Pub. L. 107-296, as amended.

590.1300. 1. The POST commission shall establish a
2 training program to be known as the "Missouri Rangers", and
3 shall establish minimum standards for training instructors,
4 training centers, and training programs that focus on
5 preventing and responding to emergency or violent crisis
6 situations in school settings.

7 2. (1) Each person seeking entrance into the Missouri
8 rangers training program shall submit an authorization for a
9 criminal history background check to include the records of
10 the Federal Bureau of Investigation to the training center
11 or training program where such person is seeking entrance.
12 The training center or training program shall cause a
13 criminal history background check to be made and shall cause
14 the resulting report to be forwarded to the agency where the
15 applicant is seeking to be designated as a Missouri ranger.

16 (2) After a person has submitted an application, but
17 prior to entry to the training program, each applicant shall
18 take a physical fitness test:

19 (a) For applicants aged twenty-one to thirty-five:

20 a. Run one and one-half miles in less than twelve
21 minutes and thirty seconds;

22 b. Complete a minimum of four pull-ups;

23 c. Complete a minimum of forty pushups in less than
24 one minute; and

25 d. Complete fifty crunches in less than one minute;

26 (b) The POST commission shall promulgate lower age-
27 appropriate standards for applicants aged thirty-six to
28 forty-five and for applicants over the age of forty-six;

29 (3) No former or retired military personnel shall be
30 admitted to a Missouri ranger training center or training
31 program unless such person has received an honorable
32 discharge.

33 3. The arrest powers granted to any person who
34 successfully completes the Missouri rangers training program
35 shall be limited to:

36 (1) Missouri rangers who are actively employed by the
37 school or school district;

38 (2) Any property or premises owned, leased, rented, or
39 possessed by the school or school district, including any
40 school bus owned, operated, or contracted for in the service
41 on behalf of the district while involved in school
42 activities; and

43 (3) Offenses established under chapter 571 and any
44 offense under section 569.140 or 569.155 involving school
45 property.

46 The provisions of this subsection shall not apply to any
47 person who is an active law enforcement officer.

48 4. (1) The POST commission shall develop a training
49 program of not more than one hundred sixty hours that shall
50 include close quarter combat; building security and
51 hardening; bomb and arson; de-escalation; implicit and
52 racial bias; active shooter training; preventative
53 behavioral threat assessments; state and federal
54 constitutional and statutory law relating to search and
55 seizure, as relating to the arrests Missouri rangers are
56 permitted to make; firearms training; defensive tactics; an
57 abbreviated "stop the bleed" first aid training; and any
58 other related training deemed necessary by POST.

59 (2) The POST commission shall promulgate an
60 abbreviated training program for applicants that are active
61 or retired law enforcement officers, or active or retired
62 military personnel, including active or retired members of
63 the National Guard. As used in this section, "retired"

64 shall mean any law enforcement officer with ten or more
65 years of experience.

66 5. The POST commission shall promulgate rules for
67 continuing education training for all Missouri rangers. Any
68 rule or portion of a rule, as that term is defined in
69 section 536.010, that is created under the authority
70 delegated in this section shall become effective only if it
71 complies with and is subject to all of the provisions of
72 chapter 536 and, if applicable, section 536.028. This
73 section and chapter 536 are nonseverable and if any of the
74 powers vested with the general assembly pursuant to chapter
75 536 to review, to delay the effective date, or to disapprove
76 and annul a rule are subsequently held unconstitutional,
77 then the grant of rulemaking authority and any rule proposed
78 or adopted after August 28, 2026, shall be invalid and void.

79 6. The POST commission may develop a part-time
80 training program, provided such program satisfies all of the
81 requirements of this section.

82 7. A certificate of Missouri ranger training program
83 completion may be issued to any applicant by any approved
84 Missouri ranger training instructor. On the certificate of
85 program completion, the approved Missouri ranger training
86 instructor shall affirm that the individual receiving
87 instruction has taken and passed a Missouri ranger training
88 program that meets the requirements of this section. The
89 instructor shall also provide a copy of such certificate to
90 the director of the department of public safety.

91 8. Upon successful completion of the training program,
92 each person shall receive a certificate and a Missouri
93 ranger badge.

94 9. The front and back of the outermost garment of the
95 ranger uniform shall have capitalized block letters spelling
96 "RANGER".

