

SECOND REGULAR SESSION

# HOUSE BILL NO. 2207

100TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE PATTERSON.

4968H.011

DANA RADEMAN MILLER, Chief Clerk

---

## AN ACT

To amend chapter 491, RSMo, by adding thereto one new section relating to witness protection programs.

---

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

Section A. Chapter 491, RSMo, is amended by adding thereto one new section, to be known as section 491.641, to read as follows:

**491.641. 1. (1) There is hereby created in the state treasury the "Pretrial Witness Protection Services Fund", which shall consist of moneys collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely by the department of public safety for the purposes of witness protection services pursuant to this section.**

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

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

**2. Any law enforcement agency may provide for the security of witnesses, potential witnesses, and their immediate families in criminal proceedings instituted or investigations pending against a person alleged to have engaged in a violation of state law. Providing for witnesses may include provision of housing facilities and for the health, safety, and welfare of such witnesses and their immediate families, if testimony by such a witness might subject**

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 the witness or a member of his or her immediate family to danger of bodily injury, and  
19 may continue so long as such danger exists. Subject to appropriations from the general  
20 assembly for the purposes provided for in this section, funds may be appropriated from  
21 the pretrial witness protection services fund.

22 3. The department of public safety may authorize funds to be disbursed to law  
23 enforcement agencies for the purchase, rental, or modification of protected housing  
24 facilities for the purpose of this section. The law enforcement agency may contract with  
25 any department of federal or state government to obtain or to provide the facilities or  
26 services to carry out this section.

27 4. The department of public safety may authorize expenditures for law enforcement  
28 agencies to provide for the health, safety, and welfare of witnesses and victims, and the  
29 families of such witnesses and victims, whenever testimony from, or a willingness to testify  
30 by, such a witness or victim would place the life of such person, or a member of his or her  
31 family or household, in jeopardy. A law enforcement agency shall submit an application  
32 to the department of public safety which shall include, but not necessarily be limited to:

33 (1) Statement of conditions which qualify persons for protection;

34 (2) Precise methods the originating agency will use to provide protection, including  
35 relocation of persons and reciprocal agreements with other law enforcement agencies; and

36 (3) Statement of the projected costs over a specified period of time.

37 5. The provisions of this section shall terminate on December 31, 2021.

✓