

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 177

95TH GENERAL ASSEMBLY

0599L.02P

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 566.226, RSMo, and to enact in lieu thereof one new section relating to court records for sexual offenses.

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

Section A. Section 566.226, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 566.226, to read as follows:

566.226. 1. After August 28, 2007, any information contained in any court record, whether written or published on the Internet, that could be used to identify or locate any victim of sexual assault, domestic assault, stalking, or forcible rape shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include the name, home or temporary address, telephone number, Social Security number or physical characteristics.

2. If the court determines that a person or entity who is requesting identifying information of a victim has a legitimate interest in obtaining such information, the court may allow access to the information, but only if the court determines that disclosure to the person or entity would not compromise the welfare or safety of such victim.

**3. Notwithstanding the provisions of subsection 1 of this section, the judge presiding over a domestic assault case shall have the discretion to publicly disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement to the court regarding whether he or she desires such information to remain closed. When making the decision to disclose such information, the judge shall consider the welfare and safety of the victim and any statement to the court received by the victim regarding the disclosure.**

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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.