

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 761
101ST GENERAL ASSEMBLY

3550H.04C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 476.055, 575.095, and 610.021, RSMo, and to enact in lieu thereof nine new sections relating to transparency in public institutions, with penalty provisions.

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

Section A. Sections 476.055, 575.095, and 610.021, RSMo, are repealed and nine
2 new sections enacted in lieu thereof, to be known as sections 43.253, 105.1500, 161.841,
3 170.355, 476.055, 575.095, 610.021, 1, and 2, to read as follows:

**43.253. 1. Notwithstanding any other provision of law to the contrary, a
2 minimum fee of five dollars may be charged by the Missouri state highway patrol for a
3 records requests for a Missouri Uniform Crash Report or Marine Accident
4 Investigation Report where there are allowable fees of less than five dollars under
5 this chapter or chapter 610. Such five-dollar fee shall be in place of any allowable fee of
6 less than five dollars.**

**7 2. The superintendent of the Missouri state highway patrol may increase the
8 minimum fee described in this section by no more than one dollar every other year
9 beginning August 28, 2022; however, the minimum fee described in this section shall not
10 exceed ten dollars.**

**105.1500. 1. This section shall be known and may be cited as "The Personal
2 Privacy Protection Act".**

3 2. As used in this section, the following terms mean:

**4 (1) "Personal information", any list, record, register, registry, roll, roster, or
5 other compilation of data of any kind that directly or indirectly identifies a person as a
6 member, supporter, or volunteer of, or donor of financial or nonfinancial support to,**

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.

7 any entity exempt from federal income tax under Section 501(c) of the Internal Revenue
8 Code of 1986, as amended;

9 (2) "Public agency", the state and any political subdivision thereof including,
10 but not limited to, any department, agency, office, commission, board, division, or other
11 entity of state government; any county, city, township, village, school district,
12 community college district; or any other local governmental unit, agency, authority,
13 council, board, commission, state or local court, tribunal or other judicial or quasi-
14 judicial body.

15 3. (1) Notwithstanding any provision of law to the contrary, but subject to the
16 exceptions listed under subsection 4 of this section, a public agency shall not:

17 (a) Require any individual to provide the public agency with personal
18 information or otherwise compel the release of personal information;

19 (b) Require any entity exempt from federal income taxation under Section 501(c)
20 of the Internal Revenue Code to provide the public agency with personal information or
21 otherwise compel the release of personal information;

22 (c) Release, publicize, or otherwise publicly disclose personal information in
23 possession of a public agency, unless consented to by an entity exempt from federal
24 income taxation under Section 501(c) of the Internal Revenue Code; or

25 (d) Request or require a current or prospective contractor or grantee with the
26 public agency to provide the public agency with a list of entities exempt from federal
27 income taxation under Section 501(c) of the Internal Revenue Code of 1986, as
28 amended, to which it has provided financial or nonfinancial support.

29 (2) All personal information in the possession of a public agency shall be
30 considered a closed record under chapter 610.

31 4. The provisions of this section shall not preclude any individual or entity from
32 being required to comply with any of the following:

33 (1) Submitting any report or disclosure required by this chapter or chapter 130;

34 (2) Responding to any lawful request or subpoena for personal information from
35 the Missouri ethics commission or the Missouri state highway patrol as a part of an
36 investigation, or publicly disclosing personal information as a result of an enforcement
37 action from the Missouri state highway patrol or from the Missouri ethics commission
38 pursuant to its authority in sections 105.955 to 105.966;

39 (3) Responding to any lawful warrant for personal information issued by a court
40 of competent jurisdiction;

41 (4) Responding to any lawful request for discovery of personal information in
42 litigation if:

43 **(a) The requestor demonstrates a compelling need for the personal information**
44 **by clear and convincing evidence; and**

45 **(b) The requestor obtains a protective order barring disclosure of personal**
46 **information to any person not named in the litigation;**

