




NEW 2014 MISSOURI LAW



217 Oscar Drive, Suite A
Jefferson City, Missouri 65101

(573)634-4161 • (573)636-3728 Fax
*For deaf and hard of hearing,
dial 711 for Relay Missouri.*

mocadsv@mocadsv.org
www.mocadsv.org





To look up and print copies of Missouri laws:

Please note that revisions to the General Assembly’s website no longer allow live links to each bill, so navigating to specific bills requires a few more steps:

- To review copies of all bills, go to www.moga.mo.gov.
 - Select “Joint Information” from the left-side menu bar, then “Joint Bill Information.” Enter the bill number in the search field.
- To view the final version of a bill passed by the General Assembly, select the bill text identified as “Truly Agreed” on the bill page.

If you would like to see how a bill progressed through this session, please refer to our monthly *MCADSV Legislative Updates*, which can be found at on our website at www.mocadsv.org, under the “What We Do” tab and “Public Policy” header.

DOMESTIC VIOLENCE SHELTERS

STATUTE

Section
488.607
RSMo

PASSED AS

HB 1238

DOMESTIC VIOLENCE SHELTER FUNDING

Local ordinance violation fine may increase to fund domestic violence shelters

A revision to Section 488.607 RSMo allows county and municipal governing bodies to pass local ordinances that increase fines on county or city ordinance violation convictions, with those funds dedicated to supporting the operating costs of domestic violence shelters. Effective August 28, 2014, Missouri law allows an increase of \$2 to the fines, which would raise the total to \$4 per case of a municipal or county ordinance violation conviction. These fines had been set at \$2 per case in state law and have not increased for more than 10 years. MCADSV public policy advocacy led to the initial establishment of the fines in state law in 1991, creating a way for local governments to fund domestic violence services in their communities.

This law allows a city council or county commission to pass a local ordinance or order to increase the fines from \$2 to \$4 per case to fund a local domestic violence shelter. To be eligible for this funding, domestic violence shelters must be in compliance with the provisions of Sections 455.200-230 RSMo, which include confidentiality mandates and administrative requirements. Governor Jay Nixon signed this legislation, HB 1238, into law on July 8, 2014.

The specific language in Section 488.607 RSMo that allows the local fine increases, with the 2014 changes noted in bold type, is:

488.607. The governing body of any county or any city having a shelter for victims of domestic violence established pursuant to sections 455.200 to 455.230, or any municipality within a county which has such shelter, or any county or municipality whose residents are victims of domestic violence and are admitted to such shelters in another county, may, by order or ordinance provide for an additional surcharge in [the] an amount of [two] **up to four** dollars per case for each criminal case, including violations of any county or municipal ordinance. No surcharge shall be collected in any proceeding when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality. Such surcharges collected by municipal clerks in municipalities electing or required to have violations of municipal ordinances tried before a municipal judge pursuant to section 479.020, or to employ judicial personnel pursuant to section 479.060, shall be disbursed to the city at least monthly, and such surcharges collected by circuit court clerks shall be collected and disbursed as provided by sections 488.010 to 488.020. Such fees shall be payable to the city or county wherein such fees originated. The county or city shall use such moneys only for the purpose of providing operating expenses for shelters for battered persons as defined in sections 455.200 to 455.230.

CRIMINAL CODE

STATUTES

Chapters
556-600
RSMo;
(New)
Chapter
579 RSMo

PASSED AS

SB 491
HB 1371

MISSOURI CRIME LAWS RESTRUCTURED AND CLARIFIED IN CRIMINAL CODE REVISION

For the first time in 30 years, the majority of Missouri's crime laws, known as the "Criminal Code," were updated as a whole during the 2014 session of the Missouri General Assembly. The legislation will go into effect as law in January 2017, allowing time for any errors to be corrected and for the criminal justice system to be fully prepared for the changes. The bill that revised the Criminal Code, Senate Bill 491, contained nearly 1,000 pages of revisions to laws to correct many internal conflicts, mistakes and inconsistencies that had occurred during the past three decades.

MCADSV worked in collaboration to support the Criminal Code revisions with the Missouri Bar Association, the Missouri Office of Prosecution Services, representatives of all Missouri courts and law enforcement organizations and with advocacy organizations for children and victims of crime.

