

SECOND REGULAR SESSION

HOUSE BILL NO. 2227

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE QUINN.

Read 1st time March 15, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

5087L.011

AN ACT

To amend chapter 43, RSMo, by adding thereto four new sections relating to criminal justice, with penalty provisions.

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

Section A. Chapter 43, RSMo, is amended by adding thereto four new sections, to be known as sections 43.653, 43.656, 43.659, and 565.151, to read as follows:

43.653. The state highway patrol is hereby authorized to create, direct, control and supervise the "Missouri Regional Computer Forensics Lab" (RCFL). The state highway patrol has the ability to bring together federal, state, and local resources to fight computer crimes for the purposes listed in section 43.656. The RCFL shall be located within a twenty-five mile radius of an international airport.

43.656. It is hereby found and declared that:

(1) With the widespread use of computers, the Internet and electronic devices to commit crimes and the critical lack of resources at state and local levels;

(2) Modern day criminals have learned to exploit the Internet and electronic communication to leverage computer technology to reach a virtually unlimited number of victims while maintaining a maximum level of anonymity, computer crimes will continue to mount, especially in, but not limited to, the areas of child pornography and sexual offenses involving children, consumer fraud and harassment.

(3) It is necessary for the protection of the citizens of this state that provisions be made for the establishment of the Missouri regional computer forensics lab to prevent and reduce computer, Internet and other electronically-based crimes.

43.659. The state highway patrol shall have the power, as necessary or convenient to carry out and effectuate the purposes and provisions of sections 43.653 to 43.656, to

3 enter into agreements or other transactions with, negotiate memorandum of understanding
4 with all governmental agencies, participate in interstate computer forensic matters as they
5 relate to the purposes of the center, both within and outside the state when necessary or
6 appropriate, or when required to do so by a proper authority and accept grants and the
7 cooperation of, the United States or any agency or instrumentality thereof or of this state
8 or any agency or instrumentality thereof, in furtherance of the purposes of this section, and
9 to do any and all things necessary in order to avail itself of such aid and cooperation.

565.151. 1. A person at least twenty-one years of age or older commits the crime
2 of enticement of a child if that person, for the purpose of engaging in sexual or criminal
3 conduct with a child, persuades whether by words or actions or through communication
4 via the Internet or any electronic communication, any person who is less than sixteen years
5 of age to:

6 (1) Leave home or school; or

7 (2) Enter a vehicle, building, structure, alley, or any other enclosed area so that the
8 child is concealed from public view.

9 2. Nothing contained in this section shall prevent the lawful detention of a child or
10 the rendering of aid or assistance to a child.

11 3. Attempting to entice a child is a class D felony.

12 4. Enticement of a child is a class B felony unless the person has previously pled
13 guilty to or been found guilty of violating the provisions of this section, section 568.045,
14 568.050, or 568.060, RSMo, or chapter 566, RSMo, in which case it is a class A felony.