

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1331**  
**99TH GENERAL ASSEMBLY**

4309H.02C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal section 595.229, RSMo, and to enact in lieu thereof one new section relating to the rights of victims.

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

Section A. Section 595.229, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 595.229, to read as follows:

595.229. 1. Prior to the acceptance of a plea bargain by the court with respect to any person who has pled guilty to an offense after initially being charged with a felony, the court shall allow the victim of such offense to submit a written statement or appear before the court personally or by counsel for the purpose of making a statement. The statement shall relate solely to the facts of the case and any personal injuries or financial loss incurred by the victim. A member of the immediate family of the victim may appear personally or by counsel to make a statement if the victim has died or is otherwise unable to appear as a result of the offense committed by the defendant. **If the victim is under eighteen years of age, the victim, with or without a family member or other support person, may submit a written statement or appear personally or by counsel for the purpose of making a statement.**

2. At the time of sentencing of any person who has pled guilty or been found guilty of a felony offense, the victim of such offense may appear before the court personally or by counsel for the purpose of making a statement or may submit a written statement. The statement shall relate solely to the facts of the case and any personal injuries or financial loss incurred by the victim. A member of the immediate family of the victim may appear personally or by counsel to make a statement if the victim has died or is otherwise unable to appear as a result of the offense committed by the defendant **or may appear for, or in addition to, a victim under eighteen years of age.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19           3. The prosecuting attorney shall inform the victim or shall inform a member of the  
20 immediate family of the victim if the victim is dead, **under eighteen years of age**, or otherwise  
21 is unable to make a statement as a result of the offense committed by the defendant of the right  
22 to make a statement pursuant to subsections 1 and 2 of this section. **The victim or immediate**  
23 **family member shall be notified of the rights granted to victims under article I, section 32**  
24 **of the Constitution of Missouri and section 595.209. In addition to the notification of**  
25 **rights**, if the victim or member of the immediate family supplies a stamped, self-addressed  
26 envelope, the prosecutor shall send notice of the time and location that the court will hear the  
27 guilty plea or render sentence.

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