Charts of the Criminal Code revisions, with detailed information on the full extent of changes to the code can be found on the Missouri Senate website at:

<http://www.senate.mo.gov/CrimCode/CrimCode.aspx>.

The revisions to the Missouri Criminal Code do not make significant changes to the offenses of domestic assault, sexual assault and stalking except for the addition of another level of felony and misdemeanor offenses—in keeping with the proposed new construction for all criminal offenses.

SUMMARY OF CHANGES TO THE CRIMINAL CODE

- The effective date of the changes to the Criminal Code is January 1, 2017.
- The term "crime" was replaced throughout Missouri statutes with the term "offense."
- A new statutory structure was put in place that adds one additional class of misdemeanors and felonies to state laws: a Class D misdemeanor and a Class E felony. This was intended to make the range of punishment more evenly graduated in the penalties for both misdemeanors and felony convictions or pleas.
 - This increases from four to five classifications of felony offenses: Class A-Class E felonies.
 - Misdemeanor offenses are increased from three to four classifications: Class A-Class D misdemeanors.
 - A new category of "infractions" was added, with penalties limited to fines.

CHANGES TO PENALTIES FOR FELONIES

- Class A felony remains punishable by a prison term of 10 to 30 years, or life.
- Class B felony remains punishable by a prison term of 5 to 15 years.
- Class C felony is punishable by a prison term of 1 to 7 years, or a shorter term in jail and fines up to \$10,000, \$20,000 for corporations, or double the profit from the offense (changed from 3 to 10 years).
- Class D felony is punishable by a prison term of 1 to 4 years, or a shorter term in jail and the same range of fines as a Class C felony (changed from 1 to 7 years).
- Class E felony is punishable by a prison term of 1 to 4 years, or a shorter term in jail, with a fine up to \$10,000 or \$20,000 for a corporation.

CRIMINAL CODE (CONT.)

CHANGES TO PENALTIES FOR MISDEMEANORS

- Class A misdemeanor remains punishable by up to 1 year imprisonment.
- Class B misdemeanor remains punishable by up to 6 months imprisonment.
- Class C misdemeanor remains punishable by up to 15 days imprisonment.
- Class D misdemeanor is punishable by fines up to \$500, \$10,000 for corporations, or double the profit from the offense.

ASSAULT OFFENSES

- Assault crimes were consolidated, and a new section added that creates enhanced penalties for assaults on “special victims,” with these victims defined in Section 565.002 RSMo to include:
 - Law enforcement officer, emergency personnel (firefighter, emergency or trauma center personnel, EMTs), probation and parole officer, elderly person, person with a disability, vulnerable person, jailer or corrections officer, highway worker in a construction or work zone, utility worker, cable worker, and mass transit worker.
- “Domestic victim” is included in the definitions in Section 565.002 RSMo as a household or family member as defined in Section 455.010 RSMo, and includes children in the household or family.
- Penalty enhancements are created for all prior or persistent assault offenders, in the same way the law had previously allowed for repeat domestic assault offenders: repeat offenders convicted of one class of assault face sentences one class higher than the offense for which they were convicted, e.g. a prior offender convicted of a Class D misdemeanor would be subject to the sentence for a Class C misdemeanor (Section 565.079.13-14 RSMo).

DOMESTIC ASSAULT

- Domestic assault offenses are restructured to include first degree, second degree, third degree and a new domestic assault in the fourth degree offense in Sections 565.072-076 RSMo.
 - **Domestic assault in the first degree** is unchanged from prior law except for the reference to the victim being a “domestic victim.” Domestic assault in the first degree remains a Class B felony unless the victim is subjected to serious physical injury, in which case it is a Class A felony (Section 565.072 RSMo).
 - **Domestic assault in the second degree** is a Class D felony. It no longer includes “attempts to cause” injury, but is defined as the offense of knowingly or recklessly causing physical injury to a domestic victim with a deadly instrument or weapon or by choking or strangulation (Section 565.073 RSMo).
 - **Domestic assault in the third degree** is redefined as the attempt to cause physical injury or knowingly causing physical pain or illness to a domestic victim. Domestic assault in the third degree is a Class E felony (Section 565.074 RSMo).
 - **Domestic assault in the fourth degree** is a Class A misdemeanor, unless the offender has been convicted of the crime two or more times, in which case it is a Class E felony. The new offense of domestic assault in the fourth degree contains the elements of the prior statutory definitions of domestic assault in the third degree (Section 565.076 RSMo).
-

CRIMINAL CODE (CONT.)