47 **(5) Any report or disclosure required by state law to be filed with the secretary**
48 **of state, provided that personal information obtained by the secretary of state is**
49 **otherwise subject to the requirements of paragraph (c) of subdivision (1) of subsection 3**
50 **of this section, unless expressly required to be made public by state law; or**

51 **(6) Admitting any personal information as relevant evidence before a court of**
52 **competent jurisdiction. However, no court shall publicly reveal personal information**
53 **absent a specific finding of good cause.**

54 **5. (1) A person or entity alleging a violation of this section may bring a civil**
55 **action for appropriate injunctive relief, damages, or both. Damages awarded under this**
56 **section may include one of the following, as appropriate:**

57 **(a) A sum of moneys not less than two thousand five hundred dollars to**
58 **compensate for injury or loss caused by each violation of this section; or**

59 **(b) For an intentional violation of this section, a sum of moneys not to exceed**
60 **three times the sum described in paragraph (a) of this subdivision.**

61 **(2) A court, in rendering a judgment in an action brought under this section,**
62 **may award all or a portion of the costs of litigation, including reasonable attorney's fees**
63 **and witness fees, to the complainant in the action if the court determines that the award**
64 **is appropriate.**

65 **(3) A person who knowingly violates this section is guilty of a class B**
66 **misdemeanor.**

161.841. 1. This section shall be known and may be cited as the "Parents' Access
2 **to Public School Records Act".**

3 **2. As used in this section, the term "parent" means a child's parent, guardian, or**
4 **other person having control or custody of the child.**

5 **3. This section shall be construed to empower parents to enforce the following**
6 **rights to access public records maintained by school districts and public schools in**
7 **which their children are enrolled that receive any federal or state moneys:**

8 **(1) The right to know what their minor child is being taught in school by**
9 **inspecting curricula, books, and other instructional materials provided to students;**

10 **(2) The right to receive identifying information about who is teaching their**
11 **minor child including, but not limited to, guest lecturers and outside presenters;**

12 **(3) The right to, upon request, receive the names of individuals and**
13 **organizations receiving school contracts and funding;**

14 **(4) The right to visit the school and check in on their minor child during school**
15 **hours;**

16 **(5) The right to view or receive all school records, medical or otherwise,**
17 **concerning their minor child;**

18 **(6) The right to receive information about the collection and transmission of**
19 **their minor child's data;**

20 **(7) The right to, upon request, receive public records and the process for**
21 **communicating with the public school's governing board;**

22 **(8) The right to, upon request, receive public information on acts of school**
23 **violence and reports made to law enforcement, pursuant with subsection 2 of section**
24 **160.261, in their minor child's school; and**

25 **(9) The right to know about situations affecting their minor child's general**
26 **safety in school.**

27 **4. No school district or public school shall require nondisclosure agreements or**
28 **similar forms for a parent's review of curricula. Each public school or school district**
29 **shall allow parents to make a copy of curriculum documents or receive such curriculum**
30 **documents in an electronic format, provided that no request would cause an**
31 **infringement of copyright protections provided under the federal Copyright Act of**
32 **1976 (17 U.S.C. Section 101 et seq.), as amended.**

33 **5. No school district or public school shall collect any biometric data about a**
34 **minor child without obtaining written parental consent before collecting such data or**
35 **information, except for biometric data necessary to create and issue appropriate school**
36 **identification cards.**

37 **6. Each school board meeting pertaining to curricula or general safety, shall be**
38 **held in public and allow for public comments, subject to the authorized closure of any**
39 **portion of such meeting under section 610.021.**

40 **7. Each school district and public school shall notify parents in a timely manner**
41 **of all reported incidents directly pertaining to student safety that result in any felony or**
42 **misdemeanor charges filed against teachers or other school employees related to such**
43 **reported incident.**

44 **8. No school district or public school shall provide any school records as**
45 **described in this section in violation of any relevant state or federal law or policy**
46 **protecting or limiting access to such minor child's school records. Nothing in this**
47 **section shall set aside the provisions of chapter 610 or other provisions regarding**
48 **records that are protected from disclosure by law.**

