

ORIGINAL



1479L04.01F

HOUSE _____ AMENDMENT NO. _____

Neuman

Offered By

13

1 AMEND House Committee Substitute for House Bills Nos. 504, 505 & 874, Page 1, Section
2 43.545, Line 2, by striking the words "Missouri Crime Index" and inserting in lieu thereof the
3 words "[Missouri Crime Index] Crime in Missouri"; and

4 Further amend said bill, Page 3, Section 211.031, Line 49, by inserting after the word
5 "law" the following: ";

6 (6) Involving an order of protection pursuant to chapter 455 when the respondent is less
7 than seventeen years of age"; and

8 Further amend said bill, Page 9, Section 455.010, Line 46, by inserting after the closing
9 bracket "]" the following: "who has been a victim of domestic violence"; and

10 Further amend said bill, Page 9, Section 455.010, Line 52, by inserting immediately after
11 the word "filed" the following: "or a person served on behalf of a child pursuant to section
12 455.503"; and

13 Further amend said bill, Page 9, Section 455.010, Line 61, by inserting after all of said line
14 the following:

15 "455.020. 1. Any adult who has been subject to [abuse] domestic violence by a present or
16 former [adult] family or household member, or who has been the victim of stalking, may seek
17 relief under sections 455.010 to 455.085 by filing a verified petition alleging such [abuse]
18 domestic violence or stalking by the respondent.

19 2. An adult's right to relief under sections 455.010 to 455.085 shall not be affected by his
20 leaving the residence or household to avoid [abuse] domestic violence.

Action Taken _____ Date _____ 1

11/11/11

1 3. Any protection order issued pursuant to sections 455.010 to 455.085 shall be effective
2 throughout the state in all cities and counties.”; and

3 Further amend said bill, Page 9, Section 455.027, Line 2, by inserting after all of said line
4 the following:

5 “455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to
6 455.085 and for good cause shown in the petition, the court may immediately issue an ex parte
7 order of protection. An immediate and present danger of abuse to the petitioner shall constitute
8 good cause for purposes of this section. An ex parte order of protection entered by the court shall
9 take effect when entered and shall remain in effect until there is valid service of process and a
10 hearing is held on the motion.
11

Action Taken _____ Date _____ 2

1 2. Failure to serve an ex parte order of protection on the respondent shall not affect the
2 validity or enforceability of such order. If the respondent is less than seventeen years of age,
3 unless otherwise emancipated, service of process shall be made upon a parent or guardian of the
4 respondent, or upon a guardian ad litem appointed by the court.

5 3. If an ex parte order is entered and the allegations in the petition would give rise to
6 jurisdiction under section 211.031 because the respondent is less than seventeen years of age, the
7 court shall transfer the case to juvenile court for a hearing on a full order of protection. The court
8 shall appoint a guardian ad litem for any such respondent in the absence of a parent or guardian.”;

9 and

10 Further amend said bill, Page 16, Section 455.085, Line 50, by inserting immediately after
11 the word “the” the word “circuit”; and

12 Further amend said bill and section, line 63, by striking the words “state or municipal” and
13 inserting in lieu thereof the word “circuit”; and

14 Further amend said bill, Page 17, Section 455.200, Line 15, by inserting after all of said
15 line the following:

16 “455.505. 1. An order of protection for a child who has been subject to [abuse] domestic
17 violence by a present or former adult household member or person stalking the child may be
18 sought under sections 455.500 to 455.538 by the filing of a verified petition alleging such [abuse]
19 domestic violence by the respondent.

20 2. A child’s right to relief under sections 455.500 to 455.538 shall not be affected by his
21 leaving the residence or household to avoid [abuse] domestic violence.

22 3. Any protection order issued pursuant to sections 455.500 to 455.538 shall be effective
23 throughout the state in all cities and counties.”; and

24 Further amend said bill, Page 17, Section 455.513, Line 3, by inserting immediately after
25 the word “made” the following: “or that the respondent is less than seventeen years of age”; and

1 further amend said section, line 17, by inserting at the end of said line the following: "Service of
2 process shall be made pursuant to section 455.035. The court shall appoint a guardian ad litem for
3 any such respondent in the absence of a parent or guardian."; and

4 Further amend said bill, Page 22, Section 455.549, Line 11, by inserting after all of said
5 line the following:

6 "455.800. In all proceedings pursuant to subsection 3 of section 455.035 or subsection 4
7 of section 455.513, the records of the juvenile court shall be kept confidential and may be open to
8 inspection without a court order only to:

9 (1) The juvenile officer;

10 (2) The officials at the child's school, law enforcement officials, prosecuting attorneys, or
11 any person or agency having or proposed to provide care, custody, or control or to provide
12 treatment of the child; and

13 (3) A parent or guardian of or court appointed guardian ad litem for the child."; and

14 Further amend said bill, Page 23, Section 565.074, Line 27, by inserting after all of said
15 line the following:

16 "589.683. [Pursuant to section 23.253 of the Missouri sunset act:

17 (1) Any new program authorized under sections 589.660 to 589.681 shall automatically
18 sunset six years after August 28, 2007, unless reauthorized by an act of the general assembly; and

19 (2) If such program is reauthorized, the program authorized under sections 589.660 to
20 589.681 shall automatically sunset twelve years after the effective date of the reauthorization of
21 sections 589.660 to 589.681; and

22 (3) Sections 589.660 to 589.681 shall terminate on September first of the calendar year
23 immediately following the calendar year in which a program authorized under sections 589.660 to
24 589.681 is sunset.] Section 23.253 of the Missouri sunset act shall not apply to any program
25 established pursuant to sections 589.660 to 589.681."; and

Action Taken _____ Date _____ 4

1
2
3
4
5

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____ 5

...