Domestic assault in the fourth degree includes the following elements when a person:

- attempts to cause or recklessly causes physical injury, physical pain or illness to a domestic victim;
- with criminal negligence, causes physical injury to a domestic victim by means of a deadly weapon or dangerous instrument;
- purposely places a domestic victim in apprehension of immediate physical injury by any means;
- recklessly engages in conduct which creates a substantial risk of death or serious physical injury to a domestic victim; or
- knowingly causes physical contact with a domestic victim knowing he or she will regard the contact as offensive; or knowingly attempts to cause or causes the isolation of a domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.

STALKING

- The definitions of terms related to the offense of stalking are changed to substitute the word “disturb” for the word “harass” in prior law, to avoid confusion with the separate offense of harassment. The definition of the word disturb remains the same as the previous definition of harass (Section 565.225 RSMo).
- The offense of stalking in the first degree replaces the previous crime of aggravated stalking. It is a Class E felony. For offenders with a prior conviction, the penalty increases to a Class D felony (Section 565.225.2-5 RSMo).
- The offense of stalking in the second degree replaces the previous crime of stalking. It is a Class A misdemeanor unless the offender has a prior conviction, in which case it is a Class E felony (Section 565.227 RSMo).

RAPE AND SEXUAL OFFENSES

- The 2013 changes in law that restructured and renamed rape and sexual assault offenses remain largely unchanged in Chapter 566 RSMo, but several have new felony or misdemeanor classifications.
 - Aggravated sexual offenses are created and defined in Section 566.010 RSMo as those in which the offense involves the use of a deadly weapon or dangerous instrument, inflicts serious physical injury, involves multiple assailants, is an offense of incest, or is committed by a person with a prior sex offense conviction.
 - Persistent and predatory sex offenders are defined in Section 566.125 RSMo. The punishment for an offense committed by a persistent offender is life without possibility of probation or parole. The punishment for a predatory sex offender is life with eligibility for parole, with a minimum time served requirement that ranges from 15 to 30 years prior to parole. Predatory sex offenders cannot receive a final discharge from parole.
 - The primary sexual offenses, with felony or misdemeanor classifications noted, include:
 - o Rape in the first degree (Section 566.030 RSMo) remains a Class A felony.
 - o Rape in the second degree (Section 566.031 RSMo) is a Class D felony.
 - o Statutory rape in the first degree (Section 566.032 RSMo) is a felony aggravated
-

CRIMINAL CODE (CONT.)

sexual offense requiring imprisonment ranging from life to not less than five years, or more time for a persistent or predatory offender in accordance with Section 566.125 RSMo.

- o Statutory rape in the second degree occurs when the offender is 21 or older and the victim is younger than 17. It is a Class D felony (Section 566.034 RSMo).
- o Sodomy in the first degree (Section 566.060 RSMo) is an aggravated sexual offense with a penalty of not less than 10 years of imprisonment. A longer term of imprisonment applies for persistent or predatory offenders (Section 566.125 RSMo).
- o Sodomy in the second degree (Section 566.061 RSMo) is a Class D felony.
- o Sexual abuse in the first degree (Section 566.100 RSMo) remains a Class C felony, unless it is an aggravated sexual offense, in which case it is a Class B felony.
- o Sexual abuse in the second degree (Section 566.101 RSMo) remains a Class A misdemeanor, unless it is an aggravated sexual offense, in which case it is a Class E felony.