97 10. (1) Notwithstanding the provisions of subsections
98 6 and 7 of section 160.665, subdivision (10) of subsection 1
99 of section 571.030, subdivision (10) of subsection 1 of
100 section 571.107, or any other provision of law to the
101 contrary, a Missouri ranger may, if authorized by the hiring
102 school or school district, carry a firearm or firearms,
103 whether loaded or unloaded, or any other weapon readily
104 capable of lethal use into the school, onto any school bus
105 owned, operated, or contracted for by the school or school
106 district, or onto any property or premises owned, leased,
107 rented, or possessed by the school or school district;

108 (2) It shall be the decision of the hiring school or
109 school district whether a ranger shall carry a firearm or
110 firearms or any other weapon readily capable of lethal use
111 as provided in subdivision (1) of this subsection while on
112 duty, which type of firearm or firearms or any other weapon
113 the ranger shall carry, and whether the firearm, firearms,
114 or weapons shall be concealed;

115 (3) Each ranger shall use a level three retention
116 holster if open carrying a pistol while on duty.

117 11. For the purpose of liability and workers'
118 compensation only, Missouri rangers shall be considered
119 employees of the school or school district that hires them.
120 All other benefits for which an employee of the school or
121 school district may be eligible, such as health and
122 retirement benefits, may be offered to the ranger at the
123 discretion of the school or school district. Rangers
124 employed by a school or school district may be compensated
125 as full- or part-time employees, or on a volunteer basis
126 without compensation. Qualified immunity and the public
127 duty rule shall apply to the provisions of this section as
128 interpreted by the federal and state courts.

610.141. 1. For the purposes of this section, the following terms shall mean:

(1) "Case record", all records in a case file in the statewide court automation system relating to an eligible offense;

(2) "Criminal history record information", data relating to the arrest, prosecution, court action, detention, and other related information collected, stored, and disseminated by the central repository for each criminal offense in this state;

(3) "Eligible offense", for an offense to be eligible, it must:

(a) Be a qualifying offense, as defined in this section;

(b) Be a final conviction;

(c) Be the only charge of conviction in a case or part of a case that contains only convictions for qualifying offenses;

(d) Have been one year since final disposition of the eligible offense for a misdemeanor and three years for a felony;

(e) Be an offender with no conviction for a misdemeanor or felony within one calendar year of the final disposition of the expungable offense if the offense is a misdemeanor and three years if the expungable offense is a felony, not including violations of the traffic regulations provided under chapters 301, 302, 303, 304, and 307;

(f) Be an offender with no outstanding arrest or pending charges for a misdemeanor or felony at the time of analysis for expungement, not including violations of the traffic regulations provided under chapters 301, 302, 303, 304, and 307; and

(g) Not be for an class A felony;

34 (4) "Expungement", closure of the record pursuant to
35 section 610.120;

36 (5) "Final disposition", completion of all court
37 imposed terms and conditions and unconditional release from
38 custody;

39 (6) "Qualifying offense", a conviction for:

40 (a) Possession of a controlled substance under section
41 195.202, as it existed prior to January 1, 2017;

42 (b) Unlawful use of drug paraphernalia under section
43 195.233, as it existed prior to January 1, 2017;

44 (c) Possession or control of a controlled substance
45 under section 579.015; or

46 (d) Unlawful possession of drug paraphernalia under
47 section 579.074;

48 (7) "Restoration of rights", a full restoration of the
49 civil rights of such person to the status occupied prior to
50 the conviction as if such events had never taken place.

51 This includes the right to vote, the right to hold public
52 office, and to serve as a juror. No person with a state-
53 initiated expungement shall be held thereafter under any
54 provision of law to be guilty of perjury or otherwise giving
55 a false statement by reason of his or her failure to recite
56 or acknowledge such convictions or expungement in response
57 to an inquiry and no such inquiry shall be made for
58 information relating to an expungement, except the
59 petitioner shall disclose the expunged offense to any entity
60 with authorization to access closed records under section
61 610.120. The expunged offense may be considered a prior
62 offense in determining a sentence to be imposed for any
63 subsequent offense that the person is found guilty of
64 committing. "Restoration of rights" shall not include
65 rights related to the uses for the conviction detailed in
66 section 610.120.

67 2. All eligible offenses shall automatically be
68 expunged as a matter of law upon eligibility. The
69 provisions of this section shall apply retroactively to any
70 arrest, charge, trial, or conviction for which there is an
71 electronic record regardless of the date that the arrest was
72 made, the charge or charges were brought, the trial
73 occurred, or the conviction was entered. The result of the
74 expungement shall be a closure of the record and restoration
75 of rights, as defined in this section.

