

FIRST REGULAR SESSION

# SENATE BILL NO. 197

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

0615S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 455, RSMo, by adding thereto one new section relating to the sole purpose of protective orders.

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

Section A. Chapter 455, RSMo, is amended by adding thereto one new section, to be known as section 455.098, to read as follows:

**455.098. 1. Upon the request of the victim or the prosecuting or circuit attorney, a court shall have jurisdiction at the time of sentencing to enter a lifetime protection order restraining or enjoining the defendant from contacting the victim if the defendant has been found guilty of a dangerous felony, as defined in section 556.061. The protection order shall be effective immediately and shall be served on the defendant at the time of sentencing. An order issued pursuant to this section shall not expire and is valid for the defendant's lifetime unless:**

**(1) The defendant makes a showing to the court that the victim has died or the conviction has been dismissed, expunged, or overturned or the defendant has been pardoned;**  
**or**

**(2) The victim submits a written request to the court for an early expiration upon which the court may hold a hearing to terminate the order.**

18           2. A copy of any order of protection granted pursuant  
19 to this section shall be issued to the victim and to the  
20 local law enforcement agency in the jurisdiction where the  
21 victim resides. The court shall provide all necessary  
22 information, including the defendant's relationship to the  
23 victim, for entry of the order of protection into the  
24 Missouri Uniform Law Enforcement System (MULES) and the  
25 National Crime Information Center (NCIC). Upon receiving  
26 the order under this subsection, the sheriff shall make the  
27 entry into MULES within twenty-four hours. MULES shall  
28 forward the order information to NCIC, which will in turn  
29 make the order viewable within the National Instant Criminal  
30 Background Check System (NICS). The sheriff shall enter  
31 information contained in the order, including, but not  
32 limited to, any orders regarding child custody or visitation  
33 and all specifics as to times and dates of custody or  
34 visitation that are provided in the order. A notice of  
35 termination of any order of protection or any change in  
36 child custody or visitation within that order shall be  
37 issued to the local law enforcement agency for entry into  
38 MULES or any other comparable law enforcement system. The  
39 information contained in an order of protection may be  
40 entered into MULES or any other comparable law enforcement  
41 system using a direct automated data transfer from the court  
42 automated system to the law enforcement system.

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