OFFENSES AGAINST CHILDREN

- The Class A felony offense of child molestation in the first degree occurs when the offender, who is more than four years older than a child younger than 14, subjects the child to sexual contact and the offense is an aggravated sexual offense (Section 566.067 RSMo).
- The Class B felony offense of child molestation in the second degree occurs when the offender subjects a child younger than 12 to sexual contact, or when the offender is more than four years older than a child younger than 17 and the offense is an aggravated sexual offense (Section 566.068 RSMo).
- The Class C felony offense of child molestation in the third degree occurs when an offender subjects a child younger than 14 to sexual contact, unless there is a component of forcible compulsion, in which case the offense is a Class B felony (Section 566.069 RSMo).
- The Class E felony of child molestation in the fourth degree occurs when an offender, who is more than four years older than a child who is younger than 17, subjects the child to sexual contact (Section 566.071 RSMo).

ABUSE OF ELDERLY, DISABLED, VULNERABLE PERSONS

- The Class A misdemeanor offense of abuse of an elderly person, a person with a disability or a vulnerable person in Section 565.184 RSMo replaces the crime of elder abuse in the third degree.
- The age of a person defined as elderly is lowered to 60 years old in Section 566.061 RSMo.
- A vulnerable person is defined as a person in the custody, care or control of the Department of Mental Health who is receiving services from an operated, funded, licensed or certified program (Section 566.061(50) RSMo).

HARASSMENT

- Harassment is restructured as harassment in the first degree, a Class E felony, and harassment in the second degree, a Class A misdemeanor (Sections 565.090 and 565.091 RSMo).
-

CRIMINAL CODE (CONT.)

POLYGRAPHING OF VICTIMS

- Victims of domestic violence and stalking may not be subjected to a polygraph test by any law enforcement officer, prosecutor, peace officer or government official as a condition for proceeding with an investigation of those reported offenses. These victims were added to Section 595.223 RSMo, which previously contained this polygraph prohibition only for victims of sexual offenses.

REDACTION OF COURT RECORDS

- Personally identifying information about victims of sex offenses, domestic assault or stalking that is contained in publically accessible court records, written or on the internet, must be closed or redacted before the court records are publically released. Personally identifying information includes name, address, phone number, Social Security number, physical characteristics, and—added in 2014— place of employment. (Section 595.226 RSMo).

UNLAWFUL POSTING OF PERSONAL INFORMATION ON THE INTERNET

- The Class A misdemeanor offense of unlawful posting of certain information over the internet includes the posting of a person's name, home address, Social Security number, or telephone number with the threat or intent to cause bodily harm or death to that person (Section 565.240 RSMo).

TERMINATION OF PARENTAL RIGHTS

STATUTE

Section
211.447
RSMo

PASSED AS
SB 530

ADDITIONAL FACTORS ADDED TO LAW ON TERMINATION OF PARENTAL RIGHTS OF SUBSTANCE- AND ALCOHOL-ABUSING PARENTS

The factors that are to be considered by courts in the legal termination of parental rights were broadened, with greater impact on the parental rights of mothers who abuse substances or alcohol. Missouri law in Section 211.447 RSMo was amended to allow the termination of parental rights of the following parents:

- a birth mother who, within the prior three years, tested positive for illegal drug use during pregnancy;
 - a birth mother who had illegal drugs or .08+ alcohol (beyond the legal limit) in her system within 8 hours of giving birth to a child;
 - a parent who has a felony drug conviction within the prior three years;
 - a parent who previously lost parental rights to a child within the prior three years; or
 - a parent who previously failed to complete recommended treatment services by the Children's Division through a family-centered services case.
-

CHILD PROTECTION AND SUPPORT SYSTEMS

STATUTES

Section

21.771

RSMo

Section

37.710

RSMo

Sections

210.145,

210.152,

201.183

RSMo

Section

210.160

RSMo

Section

334.950

RSMo

Section

431.056

RSMo

Section

1 (to be

assigned

a section

number

later)

PASSED AS

HB 1092

CHANGES MADE TO QUALIFIED MINORS AND CHILD PROTECTION LAWS, CHILD PROTECTION SYSTEMS' PROCEDURES

Several changes were made to the laws governing child protection responses, systems and procedures. These include:

QUALIFIED MINORS

The laws that provide for 16- and 17-year-olds who are homeless or live on their own without the support of family or a guardian—"qualified minors"—were expanded. These changes more clearly define which young people meet the standard of being independent and able to receive services, and to purchase needed goods and services. This includes clarifying the definitions to include those teenagers who are victims of domestic violence (including stalking and sexual assault) committed by a family or household member; this expands previous law that was specific only to abuse or neglect of the minor by a family or household member (Section 431.056.1 RSMo). The law was broadened to allow qualified minors in the custody of the state to purchase car insurance.

