

SECOND REGULAR SESSION

# SENATE BILL NO. 805

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Read 1st time January 30, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

5727S.011

## AN ACT

To repeal section 431.056, RSMo, and to enact in lieu thereof one new section relating to foster children contracting for automobile insurance.

*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Section A. Section 431.056, RSMo, is repealed and one new section  
2 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  
2 housing, employment, purchase of an automobile, receipt of a student loan,  
3 admission to high school or postsecondary school, obtaining medical care,  
4 establishing a bank account, admission to a shelter for victims of domestic  
5 violence, as defined in section 455.200, or a homeless shelter, and receipt of  
6 services as a victim of domestic [and] **violence or sexual [violence] abuse**,  
7 including but not limited to counseling, court advocacy, financial assistance, and  
8 other advocacy services, if:

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

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

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

16 (4) The minor's parent or legal guardian has consented to the minor living  
17 independent of the parents' or guardians' control. Consent may be expressed or  
18 implied, such that:

19 (a) Expressed consent is any verbal or written statement made by the

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 parents or guardian of the minor displaying approval or agreement that the  
21 minor may live independently of the parent's or guardian's control;

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

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

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

28 c. Abusing or neglecting the minor, as defined in section 210.110 **or**  
29 **committing an act or acts of domestic violence against the minor, as**  
30 **defined in section 455.010.**

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

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