49 **9. Each school district and public school may adopt reasonable procedures for**
50 **parents to follow when exercising the parental right to visit the school and their minor**
51 **child during school hours.**

52 **10. No employee of any public school or school district shall encourage, coerce,**
53 **or attempt to coerce a minor child to withhold information from such minor child's**
54 **parents; provided, however, that any such person required to report suspected abuse or**
55 **neglect under sections 210.109 to 210.183 may encourage a minor child to withhold**
56 **information where disclosure could reasonably result in abuse or neglect.**

57 **11. The attorney general of this state or any parent of a minor child enrolled in a**
58 **public school in the district may bring a civil action for injunctive relief against the**
59 **school district or public school in which their child is enrolled if such school district or**
60 **public school violates this section. Such action shall be brought in the county where the**
61 **violation occurred. If a court finds that the school district or public school has**
62 **knowingly engaged in multiple or repeated violations of this section, the department of**
63 **elementary and secondary education shall withhold all moneys provided by monthly**
64 **distribution of state formula funding to such school district or public school until such**
65 **school district or public school is in compliance with this section. After the school**
66 **district or public school provides evidence that such school district or public school is in**
67 **compliance with this section, the department shall restore the distribution of the funding**
68 **to its original amount before the distribution was withheld. Any moneys that were**
69 **withheld under this subsection shall be released to such school district or public school**
70 **only if such school district or public school establishes compliance with this section in**
71 **the same school year in which the department withheld such moneys.**

72 **12. This section shall not be construed to limit the inalienable rights of a parent**
73 **or taxpayer, regardless of whether such rights are enumerated in the provisions of this**
74 **section.**

170.355. 1. As used in this section, the following terms mean:

2 **(1) "Parent", a student's parent, guardian, or other person having control or**
3 **custody of the student;**

4 **(2) "School", a public school or school district as such terms are defined in**
5 **section 160.011.**

6 **2. No school or school employee shall compel a teacher to discuss public policy**
7 **issues of the day.**

8 **3. No school or school employee shall compel a teacher or student to personally**
9 **adopt, affirm, adhere to, or profess ideas in violation of Title IV or Title VI of the federal**
10 **Civil Rights Act of 1964, as amended, including the following:**

11 **(1) That individuals of any race, ethnicity, color, or national origin are inherently**
12 **superior or inferior;**

13 **(2) That individuals should be adversely or advantageously treated on the basis**
14 **of individual race, ethnicity, color, or national origin; or**

15 **(3) That individuals, by virtue of their race, ethnicity, color, or national origin,**
16 **bear collective guilt and are inherently responsible for actions committed in the past by**
17 **other members of the same race, ethnicity, color, or national origin.**

18 **4. No course of instruction or unit of study offered by any school shall direct or**
19 **otherwise compel students to personally affirm, adopt, or adhere to any of the ideas**
20 **listed in subsection 3 of this section.**

21 **5. No course of instruction, unit of study, professional development, or training**
22 **program shall direct or otherwise compel teachers to personally affirm, adopt, or**
23 **adhere to any of the ideas listed in subsection 3 of this section.**

24 **6. (1) No school employee, when acting in the course of such employee's official**
25 **duties, shall organize, participate in, or carry out any act or communication that would**
26 **violate subsection 3 of this section.**

27 **(2) This subsection shall not be construed to prohibit a school employee from**
28 **discussing the ideas and history of the ideas listed in subsection 3 of this section.**

29 **7. This section shall not be construed to prohibit teachers or students from**
30 **discussing public policy issues or ideas that individuals may find unwelcome,**
31 **disagreeable, or offensive.**

