

HB 866 -- Domestic Violence

Sponsor: Newman

This bill changes the laws regarding domestic violence. In its main provisions, the bill:

(1) Changes the definition of "domestic violence" as it relates to the reporting of incidents of domestic violence in the State Highway Patrol's Missouri Crime Index to include a dispute arising between a person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim;

(2) Changes the definition of "family or household member" as it relates to domestic violence shelters to include adults who are presently residing together or have resided together in the past, an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and adults who have a child in common regardless of whether they have been married or have resided together at any time;

(3) Authorizes a law enforcement officer responding to the scene of an alleged act of domestic violence to remove a firearm from the scene if the officer has probable cause to believe that an act of domestic violence has occurred and the officer has observed the firearm on the scene during the response; and

(4) Specifies that it will be unlawful for a person to possess a firearm if he or she:

(a) Is subject to a court order that was issued after a hearing of which the person received actual notice; restrains the person from harassing, stalking, or threatening a family or household member or a child of the family or household member or engaging in conduct that would place a family or household member in reasonable fear of bodily injury to the family or household member or child; and includes a finding that the person is a credible threat to the physical safety of the family or household member or a child or explicitly prohibits the use, attempted use, or threatened use of physical force against the family or household member or child that would reasonably be expected to cause bodily injury; or

(b) Has been found guilty of or pled guilty to a misdemeanor domestic assault crime.

Anyone who violates the provision regarding the possession of a firearm will be guilty of a class D felony.