Qualified minors remain eligible to seek and receive services to address domestic violence and sexual abuse and to be admitted to a domestic violence shelter, to enter into rental agreements, pay for the costs of education, receive medical care without a parent's consent, open a bank account and buy a car.

CHILDREN'S DIVISION ABUSE INVESTIGATIONS

- The time limit for a child abuse investigation to be completed is extended to 45 days, unless the Children's Division can document good cause for the failure to complete the investigation. The prior time limit to complete an investigation was 30 days (Section 210.145 RSMo).
 - o "Good cause" is defined as when relevant evidence such as medical or law enforcement tests have not been completed or when there is a pending criminal case related to the Children's Division investigation and a decision from the Division will negatively affect the progress of that criminal investigation.
- If for good cause a child abuse investigation cannot be completed within 45 days, the Division must complete its investigation within 90 days after it receives a child abuse report. The exception is for cases of sexual abuse, which must be completed no later than 120 days after receipt of the abuse report to the Division (Section 210.152 RSMo).
- In cases of a child fatality or near-fatality, the investigation must remain open until it is completed (Section 210.183 RSMo).

OFFICE OF CHILD ADVOCATE

- The authority of the Office of Child Advocate was broadened to allow the staff of that office to intervene in court cases on behalf of a child. The Office of Child Advocate is allowed to use the resources of the Office of the Attorney General in those court cases (Section 37.710 RSMo).

CHILD PROTECTION AND SUPPORT SYSTEMS (cont.)

SAFE CARE PROVIDERS' PHYSICAL ABUSE FORENSIC EXAMINATIONS

- The Department of Public Safety is required to create regulations for a program allowing reimbursements to child advocacy centers and other SAFE Care providers for forensic examinations of physically abused children. The prior program for SAFE Care providers was solely for forensic examinations of sexually abused children (Section 334.950 RSMo).
- Funding to support the physical abuse forensic examination program was vetoed from the Fiscal Year 2015 state budget by Governor Nixon.

GUARDIANS AD LITEM

- A guardian ad litem may be appointed, upon the motion of a judge or another involved party, to represent the interests of an abused or neglected child involved in proceedings that arise from judicial review of a Child Abuse and Neglect Review Board decision (Section 210.160 RSMo).

JOINT COMMITTEE ON CHILD ABUSE AND NEGLECT

- The legislative Joint Committee on Child Abuse and Neglect is required to make recommendations for improving child abuse and neglect proceedings, with a focus on judges, Children's Division, juvenile officers, guardians ad litem and foster parents (Section 21.771 RSMo).

JUDICIAL SYSTEM

STATUTES

Section 21.880
RSMo

Section 57.095
RSMo

Section
334.590 RSMo

Section
452.556 RSMo

Section
454.500 RSMo

Section
455.007 RSMo

Section
632.520 RSMo

PASSED AS

HB 1231
SB 621, some
provisions

NEW STATE COMMITTEE ESTABLISHED FOR ONGOING REVIEW OF JUDICIAL AND RELATED PUBLIC SAFETY SYSTEMS AND LAWS; ADDITIONAL NEW LAWS TO ADDRESS COURTS AND PUBLIC SAFETY PROCEDURES

To “promote the effective administration of justice and public safety,” a legislative Joint Committee on the Justice System is established to review all aspects of Missouri’s justice and related public safety systems and make recommendations to the General Assembly for any needed legislative changes. This includes ongoing reviews of the state’s Criminal Code, law enforcement, correctional institutions and public safety needs (Section 21.880 RSMo). The committee will include legislators and three ex officio members. The Joint Committee will establish a permanent advisory committee to review the Criminal Code that allows for input from the Supreme Court of Missouri, the Attorney General and “others known to be interested in the improvement of the state’s criminal laws.” That advisory committee will make recommendations to legislators every 10 years on comprehensive updates to the Criminal Code, in order to avoid future problems such as those that resulted from not having revised Missouri’s crime laws for 30 years until legislation passed in 2014.

