

HB 2196 -- MISSOURI SHIELD ACT

SPONSOR: Schnelting

This bill establishes the "Missouri Shield Act", which allows an eligible person, defined in the bill as a current or former law enforcement officer or judge, to file an affidavit containing information specified in the bill requesting that the general public be prohibited from accessing unique identifier and recording data contained in recorded instruments maintained by the county recorder and may request from the recorder to prohibit the general public's access to the eligible person's residential address and telephone number contained in instruments or writings recorded by the recorder. If the eligible person is also requesting that the general public be prohibited from accessing records maintained by the county clerk, collector, assessor, treasurer, or auditor, the eligible person may combine the request in one affidavit. The affidavit must be filed with the presiding judge in the county where the eligible person resides. If the request is granted, the eligible person may file a new affidavit to continue the shielding upon the expiration of the previous order. The clerk of the court must file the court order and send a copy of the order and affidavit to every county recorder listed on the affidavit. The county recorder must shield the records within 10 days of receiving the court order.

The bill provides circumstances under which a court may temporarily stay or permanently vacate an order granting the shielding of records. The bill also provides exceptions, prohibiting the county recorder from shielding records in specified instances. No county recorder will be liable for damages under this legislation as long as the recorder makes a good faith effort to comply.

The bill has a delayed effective date of June 1, 2023.