76 3. The central repository shall, on a rolling basis,
77 but not less than once per week, automatically screen
78 criminal history record information contained in the
79 statewide criminal history database for eligible offenses.
80 All eligible offenses shall be automatically expunged by the
81 central repository pursuant to this section. The central
82 repository shall base automated expungement record
83 designations only on the data available in its system. Once
84 expunged, an offense record status shall reflect the
85 expungement in the criminal history system by way of the
86 Missouri uniform law enforcement system. If additional
87 information is learned by the central repository relating to
88 eligibility, the analysis may be rerun as necessary and the
89 record status updated. The central repository shall, on at
90 least a weekly basis, send the supreme court of Missouri a
91 list of all expunged offense changes since the previous
92 report.

93 4. Upon completion of each expungement eligibility
94 analysis or upon any update of record status under
95 subsection 3 of this section, the central repository shall
96 notify the office of state courts administrator of its
97 designations of automated expungement eligible offenses, in
98 a manner to be determined by the office of state courts
99 administrator and the state highway patrol. Case records

100 for eligible offenses contained within the statewide court
101 automation system shall be confidential and available to the
102 parties or as otherwise provided by supreme court rules.

103 The office of state courts administrator shall expunge case
104 records for eligible offenses based only on the information
105 available in the statewide court automation system and the
106 designations of eligible offenses provided by the central
107 repository.

108 5. For purposes of compliance with this section, any
109 agency releasing investigative reports under chapter 610
110 shall treat said information as a closed record where it
111 relates only to an expunged offense under this section. It
112 shall be an affirmative defense that an agency conducted a
113 Missouri uniform law enforcement system query of the
114 relevant criminal history record and adhered to the record
115 status designation therein.

116 6. An offender shall be limited to three misdemeanor
117 and two felony expungements under this section and section
118 610.140 combined. Where a criminal case contains more than
119 one expungable offense, the offense with the highest level
120 penalty available shall be the only offense that counts for
121 the purposes of this subsection.

122 7. Nothing in this section shall prohibit the filing
123 of an expungement petition under any other provision of law
124 for which such a filing is permissible.

125 8. Notwithstanding any other provision of law, the
126 sole remedy for relief for failure to expunge under this
127 section shall be the filing of an expungement petition under
128 section 610.140.

129 9. Beginning January 1, 2028, and each year
130 thereafter, the Missouri state highway patrol shall submit a
131 report to the joint committee on the justice system, the
132 house judiciary committee or any successor committee, and

133 the senate judiciary and civil and criminal jurisprudence
134 committee or any successor committee providing statistical
135 information for the prior year, arranged by judicial circuit
136 and county, of the number of expungements issued under
137 section 610.141 in the criminal history system. The data
138 shall be aggregated by race, sex, age, circuit, county, and
139 offense type and level if such data is available.

140 10. The provisions of this section shall be effective
141 when technically feasible for both the office of state
142 courts administrator and the central repository, but no
143 later than January 1, 2027.

144 11. Notwithstanding section 610.120, upon request, the
145 Missouri state highway patrol shall provide a consumer
146 reporting agency with information sufficient to accurately
147 identify and delete records associated with all offenses
148 being expunged under this section. Consumer reporting
149 agencies shall sign an agreement which certifies they will
150 only use the data provided for the purpose of compliance
151 with this chapter and that when no longer needed, all such
152 data will be destroyed.

153 12. The office of state courts administrator, the
154 department of corrections, and the Missouri state highway
155 patrol shall jointly develop a document outlining the
156 state's expungement provisions under this section which
157 shall be provided by:

158 (1) Any court sentencing an individual for a
159 qualifying offense under this section at the time of
160 sentencing; or

161 (2) Any probation or parole officer releasing an
162 individual from supervision for a qualifying offense under
163 this section.

2 610.143. 1. Records of arrests, indictments pending
trial, and convictions of crimes shall no longer be reported

3 if at any time after a conviction it is learned that a full
4 pardon or expungement has been granted for that conviction,
5 or at any time after an arrest or indictment it is learned
6 that a conviction did not result.

7 2. In addition to such other remedies as are provided
8 in this section, if the attorney general has reason to
9 believe that any person has violated or is violating this
10 section, the attorney general:

11 (1) May bring an action to enjoin such violation in
12 any appropriate United States district court or in any other
13 court of competent jurisdiction;

14 (2) May bring an action on behalf of the residents of
15 the state to recover:

16 (a) Damages for which the person is liable to such
17 residents under Sections 616 and 617 of 15 U.S.C. Section
18 1681s as a result of the violation;

19 (b) In the case of a violation described in any of
20 Paragraphs (1) through (3) of Section 623(c) of 15 U.S.C.
21 Section 1681s, damages for which the person would, but for
22 Section 623(c), be liable to such residents as a result of
23 the violation; or

24 (c) Damages of not more than one thousand dollars for
25 each willful or negligent violation; and

26 (3) In the case of any successful action under
27 subdivision (1) or (2) of this subsection, shall be awarded
28 the costs of the action and reasonable attorney fees as
29 determined by the court.

