

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 177

AND

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 622

95TH GENERAL ASSEMBLY

Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, April 15, 2009, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

TERRY L. SPIELER, Secretary.

0599S.05C

AN ACT

To repeal section 566.226, RSMo, and to enact in lieu thereof one new section relating to court records for sexual offenses.

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

Section A. Section 566.226, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 566.226, to read as follows:

566.226. 1. After August 28, 2007, any information contained in any court
2 record, whether written or published on the Internet, that could be used to
3 identify or locate any victim of sexual assault, domestic assault, stalking, or
4 forcible rape shall be closed and redacted from such record prior to disclosure to
5 the public. Identifying information shall include the name, home or temporary
6 address, telephone number, Social Security number or physical characteristics.

7 2. If the court determines that a person or entity who is requesting
8 identifying information of a victim has a legitimate interest in obtaining such
9 information, the court may allow access to the information, but only if the court
10 determines that disclosure to the person or entity would not compromise the
11 welfare or safety of such victim.

12 **3. Notwithstanding the provisions of subsection 1 of this section,**
13 **the judge presiding over a sexual assault, domestic assault, stalking, or**
14 **forcible rape case shall have the discretion to publicly disclose**
15 **identifying information regarding the defendant which could be used**
16 **to identify or locate the victim of the crime. The victim may provide**

17 a statement to the court regarding whether he or she desires such
18 information to remain closed. When making the decision to disclose
19 such information, the judge shall consider the welfare and safety of the
20 victim and any statement to the court received from the victim
21 regarding the disclosure.

✓