

HCS#2 SB 114 -- CRIMINAL OFFENSES AND PROCEDURES

SPONSOR: Crowell (Tracy)

COMMITTEE ACTION: Voted "do pass" by the Committee on Crime Prevention by a vote of 7 to 0.

This substitute changes the laws regarding certain criminal offenses and procedures. In its main provisions, the substitute:

- (1) Requires the Department of Health and Senior Services to implement an education and awareness program regarding the financial exploitation of the elderly;
- (2) Specifies that the Amber Alert System is to aid in the location of abducted children rather than adults by defining "abducted child" as an individual whose whereabouts are unknown, is younger than 18 years of age, and is reasonably believed to be a victim of kidnapping or younger than 18 years of age and at least 14 years of age who would be reasonably believed to be a victim of child kidnapping if the person was younger than 14 years of age;
- (3) Allows courts using a centralized violation bureau to provide an individual who has violated certain traffic violations the option of attending a driver-improvement program or motorcycle-rider training course in lieu of assessing points against the person's driver's license. The individual must verify attendance of the course as directed by the bureau when he or she pays the required fines and court costs;
- (4) Allows the judge in a criminal or municipal case that is dismissed before the defendant pleads guilty or is found guilty to assess court costs against the defendant as specified in Section 488.012, RSMo, if the defendant consents to pay and is not indigent and unable to pay the costs;
- (5) Removes the requirement that court costs be assessed to the prosecutor in trespass cases if the defendant is acquitted or the prosecution fails;
- (6) Specifies that the name of a defendant in a criminal case for a crime regarding sexual assault, domestic assault, stalking, or forcible rape will not be considered identifying information and will not be redacted from court records; and
- (7) Repeals provisions regarding owning a hedge fence situated along the right-of-way of any public road and certain provisions regarding the payment of costs in criminal cases.

FISCAL NOTE: No impact on state funds in FY 2010, FY 2011, and FY 2012.

PROPONENTS: Supporters say that the bill allows a person to go to defensive driving school to avoid points being assessed against his or her driver's license if the individual has not been to the school in the previous three years.

Testifying for the bill was Senator Crowell.

OPPONENTS: There was no opposition voiced to the committee.