

HCS HB 2772 -- SEXUAL OFFENSES

SPONSOR: Kelly (141)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 10 to 0.

The following is a summary of the House Committee Substitute for HB 2772.

Currently, in prosecutions related to sexual offenses, a witness's prior sexual conduct or specific instances of prior sexual conduct is inadmissible, except in certain instances.

This bill provides that this evidence, as well as a victim's or witness's prior sexual acts or practices, is inadmissible at any trial, hearing, or court proceeding and not a subject for inquiry during a deposition or during discovery, except in certain instances.

The bill adds certain information, such as personal email address, birth date, and HIV status, to the information in a court record that must be redacted if it could be used to locate any victim of an unlawful sexual offense or a victim of domestic assault or stalking. The bill allows for some instances where a person who has a legitimate interest in obtaining such information can do so.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that this provides more protection for victims of sexual assault by not allowing evidence of prior sexual conduct to be admissible into evidence, other than for certain exceptions. Survivors often fear reporting sexual assault or seeking help because of privacy concerns, and that fear keeps Missouri from being able to prosecute perpetrators of these offenses.

Testifying for the bill were Representative Kelly; Amy Fite, Missouri Association of Prosecuting Attorneys (MAPA); Missouri Coalition Against Domestic and Sexual Violence (MOCADSV); and Arnie C. Ac Dienoff.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on

the House website.