

SECOND REGULAR SESSION

HOUSE BILL NO. 2547

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HUBRECHT.

6457H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 431.056, RSMo, and to enact in lieu thereof one new section relating to a minor's ability to contract.

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

Section A. Section 431.056, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 431.056, to read as follows:

431.056. 1. A minor shall be qualified and competent to contract for housing, employment, purchase of an automobile, receipt of a student loan, admission to high school or postsecondary school, obtaining medical care, establishing a bank account, admission to a shelter for victims of domestic violence, as defined in section 455.200, or a homeless shelter, and receipt of services as a victim of domestic violence or sexual abuse, including but not limited to counseling, court advocacy, financial assistance, and other advocacy services, if:

(1) The minor is sixteen or seventeen years of age; and

(2) The minor is homeless, as defined in subsection 1 of section 167.020, or a victim of domestic violence, as defined in section 455.200, unless the child is under the supervision of the children's division or the jurisdiction of the juvenile court; and

(3) The minor is self-supporting, such that the minor is without the physical or financial support of a parent or legal guardian; and

(4) The minor's parent or legal guardian has consented to the minor living independent of the parents' or guardians' control. **Such** consent [may] **shall** be expressed [or implied, such that:

(a) Expressed consent is] **consent**. **For purposes of this subdivision, "expressed consent" means** any [verbal or] **signed** written statement made by the parents or guardian of the

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.

18 minor displaying approval or agreement that the minor may live independently of the parent's
19 or guardian's control];

20 (b) Implied consent is any action made by the parent or guardian of the minor that
21 indicates the parent or guardian is unwilling or unable to adequately care for the minor. Such
22 actions may include, but are not limited to:

23 a. Barring the minor from the home or otherwise indicating that the minor is not
24 welcome to stay;

25 b. Refusing to provide any or all financial support for the minor; or

26 c. Abusing or neglecting the minor, as defined in section 210.110 or committing an act
27 or acts of domestic violence against the minor, as defined in section 455.010].

28 2. A minor who is sixteen years of age or older and who is in the legal custody of the
29 children's division pursuant to an order of a court of competent jurisdiction shall be qualified and
30 competent to contract for the purchase of automobile insurance with the consent of the children's
31 division or the juvenile court. The minor shall be responsible for paying the costs of the
32 insurance premiums and shall be liable for damages caused by his or her negligent operation of
33 a motor vehicle. No state department, foster parent, or entity providing case management of
34 children on behalf of a department shall be responsible for paying any insurance premiums nor
35 liable for any damages of any kind as a result of the operation of a motor vehicle by the minor.

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