

SECOND REGULAR SESSION

HOUSE BILL NO. 1715

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PHILLIPS.

5495H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 431.056, RSMo, and to enact in lieu thereof one new section relating to a minor's ability to contract.

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

Section A. Section 431.056, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 431.056, to read as follows:

431.056. 1. A minor shall be qualified and competent to contract for housing, employment, purchase of an automobile, receipt of a student loan, admission to high school or postsecondary school, obtaining medical care, establishing a bank account, admission to a shelter for victims of domestic violence, as defined in section 455.200, or a homeless shelter, and receipt of services as a victim of domestic violence or sexual abuse, including but not limited to counseling, court advocacy, financial assistance, and other advocacy services, if:

(1) The minor is sixteen or seventeen years of age; and

(2) The minor is homeless, as defined in subsection 1 of section 167.020, or a victim of domestic violence~~[, as defined in section 455.200,]~~ unless the child is under the supervision of the children's division or the jurisdiction of the juvenile court; and

(3) The minor is self-supporting, such that the minor is without the physical or financial support of a parent or legal guardian; and

(4) The minor's parent or legal guardian has consented to the minor living independent of the parents' or guardians' control. Consent may be expressed or implied, such that:

(a) Expressed consent is any verbal or written statement made by the parents or guardian of the minor displaying approval or agreement that the minor may live independently of the parent's or guardian's control;

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.

18 (b) Implied consent is any action made by the parent or guardian of the minor that
19 indicates the parent or guardian is unwilling or unable to adequately care for the minor. Such
20 actions may include, but are not limited to:

21 a. Barring the minor from the home or otherwise indicating that the minor is not
22 welcome to stay;

23 b. Refusing to provide any or all financial support for the minor; or

24 c. Abusing or neglecting the minor, as defined in section 210.110 or committing an act
25 or acts of domestic violence against the minor, as defined in section 455.010.

26 2. A minor who is sixteen years of age or older and who is in the legal custody of the
27 children's division pursuant to an order of a court of competent jurisdiction shall be qualified and
28 competent to contract for the purchase of automobile insurance with the consent of the children's
29 division or the juvenile court. The minor shall be responsible for paying the costs of the
30 insurance premiums and shall be liable for damages caused by his or her negligent operation of
31 a motor vehicle. No state department, foster parent, or entity providing case management of
32 children on behalf of a department shall be responsible for paying any insurance premiums nor
33 liable for any damages of any kind as a result of the operation of a motor vehicle by the minor.

34 **3. A minor who is sixteen years of age or older and who is in the legal custody of**
35 **the children's division pursuant to an order of a court of competent jurisdiction shall be**
36 **qualified and competent to contract for the opening of a checking or savings account at a**
37 **financial institution with the consent of the children's division or the juvenile court. The**
38 **minor shall be responsible for paying the costs of such account and shall be liable for any**
39 **penalties should he or she violate an account agreement. No state department, foster**
40 **parent, or entity providing case management of children on behalf of a department shall**
41 **be responsible or liable for paying any fees or penalties associated with the minor's**
42 **checking or savings account.**

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