32 **8. The attorney general of this state or any parent of a minor child enrolled in a**
33 **public school in the district may bring a civil action for injunctive relief against the**
34 **school district or public school in which their child is enrolled if such school district or**
35 **public school violates this section. Such action shall be brought in the county where the**
36 **violation occurred. If a court finds that the school district or public school has**
37 **knowingly engaged in multiple or repeated violations of this section, the department of**
38 **elementary and secondary education shall withhold all moneys provided by monthly**
39 **distribution of state formula funding to such school district or public school until such**
40 **school district or public school is in compliance with this section. After the school**
41 **district or public school provides evidence that such school district or public school is in**
42 **compliance with this section, the department shall restore the distribution of the funding**
43 **to its original amount before the distribution was withheld. Any moneys that were**
44 **withheld under this subsection shall be released to such school district or public school**
45 **only if such school district or public school establishes compliance with this section in**
46 **the same school year in which the department withheld such moneys.**

47 **9. This section shall not be construed to limit the inalienable rights of a parent or**
48 **taxpayer, regardless of whether such rights are enumerated in the provisions of this**
49 **section.**

 476.055. 1. There is hereby established in the state treasury the "Statewide Court
2 Automation Fund". All moneys collected pursuant to section 488.027, as well as gifts,
3 contributions, devises, bequests, and grants received relating to automation of judicial record
4 keeping, and moneys received by the judicial system for the dissemination of information and
5 sales of publications developed relating to automation of judicial record keeping, shall be
6 credited to the fund. Moneys credited to this fund may only be used for the purposes set forth
7 in this section and as appropriated by the general assembly. Any unexpended balance
8 remaining in the statewide court automation fund at the end of each biennium shall not be
9 subject to the provisions of section 33.080 requiring the transfer of such unexpended balance
10 to general revenue; except that, any unexpended balance remaining in the fund on September
11 1, 2023, shall be transferred to general revenue.

12 2. The statewide court automation fund shall be administered by a court automation
13 committee consisting of the following: the chief justice of the supreme court, a judge from
14 the court of appeals, four circuit judges, four associate circuit judges, four employees of the
15 circuit court, the commissioner of administration, two members of the house of
16 representatives appointed by the speaker of the house, two members of the senate
17 appointed by the president pro tem of the senate, the executive director of the Missouri office
18 of prosecution services, the director of the state public defender system, and two members of
19 the Missouri Bar. The judge members and employee members shall be appointed by the chief
20 justice. The commissioner of administration shall serve ex officio. The members of the
21 Missouri Bar shall be appointed by the board of governors of the Missouri Bar. Any member
22 of the committee may designate another person to serve on the committee in place of the
23 committee member.

24 3. The committee shall develop and implement a plan for a statewide court
25 automation system. The committee shall have the authority to hire consultants, review
26 systems in other jurisdictions and purchase goods and services to administer the provisions of
27 this section. The committee may implement one or more pilot projects in the state for the
28 purposes of determining the feasibility of developing and implementing such plan. The
29 members of the committee shall be reimbursed from the court automation fund for their actual
30 expenses in performing their official duties on the committee.

31 4. Any purchase of computer software or computer hardware that exceeds five
32 thousand dollars shall be made pursuant to the requirements of the office of administration for
33 lowest and best bid. Such bids shall be subject to acceptance by the office of administration.
34 The court automation committee shall determine the specifications for such bids.

35 5. The court automation committee shall not require any circuit court to change any
36 operating system in such court, unless the committee provides all necessary personnel, funds
37 and equipment necessary to effectuate the required changes. No judicial circuit or county
38 may be reimbursed for any costs incurred pursuant to this subsection unless such judicial
39 circuit or county has the approval of the court automation committee prior to incurring the
40 specific cost.

41 6. Any court automation system, including any pilot project, shall be implemented,
42 operated and maintained in accordance with strict standards for the security and privacy of
43 confidential judicial records. **Any court automation system, including any pilot project,
44 that provides public access to electronic records on the internet shall redact any
45 personal identifying information, including name, address, and year of birth, of a minor
46 and, if applicable, any next friend.** Any person who knowingly releases information from a
47 confidential judicial record is guilty of a class B misdemeanor. Any person who, knowing
48 that a judicial record is confidential, uses information from such confidential record for
49 financial gain is guilty of a class E felony.

