

HCS#2 HB 568 -- PROTECTION OF CHILDREN

SPONSOR: Phillips (Stevenson)

COMMITTEE ACTION: Voted "do pass" by the Committee on Children and Families by a vote of 9 to 2.

This substitute changes the laws regarding the protection of minors while in the custody of their parents. The substitute:

(1) Clarifies the provision prohibiting a child under the care of the state or the jurisdiction of a juvenile court from being reunited with a parent or being placed back in the home with a parent who has been found guilty or plead guilty to specific crimes of sexual offenses or offenses against the family when a child was the victim;

(2) Clarifies the provision allowing the Children's Division with the Department of Social Services to exercise discretion in awarding custody or visitation or the placing of a child back in the home of a parent, or any person residing in the home, who has been found guilty or plead guilty to any other offense;

(3) Removes when a parent has had a full order of protection entered against them from the list of conditions preventing a child from being returned to a parent;

(4) Clarifies the provision prohibiting a court from awarding custody or unsupervised visitation to a parent when that parent has been found guilty or plead guilty to specific crimes of sexual offenses or offenses against the family when a child was the victim;

(5) Clarifies the provision prohibiting a court from granting visitation rights to the noncustodial parent if that parent or any person residing with the parent has been found guilty or plead guilty to specific crimes of sexual offenses or offenses against the family when a child was the victim; and

(6) Clarifies the provision prohibiting a court from modifying an order granting or denying visitation rights if a parent or any person residing with the parent has been found guilty or plead guilty to specific crimes of sexual offenses or offenses against the family when a child was the victim.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.

PROPOSERS: Supporters say that the bill clarifies a provision in House Bill 1453 from last year. Judges will be prevented from using discretion when reuniting children to a parent or placed back in a home when a child was the victim.

Testifying for the bill were Representative Stevenson; and Missouri Coalition Against Domestic Violence.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say the bill is necessary to clarify the drafting errors in House Bill 1453 from last year.

Others testifying on the bill were Judicial Conference of Missouri; Citizens for Missouri Children; and Children's Mercy Hospital.

Dominic Lackey, Legislative Analyst