

HOUSE BILL NO. 1263

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WILDBERGER (Sponsor), WARD, KELLY (36), BURNETT, SANDERS BROOKS, HARRIS (110), BLAND, WHORTON, JONES AND MEINERS (Co-sponsors).

Read 1st time January 26, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3613L.011

AN ACT

To amend chapter 143, RSMo, by adding thereto one new section relating to contributions to child advocacy centers.

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

Section A. Chapter 143, RSMo, is amended by adding thereto one new section, to be known as section 143.1014, to read as follows:

143.1014. 1. As used in this section, "child advocacy center" means any entity that:

(1) Is a private, not-for-profit incorporated entity;

(2) Has a neutral, child-focused facility where joint interviews by the children's division of the department of social services and law enforcement take place with children in appropriate cases of suspected child sexual and physical abuse. All multidisciplinary agencies shall have a place to interact with the child as investigative or treatment needs require;

(3) Has a minimum designated staff that is supervised and approved by the local board of directors;

(4) Has a multidisciplinary case review team that meets on a regularly scheduled basis or as the case load of the community requires. The team shall consist of representatives from the prosecuting attorney, the children's division, department of mental health, law enforcement, and the child advocacy center staff. Medical personnel and a victim's advocate may be part of the team;

(5) Provides case tracking of child abuse cases seen through the center. A center shall also collect data on:

(a) The number of child abuse cases seen at the center by sex, race, age, and other

18 relevant data;

19 (b) The number of cases referred for prosecution; and

20 (c) The number of cases referred for mental health therapy;

21 (6) Provides referrals for medical exams and mental health therapy. The center
22 shall provide follow-up on cases referred for mental health therapy;

23 (7) Provides training for various disciplines in the community that deal with child
24 abuse;

25 (8) Has an interagency commitment covering those aspects of agency participation
26 in a multidisciplinary approach to the handling of child sexual and serious physical abuse
27 cases; and

28 (9) Provides assurance that volunteers at the center are trained and screened by
29 appropriate resources.

30 2. In each tax year beginning on or after January 1, 2004, each individual or
31 corporation entitled to a tax refund in an amount sufficient to make a designation under
32 this section may designate that one dollar or any amount in excess of one dollar on a single
33 return, and two dollars or any amount in excess of two dollars on a combined return, of
34 the refund due be credited to the child advocacy center fund established in this section.
35 The contribution designation authorized by this section shall be clearly and unambiguously
36 printed on the first page of each income tax return form provided by this state. If any
37 individual or corporation which is not entitled to a tax refund in an amount sufficient to
38 make a designation under this section wishes to make a contribution to the child advocacy
39 center fund, such individual or corporation may, by separate check, draft, or other
40 negotiable instrument, send in with the payment of taxes, or may send in separately, that
41 amount, clearly designated for the child advocacy center fund, the individual or
42 corporation wishes to contribute and the department of revenue shall forward such
43 amount to the state treasurer for deposit to the child advocacy center fund as provided in
44 this section.

45 3. The director of revenue shall transfer at least monthly all contributions
46 designated by individuals under this section to the state treasurer for deposit to the child
47 advocacy center fund.

48 4. The director of revenue shall transfer at least monthly all contributions
49 designated by corporations under this section, less an amount sufficient to cover the cost
50 of collection and handling by the department of revenue, to the state treasurer for deposit
51 to the child advocacy center fund.

52 5. A contribution designated under this section shall only be transferred and
53 deposited in the child advocacy center fund after all other claims against the refund from

54 **which such contribution is to be made have been satisfied.**

55 **6. (1) There is hereby created in the state treasury the "Child Advocacy Center**
56 **Fund", which shall consist of money collected under this section. The state treasurer shall**
57 **be custodian of the fund and shall approve disbursements from the fund in accordance**
58 **with sections 30.170 and 30.180, RSMo. Upon appropriation, money in the fund shall be**
59 **used solely for the administration of this section.**

60 **(2) Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any**
61 **moneys remaining in the fund at the end of the biennium shall not revert to the credit of**
62 **the general revenue fund.**

63 **(3) The state treasurer shall invest moneys in the fund in the same manner as other**
64 **funds are invested. Any interest and moneys earned on such investments shall be credited**
65 **to the fund.**

66 **7. The director of the department of social services shall establish a procedure by**
67 **which the moneys deposited in the fund shall be distributed to qualifying child advocacy**
68 **centers, and is authorized to promulgate rules and regulations necessary to administer and**
69 **enforce this subsection. No rule or portion of a rule promulgated pursuant to the authority**
70 **of this section shall become effective unless it has been promulgated pursuant to chapter**
71 **536, RSMo.**