30 3. Injunctive relief shall be available to any
31 consumer aggrieved by a violation or a threatened violation
32 of this section regardless of whether the consumer seeks any
33 other remedy under this section.

34 4. An employer, volunteer organization, or landlord
35 who employs, qualifies, or otherwise engages an individual

36 whose criminal history record has been expunged shall be
37 immune from liability for any claim arising out of the
38 misconduct of the individual if the misconduct relates to
39 the portion of the criminal history record that has been
40 expunged, unless such employer, volunteer organization, or
41 landlord failed to exercise reasonable care in determining
42 that the employee does not pose a danger or risk to others.

43 5. A person granted an expungement shall disclose any
44 expunged offense if the disclosure of such information is
45 necessary to complete any application for employment with
46 any:

47 (1) Federally insured bank or savings institution or
48 credit union or an affiliate of such institution or credit
49 union for the purpose of compliance with 12 U.S.C. Section
50 1829 and 12 U.S.C. Section 1785;

51 (2) Entity engaged in the business of insurance or any
52 insurer for the purpose of complying with 18 U.S.C. Section
53 1033, 18 U.S.C. Section 1034, or other similar law that
54 requires an employer engaged in the business of insurance to
55 exclude applicants with certain criminal convictions from
56 employment; or

57 (3) Entity authorized to receive and utilize closed
58 criminal history records under section 610.120, including
59 but not limited to law enforcement.

610.144. 1. (1) There is hereby created in the state
2 treasury the "Missouri Expungement Fund", which shall
3 consist of moneys appropriated to it by the general assembly
4 and gifts, donations, grants, and bequests. The state
5 treasurer shall be custodian of the fund. In accordance
6 with sections 30.170 and 30.180, the state treasurer may
7 approve disbursements. The fund shall be a dedicated fund
8 and, upon appropriation, moneys in this fund shall be used
9 solely as provided in subsection 2 of this section.

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

14 2. The office of state courts administrator and the
15 department of public safety shall expend moneys from the
16 fund, upon appropriation, on the statewide court automation
17 case management system and the Missouri criminal history
18 record information system established under sections 43.500
19 to 43.530 for one or more of the following purposes:

20 (1) Expenses that may be incurred to develop,
21 establish, maintain, or operate any information technology
22 equipment, software, systems, or services associated with
23 the expungement or closing of records under Missouri law,
24 including the development and implementation of any
25 technology-assisted, state-initiated bulk expungement or
26 sealing of records under Missouri law; or

27 (2) The cost of necessary personnel or contractors.

650.240. The director shall employ deputy inspectors
2 who shall be responsible to the chief inspector [and who
3 shall have had at the time of appointment not less than five
4 years' experience in the construction, installation,
5 inspection, operation, maintenance, or repair of high
6 pressure boilers and pressure vessels as a mechanical
7 engineer, steam operating engineer, boilermaker, or boiler
8 inspector, and who shall have passed the examination
9 provided for in section 650.250].

Section B. Because immediate action is necessary to
2 address the urgent need of Missouri law enforcement agencies
3 to be able to ensure and provide for the safety and security
4 of Missouri residents from the threat that weaponized
5 unmanned aircraft systems present to Missouri, the enactment
6 of sections 589.900 and 589.902 and the repeal and

7 reenactment of section 577.800 of this act are deemed
8 necessary for the immediate preservation of the public
9 health, welfare, peace, and safety, and is hereby declared
10 to be an emergency act within the meaning of the
11 constitution, and the enactment of sections 589.900 and
12 589.902 and the repeal and reenactment of section 577.800 of
13 this act shall be in full force and effect upon its passage
14 and approval.

Section C. In the event that any section, provision,
2 clause, phrase, or word of this act or the application
3 thereof is declared invalid under the Constitution of the
4 United States or the Constitution of the State of Missouri,
5 whether on procedural or substantive grounds, it is the
6 intent of the general assembly that the remaining sections
7 of this act remain in force and effect as far as they are
8 capable of being carried into execution as intended by the
9 general assembly. The general assembly hereby declares that
10 it would have passed each section, provision, clause,
11 phrase, or word thereof, irrespective of the fact that any
12 one or more sections, provisions, clauses, phrases, or words
13 of this act or the application of this act would be declared
14 unenforceable, unconstitutional, or invalid.

✓

Nick Schroer

Mike Jones, 12th