50 7. On the first day of February, May, August and November of each year, the court
51 automation committee shall file a report on the progress of the statewide automation system
52 with:

- 53 (1) The chair of the house budget committee;
- 54 (2) The chair of the senate appropriations committee;
- 55 (3) The chair of the house judiciary committee; and
- 56 (4) The chair of the senate judiciary committee.

57 8. Section 488.027 shall expire on September 1, 2023. The court automation
58 committee established pursuant to this section may continue to function until completion of
59 its duties prescribed by this section, but shall complete its duties prior to September 1, 2025.

60 9. This section shall expire on September 1, 2025.

575.095. 1. A person commits the offense of tampering with a judicial officer if, with
2 the purpose to harass, intimidate or influence a judicial officer in the performance of such
3 officer's official duties, such person:

- 4 (1) Threatens or causes harm to such judicial officer or members of such judicial
5 officer's family;
- 6 (2) Uses force, threats, or deception against or toward such judicial officer or
7 members of such judicial officer's family;
- 8 (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such
9 judicial officer or such judicial officer's family;
- 10 (4) Engages in conduct reasonably calculated to harass or alarm such judicial officer
11 or such judicial officer's family, including stalking pursuant to section 565.225 or 565.227;

12 **(5) Disseminates through any means, including by posting on the internet, the**
13 **judicial officer or the judicial officer's family's personal information. For purposes of**
14 **this section, "personal information" includes a home address, Social Security number,**
15 **federal tax identification number, checking and savings account numbers, credit card**
16 **numbers, marital status, and identity of a child under eighteen years of age.**

17 2. A judicial officer for purposes of this section shall be a judge **or commissioner of**
18 **the state or federal court**, arbitrator, special master, juvenile officer, deputy juvenile officer,
19 state prosecuting or circuit attorney, state assistant prosecuting or circuit attorney, [~~juvenile~~
20 ~~court commissioner,~~] state probation or parole officer, or referee.

21 3. A judicial officer's family for purposes of this section shall be:

22 (1) Such officer's spouse; or

23 (2) Such officer or such officer's spouse's ancestor or descendant by blood or
24 adoption; or

25 (3) Such officer's stepchild, while the marriage creating that relationship exists.

26 4. The offense of tampering with a judicial officer is a class D felony. **However, if a**
27 **violation of this section results in death or bodily injury to the judicial officer or a**
28 **member of the judicial officer's family, the offense shall be a class B felony.**

 610.021. Except to the extent disclosure is otherwise required by law, a public
2 governmental body is authorized to close meetings, records and votes, to the extent they relate
3 to the following:

4 (1) Legal actions, causes of action or litigation involving a public governmental body
5 and any confidential or privileged communications between a public governmental body or
6 its representatives and its attorneys. However, any minutes, vote or settlement agreement
7 relating to legal actions, causes of action or litigation involving a public governmental body
8 or any agent or entity representing its interests or acting on its behalf or with its authority,
9 including any insurance company acting on behalf of a public government body as its insured,
10 shall be made public upon final disposition of the matter voted upon or upon the signing by
11 the parties of the settlement agreement, unless, prior to final disposition, the settlement
12 agreement is ordered closed by a court after a written finding that the adverse impact to a
13 plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of
14 section 610.011, however, the amount of any moneys paid by, or on behalf of, the public
15 governmental body shall be disclosed; provided, however, in matters involving the exercise of
16 the power of eminent domain, the vote shall be announced or become public immediately
17 following the action on the motion to authorize institution of such a legal action. Legal work
18 product shall be considered a closed record;

19 (2) Leasing, purchase or sale of real estate by a public governmental body where
20 public knowledge of the transaction might adversely affect the legal consideration therefor.

