
Emergency Rules

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 70—Safe at Home: Address Confidentiality Program

EMERGENCY AMENDMENT

15 CSR 30-70.010 Definitions. The secretary of state is amending sections (1), (4), (5), (12), and (14), adding a new section (2), and renumbering as needed.

PURPOSE: This rule is being amended to update its contents to align with statutory changes to the Safe at Home laws in 2018.

EMERGENCY STATEMENT: The secretary of state determined that this emergency amendment is necessary to preserve a compelling governmental interest.

This emergency amendment is necessary to address statutory sections enacted in HB 1461 (2018), specifically sections 589.660 to 589.681, RSMo, which become law on August 28, 2018, and amend components of the Safe at Home program. Since 2007, the Safe at Home: Address Confidentiality Program has helped victims of domestic violence, rape, sexual assault, human trafficking, stalking, or other crimes who fear for their safety, as well as the safety of individuals residing in the same household as the victim, by authorizing the use of designated addresses for such victims, their minor children, and individuals residing with them. These services keep survivors' confidential addresses out of the hands of their assailants.

The secretary of state needs this emergency rule to ensure that the rules associated with Safe at Home are active shortly after HB 1461 becomes law on August 28, 2018. This emergency rule provides definitions of terms for administration of the program, which will allow the secretary of state to continue operating Safe at Home effectively.

The secretary of state finds there is a compelling governmental interest, which requires this emergency action. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The secretary of state believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 23, 2018, becomes effective September 2, 2018, and expires February 28, 2019.

(1) Address—A residential street address, school address, or work address of a [person, as specified on the person's application to be a] Safe at Home Program participant.

(2) Address Confidentiality Program—A program to protect victims of domestic violence, rape, sexual assault, human trafficking, stalking, or other crimes who fear for their safety, as well as the safety of individuals residing in the same household as the victim, by authorizing the use of designated addresses for such victims, their minor children, and individuals residing with them.

[(2)](3) Authorization card/letter—Card or letter issued by the secretary of state to a Safe at Home Program participant upon certification to the Safe at Home Program, which includes the Safe at Home Program participant's name, authorization code, voter code, designated address, signature, and certification expiration date.

[(3)](4) Authorization code—A number assigned to a Safe at Home Program participant upon acceptance into the Safe at Home Program.

[(4)](5) Application—Standard application form provided by the secretary of state which must be completed by an applicant to the Safe at Home Program [with approval of] facilitated by an application assistant as defined by section 589.663, RSMo.

[(5)](6) Application assistant—An employee or volunteer of a [state or local] government 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, or other crimes and 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 the Safe at Home Program participation applications.

[(6)](7) Certification—The process by which an applicant is determined eligible to participate in the Safe at Home Program.

[(7)](8) Designated address—The address assigned to a Safe at Home Program participant by the secretary.

[(8)](9) Mailing address—An address that is recognized for delivery by the United States Postal Service.

[(9)](10) Program—The Safe at Home: Address Confidentiality Program established in section 589.663, RSMo.

[(10)](11) Program manager—Employee of the Office of the Secretary of State designated by the secretary to administer the Safe at Home Program pursuant to sections 589.660–589.681, RSMo.

[(11)](12) Program participant—A person certified by the secretary of state as eligible to participate in the Safe at Home Program.

[(12)](13) Qualified agency—A [state or local] government agency or nonprofit program that provides counseling, referral, shelter, or other specialized service to victims of domestic [abuse] violence, rape, sexual assault, human trafficking, [or] stalking, or other crimes.

[(13)](14) Secretary—The secretary of state. This may also include the secretary of state's office and the secretary's designee.

[(14)](15) Voter code—A [number] code assigned to a Safe at Home Program participant upon acceptance into the Safe at Home Program which is to be used for identification purposes when registering to vote or when voting.

AUTHORITY: section 589.681, RSMo 2016. Emergency rule filed Aug. 17, 2007, effective Aug. 28, 2007, expired Feb. 28, 2008. Original rule filed Aug. 17, 2007, effective Feb. 29, 2008. Emergency amendment filed Sept. 9, 2016, effective Sept. 19, 2016, expired March 17, 2017. Amended: Filed Sept. 9, 2016, effective March 30, 2017. Emergency amendment filed Aug. 23, 2018, effective Sept. 2, 2018, expires Feb. 28, 2019. An emergency amendment and a proposed amendment covering this same material will be published in the October 1, 2018, issue of the Missouri Register.