

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute #2 for Senate Bill No.
2 0155, Page 1, Section A., Line 2, by inserting after said language the following:

3
4 “210.117. 1. No child taken into the custody of the state shall be reunited with a parent or placed
5 in a home in which the parent or any person residing in the home has been found guilty of, or pled
6 guilty to, a felony violation of chapter 566, RSMo, except for section 566.034, RSMo, when a
7 child was the victim, or a violation of section 568.020, 568.045, 568.060, 568.065, 568.070,
8 568.080, 568.090, or 568.175, RSMo, except for subdivision (1) of subsection 1 of section
9 568.060, RSMo, when a child was the victim, or an offense committed in another state when a
10 child is the victim, that would be a felony violation of chapter 566, RSMo, except for section
11 566.034, RSMo, or a violation of section 568.020, 568.045, 568.060, 568.065, 568.070, 568.080,
12 568.090, or 568.175, RSMo, except for subdivision (1) of subsection 1 of section 568.060, RSMo,
13 if committed in Missouri; provided however, nothing in this section shall preclude the division
14 from exercising its discretion regarding the placement of a child in a home in which the parent or
15 any person residing in the home has been found guilty of or pled guilty or nolo contendere to any
16 offense excepted or excluded in this section.

17 2. If a court of competent jurisdiction determines or the division determines, based on a
18 substantiated report of child abuse that is upheld by the child abuse and neglect review board that
19 a minor has abused another child, such minor shall be prohibited from returning to or residing in

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1 any residence located within one thousand feet of the residence of the abused child, or any child
2 care facility or school that the abused child attends until the abused child reaches eighteen years of
3 age. The prohibitions of this subsection shall not apply where the alleged abuse occurred between
4 siblings.”; and

5
6
7 FURTHER amend House Committee Substitute for Senate Committee Substitute for Senate
8 Committee Substitute for Senate Bill No. 0155, Page 3, Section 210.152, Line 63, by inserting
9 after said language the following:

10
11 “210.710. 1. In the case of a child who has been committed to the care of an authorized agency
12 by a parent, guardian or relative and where such child has remained in the care of one or more
13 authorized agencies for a continuous period of six months, the agency shall petition the juvenile
14 court in the county where the child is present to review the status of the child. A written report on
15 the status of the child shall be presented to the court. The court shall then review the status of the
16 child and may hold a dispositional hearing thereon. The purpose of the dispositional hearing shall
17 be to determine whether or not the child should be continued in foster care or whether the child
18 should be returned to a parent, guardian or relative, or whether or not proceedings should be
19 instituted to terminate parental right and legally free such child for adoption.

20 2. If the child is in the care of an authorized agency based on an allegation that the child
21 has abused another child and the court determines that such abuse occurred, the court shall not
22 return the child to or permit the child to reside in any residence located within one thousand feet
23 of the residence of the abused child, or any child care facility or school that the abused child
24 attends until the abused child reaches eighteen years of age. The prohibitions of this subsection
25 shall not apply where the alleged abuse occurred between siblings.

26
27 210.720. 1. In the case of a child who has been placed in the custody of the division of family
28 services in accordance with subdivision (17) of subsection 1 of section 207.020, RSMo, or
29 another authorized agency by a court or who has been placed in foster care by a court, every six

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1 months after the placement, the foster family, group home, agency, or child care institution with
2 which the child is placed shall file with the court a written report on the status of the child. The
3 court shall review the report and shall hold a permanency hearing within twelve months of initial
4 placement and at least annually thereafter. The permanency hearing shall be for the purpose of
5 determining in accordance with the best interests of the child a permanent plan for the placement
6 of the child, including whether or not the child should be continued in foster care or whether the
7 child should be returned to a parent, guardian or relative, or whether or not proceedings should be
8 instituted by either the juvenile officer or the division to terminate parental rights and legally free
9 such child for adoption.

10 2. In such permanency hearings the court shall consider all relevant factors including:

11 (1) The interaction and interrelationship of the child with the child's foster parents,
12 parents, siblings, and any other person who may significantly affect the child's best interests;

13 (2) The child's adjustment to his or her foster home, school and community;

14 (3) The mental and physical health of all individuals involved, including any history of
15 abuse of any individuals involved. If the child is in the care of an authorized agency based on an
16 allegation that the child has abused another child and the court determines that such abuse
17 occurred, the court shall not return the child to or permit the child to reside in any residence
18 located within one thousand feet of the residence of the abused child, or any child care facility or
19 school that the abused child attends until the abused child reaches eighteen years of age. The
20 prohibitions of this subsection shall not apply where the alleged abuse occurred between siblings;
21 and

22 (4) The needs of the child for a continuing relationship with the child's parents and the
23 ability and willingness of parents to actively perform their functions as mother and father for the
24 needs of the child.

25 3. The judge shall make written findings of fact and conclusions of law in any order
26 pertaining to the placement of the child.

27
28 211.038. 1. No child under the jurisdiction of the juvenile court shall be reunited with a parent or
29 placed in a home in which the parent or any person residing in the home has been found guilty of,

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1 or pled guilty to, a felony violation of chapter 566, RSMo, except for section 566.034, RSMo,
2 when a child was the victim, or a violation of sections 568.020, 568.045, 568.060, 568.065,
3 568.070, 568.080, 568.090, and 568.175, RSMo, except for subdivision (1) of subsection 1 of
4 section 568.060, RSMo, when a child was the victim, or an offense committed in another state
5 when a child is the victim, that would be a felony violation of chapter 566, RSMo, except for
6 section 566.034, RSMo, or a violation of sections 568.020, 568.045, 568.060, 568.065, 568.070,
7 568.080, 568.090, and 568.175, RSMo, except for subdivision (1) of subsection 1 of section
8 568.060, RSMo, if committed in Missouri; provided however, nothing in this section shall
9 preclude the juvenile court from exercising its discretion regarding the placement of a child in a
10 home in which the parent or any person residing in the home has been found guilty of or pled
11 guilty or nolo contendere to any offense excepted or excluded in this section.

12 2. If the juvenile court determines that a minor has abused another child, such minor shall
13 be prohibited from returning to or residing in any residence located within one thousand feet of
14 the residence of the abused child, or any child care facility or school that the abused child attends
15 until the abused child reaches eighteen years of age. The prohibitions of this subsection shall not
16 apply where the alleged abuse occurred between siblings.”; and

17
18 Further amend said bill by amending the title, enacting clause, and intersectional references
19 accordingly.

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