SENATE BILL NO. 872

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

AN ACT

To repeal section 476.055, RSMo, and to enact in lieu thereof one new section relating to the redaction of personal identifying information from court automation systems, with existing penalty provisions.

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

Section A.   Section 476.055, RSMo, is repealed and one new
2   section enacted in lieu thereof, to be known as section 476.055,
3   to read as follows:

476.055.   1.   There is hereby established in the state
2   treasury the "Statewide Court Automation Fund".   All moneys
3   collected pursuant to section 488.027, as well as gifts,
4   contributions, devises, bequests, and grants received
5   relating to automation of judicial record keeping, and
6   moneys received by the judicial system for the dissemination
7   of information and sales of publications developed relating
8   to automation of judicial record keeping, shall be credited
9   to the fund.   Moneys credited to this fund may only be used
10   for the purposes set forth in this section and as
11   appropriated by the general assembly.   Any unexpended
12   balance remaining in the statewide court automation fund at
13   the end of each biennium shall not be subject to the
14   provisions of section 33.080 requiring the transfer of such
15   unexpended balance to general revenue; except that, any
16   unexpended balance remaining in the fund on September 1,
17   2023, shall be transferred to general revenue.

18   2. The statewide court automation fund shall be

19   administered by a court automation committee consisting of

20   the following: the chief justice of the supreme court, a

21   judge from the court of appeals, four circuit judges, four

22   associate circuit judges, four employees of the circuit

23   court, the commissioner of administration, two members of

24   the house of representatives appointed by the speaker of the

25   house, two members of the senate appointed by the president

26   pro tem of the senate, the executive director of the

27   Missouri office of prosecution services, the director of the

28   state public defender system, and two members of the

29   Missouri Bar. The judge members and employee members shall

30   be appointed by the chief justice. The commissioner of

31   administration shall serve ex officio. The members of the

32   Missouri Bar shall be appointed by the board of governors of

33   the Missouri Bar. Any member of the committee may designate

34   another person to serve on the committee in place of the

35   committee member.

36   3. The committee shall develop and implement a plan

37   for a statewide court automation system. The committee

38   shall have the authority to hire consultants, review systems

39   in other jurisdictions and purchase goods and services to

40   administer the provisions of this section. The committee

41   may implement one or more pilot projects in the state for

42   the purposes of determining the feasibility of developing

43   and implementing such plan. The members of the committee

44   shall be reimbursed from the court automation fund for their

45   actual expenses in performing their official duties on the

46   committee.

47   4. Any purchase of computer software or computer

48   hardware that exceeds five thousand dollars shall be made

49   pursuant to the requirements of the office of administration

50   for lowest and best bid. Such bids shall be subject to

51   acceptance by the office of administration. The court

52   automation committee shall determine the specifications for

53   such bids.

54   5. The court automation committee shall not require

55   any circuit court to change any operating system in such

56   court, unless the committee provides all necessary

57   personnel, funds and equipment necessary to effectuate the

58   required changes. No judicial circuit or county may be

59   reimbursed for any costs incurred pursuant to this

60   subsection unless such judicial circuit or county has the

61   approval of the court automation committee prior to

62   incurring the specific cost.

63   6. Any court automation system, including any pilot

64   project, shall be implemented, operated and maintained in

65   accordance with strict standards for the security and

66   privacy of confidential judicial records. **Any court**

67   **automation system, including any pilot project, that**

68   **provides public access to electronic records on the internet**

69   **shall redact any personal identifying information, including**

70   **name, address, and year of birth, of a minor and, if**

71   **applicable, any next friend.** Any person who knowingly

72   releases information from a confidential judicial record is

73   guilty of a class B misdemeanor. Any person who, knowing

74   that a judicial record is confidential, uses information

75   from such confidential record for financial gain is guilty

76   of a class E felony.

77   7. On the first day of February, May, August and

78   November of each year, the court automation committee shall

79   file a report on the progress of the statewide automation

80   system with:

81   (1) The chair of the house budget committee;

82   (2)   The chair of the senate appropriations committee;

83   (3)   The chair of the house judiciary committee; and

84   (4)   The chair of the senate judiciary committee.

85   8.   Section 488.027 shall expire on September 1, 2023.

86 The court automation committee established pursuant to this

87 section may continue to function until completion of its

88 duties prescribed by this section, but shall complete its

89 duties prior to September 1, 2025.

90   9.   This section shall expire on September 1, 2025.

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