21 However, any minutes, vote or public record approving a contract relating to the leasing,
22 purchase or sale of real estate by a public governmental body shall be made public upon
23 execution of the lease, purchase or sale of the real estate;

24 (3) Hiring, firing, disciplining or promoting of particular employees by a public
25 governmental body when personal information about the employee is discussed or recorded.
26 However, any vote on a final decision, when taken by a public governmental body, to hire,
27 fire, promote or discipline an employee of a public governmental body shall be made
28 available with a record of how each member voted to the public within seventy-two hours of
29 the close of the meeting where such action occurs; provided, however, that any employee so
30 affected shall be entitled to prompt notice of such decision during the seventy-two-hour
31 period before such decision is made available to the public. As used in this subdivision, the
32 term "personal information" means information relating to the performance or merit of
33 individual employees;

34 (4) The state militia or national guard or any part thereof;

35 (5) Nonjudicial mental or physical health proceedings involving identifiable persons,
36 including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or
37 treatment;

38 (6) Scholastic probation, expulsion, or graduation of identifiable individuals,
39 including records of individual test or examination scores; however, personally identifiable
40 student records maintained by public educational institutions shall be open for inspection by
41 the parents, guardian or other custodian of students under the age of eighteen years and by the
42 parents, guardian or other custodian and the student if the student is over the age of eighteen
43 years;

44 (7) Testing and examination materials, before the test or examination is given or, if it
45 is to be given again, before so given again;

46 (8) Welfare cases of identifiable individuals;

47 (9) Preparation, including any discussions or work product, on behalf of a public
48 governmental body or its representatives for negotiations with employee groups;

49 (10) Software codes for electronic data processing and documentation thereof;

50 (11) Specifications for competitive bidding, until either the specifications are
51 officially approved by the public governmental body or the specifications are published for
52 bid;

53 (12) Sealed bids and related documents, until the bids are opened; and sealed
54 proposals and related documents or any documents related to a negotiated contract until a
55 contract is executed, or all proposals are rejected;

56 (13) Individually identifiable personnel records, performance ratings or records
57 pertaining to employees or applicants for employment, except that this exemption shall not

58 apply to the names, positions, salaries and lengths of service of officers and employees of
59 public agencies once they are employed as such, and the names of private sources donating or
60 contributing money to the salary of a chancellor or president at all public colleges and
61 universities in the state of Missouri and the amount of money contributed by the source;

62 (14) Records which are protected from disclosure by law;

63 (15) Meetings and public records relating to scientific and technological innovations
64 in which the owner has a proprietary interest;

65 (16) Records relating to municipal hotlines established for the reporting of abuse and
66 wrongdoing;

67 (17) Confidential or privileged communications between a public governmental body
68 and its auditor, including all auditor work product; however, all final audit reports issued by
69 the auditor are to be considered open records pursuant to this chapter;

70 (18) Operational guidelines, policies and specific response plans developed, adopted,
71 or maintained by any public agency responsible for law enforcement, public safety, first
72 response, or public health for use in responding to or preventing any critical incident which is
73 or appears to be terrorist in nature and which has the potential to endanger individual or
74 public safety or health. Financial records related to the procurement of or expenditures
75 relating to operational guidelines, policies or plans purchased with public funds shall be open.
76 When seeking to close information pursuant to this exception, the public governmental body
77 shall affirmatively state in writing that disclosure would impair the public governmental
78 body's ability to protect the security or safety of persons or real property, and shall in the same
79 writing state that the public interest in nondisclosure outweighs the public interest in
80 disclosure of the records;

81 (19) Existing or proposed security systems and structural plans of real property
82 owned or leased by a public governmental body, and information that is voluntarily submitted
83 by a nonpublic entity owning or operating an infrastructure to any public governmental body
84 for use by that body to devise plans for protection of that infrastructure, the public disclosure
85 of which would threaten public safety:

86 (a) Records related to the procurement of or expenditures relating to security systems
87 purchased with public funds shall be open;

88 (b) When seeking to close information pursuant to this exception, the public
89 governmental body shall affirmatively state in writing that disclosure would impair the public
90 governmental body's ability to protect the security or safety of persons or real property, and
91 shall in the same writing state that the public interest in nondisclosure outweighs the public
92 interest in disclosure of the records;

93 (c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by
94 the receiving agency within ninety days of submission to determine if retention of the

95 document is necessary in furtherance of a state security interest. If retention is not necessary,
96 the documents shall be returned to the nonpublic governmental body or destroyed;

