

SECOND REGULAR SESSION

# HOUSE BILL NO. 1498

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES JOHNSON (90), BRITT, HOSMER, McKENNA, HARDING,  
JOLLY, SHOEMYER (9), WILLOUGHBY, BERKOWITZ (Co-sponsors), BARNITZ,  
COPENHAVER AND GREEN (15).

Read 1<sup>st</sup> time January 16, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

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### AN ACT

To amend chapters 565 and 566, RSMo, by adding thereto two new sections relating to sexual offenses against inmates and residents in skilled nursing facilities and Alzheimer's special units or programs, with penalty provisions.

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

Section A. Chapters 565 and 566, RSMo, are amended by adding thereto two new sections, to be known as sections 565.200 and 566.145, to read as follows:

**565.200. 1. Any owner or employee of a skilled nursing facility, as defined in section 198.006, RSMo, or an Alzheimer's special unit or program, as defined in section 198.505, RSMo, who:**

**(1) Has sexual contact, as defined in section 566.010, RSMo, with a resident is guilty of a class B misdemeanor. Any person who commits a second or subsequent violation of this subdivision is guilty of a class A misdemeanor; or**

**(2) Has sexual intercourse or deviant sexual intercourse, as defined in section 566.010, RSMo, with a resident is guilty of a class D felony. Any person who commits a second or subsequent violation of this subdivision is guilty of a class C felony.**

**2. The provisions of this section shall not apply to an owner or employee of a skilled nursing facility or Alzheimer's special unit or program who engages in sexual conduct, as defined in section 566.010, RSMo, with a resident to whom the owner or employee is married.**

**566.145. 1. A person commits the crime of sexual conduct with an inmate if such person is an employee of, or assigned to work in, any jail, prison or correctional facility and such person has sexual intercourse or deviate sexual intercourse with an inmate or**

4 **resident of the facility.**

5 **2. Sexual conduct with an inmate is a class D felony.**