

FIRST REGULAR SESSION

SENATE BILL NO. 211

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS WALSH AND DIXON.

Read 1st time January 8, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0254S.02I

AN ACT

To repeal sections 589.660 and 589.663, RSMo, and to enact in lieu thereof two new sections relating to the address confidentiality program administered by the secretary of state.

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

Section A. Sections 589.660 and 589.663, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 589.660 and 589.663, to read as follows:

589.660. As used in sections 589.660 to 589.681, the following terms mean:

(1) "Address", a residential street address, school address, or work address of a person, as specified on the person's application to be a program participant;

(2) "Application assistant", an employee of a state or local agency, or of a nonprofit program that provides counseling, referral, shelter, or other specialized service to victims of domestic violence, rape, sexual assault, **human trafficking**, or stalking, who has been designated by the respective agency or program, and who has been trained and registered by the secretary of state to assist individuals in the completion of program participation applications;

(3) "Designated address", the address assigned to a program participant by the secretary;

(4) "Mailing address", an address that is recognized for delivery by the United States Postal Service;

(5) "Program", the address confidentiality program established in section 589.663;

(6) "Program participant", a person certified by the secretary of state as

18 eligible to participate in the address confidentiality program;

19 (7) "Secretary", the secretary of state.

589.663. There is created in the office of the secretary of state a program
2 to be known as the "Address Confidentiality Program" to protect victims of
3 domestic violence, rape, sexual assault, **human trafficking**, or stalking by
4 authorizing the use of designated addresses for such victims and their minor
5 children. The program shall be administered by the secretary under the following
6 application and certification procedures:

7 (1) An adult person, a parent or guardian acting on behalf of a minor, or
8 a guardian acting on behalf of an incapacitated person may apply to the secretary
9 to have a designated address assigned by the secretary to serve as the person's
10 address or the address of the minor or incapacitated person;

11 (2) The secretary may approve an application only if it is filed with the
12 office of the secretary in the manner established by rule and on a form prescribed
13 by the secretary. A completed application shall contain:

14 (a) The application preparation date, the applicant's signature, and the
15 signature and registration number of the application assistant who assisted the
16 applicant in applying to be a program participant;

17 (b) A designation of the secretary as agent for purposes of service of
18 process and for receipt of first-class mail, legal documents, and certified mail;

19 (c) A sworn statement by the applicant that the applicant has good reason
20 to believe that he or she:

21 a. Is a victim of domestic violence, rape, sexual assault, **human**
22 **trafficking**, or stalking; and

23 b. Fears further violent acts from his or her assailant;

24 (d) The mailing address where the applicant may be contacted by the
25 secretary or a designee and the telephone number or numbers where the
26 applicant may be called by the secretary or the secretary's designee; and

27 (e) One or more addresses that the applicant requests not be disclosed for
28 the reason that disclosure will jeopardize the applicant's safety or increase the
29 risk of violence to the applicant or members of the applicant's household;

30 (3) Upon receipt of a properly completed application, the secretary may
31 certify the applicant as a program participant. A program participant is certified
32 for four years following the date of initial certification unless the certification is
33 withdrawn or cancelled before that date. The secretary shall send notification of
34 lapsing certification and a reapplication form to a program participant at least

35 four weeks prior to the expiration of the program participant's certification;
36 (4) The secretary shall forward first class mail, legal documents, and
37 certified mail to the appropriate program participants.

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