JUDICIAL SYSTEM (cont.)

Other new provisions in law related to the courts, public safety and the justice system include:

- Civil and criminal liability **immunity for law enforcement officers** conducting service of process (Section 57.095 RSMo);
- **SAFE Care regulations** for child physical abuse forensic examinations to be created by the Department of Public Safety, as also established in other 2014 legislation (Section 334.590 RSMo);
- **Court-provided parenting handbooks** for those with minor children who are engaged in a dissolution of marriage may be provided by the court in electronic format or by U.S. mail (Section 452.556 RSMo);
- A slight modification changed the law allowing an **appeal of expired Full Orders of Protection** by deleting language that such orders “subject the person against whom the order is issued to significant collateral consequences by the mere existence of the order after its expiration” (Section 455.007 RSMo);
- Agencies or organizations that provide supervision of those engaged in **court-ordered community service work** are provided with civil immunity arising from the supervision of the actions of the person providing the community service (Section 537.602 RSMo);
- **Administrative child support orders** may be modified by the Family Support Division to add an additional child to an existing order (Section 454.500 RSMo); and
- **Sexually violent predators** who are committed to a secure Department of Mental Health facility can be charged with felony crimes if they commit acts of violence against another offender or staff in the facility (Section 632.520 RSMo).

CHILD CARE

STATUTE

Section
210.027
RSMo

Section
211.171
RSMo

Section
103.271
RSMo

PASSED AS

SB 869
HB 1831

QUALITY ASSURANCE MEASURES TO BE CREATED FOR CHILD CARE PROVIDERS AND FACILITIES

New quality assurance measures for child care providers and facilities will be put into place through the development of new resources and regulations from the Department of Social Services. The new provisions will take effect October 1, 2015, or six months after the implementation of federal rules mandating the new requirements, whichever is later. These will include:

- A publicly available website with information about health and safety requirements, inspections, and any history of violations by child care providers who receive state or federal funds;
- A hotline for parents to submit complaints about child care providers;
- Requirements that providers who care for four or fewer children comply with safety, fire, health and building codes, be tested for tuberculosis on a schedule required for employees in licensed facilities, and be subject to unscheduled on-site monitoring; and

CHILD CARE (cont.)

- Rules and regulations to define pre-service training requirements for child care providers and their employees.

FOSTER PARENTS

Foster parents have standing to participate in all court hearings involving or pertaining to a child under their care as a result of changes to Section 211.171 RSMo. Foster and adoptive parents employed by the state or a local government also will be allowed to take leave from work, or participate in a shared-leave program, to address the needs of their foster or adoptive children (Section 105.271 RSMo).

The bills in which these provisions were passed also included several of the child protection and related systems changes in law that are detailed above and were passed in HB 1092.

PUBLIC ASSISTANCE

STATUTES

Section

208.024.1-2
RSMo

Section

208.024.3-4
RSMo

Section

208.027 RSMo

Section

208.247 RSMo

PASSED AS

SB 680

CHANGES MADE TO TANF AND RELATED PUBLIC ASSISTANCE PROGRAM LAWS

OUT-OF-STATE TANF AND FOOD STAMP EXPENDITURES

Recipients of Temporary Assistance to Needy Families (TANF) and food stamps are required to expend those benefits within Missouri at least once during a 90-day period or lose those benefits. This law includes language sought by MCADSV that established a due process procedure for notifying TANF and food stamp recipients of the potential loss of those benefits if they spent those funds outside of Missouri for 60 days, prior to suspending those benefits if out-of-state expenditures continue for 90 days (Section 208.024.3 RSMo).

CERTAIN FELONS ELIGIBLE FOR FOOD STAMPS

Those convicted of felony drug offenses can regain eligibility for food stamps under the provisions of Section 208.247 RSMo if they:

- meet all court-ordered requirements as a result of that conviction; or
- have received drug treatment or are on a waiting list for treatment; or
- are determined by a certified provider as not in need of treatment; and
- had no subsequent felony convictions for controlled substance offenses for one year after the initial drug conviction (Section 208.247 RSMo).

