

SECOND REGULAR SESSION

# HOUSE BILL NO. 2130

## 100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE COLEMAN (97).

4923H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 589.405, RSMo, and to enact in lieu thereof one new section relating to access to certain offender records.

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

Section A. Section 589.405, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 589.405, to read as follows:

589.405. 1. Any person who is required to register under sections 589.400 to 589.425 and who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge and at the time of adjudication, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 and is placed on probation, the court shall make it a condition of probation that the offender report within three business days to the chief law enforcement official of the county of adjudication or city not within a county of adjudication to complete initial registration. If such offender is not placed on probation, the court shall:

(1) If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the offender resides;

or

(2) If the offender does not reside in Missouri:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (a) Order the offender to report directly to the chief law enforcement official in the  
17 county or city not within a county where the adjudication was heard to register as provided in  
18 sections 589.400 to 589.425; and

19 (b) Complete the initial notification of duty to register form approved by the state  
20 judicial records committee and the Missouri state highway patrol and forward the form within  
21 three business days to the Missouri state highway patrol and the chief law enforcement official  
22 in the county or city not within a county where the offender was adjudicated.

23 2. If the offender resides in Missouri and refuses to complete and sign the registration  
24 information as provided in subdivision (1) of subsection 1 of this section, or if the offender  
25 resides outside of Missouri and refuses to directly report to the chief law enforcement official  
26 as provided in subdivision (2) of subsection 1 of this section, the offender commits the offense  
27 of failure to register under section 589.425.

28 **3. The state auditor shall be provided access to court records relating to convictions**  
29 **or guilty pleas for offenses requiring registration and charges filed for failure to register**  
30 **as a sex offender, including convictions or suspended imposition of sentence, to the extent**  
31 **necessary to conduct an audit. The state auditor shall maintain confidentiality as it relates**  
32 **to closed court records as provided under subsection 17 of section 29.200.**

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