

SECOND REGULAR SESSION

# HOUSE BILL NO. 1722

## 91ST GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES HOSMER AND BRITT (Co-sponsors).

Read 1<sup>st</sup> time January 30, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4294L.011

---

### AN ACT

To amend chapter 552, RSMo, by adding thereto one new section relating to criminal procedure involving mentally retarded individuals.

---

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

Section A. Chapter 552, RSMo, is amended by adding thereto one new section, to be  
2 known as section 552.090, to read as follows:

**552.090. 1. Any other law to the contrary notwithstanding, any information,  
2 evidence, statement or confession obtained during a custodial interrogation of a person  
3 who has mental retardation shall be excluded from introduction at trial as evidence in a  
4 criminal trial unless an attorney was present during the custodial interrogation to  
5 represent the person who has mental retardation.**

**6 2. Any individual who interviews a person with mental retardation for purposes  
7 of criminal or abuse investigations shall immediately, prior to any interrogation, make  
8 reasonable efforts to notify such person's parent, guardian or designated protector.**

**9 3. As used in this section, the term "mental retardation" has the same meaning as  
10 that contained in section 630.005, RSMo.**