97 (20) The portion of a record that identifies security systems or access codes or
98 authorization codes for security systems of real property;

99 (21) Records that identify the configuration of components or the operation of a
100 computer, computer system, computer network, or telecommunications network, and would
101 allow unauthorized access to or unlawful disruption of a computer, computer system,
102 computer network, or telecommunications network of a public governmental body. This
103 exception shall not be used to limit or deny access to otherwise public records in a file,
104 document, data file or database containing public records. Records related to the procurement
105 of or expenditures relating to such computer, computer system, computer network, or
106 telecommunications network, including the amount of moneys paid by, or on behalf of, a
107 public governmental body for such computer, computer system, computer network, or
108 telecommunications network shall be open;

109 (22) Credit card numbers, personal identification numbers, digital certificates,
110 physical and virtual keys, access codes or authorization codes that are used to protect the
111 security of electronic transactions between a public governmental body and a person or entity
112 doing business with a public governmental body. Nothing in this section shall be deemed to
113 close the record of a person or entity using a credit card held in the name of a public
114 governmental body or any record of a transaction made by a person using a credit card or
115 other method of payment for which reimbursement is made by a public governmental body;

116 (23) Records submitted by an individual, corporation, or other business entity to a
117 public institution of higher education in connection with a proposal to license intellectual
118 property or perform sponsored research and which contains sales projections or other
119 business plan information the disclosure of which may endanger the competitiveness of a
120 business; ~~and~~

121 (24) Records relating to foster home or kinship placements of children in foster care
122 under section 210.498; **and**

123 **(25) Individually identifiable customer usage and billing records for customers**
124 **of a municipally owned utility, unless the records are requested by the customer or**
125 **authorized for release by the customer, except that a municipally owned utility shall**
126 **make available to the public the customer's name, billing address, location of service,**
127 **and dates of service provided for any commercial service account.**

Section 1. 1. A person commits the offense of tampering with an election official
2 **if, with the purpose to harass or intimidate an election official in the performance of**
3 **such official's official duties, such person:**

4 **(1) Threatens or causes harm to such election official or members of such**
5 **election official's family;**

6 **(2) Uses force, threats, or deception against or toward such election official or**
7 **members of such election official's family;**

8 **(3) Attempts to induce, influence, or pressure an election official or members of**
9 **an election official's family to violate state law or the Constitution;**

10 **(4) Engages in conduct reasonably calculated to harass or alarm such election**
11 **official or such election official's family, including stalking pursuant to section 565.225**
12 **or 565.227;**

13 **(5) Disseminates through any means, including by posting on the internet, the**
14 **personal information of an election official or any member of an election official's**
15 **family. For purposes of this section, "personal information" includes a home address,**
16 **Social Security number, federal tax identification number, checking and savings account**
17 **numbers, credit card numbers, marital status, or identity of a child under eighteen years**
18 **of age.**

19 **2. For the purposes of this section, the term "election official" includes election**
20 **judges, challengers, watchers, and other volunteers or employees of an election**
21 **authority. The offense of tampering with an election official shall be a class D felony. If**
22 **a violation of this section results in death or bodily injury to an election official or a**
23 **member of the official's family, the offense shall be a class B felony.**

Section 2. A person commits the offense of tampering with a public official if,
2 **with the purpose to harass, intimidate, or influence a public official in the performance**
3 **of such official's official duties, such person disseminates through any means, including**
4 **by posting on the internet, the public official's family's personal information. For**
5 **purposes of this section, "personal information" includes a home address, Social**
6 **Security number, federal tax identification number, checking or savings account**
7 **numbers, marital status, and identity of a child under eighteen years of age. For the**
8 **purposes of this section, the term "public official" includes members of the general**
9 **assembly, statewide elected officials, first responders, children's division employees, and**
10 **employees of the department of corrections. The offense of tampering with a public**
11 **official shall be a class D felony. If a violation of this section results in death or bodily**
12 **injury to a public official or a member of the public official's family, the offense shall be**
13 **a class B felony.**

✓