

FIRST REGULAR SESSION

# HOUSE BILL NO. 368

## 98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE AUSTIN.

1172H.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To repeal sections 589.660 and 589.663, RSMo, and to enact in lieu thereof two new sections relating to the address confidentiality program.

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

Section A. Sections 589.660 and 589.663, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 589.660 and 589.663, to read as follows:

589.660. As used in sections 589.660 to 589.681, the following terms mean:

- (1) "Address", a residential street address, school address, or work address of a person, as specified on the person's application to be a program participant;
- (2) "Application assistant", an employee of a state or local agency, or of a nonprofit program that provides counseling, referral, shelter, or other specialized service to victims of domestic violence, **human trafficking**, rape, sexual assault, or stalking, who has been designated by the respective agency or program, and who has been trained and registered by the secretary of state to assist individuals in the completion of program participation applications;
- (3) "Designated address", the address assigned to a program participant by the secretary;
- (4) "Mailing address", an address that is recognized for delivery by the United States Postal Service;
- (5) "Program", the address confidentiality program established in section 589.663;
- (6) "Program participant", a person certified by the secretary of state as eligible to participate in the address confidentiality program;
- (7) "Secretary", the secretary of state.

589.663. There is created in the office of the secretary of state a program to be known as the "Address Confidentiality Program" to protect victims of domestic violence, **human**

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.

3 **trafficking**, rape, sexual assault, or stalking by authorizing the use of designated addresses for  
4 such victims and their minor children. The program shall be administered by the secretary under  
5 the following application and certification procedures:

6 (1) An adult person, a parent or guardian acting on behalf of a minor, or a guardian  
7 acting on behalf of an incapacitated person may apply to the secretary to have a designated  
8 address assigned by the secretary to serve as the person's address or the address of the minor or  
9 incapacitated person;

10 (2) The secretary may approve an application only if it is filed with the office of the  
11 secretary in the manner established by rule and on a form prescribed by the secretary. A  
12 completed application shall contain:

13 (a) The application preparation date, the applicant's signature, and the signature and  
14 registration number of the application assistant who assisted the applicant in applying to be a  
15 program participant;

16 (b) A designation of the secretary as agent for purposes of service of process and for  
17 receipt of first-class mail, legal documents, and certified mail;

18 (c) A sworn statement by the applicant that the applicant has good reason to believe that  
19 he or she:

20 a. Is a victim of domestic violence, **human trafficking**, rape, sexual assault, or stalking;  
21 and

22 b. Fears further violent acts from his or her assailant;

23 (d) The mailing address where the applicant may be contacted by the secretary or a  
24 designee and the telephone number or numbers where the applicant may be called by the  
25 secretary or the secretary's designee; and

26 (e) One or more addresses that the applicant requests not be disclosed for the reason that  
27 disclosure will jeopardize the applicant's safety or increase the risk of violence to the applicant  
28 or members of the applicant's household;

29 (3) Upon receipt of a properly completed application, the secretary may certify the  
30 applicant as a program participant. A program participant is certified for four years following  
31 the date of initial certification unless the certification is withdrawn or cancelled before that date.  
32 The secretary shall send notification of lapsing certification and a reapplication form to a  
33 program participant at least four weeks prior to the expiration of the program participant's  
34 certification;

35 (4) The secretary shall forward first class mail, legal documents, and certified mail to the  
36 appropriate program participants.

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