

SECOND REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 1184

97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE GRISAMORE.

4969H.01P

D. ADAM CRUMBLISS, Chief Clerk

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## 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.

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*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Section A. Section 431.056, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 431.056, to read as follows: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 **[and] violence or sexual [violence] 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. Consent may be expressed or implied, such that:

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.

15 (a) Expressed consent is any verbal or written statement made by the parents or guardian  
16 of the minor displaying approval or agreement that the minor may live independently of the  
17 parent's or guardian's control;

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

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

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

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

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

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