DRUG TESTING OF TANF RECIPIENTS

TANF recipients who test positive for a controlled substance or refuse a drug test will have to request an administrative hearing to contest their subsequent benefits denial, and no longer will be automatically provided with such a hearing after testing positive for drugs (Section 208.027 RSMo).

PUBLIC ASSISTANCE (cont.)

LIMITATIONS ON USE OF ELECTRONIC BENEFIT CARDS

The prohibitions are broadened in Section 208.024 RSMo that restrict use of Temporary Assistance for Needy Families (TANF) or food stamp benefits on electronic benefit transfer cards (EBT cards) for certain purchases and specific businesses. These include any purchase of alcohol, lottery tickets, or tobacco products or for any item primarily marketed for or used by adults 18 or older. The Department of Social Services is directed to develop rules that define additional prohibited products that are not in the best interests of children or the members of the benefit recipient's household. Use of EBT cards is prohibited at liquor stores, gambling casinos, and adult entertainment venues.

CHARITABLE ORGANIZATIONS

STATUTE

Section
196.056
RSMo

PASSED AS

SB 525

NON-PROFITS REQUIRED TO NOTIFY PUBLIC IF FOOD AT FUNDRAISERS WAS NOT PREPARED IN COMMERCIAL KITCHENS

Non-profit organizations are required to notify the public at a charitable fundraising event if the food served was prepared in a kitchen that is not inspected or regulated by state or local food-safety authorities (Section 196.056 RSMo). The law provides an exemption to these requirements for St. Louis City and Boone, Clay, Jefferson, St. Charles and St. Louis counties.

UNEMPLOYMENT INSURANCE

STATUTES

Section
288.030
RSMo
Section
288.050
RSMo

PASSED AS

SB 510

"MISCONDUCT" AND "GOOD CAUSE" REDEFINED IN UNEMPLOYMENT INSURANCE LAW

The actions of an employee that are defined in law as "misconduct" that would disqualify them from eligibility for unemployment insurance are redefined as "knowing disregard" of standards of behavior an employer has a right to expect—this changed from "wanton or willful disregard."

Misconduct is defined as including a violation of a no-call/no-show policy, chronic absenteeism, tardiness, and unapproved absences following a written warning. This misconduct standard applies when the employees' conduct is connected to work whether or not it occurs at the workplace or during work hours (Section 288.030 RSMo).

UNEMPLOYMENT INSURANCE (cont.)

“Good cause” for an employee to voluntarily leave employment and retain eligibility for unemployment insurance is defined as that which would compel “a reasonable employee” to cease working or a cause related to illness or disability (Section 288.050 RSMo).

PRIVACY RIGHTS

STATUTE

Section
182.817
RSMo

PASSED AS

HB 1085

CONFIDENTIALITY OF LIBRARY RECORDS STRENGTHENED

The confidentiality rights of public library patrons was broadened to prohibit libraries from disclosing the library’s personally identifying records to third parties, such as those companies that contract with libraries to provide access to electronically transmitted books and reading materials (Section 182.817 RSMo). This includes contracted companies that maintain or store library records. All library lending records remain private and are legally prohibited from being shared without a court order or directly to the individual library patron. The law was expanded to allow individuals to sue a library that releases their personal information and records.

INTELLECTUAL DISABILITIES

STATUTE

Revised
Statutes of
Missouri

PASSED AS

HB 1064

LANGUAGE IN STATE LAW CHANGED IN ALL REFERENCES TO INTELLECTUAL DISABILITIES

All references in Missouri law to the phrases “mentally retarded” and “mental retardation” are removed and replaced with the phrases “intellectually disabled” and “intellectual disability,” respectively.

STATE EXERCISE

STATUTE

Section
10.115
RSMo

PASSED AS

HB 1603

JUMPING JACKS DESIGNATED AS OFFICIAL STATE EXERCISE

Jumping Jacks are the official state exercise, designated in recognition of their roots in Missouri history. General John “Black Jack” Pershing, a Missourian who later led American forces in World War I, is credited with inventing the exercise while training cadets at West Point in the late 1800s. The bill to designate Jumping Jacks as the state exercise was championed by a fourth-grade class of students at Pershing Elementary School in St. Joseph.

