

FIRST REGULAR SESSION

# HOUSE BILL NO. 985

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES ANDERS (Sponsor), MONTECILLO, CARLSON,  
McDONALD AND WALTON GRAY (Co-sponsors).

2102L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 566.147, RSMo, and to enact in lieu thereof one new section relating to restrictions on the residence of sexual offenders, with penalty provisions.

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

Section A. Section 566.147, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 566.147, to read as follows:

566.147. 1. Any person who, since July 1, 1979, has been or hereafter has pleaded guilty or nolo contendere to, or been convicted of, or been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of subsection 2 of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, use of a child in a sexual performance; section 568.090, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography in the first degree; section 573.035, promoting child pornography in the second degree; section 573.037, possession of child pornography, or section 573.040, furnishing pornographic material to minors; or

(2) Any offense in any other state or foreign country, or under federal, tribal, or military jurisdiction which, if committed in this state, would be a violation listed in this section; shall not reside within one thousand feet of:

(a) Any public school as defined in section 160.011[, or] ;

(b) Any private school giving instruction in a grade or grades not higher than the twelfth grade[, or] ;

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.

16 (c) Any child-care facility [as defined in section 210.201, which] **that is licensed under**  
17 **chapter 210; or**

18 (d) **Any residence, business, nonprofit organization, or church that holds itself out**  
19 **to be a childcare facility;**

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21 **where the school or facility** is in existence at the time the individual begins to reside at the  
22 location.

23 2. If such person has already established a residence and a public school, a private  
24 school, or child-care facility is subsequently built or placed within one thousand feet of such  
25 person's residence, then such person shall, within one week of the opening of such public school,  
26 private school, or child-care facility, notify the county sheriff where such public school, private  
27 school, or child-care facility is located that he or she is now residing within one thousand feet  
28 of such public school, private school, or child-care facility and shall provide verifiable proof to  
29 the sheriff that he or she resided there prior to the opening of such public school, private school,  
30 or child-care facility.

31 3. For purposes of this section, "resides" means sleeps in a residence, which may include  
32 more than one location and may be mobile or transitory.

33 4. Violation of the provisions of subsection 1 of this section is a class D felony except  
34 that the second or any subsequent violation is a class B felony. Violation of the provisions of  
35 subsection 2 of this section is a class A misdemeanor except that the second or subsequent  
36 violation is a class D felony.